

Town of Washington
Inland Wetlands Commission
April 27, 2022
Regular Meeting
Hybrid – Zoom and Main Level Conference Room
MINUTES

Members Present: Mr. Papsin, Mr. Gendron, Ms. Audet, Ms. Bogue, Mr. Koppel, Alt.,

Via Zoom: Mr. Bennett, Ms. Dubow, Alt.

Staff Present: Ms. White, Ms. Haverstock

Public Present: Mr. DiVesta, Mr. Spath, Mr. Mack, Pottbecker

Via Zoom: Mr. Horvath, Mr. Giapponi, Ms. Zukauskas, Mr. Gordon

Regular Business

Mr. Papsin called the meeting to order at 7:03 pm.

Members Seated: Mr. Papsin, Mr. Bennett, Mr. Gendron, Ms. Audet, Ms. Bogue

Consideration of the Minutes (00:25)

Regular Meeting Minutes of 4-13-2022:

Motion: To approve the Regular Meeting Minutes of 4-13-2022 as submitted, by Ms. Audet, seconded by Ms. Bogue, passed by 5-0 vote.

Special Meeting Minutes of 4-20-2022 Site Inspection Report – 127 Upper Church Hill Rd - #IW-22-12 (attachment A):

Motion: To approve the Special Meeting Minutes of 4-20-2022 Site Inspection Report for 127 Upper Church Hill Rd - #IW-22-12 as submitted, by Mr. Gendron, seconded by Ms. Audet, passed by 5-0 vote.

Special Meeting Minutes of 4-22-2022 Site Inspection Report – 160 & 162 East Shore Rd and 53 & 45 Rabbit Hill Rd - #IW-22-14 (attachment B):

Motion: To approve the Special Meeting Minutes of 4-22-2022 Site Inspection Report for 160 & 162 East Shore Rd, 53 & 45 Rabbit Hill Rd - #IW-22-14 as submitted, by Ms. Audet, seconded by Ms. Bogue, passed by 5-0 vote.

Special Meeting Minutes of 4-20-2022 Site Inspection Report – 257 West Shore Rd - #IW-22-15 (Attachment C):

Motion: To approve the Special Meeting Minutes of 4-20-2022 Site Inspection Report for 257 West Shore Rd - #IW-22-15 as submitted, by Mr. Gendron, seconded by Ms. Audet, passed by 5-0 vote.

Motion to Include Subsequent Business Not Already Posted on the Agenda:

None to add

Pending Applications

Gordon/127 Upper Church Hill Rd/Application for Permit #IW-22-12 to build single family dwelling & garage within review area (2:52):

Mr. Mack, P.E. and Mr. Spath were present to represent the property owners for this application. He stated that there were some changes made to the plans as a result of the site inspection with the IWC.

The plans indicate the trees that are to be removed, the left driveway entrance has been moved 25' away from the wetland flag and twin 6-inch pipes will be installed under the driveway to allow water to flow. The anti-tracking pad was changed to the right driveway entrance. The following has been added to the plans: 1. haybales to the silt fence, 2. an area for a possible well water treatment system, sequence of construction, list of machinery, backwash area for saltwater pool, and a note for a future modification to the permit to remove invasive plants and propose a new planting plan.

Mr. Mack noted that the driveway will be gravel and the size of the patio was reduced and replaced with a grassed area.

Motion: To approve application for Permit #IW-22-12, Submitted by Stuart Somers Co., LLC, for Gordon at 127 Upper Church Hill Road to build single family dwelling and garage within review area plan titled: "Subsurface Sewage Disposal System," prepared for Bruce & Robin Gordon, by Stuart Somers Co., LLC, dated 1-3-2022 with revision date of 4-25-2022, sheets 1-4 of 4, "Data Accumulation Plan," prepared for Bruce & Robin Gordon, by Stuart Somers Co., LLC, dated 2-4-2022 with revision date of 4-25-2022, sheet 1 of 1, the list of revisions dated 4-26-2022 by John J. Mack, P.E., and the permit application signed by Bruce and Robin Gordon, dated 3/9/2022 with accompanying documentation. This permit is valid for five (5) years and is subject to the following conditions: 1. that the Land Use Office be notified 48 hours prior to the commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner gives the contractor copies of both the motion of approval and approved plans prior to the commencement of work, 3. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee, and 4. Applicant will apply for a modification to this permit to include an invasive removal and planting plan. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Ms. Audet, seconded by Mr. Gendron, passed by 5-0 vote.

