

Town of Washington  
Inland Wetlands Commission  
June 8, 2022  
Regular Meeting  
Hybrid – Zoom and Main Level Conference Room  
MINUTES

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

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

**Members Absent:** Mr. Bennett

**Staff Present:** Ms. White, Ms. Haverstock

**Public Present:** Mr. Hackney, Mr. Rotondo, Mr. Nettleton

Via Zoom: Ms. Brodie, Ms. Gallagher, Ms. Lodsins, Ms. Frank, members of the public

**Regular Business**

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

**Members Seated:** Mr. Papsin, Ms. Audet, Mr. Gendron, Ms. Bogue, Mr. Koppel (for Bennett)

**Consideration of the Minutes (00:34)**

**5-25-2022 Regular Meeting Minutes:**

**Motion:** To approve the Regular Meeting Minutes of 5-25-2022 as submitted, by Ms. Audet, seconded by Ms. Bogue, passed by 5-0 vote.

**Special Meeting Minutes: 5-31-2022 Site Inspection Report, by M Dubow – 17 Wheaton Rd - #IW-22-22:**

**Motion:** To approve the Special Meeting Minutes of 5-31-2022 Site Inspection Report by Ms. Dubow for 17 Wheaton - #IW-22-22 as submitted, by Mr. Koppel, seconded by Ms. Bogue, passed by 5-0 vote.

**Special Meeting Minutes: 5-31-2022 Site Inspection Report by C Koppel – 254 New Milford Turnpike- #IW-22-23:**

**Motion:** To approve the Special Meeting Minutes of 5-31-2022 Site Inspection Report for 254 New Milford Turnpike - #IW-22-23 by Mr. Koppel as submitted, by Ms. Audet, seconded by Ms. Bogue, passed by 5-0 vote.

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

None to add

**Pending Applications**

**Arthur Howland & Associates for BCLC, LLC. /217 West Shore Rd/Application for Modification to Permit #IW-20-62/Construct SFD, sports court, detached garage, pool, driveway, septic, grading, drainage w/in regulated area (08:35):** This property will be discussed under Enforcement.

**Nettleton/91 & 95 West Shore Rd/Application for Permit #IW-22-18/Construction of driveway, SFD, within URA and proposed dock at shoreline (8:45):** Mr. Nettleton and Mr. Rotondo, P.E., were present to discuss the revision of the plans for this application. Mr. Rotondo displayed the plan titled, "Site Plan Improvements for a Proposed Single-Family Residence – Site Plan," sheet C-1 and "Site Plan Improvements for a Proposed Single-Family Residence – Soil

Erosion and Sediment Control Plan,” sheet C-2, prepared for Pinnacle Peak by Land Tech, both revised on 6-1-2022. He noted that the soil erosion and sediment controls have been “beefed up” based on comments received at the 5-31-2022 Site Inspection. They will be installing a double row of silt fence backed by haybales. Trees that will remain have been identified, and, additional stockpiles have been indicated on the plan.

Revised landscape plans titled “Planting Plan,” sheet L1, “Landscape Details,” sheet L2, “Tree Removal and Protection Plan,” sheet L3, prepared for 91/95 West Shore Rd, by Michael D’Angelo Landscape Architecture, LLC., revised per IWC Comments 6-1-22, were submitted. Mr. Rotondo noted that the site has been fully marked indicating the house location, driveway and trees to remain.

Mr. Rotondo briefly explained that the lowest floor elevation is the first floor of the house and the patio. He explained that the design tries to conform to the existing slope as much as possible because they want to minimize the excavation and blasting.

The IWC stated that they would like to schedule another site inspection for Tuesday, June 14 at 4 p.m. Everyone will meet at the Tinker Hill Rd entrance to the property.

**Brodie/17 Wheaton Rd/ Application for Permit #IW-22-12 for removal of tree and installation of drainage in URA (11:55):**

The IWC stated that this was a pretty straightforward application. The noted that the site inspection was helpful and they had no further questions.

