

Town of Washington  
Inland Wetlands Commission  
August 24, 2022  
Regular Meeting  
Hybrid – Zoom and Main Level Conference Room  
MINUTES

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

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

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

**Public Present:** Mr. McTigue, Mr. Sabin, Mr. DiVesta, Mr. Woronick, Mr. Colepaugh

**Regular Business**

Mr. Papsin called the meeting to order at 7:06 pm.

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

**Consideration of the Minutes (00:21):**

**8-10-2022 Regular Meeting Minutes:**

It was noted that the time the meeting was called to order should be 7:02 pm rather than 7:32 pm.

**Motion:** To approve the Regular Meeting Minutes of 8-10-2022 as submitted, by Ms. Audet, seconded by Mr. Bennett, passed by 5-0 vote

**Special Meeting Minutes: 8-16-2022 Site Inspection Report by C. Koppel, 132 Romford Rd - #IW-22-31:**

**Motion:** To approve the Special Meeting Minutes of 8-16-2022 Site Inspection Report for 132 Romford Rd – Permit #IW-22-31 by Mr. Koppel as submitted, by Mr. Gendron, seconded by Mr. Bennett, passed by 5-0 vote.

**Special Meeting Minutes: 8-16-2022 Site Inspection Report by B. Bennett - 36 Hinkle Rd/Permit #IW-22-37:**

**Motion:** To approve the Special Meeting Minutes of 8-16-2022 Site Inspection Report for 36 Hinkle Rd – Permit #IW-22-37 by Mr. Bennett as submitted, by Mr. Koppel, seconded by Mr. Gendron, passed by 5-0 vote.

**Motion to Include Subsequent Business Not Already Posted on the Agenda (02:21):**

Motion: To add 8-21-22 email from Mr. Santoleri regarding support for possible Steep Rock land acquisition via CT Open Space and Watershed Lands Acquisition and the companion federal Highlands Conservation grant programs under **Communications** on the Agenda, by Ms. Audet, seconded by Mr. Koppel, passed by 5-0 vote.

**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 (02:42):**

Mr. McTigue from Arthur Howland & Associates was present to represent the property owners. He informed the IWC that he has been making weekly site visits and sending reports to the Land Use Office. A plan titled “Planting

Plan”, prepared for BCLC, LLC. by Abelow Sherman Architects, with a final revision date of 8-24-22, was submitted for review. Mr. McTigue noted that a monitoring and maintenance schedule was included on the plan.

There was a brief discussion regarding the choice of Red Pine. Mr. Koppel stated that this species of tree tends to have pest issues and asked if they could be substituted for the already listed Pitch Pine or Eastern White Pine. Mr. McTigue responded that the substitution would be revised on the plan.

Mr. McTigue indicated the areas in which the meadows un marked trees would remain.

The IWC recommended that the boulder walls around the trees be placed on a bed of 2 feet of gravel and care is to be taken around the roots system. Mr. McTigue confirmed that this would be possible and , in addition, they will be installing filter fabric behind the boulder walls. He added that they will seed and hay the area behind the Gabion walls.

The IWC discussed additional conditions of approval.

**Motion:** To approve application for a Modification to Permit #IW-20-62- submitted by Arthur H. Howland & Associates for BCLC, LLC. for the property located at 217 West Shore Road for the revise construction of a SFD, septic, sports court, accessory structure, planting and tree removal, grading and drainage within the review area per the plan titled, “Proposed Site Development Plan,” prepared for BCLC by Arthur H. Howland and Associates, sheet SD.1 with a final revision date of 08-10-2022, Gabion Terraced Retaining Wall Plans: “Section Looking West at South Gabion Terraced Retaining Walls, “ sheet CSK-020, dated 8-8-22, “Lakeside Accessory Building – C Foundation & Concrete Walls Details,” Sheets A-001c, A-002c, A-005c-A-009c, final revision date of 8-04-22, “Planting Plan”, prepared for BCLC, LLC. by Abelow Sherman Architects, with a final revision date of 8-24-22, Application to Modify an Approved Permit dated 5-3-2022, signed by B. Hermann 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, 4. Create a 2-foot wide gravel base under the boulder walls for tree wells, 5. Provide weekly photo journal reports to be sent to the Land Use Office, 6. Red Pine trees to be eliminated from the planting plan and replaced with Pitch Pine trees, and 7. Five (5) year maintenance plan with quarterly reports sent to the Land Use Office. 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.