Steep Rock Association/397 Nettleton Hollow Rd/Application for Permit #IW-22-13/Construct trail structures w/in regulated area (18:35):

Mr. Giapponi, Steep Rock Association Trails & Preserves Manager, was present to discuss this application with the IWC.

The IWC stated that they felt that this was a straightforward application and had no further questions.

Motion: To approve the application for Permit #IW-22-13 submitted by Steep Rock Association at 397 Nettleton Hollow Rd to construct trail structures w/in the regulated area per plan titled, "Hillside Farm Recreation Plan," prepared for 397 Nettleton Hollow Rd, by Mike Giapponi, dated 3-4-2022, Attachment A – Project Narrative by Mike Giapponi, dated 3-9-22 and the permit application signed by B. Hagenbuch, dated 3-30-22 with accompanying documentation. This permit is valid for two(2) years and is subject to the following conditions: 1. that the Land Use Office be notified 48 hours prior to the

commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner gives the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Mr. Gendron, seconded by Ms. Audet, passed by 5-0 vote.

Steep Rock Association/160 & 162 East Shore Rd and 53 & 45 Rabbit Hill Rd/Application for Permit #IW-22-14/Construct hiking trails in regulated area (22:57):

Mr. Giapponi was present to discuss this application. Mr. Koppel gave a brief description of the hike that he, Mr. Gendron and Mr. Giapponi took to see the location of the proposed trails.

Mr. Giapponi stated that most of the work will be done in the dry season and that in June and July they will be cutting and clearing and August and September they would bring in the machinery. He added that there would not be any spraying for invasives.

Motion: To approve the application for Permit #IW-22-14 submitted by Steep Rock Association for 160 & 162 East Shore Rd and 53 & 45 Rabbit Hill Rd to construct hiking trails w/in the regulated area per plan titled, "Hiking Trail Construction," and "Hiking Trails Construction Wetlands Close-Up" prepared for Macricostas Preserve, by Mike Giapponi, dated 3-14-2022, Attachment A – Project Narrative by Mike Giapponi, dated 3-14-22, April 25, 2022 letter with SRA Draft Invasive Management Plan submitted by M. Giapponi, 8 pages of Corridor Clearing & Trail Construction, 7 pages of Standard Trail Plan prepared by the U.S. Department of Agriculture Forest Service, and the permit application signed by B. Hagenbuch, dated 3-30-22 with accompanying documentation. This permit is valid for two(2) years and is subject to the following conditions: 1. that the Land Use Office be notified 48 hours prior to the commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner gives the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Mr. Gendron, seconded by Ms. Audet, passed by 5-0 vote.

Baldwin/257 West Shore Rd/Application for Permit #IW-22-15/proposed floating dock (31:49):

Mr. Pottbecker from WeDocks was present to represent the property owners for this application. He noted that he was submitting a revised plan titled, "Site Plan – Proposed Floating Dock" prepared for Sherman & Alice Baldwin, by Berkshire Engineering & Surveying, LLC, dated 4-5-2022, with handwritten anchor location detail initialed, signed and dated 4-27-22 by C. Pottbecker, and a side view of the proposed dock, concrete landing and anchor detail title, "Baldwin Residence," prepared by WeDocks, signed and dated 4-27-2022. Mr. Pottbecker confirmed that he would have the silt fence and /or haybales in place before construction and for the Enforcement Officer to inspect.

Motion: To approve the application for Permit #IW-22-15 submitted by WeDocks for Baldwin at 257 West Shore Rd for a floating dock per plan titled, "Site Plan – Proposed Floating Dock" prepared for Sherman & Alice Baldwin, by Berkshire Engineering & Surveying, LLC, dated 4-5-2022, with handwritten anchor detail initialed, signed and dated 4-27-22 by C. Pottbecker, and the permit application signed by S. & A. Baldwin, dated 4-5-22 with accompanying documentation. This permit is valid for two(2) years and is subject to the following conditions: 1. that the Land Use Office be notified 48 hours prior to the commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner gives the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Ms. Audet, seconded by Ms. Bogue, passed by 5-0 vote.

