

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

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

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

Members Absent: Mr. Bennett

Staff Present: Ms. White, Ms. Haverstock

Public Present: Mr. McTigue, Mr. Sabin, Mr. Virbickas,

Via Zoom: Ms. Zukauskas, Mr. Schwartz, Mr. Kalur, members of the public

Regular Business

Mr. Papsin called the meeting to order at 7:07 pm.

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

Consideration of the Minutes (00:23)

7-13-2022 Regular Meeting Minutes:

Motion: To approve the Regular Meeting Minutes of 7-13-2022 as submitted, by Mr. Koppel, seconded by Ms. Audet, passed by 5-0 vote.

Special Meeting Minutes: 7-21-2022 Site Inspection Report, by J. Audet – 18 Parsonage Lane - #IW-22-30:

Motion: To approve the Special Meeting Minutes of 7-21-2022 Site Inspection Report for 18 Parsonage Lane - #IW-22-30 written by Ms. Audet as submitted, by Mr. Koppel, seconded by Ms. Bogue, passed by 5-0 vote.

Special Meeting Minutes: 7-21-2022 Site Inspection Report – 132 Romford Rd - #IW-22-31:

This site inspection was tabled until the wetlands could be flagged.

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 (01:35): Mr. McTigue from Arthur Howland & Associates was present to represent the property owners for this application. He submitted a new plan titled "Proposed Site Development Plan," prepared for BCLC, LLC by Arthur H. Howland & Associates, PC, sheet SD.1 with a revision date of 2022-07-27, depicting the updated tree plan and a revised septic location.

Mr. Papsin, Chairman, stated that due to the steep slope of this property he proposes that the IWC consider a 250-foot review area. All Commissioners were in favor of this additional requirement.

Mr. McTigue explained that the property owners have removed the proposed tennis court, reduced the size of the accessory building (previously the tennis house), relocated it closer to the driveway, added a septic tank and pump

chamber to the previously approved septic system that was planned for the tennis house, and added the previously approved well back to the plan. It was noted that the revision to the septic design would have to be signed off by the Health Department.

Mr. McTigue continued to explain the revisions to the plan. He noted that the sports court has been moved behind the garage and will have two retaining walls all within the previously approved limit of disturbance. A curtain drain will be installed to protect the residence and feed into the drains that run along the driveway and into the rain gardens. Regrading uphill of the septic and downhill of the house and around the house to allow for additional flat areas has been added to the plan. Mr. McTigue noted that some trees are marked as “to be removed” but feels the trees could probably withstand the additional soil for the regrading and in that case the trees would stay.

Ms. Audet stated that she feels that there are a large number of trees marked “to be removed” and that it is important to know what trees are going to remain.

Mr. McTigue responded that he took inventory of what was actually to be removed and what trees would be remaining. Some trees were marked TBR in case they die but if they survive they will not be removed. He noted that the property owners are interviewing landscape architects and will be coming before the IWC with a new application once the landscaping plan is done for a separate permit. Mr. McTigue said that he believes the vetting process will take 2 to 3 months and the planting will most likely take place in the Spring of 2023.

The IWC requested that the trees to be removed and to remain be marked and the proposed accessory structure staked out before their next site inspection. They questioned whether the proposed accessory building could be turned around in order to save the trees. The Commission stated that they would like the natural features to be protected as much as possible and it is important for them to consider more prudent and feasible alternatives. They requested a landscape plan with trees marked accordingly.

Mr. McTigue stated that he would look into what can be done to save the large oak trees in the area. He added that he has requested a landscape plan with proposed trees but has not received it to this date.

Mr. Papsin stated that he feels the IWC may not feel comfortable acting on this application without a landscape plan but they could schedule a site inspection.

There was a brief discussion regarding an additional extension for this application. Ms. White stated that she would verify that the applicant is allowed a total of 65 days in extensions.

The IWC scheduled a site inspection for Tuesday, August 2, 2023, at 3 pm.

Harris/254 New Milford Tpk/Application for Permit #IW-22-23 for construction of fence, house demolition, shed removal, deposition of materials in URA (65 Days: 7-29-22) (I): Mr. Pushlar, Landscape Architect, requested an extension in his 7-26-2022 email to Ms. White as there has not been enough rain to test the water in the spring well. He included a memo dated 7-20-2022 with results of the pipes being scoped.

Discussion regarding this application was tabled.

Adams/ 112 Lower Church Hill Rd/ Application for Permit #IW-22-27/removal of dead trees, paving of driveway and new plantings in URA (15:46): The IWC is waiting for revised plans so this discussion was tabled until the next regularly scheduled meeting.