**Motion:** To approve application for Permit #IW-22-22, submitted by Brodie at 17 Wheaton Road to remove tree and install drainage in the review area per permit application dated 5-16-22 and signed by Natalie Brodie 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.

**Harris/254 New Milford Tpk/Application for Permit #IW-22-23 for construction of fence, house demolition, shed removal, deposition of materials in URA (15:27):**

The discussion of this property was tabled. Ms. White stated that she would forward the Site Inspection Report to Mr. Pushlar, Landscape Architect, for this application.

**New Applications to be Received by the Commission**

There were no new applications.

**Other Business:**

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

Ms. White has forwarded the language to counsel for approval before sending to DEEP and scheduling a public hearing.

**Enforcement and Compliance Initiatives:**

Ms. Haverstock reviewed the Enforcement Report (Attachment A)

•**217 West Shore Rd:** Ms. White read the 6-8-22 email sent by Mr. McTigue to Ms. White regarding the progress of stabilizing the site (on file in the Land Use Office). He noted that the stockpile soil removal in and around the wetlands has commenced and they are trucking the material offsite, silt fences throughout the site are in good standing, woodchip barrier is working effectively as an erosion control barrier, the barrier around tree with the eagle's nest is intact.

The IWC agreed that an Application to Correct a Violation must be submitted.

**Administrative Business:**

**Communications:**

Ms. White distributed a copy of Mr. Hackney's email dated 6-7-2022 requesting that the IWC look into possible unpermitted activity at 121 West Shore Rd. Ms. White stated that the Land Use Office would like to forward the inquiry to the property owner to see if he could address the issue. The Land Use Office would look at the existing files to see if the structures on any site plans that have been approved.

Chairman Papsin stated that Mr. Hayden from the Lake Waramaug Authority has offered his services to the IWC. The Commissioners agreed that this would be beneficial and Mr. Papsin asked Ms. White to extend an invitation to Mr. Hayden to attend next Tuesday's site inspection at 91/95 West Shore Rd.

**Adjournment:**

**Motion:** To adjourn the meeting at 7:40 pm, by Mr. Papsin

Respectfully submitted,

*Shelley White*

Shelley White  
Land Use Administrator  
6-10-2022

Link to recording of meeting:

[https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/swhite\\_washingtonct\\_org/EQYV6p4QOG9IlqjODMkF9vMBc1CMCAhEP5FYUjhuopCpw?e=OMHMgM](https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/swhite_washingtonct_org/EQYV6p4QOG9IlqjODMkF9vMBc1CMCAhEP5FYUjhuopCpw?e=OMHMgM)

Attachment A

Dated	Citation	Address	Notes
Monday April 11, 2022	2022-W004	46 Christian Street	Tree removal in URA /no permit
Friday, April 29, 2022	2022-W005	181 West Shore Road	Failure to maintain sediment and erosion control measures.
Wednesday May 25, 2022	2022-W006	217 West Shore Road	Failure to comply with permit requirements - specifically sediment and erosion control measures. Filling in Wetlands
Wednesday June 1, 2022	2022-W007	46 Christian Street	Not in compliance with permit: Creation of driveway not on approved plan in URA
Date	Site	Notes	
Wednesday May 25, 2022	46 Christian Street	Created driveway for equipment in URA not on application	
Wednesday May 25, 2022	49 Christian Street	Created driveway not included in permit/not IW	
Thursday June 2, 2022	6 Nichols Hill Road	Installation of generator / Sediment and erosion control measures, site visit	
Thursday June 2, 2022	217 West Shore Road	Review sediment and erosion control measures	
Thursday June 2, 2022	Bell Hill	Review of activity on Bell Hill Rd.	
Friday June 3, 2022	181 West Shore Road	Review of Permit requirements for compliance	
Tuesday June 7, 2022	Bell Hill	Review of removal of buffer to stream	
Tuesday June 7, 2022	109 Blackville Road	Landslide type action, fall of several trees, request for review for IW for removal of trees	
Wednesday June 8, 2022	217 West Shore Road	Review of sediment and erosion control measures	