New Applications to be Received by The Commission

Perlman-Hanson/36 Hinkle Rd/Application to Modify Permit #IW-21-58 (40:03):

Mr. DiVesta, P.E. and Mr. Horvath from Laguardia Architects were present via Zoom was present to represent the property owners for this request to modify an existing permit. He explained to the IWC how the precast concrete culverts would require more digging because they require 5-foot wide footings below the frostline and, as a result, creating a larger footprint and more disturbance to the wetlands.

Mr. DiVesta displayed the revised driveway location plan titled "Details" prepared for Perlman-Hanson Residence, by DiVesta Engineering, LLC., original date 9-1-21, revised date 1-04-22, page 7. This plan illustrates Wetlands Crossing #1 Section A-A and Wetlands Crossing #2 Section B-B and uses 3 15-inch corrugated plastic pipe laid on top of the wetlands and providing head walls and end walls on top of the ground without footings, using modified riprap to hold the pipe in place. Mr. DiVesta stated that they based the design on a 25-year storm rainfall data from NOAA. A trash rack is also included in the design to keep debris from entering into the pipes and these will be maintained by the property owners.

The Commissioners felt that this was a more thoughtful alternative and had no further questions.

Motion: To approve the modification of Permit #IW-21-58 submitted by DiVesta Civil Engineering, LLC. for Perlman-Hanson at 36 Hinkle Rd to construct driveway crossing wetlands and in the review area per plans: Revised Driveway Plan titled "Overall Site Plan" prepared for Perlman-Hanson Residence, by DiVesta Engineering, LLC., original date 9-1-21, revised date 1-04-22 sheet 1 of 7, Revised Driveway Location Plan titled "Proposed Site Development Plan" prepared for Perlman-Hanson Residence, by DiVesta Engineering, LLC., original date 9-1-21, revised date 1-04-22, sheets 2-5 of 7. (4 sheets), Revised Driveway Location Plan titled "Details" prepared for Perlman-Hanson Residence, by DiVesta Engineering, LLC., original date 9-1-21, revised date 1-04-22, sheets 6-7 of 7. (2 sheets), letter from Branson Forestry Revised from original date 7-6-21, revised date 12-21-21 (4 pgs), Drainage Report by D. DiVesta Civil Engineering, LLC, revised date 4-4-22 (9 pgs), and the Application to Modify an Approved Permit with narrative signed and dated 4-19-2022. This permit is valid five (5) years from the original permit approval of 1-12-22 and original conditions of Permit #IW-21-58 remain. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Ms. Audet, seconded by Ms. Bogue, passed by 5-0 vote.

Other Business:

Discussion RE: Revisions to Section 15 of the Inland Wetlands and Watercourses Regulations:

The Commissioners discussed what would be sent to Counsel for review. Ms. White stated that she would send the Commissioners the final draft, then send to Counsel.

Enforcement and Compliance Initiatives:

See Attachment D

Administrative Business:

None to add

Communications:

None to add.

Adjournment:

Motion: To adjourn the meeting at 8:13 pm, by Mr. Papsin

Respectfully submitted,

Shelley White

Shelley White, Land Use Administrator, 4-29-2022

Link to recording of meeting:

https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/swhite_washingtonct_org/EZdR14oWf9ILrSUyx89bup8B8mZ8wdryH2uezGodgS8Crg?e=XHcDGi

**Town of Washington, CT
Bryan Memorial Town Hall
Washington Depot, CT 06794**

**Inland Wetlands Commission
Site Inspection Report**

April 20, 2022 - 3:00 PM

Wetlands Application #IW-22-12

Applicant:

Location: 127 Upper Church Hill Rd., Washington, CT

Commissioners present: Joëne Audet, Bruce Bennett, Bob Papsin, Larry Gendron, Chris Koppel