Artel Engineering for YOLO Again, LLC./18 Parsonage Lane/Application for Permit #IW-22-0/Construct driveway, site improvements, remove existing garage within URA (26:48): Mr. Virbickas P.E. from Artel Engineering Group was present to represent the property owners, YOLO Again, LLC.

The IWC and Mr. Virbickas reviewed the plan titled "Septic Plan" sheet 1 of 2, prepared for Yolo Again, LLC., by Artel Engineering Group, LLC, with revision date of 7-25-2022. Mr. Virbickas pointed out that the wetlands lie at the south end of the property on either side of an existing gravel driveway and the existing garage that is being proposed to be removed is just beyond the wetlands in the review area. He noted that the small shed structure located at the eastern portion of the property is being proposed to be relocated further from the wetlands and in the rear of the property. Mr. Virbickas confirmed that the existing 10-foot width of the existing driveway will remain that width for the approximately the first 90 feet as it enters the property off the private right of way.

The changes to the plan include a call out indicating the driveway will be asphalt, addition of a/c condenser units, addition of propane tank location, addition of generator location, addition of proposed electric and communication lines, addition of note stating that wetland grasses are to be mowed once a year, Construction Sequence, addition of temporary construction stockpile area, .

Mr. Virbickas stated that the yard drains between the house and the pool and the associated piping should have been eliminated from the plan. He confirmed that the pool will use a saltwater chlorinating system not sure if it will be a cartridge or sand filter.

Ms. Audet pointed out that the plan calls for a forced main to a water softener leaching system and that water softeners are usually salt based. She asked if the pool backwash could go through that system as well. Mr. Virbickas responded that he has never recommended other than surface drainage for a pool

Mr. Virbickas confirmed that the trees that are to remain are marked and indicated on the plan. A note stating that the plantings will be cared for, monitored, and replaced if necessary for a period of three years was added under the Plant List.

Mr. Virbickas informed the commission that he located the east side of the corrugated metal pipe that is under the beginning of the driveway but was unable to locate the western side.

The IWC stated they would like to know whether the pipe under the driveway is going to stay or come out.

Mr. Virbickas stated that he does not believe the pipe serves any purpose so they will be taking it out. He added that if they find it does server a purpose they will come back to the IWC for a modification.

Mr. Virbickas stated that the patio in the back of the home was slightly enlarged and the pool location was shifted, grading was modified to allow better draining.

Ms. Haverstock, E.O. reminded Mr. Virbickas that they should consider lot coverage with the changes in the driveway before they come to Zoning and that the drainage must stay on the subject property and not drain onto any neighboring properties.

Mr. Virbickas noted that all the roof drains are directed to an infiltration system that was designed for a 25-year storm and is indicated on the plan, located in front of the proposed house.

Mr. Virbickas stated that he would submit a revised plan with all the conditions included within the next couple of days.

Motion: To approve application for Permit #IW-22-30 submitted by Artel Engineering for YOLO Again, LLC for the property located at 18 Parsonage Lane for site improvements, construction of driveway, and removal of existing garage in the review area per the plan titled "Septic Plan" sheet 1 of 2 and "Septic Details" sheet 2 of 2, prepared for Yolo Again, LLC., by Artel Engineering Group, LLC, with revision date of 7-25-2022, and the permit application signed by Laura Driscoll, Managing Partner, dated 6-13-2022. 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, 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, 4. Applicant will provide updated plan eliminating the yard drains, 5. The existing culvert to be removed if it is confirmed that it is not functioning and if new pipe installed a modification will be required, 6. The backwash for the saltwater pool is to drain to the west and away from any wetlands, 7. A photo journal will be maintained depicting project progress, and 8. Wetland grasses are to be mowed annually during dry season (July/August). 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. Koppel, passed by 5-0 vote.

Carter/132 Romford Rd/Application for Permit #IW-22-31/Establish nature trails with wetland crossings (56:25): Mr. Sabin was present to represent the property owners and stated that they are waiting for the engineer to come out and flag the wetlands and asked that this discussion be tabled.

New Applications to be Received by the Commission:

Schwartz/169-173 West Shore Rd/Application to Correct a Violation for Permit #IW-22-35 /Replacement of existing bluestone apron w/Belgian block in URA &

Schwartz/169-173 West Shore Rd/Application to Correct a Violation for Permit #IW-22-36 /extend trail, add culvert pipe, in wetland soils:

Mr. Sabin was present to represent the property owner for these applications. Both applications are on one plan as the two properties are owned by the same owner and are adjacent to each other.