**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 of extensions: 10-2-22) (20:19):**

Mr. Pushlar, agent for Mr. Harris requested an additional extension because of the stream being dry and they have been unable to retrieve a sample to do the water testing. The Commission is awaiting the results of water testing from the Applicant.

**Adams/ 112 Lower Church Hill Rd/ Application for Permit #IW-22-27/removal of dead trees, paving of**

**driveway and new plantings in URA (20:35):**

Ms. Lord, agent for the property owner, stated that they have not received the survey but are expecting it to come in within the week. She requested a 30-day extension and it was granted by the IWC.

**Carter/132 Romford Rd/Application for Permit #IW-22-31/Establish nature trails with wetland crossings (21:00):**

Mr. Sabin was present to represent the property owner. He submitted a new updated plan titled "Proposed Trail," prepared for Carter Residence by Sabin Landscape Architects, dated 8-24/2022. He noted the "sequence of construction" and the "cross section" of the stream crossing. The sequence of construction states that a skid steer, chainsaw, loppers, and weedwhackers will be used. Upon request of the IWC, Mr. Sabin added a note that "no vegetation to be removed larger than 2" caliper" to the "Proposed Trail" plan.

**Motion:** To approve application for Permit #IW-22-31, submitted by Sabin Landscape Architects on behalf of Carter for the property located at 132 Romford Road to establish nature trails in URA with two brook crossings per the plan titled "Proposed Trail," prepared for Carter Residence by Sabin Landscape Architects, dated 8-24/2022, and the permit application dated June 30, 2022, signed by property owner 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, 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. No vegetation larger than 2" caliper to be removed. 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.

**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 (30:13):**

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. He noted that he submitted a new application to the Land Use Office for the work that they are proposing to do behind the parking area.

It was noted that the parking area is located at 173 West Shore Rd.

The Commission felt that all their concerns and questions were addressed.

**Motion:** To approve the application to correct a violation for Permit #IW-22-35 submitted by Sabin Landscape Architects for Schwartz to replacement of stone parking area with Belgian block in the review

area per the plan titled "Site Plan," prepared for Schwartz Residence by Sabin Landscape Architects, dated August 24, 2022, with handwritten, initialed notes and the permit application dated July 12, 2022, signed by M. Schwartz 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. Koppel, seconded by Ms. Audet, passed by 5-0 vote.

**Schwartz/169-173 West Shore Rd/Application to Correct a Violation for Permit #IW-22-36 /extend trail, add culvert pipe, in wetland soils (38:30):**

Mr. Sabin was present to represent the property owner of 169 West Shore Rd. He referred to the revised plan titled "Site Plan," prepared for Schwartz Residence by Sabin Landscape Architects, dated August 24, 2022. He noted the Sequence of Construction on the plan and corrected #1 from "...catch basin at Tinker Hill" to "...catch basin at West Shore Road." After a brief discussion with the IWC the "Trail Resurfacing" cross section was changed from 1-2" to 1" of topsoil.

Mr. Sabin stated that they would excavate the existing trail materials, use the mulch in other areas of the property and cart the processed stone off-site. This area will be replaced with ¾" gravel, 1" of topsoil, seeded with no-mow fescue and covered with straw. A river rock swale will be installed to direct flow and reduce erosion.

There were handwritten corrections on the plan and initialed by Mr. Sabin.

**Motion:** To approve the application to correct a violation for Permit #IW-22-36 submitted by Sabin Landscape Architects for Schwartz to remove mulch and processed stone from trail extension and replace with ¾" crushed stone, topped with no more than 1" topsoil and seeded with no-mow fescue in the review area per the plan titled "Site Plan," prepared for Schwartz Residence by Sabin Landscape Architects, dated August 24, 2022, with handwritten, initialed notes and the permit application dated July 12, 2022, signed by M. Schwartz 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, 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. No more than 1" of

topsoil to be applied to the crushed stone, 5. Sequence of Construction corrected to indicate catch basin at West Shore Road, and 6. Applicant shall provide photo journal to the Land Use Office of three (3) phases: removal of materials, during activity, and completion of the project. 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. Koppel, seconded by Ms. Bogue, passed by 5-0 vote.

**DiVesta Civil Engineering for Hanson/36 Hinkle Road/Permit #IW-22-37/Installation of dry fire hydrant in existing pond (50:30):**

Mr. DiVesta of DiVesta Engineering, representing the property owner, was present. He submitted revised plans based on the 8-16-22 site inspection with the IWC.