Land use Staff present: None

Others present: Charlie Spath, Jeremy Spath, John Mack

The weather was clear and dry. The Commissioners gathered along Upper Church Hill Road on the north side of the property. The locations of the proposed improvements were staked on the property. A fair amount of residual ponding was observed extending approximately 10' into the property from the edge of the road and running approximately 30' +/- west from the proposed eastern driveway entrance location. The close proximity of this proposed driveway entrance in relation to the wetlands location was discussed, and it was agreed that the proposed entrance would be moved approximately 25' to the east, away from the wetlands location. There will be some grading and filling to bring the driveway entrance to grade and it is proposed that 6" pipes be embedded in that fill to permit free travel of ponding on either side of driveway entrance that may occur as was observed at time of site visit. Several notable trees were observed in the area of the revised driveway entrance. Applicant is to identify and mark all trees proposed to be removed. Additionally, as it appears that the invasive shrubs along Church Hill Road will be removed and presumably replaced with native shrubs, Applicant is to provide a planting plan. Further, applicant is to verify that the proposed driveway will be stone/gravel. The location of the proposed driveway entrance to the west may also be modified. In addition to other erosion control measures depicted on the plan, Applicant shall stake hay bales along the north edge of the driveway (between proposed driveway and wetland location). Roof of proposed structure is to drain into proposed galley ways and carried away from the proposed structure to the south and east of the property, away from location of the wetlands. Applicant to confirm lawn versus patio as depicted on the plan. Applicant to confirm salt or freshwater pool and the pool filtration equipment is to be cartridge type and there will be means to drain pool water through the proposed galley ways. Dry well will be provided for any water softener installation. Applicant to provide a construction sequence along with heavy equipment list. The construction access to the property was explained as were proposed temporary stockpile areas.

The site visit ended at approximately 3:45 p.m.

Respectfully submitted,

Bruce P. Bennett

**TOWN OF WASHINGTON
BRYAN MEMORIAL TOWN HALL
POST OFFICE BOX 383
WASHINGTON DEPOT, CT 06794**

INLAND WETLANDS COMMISSION SITE INSPECTION REPORT

Application: IW-22-14 Application to construct a hiking trail

Time: 3:00-6:10 p.m.

Applicant: Steep Rock Association

Address: 160 & 162 East Shore Rd; 53 & 45 Rabbit Hill Rd, Washington, CT

Date: 04/22/2022

Reason for application: Construction of a hiking trail with corridor clearing, targeted tree removal, trail hillside bench construction, soil capping, crib wall construction, stepping stones over active water course with rebar pinning, stone steps, multiple log stringer bridge construction over active water course.

Members present: Chris Koppel, Larry Gendron

Others present: Mike Giapponi: Steep Rock Trails and Preserve Manager and Robby Barnett.

Observations:

Site inspection participants met at the parking area at the northern corner of Christian Street and Litchfield Turnpike/route 202. After introductions, participants proceeded north into the preserve, walking along the western edge of the 52+acre field to the lower footbridge and Meeker Swamp. Participants proceeded to walk into and up the eastern proposed trail that was clearly marked with pink flags. At the top, roughly 3/4 of a mile into the preserve, Mr. Giapponi outlined the initial plan for the overall proposed trail, stating there would be two phases for the work and

- The first phase would be the corridor clearing throughout, which would take place between June and July.
- The goal is to create a roughly 5-6 foot wide corridor, with an average clearing height of approximately 8 feet.
- The trail itself will be roughly 2-3 feet in width.
- Any root balls from targeted tree removal will be buried on-site in barrow pits.
- The company that will be doing the bulk of the trailwork is Tahawus Trails.

They are members of the trail builders association.

<https://trailbuilders.silkstart.com/companies/tahawus-trails-llc>

- Equipment used during this phase would be chain saws and various handtools.

Participants then proceeded northeast to the large vernal pool that is on the eastern most edge of the proposed trail. Participants walked down to the pool, observing *Vaccinium corymbosum* (wild blueberry), *Rhododendron viscosum* (Swamp azalea) and *Hamamelis virginiana* (American witch-hazel). Mr. Giapponi discussed the goal of keeping foot traffic, in particular dogs, from entering this large vernal pool (as well as the others), but at the same time, having the pools accessible for those on the trail. Signage will be posted at the vernal pools seasonally, when they are most active. Mr. Giapponi noted the proposed trail is as far from the vernal pool as possible at this narrow corridor.

Participants left the large vernal pool and continued north and then west along the marked path, observing three other smaller vernal pools.

Mr. Giapponi noted the sites for proposed earthen benches (as marked on Hiking Trail Construction plans 3/14/2022) and stated:

- The second phase of trail construction would be in August-September.
- Earthen benches along the trail would be constructed in August-September.
- Areas with a greater than 5% outslope grade would be benched.
- Areas with a greater than 12% outslope grade would be avoided.
- All areas that are not benched would be raked and blazed.
- Any soil removed would be repurposed at specific sites.
- Depressions at various points throughout would be filled with mineral soils.
- Mineral soils harvested onsite would be kept in barrow pits.
- A mini-track excavator and 36" wide mechanical wheelbarrow would be used during this phase.