It was noted that these are applications to correct a violation at each property.

Mr. Sabin explained that the existing blue stone parking area at 173 West Shore was in failure so they replaced it with cobblestone with pea gravel in between.

A cross section of both the trail extension and the parking area are included on the plan titled "Site Plan," prepared for Schwartz Residence by Sabin Landscape Architects, sheet L-1 dated July 13, 2022.

Mr. Sabin confirmed that excess materials were hauled off-site.

Mr. Papsin stated that the path that was originally approved for 169 West Shore was not supposed to go all the way down to the road. He noted that after he and Ms. Haverstock, E.O., looked at the site, he noticed that certain items were not completed from the originally approved Inland Wetlands Permit. One of the items, he explained, was that the watercourse was to be marked and identified. Another item is that the meadow is supposed to be mowed twice a year.

A site inspection was scheduled for both of these applications on Tuesday, August 2, at approximately 4:00 p.m.

Other Business:

Revisions to Section 15 of the Inland Wetlands and Watercourses Regulations (1:10:27):

The IWC agreed that the revisions as written should be sent to the CT DEEP for review.

Motion: to forward the proposed revisions of the Town of Washington Inland Wetlands and Watercourses Regulations, Section 15: Enforcement to the Connecticut Department of Energy and Environmental Protection, by Mr. Koppel, seconded by Ms. Bogue, passed by 5-0 vote.

Enforcement and Compliance Initiatives(1:12:42):

Ms. Haverstock reviewed the Enforcement Summary for the past few weeks: See Attachment A

Mr. McTigue was present to address enforcement concerns regarding 217 West Shore Rd. He addressed the woodchip pile that they have been using to repair the woodchip berms that have been created to protect the site. He noted that all of the fill that has been trucked off-site has been trucked off-site the rest will be used on the site and the contractor has been constructed to ring the stockpile with silt fence since it will remain until it is used. Mr. McTigue explained that the stockpile to the east of the residence is topsoil and they have been instructed to ring that stockpile with silt fence as well. He informed the IWC that the pool contractor will be starting any day now. The sports court is being proposed to be located behind the garage and there will be two retaining walls that will hold back the exposed cut. Mr. McTigue confirmed that the retaining walls will be engineered and they will try to save the large oak that is in the cut but he is not sure that it will make it. He added that there will be a trench drain behind the house that bring the water around the house and feed into the level spreader and into the rain garden. He stated that they would be submitted engineered drawings of retaining walls, one would be a gabion retaining wall and the other would be a dry stacked boulder retaining wall.

Administrative Business:

None

Communications:

None

Adjournment:

Motion: To adjourn the meeting at 8:37 pm, by Mr. Koppel

Respectfully submitted by:

Shelley White

Shelley White
Land Use Administrator
8-3-2022

Link to recording of meeting:

https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/swhite_washingtonct_org/ESg1ggjm4M1Ju_HcJoSlrRsBsOckwYG-yptMZdluPsakCA?e=8YSVJO

Dated	Citation	Address	Notes
Wednesday June 1, 2022	2022-W007	46 Christian Street	Not in compliance with permit: Creation of driveway not on approved plan in URA
Thursday June 30, 2022	2022-W008	32 Lower Church Hill Road	Demolition of building without an IW permit
Wednesday June 29, 2022	2022-W009	169-173 West Shore Road	Drive/parking area construction improvements without a permit
Wednesday June 29, 2022	2022-W010	169-173 West Shore Road	Modification to pathway previously approved without a permit modification IW-20-57
Tuesday July 12, 2022	2022-W011	35 East Shore Road	Tree removal near river/no permit
Monday July 25, 2022	2022-W012	121 West Shore Road	Installation of retaining wall/stairs without permit
Monday July 25, 2022	Clarification request letter	179 West Shore Road	Trees for removal on property
Tuesday July 26, 2022	Clarification request letter	70 River Road	Debris in culvert
Tuesday July 26, 2022	Clarification request letter	11 Loomarwick Road	Equipment in IW/URA
Date	Site Inspection	Notes	
Monday June 20, 2022	Lake Waramaug including 99, 169-173, 181, 217, 285	Permitted projects progressing	
Tuesday July 5, 2022	Lake Waramaug including 99, 169-173, 217	Permitted projects progressing, property reviews	
Thursday July 14, 2022	Lake Waramaug including 99, 169-173, 217, 179	Projects and site observations	
Tuesday July 19, 2022	Lake Waramaug including 99, 169-173, 217, Loomarwick corner	Projects and site observations	