The Commissioners and Mr. DiVesta reviewed the plans titled "Proposed Site Development Plan," sheet 5 of 7 and "Detail," sheet 7 of 7 by Divesta Civil Engineering, LLC. A note stating that they would remove invasive species around the pond edge and leave native plants in place and any removal that involves spraying will require a new application accompanied by an MSDS sheet, was added to the plan. Mr. DiVesta confirmed that the removal of invasives would be done by hand. The "Detail" sheet was revised to show a fieldstone hydrant support and paver detail for stable fire apparatus was added.

**Motion:** To approve the application for Permit #IW-22-37 submitted by DiVesta Civil Engineering for Pearlman-Hanson at 36 Hinkle Road for installation of dry fire hydrant in existing pond per the plans titled "Proposed Site Development Plan," sheet 5 of 7 and "Detail," sheet 7 of 7, prepared for Pearlman Hanson by Divesta Civil Engineering, LLC, with final revision date of 08/22/22, and the application signed by R. Perlman and E. Hanson, dated 7/26/22 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, 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 Mr. Koppel, passed by 5-0 vote.

**New Applications to be Received by the Commission (59:44):**

**Stuart Somers Co., LLC for Cross/255 West Shore Rd/Permit #IW-22-39/activity within URA – demo existing and rebuild SFD, new septic, drainage:**

The IWC accepted this application and scheduled a site inspection for Tuesday, August 30, 2022 at 3:30 p.m.

**Woronick-Colepaugh/159 Woodbury Rd/Permit #IW-22-38/activity in watercourse and URA – repair dry stacked stone retaining wall along stream, install new foundation under existing front porch:**  
The IWC accepted this application and scheduled a site inspection for Tuesday, August 30, 2022 at 4:30 p.m.

**Il Lago, LLC/164 West Shore Rd/Permit #IW-22-42/Correction of Violation – rake sand back from high water mark of lake:**

The IWC accepted this application. The Commission will act at its next regularly scheduled meeting on September 14, 2022.

**Other Business(1:04:00):**

**Reminder: A Public Hearing for Revisions to Section 15 of the Inland Wetlands and Watercourses Regulations has been set for September 28, 2022**

**Enforcement and Compliance Initiatives (1:04:55):**

Ms. Haverstock reviewed the Enforcement Summary: See Attachment A

**Administrative Business:**

None

**Communications (1:12:23):**

**8-21-22 email from Mr. Santoleri regarding support for possible Steep Rock land acquisition via CT Open Space and Watershed Lands Acquisition and the companion federal Highlands Conservation grant programs:**

Mr. Papsin read the letter addressed to him from Mr. Santoleri regarding a possible land acquisition. The IWC agreed that Mr. Papsin should send a letter of support Steep Rock Association.

**Adjournment:**

**Motion:** To adjourn the meeting at 8:23 pm, by Mr. Papsin

Respectfully submitted by:

Shelley White  
Land Use Administrator  
8-30-2022 (rev. 8-31-2022)

Minutes are subject to approval

Link to recording of meeting:

[https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/swhite\\_washingtonct\\_org/EXIfwVxkyhHpwhr8-GMynAB2ismSUtMjPcBEtK-60AGwA?e=5qQU8h](https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/swhite_washingtonct_org/EXIfwVxkyhHpwhr8-GMynAB2ismSUtMjPcBEtK-60AGwA?e=5qQU8h)

(L:)>INLAND WETLANDS COMMISSION>Minutes>2022>08-24-2022 IWC Mtg Minutes

Attachment A

Dated	Citation	Address	Notes
Tuesday July 26, 2022	Clarification request letter	70 River Road	Debris in culvert
Tuesday August 2, 2022	2022-W013	164 West Shore Road	Deposition of material in wetlands.
Tuesday August 16, 2022	2022-W014	127 Upper Church Hill Road	Failing to comply with limitations placed on a permit

Date	Site Inspection	Notes
Tuesday August 9, 2022	Lake Waramaug, Wheaton, Upper Church, Old North, Painter Ridge	Projects and start card inspections
Monday August 15, 2022	52 Calhoun Street	Project planning/pre-app
Tuesday August 16, 2022	Whittlesey Bridge	Project updates
Tuesday August 23, 2022	Lake Waramaug - inc. 181, 217, River Road, Parsonage Lane	Project and Permit updates