Participants continued west to an active stream and small water fall. Mr. Giapponi discussed two proposed plans for the stream crossing, the first being:

- a small footbridge made from trees / logs harvested at the site (out of the review area).

The log bridge would be chesnut oak (*Quercus montana* f. *Quercus prinus*).

- The second plan: a proposed 24" wide stone bridge anchored with rebar, secured with cement. Stones would be spaced to allow for continuous water flow.
- There was discussion of cleaning up and removing dead trees at this site, specifically two trees that are in the stream at the base of the waterfall. Mr. Giapponi stated that stone steps for crossing the stream below the falls would be added to keep foot traffic out of the watercourse.

Participants continued along the trail heading west and then south. Participants took note of the proposed access road for the mini excavator. Participants continued south down the access road to Meeker trail, and back to the footbridge at Meeker Swamp crossing Bee Brook.

Participants continued along the western edge of the field to the parking area.

Commissioners asked for:

- A list of all equipment to be used during the trail construction.
- A sequence of construction: Phase 1: June-July. Phase 11: August-September.
- A planting list and maintenance plan for native species. Mr. Giapponi stated they were not going to be planting native species as a part of this proposed project.
- An invasive plant species mitigation/removal plan.

Commissioners left the property at 6:15 p.m.

Respectfully submitted by
Larry Gendron and Chris Koppel

| | | |
|------|--|--------------------------|
| I. | APPLICATION #IW-22-15 | INSPECTION DATE: 4/20/22 |
| II. | NAME: Sherman and Alice Baldwin | TIME: 4:00 pm |
| III. | PROPERTY ADDRESS: 257 West Shore Rd | |
| IV. | REASON FOR APPLICATION: Construction of Proposed floating dock | |
| V. | COMMISSION MEMBERS PRESENT: Bob Papsin, Bruce Bennett, Larry Gendron, Chris Koppel, Joline Audet | |
| VI. | STAFF PRESENT: None | |
| VII. | OTHERS PRESENT: Colin Potbecker | |

- The location for the concrete abutment was staked and reviewed per the site plan.
- A discussion ensued regarding the length of the dock and the means of anchoring the dock. The commission has requested detail be added to the plan to specify the anchoring method.
- The application was clear on construction method and sequence and very limited disturbance, so no further clarifications or additions to the site plan were requested at the time of the site meeting.

Respectfully Submitted: Joline Audet

Attachment D

| Date | Site Inspection | Notes |
|--------------------------|----------------------|---|
| Wednesday April 13, 2022 | 270 Nettleton Hollow | Fencing in river, green netting removed |
| Monday April 25, 2022 | 67 Old North Road | Silt fencing and hay bale installation |
| Monday April 25, 2022 | 181 West Shore Road | Road side silt fence and hay check, side property silt fence and hay bales failure |
| Monday April 25, 2022 | 164 West Shore Road | Tree removal - successful, no debris or runoff to lake |
| Monday April 25, 2022 | 10A Sunny Ridge Road | Trees cut on property. Prior to further work, A2 with soil survey should be conducted |

| Permit Date | Permit | Address | Notes |
|------------------------------|-----------|----------------------------|--|
| | IW-22-12 | 127 Upper Church Hill Road | Build single family dwelling & garage within review area. |
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| Dated | Citation | Address | Notes |
| August 27, 2021 | 2021-W001 | 134 Roxbury Road | no change |
| August 27, 2021 | 2021-W002 | 255 New Milford Turnpike | no change |
| August 27, 2021 | 2021-W003 | 25 Juniper Meadow Road | no change |
| Wednesday, December 15, 2021 | 2021-W004 | Intersection at Mygatt | maintenance continuing |
| Tuesday December 28, 2021 | 2021-W005 | 254-8 New Milford Turnpike | Consultant drafting remediation actions |
| Wednesday February 16, 2022 | 2022-W001 | 255 New Milford Turnpike | Engineer drafting remediation action |
| Thursday February 3, 2022 | 2022-W002 | 18 Parsonage Lane | Tree removal in URA |
| Tuesday March 8, 2022 | 2022-W003 | 99 West Shore Road | Installation of well and septic start work without start card. NOV issued. |
| Monday April 11, 2022 | 2022-W004 | 46 Christian Street | Tree removal in URA /no permit. NOV issued. |