

January 25, 2012

7:30 p.m. Land Use Meeting Room

MEMBERS PRESENT: Mr. Bedini, Mr. Bohan, Mrs. Hill, Mr. LaMuniere, Mr. Wadelton

ALTERNATES PRESENT: Ms. Cheney, Mr. Papsin

ALTERNATE ABSENT: Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. J. Hill

ALSO PRESENT: Mr./Mrs. Sabin, Mr. Neff, Mr./Mrs. Smith, Mr. Caroe, Atty. Kelly, Mr. Johnson

Mr. Bedini called the Meeting to order at 7:04 p.m. and seated Members Bedini, Bohan, Hill, LaMuniere, and Wadelton.

MOTION:

To add the following subsequent business to the Agenda:

VI. Other Business B. Wykeham Rise, LLC./ 101 Wykeham Road/Approval Motion for Third Amendment to Permit #IW-08-31.

By Mr. Wadelton, seconded by Mr. Bedini, and passed 5-0.

Consideration of the Minutes

The 1/11/12 Public Hearing-Regular Meeting minutes were accepted as corrected.

Pages 4, 5: last paragraph: Ms. Zelenko asked for a correction regarding her statement about why she had hired Mr. Logan. After Mrs. Hill read a transcript of what Ms. Zelenko actually stated at the hearing, the commissioners determined the minutes should be left as written.

Page 8: Line #9 under Smith: Insert "deep" to read, ...30 inch deep units....

Page 11: Under Ingrassia: Atty. Kelly requested the minutes state that Mr. Neff was present to represent the applicant. When Mr. Bedini noted that at that time it was not known that Mr. Neff was present to represent the applicant, Atty. Kelly asked that the first sentence, "The applicant was not present," be deleted. The Commission agreed to do so.

MOTION:

To accept the 1/11/12 Public Hearing-Regular Meeting minutes as corrected.

By Mr. Wadelton, seconded by Mrs. Hill, and passed 5-0.

Pending Applications

The Gunnery, Inc./22 South Street/#IW-11-40/Athletic Fields:

It was noted the public hearing had been continued to February 8th.

Herman/74 West Morris Road/#IW-11-45/Install Retaining Wall and Fence and Renovate Porch:

Mr. Neff, engineer, stated there had been no changes to the plans since the last meeting. He pointed out the locations of the stone retaining wall and fence on his "Soil Erosion and Sediment Control Plan," revised to 12/8/11. Mr. Ajello noted the citation had been paid. Mrs. Hill recommended a two year permit be granted. There was a brief discussion about changes in the state law regarding the length of time for which permits should be issued. Mrs. Hill said while most

people, upon listening to a recent CACIWAC presentation, thought nine year permits were required, when she read the statue she thought it said that two to five year permits should be issued as had been done in the past. Mrs. J. Hill will consult with Atty. Olson on this question.

MOTION:

To approve Application #IW-11-45 submitted by Mr. and Mrs. Herman for a retaining wall and fence, and porch renovation at 74 West Morris Road per the plan, "Soil Erosion and Sediment Control Plan, Site Improvements," by Mr. Neff, revised to 12/8/11; the permit shall be valid for two years and is subject to the following conditions:

1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the WEO can inspect and approve the erosion control measures,
2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Bohan, seconded by Mr. Wadelton, and passed 5-0.

Smith/22 Parsonage Lane/#IW-11-48/Addition, Renovations to Dwelling, Extension of Driveway, and Installation of Drainage System:

Mr. Sabin, landscape architect, reported that since the last meeting Mr. Caroe, adjoining property owner, and the Smiths had come to an agreement about the proposed improvements to the property. An open view easement will be established for the entire meadow area, which will be preserved with no plantings. He reviewed his plan, "Site and Landscape Plan," revised to 1/18/12, noting the only revision since the last meeting was to make the stone retaining wall more of a boulder wall with planting pockets. He said this was based on his sketch, which had been discussed at the last meeting. Mr. Caroe thanked the Commission for its diligence and for delaying action to give his engineer time to review the final plans. Mr. Ajello asked whether there would be a separation between the garage floor and the sump pump area in the basement. Mr. Neff stated the garage floor area was separate from the rest of the house. Mr. LaMuniere said it was important that the driveway be constructed with pervious material and he referenced the 1/11/12 handwritten note by Mr. Neff on the "Soil Erosion and Sediment Control Plan," revised to 1/5/12 that the driveway would be constructed of "permeable paving."

MOTION:

To approve Application #IW-11-48 submitted by Mr. and Mrs. Smith for additions to and renovation of the existing dwelling, driveway extension, and installation of a drainage system at 22 Parsonage Lane per the "Site and Landscape Plan," by Mr. Sabin, revised to 1/18/12 and the "Soil Erosion and Sediment Control Plan," by Mr. Neff, revised to 1/5/12 with handwritten note by Mr. Neff dated 1/11/12; the permit shall be valid for two years and is subject to the following conditions:

1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the WEO can inspect and approve the erosion control measures,
2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Wadelton, seconded by Mr. LaMuniere, and passed 5-0.

InGrassia/143 East Shore Road/#IW-12-01/Demolish, Rebuild Dwelling and Accessory Building:

Mr. Neff, engineer, explained the existing buildings adjacent to Lake Waramaug would be torn down and replaced with slightly smaller structures, decreasing the lot coverage on the property. He also noted a new septic system would be installed. He said there would be no disturbance to the lake during construction and that almost the entire property would be within the limit of disturbance. Access would be from East Shore Road. He noted extensive landscaping plans that would preserve the trees along the edge of the lake and a sequence of construction were included with the application. He presented a rendering of the proposed building with landscaping and circulated photos of the site. Mr. Neff stated that the new buildings would be lower than those existing and he reviewed the elevations and roof profile. Atty. Kelly said the roofs would slope towards the lake to provide a better view of the lake from East Shore Road. Mr. Bedini asked if there would be work on the seawall. Mr. Neff said there would not. Mr. Neff pointed out the temporary stockpile locations and said excess material would be lifted and hauled off site. Mr. LaMuniere asked if a basement was proposed and for the estimated amount of material to be removed. Mr. Neff said there would be a crawl space and he would figure the estimated amount for the Commission. Mr. LaMuniere asked where vehicles would park during construction. Mr. Neff responded there is an area adjacent to East Shore Road in front of the building that will be filled in and this will be used for parking. Mrs. Hill asked if there were issues with the state right of way. Mr. Neff stated the owners were currently dealing with the DOT to get an encroachment permit. The architectural plans were briefly discussed. Mr. Ajello asked if the lower floor would be lowered. Atty. Kelly said it would, but not to the level of the seawall. It was noted the elevation of Lake Waramaug is approx. 694, while the elevation of the lower floor would be 700. Atty. Kelly noted that the lake sometimes rises over the seawall and that was why the house would be built on a slab. The "Soil Erosion and Sediment Control Plan," by Mr. Neff, revised to 1/5/12 was reviewed. Plans for a new septic system with a high tech leaching unit were discussed. Mr. Neff noted the number of bedrooms would be reduced from three to two so a smaller system would be required and said the new system would be pumped from a pumping station in each building. Mr. Papsin noted the large sized trees called for in the landscaping plan would require large holes and asked if there would be any planted near the lake. Mr. Neff said the existing trees near the shoreline would remain. A few trees will have to be cut to install the septic system. Mr. Bohan thought that if future repairs were planned for the seawall, now would be the time to do them while equipment was on site. A site inspection was scheduled for Friday, February 3, 2012 at 3:30 p.m. Because the applicant was anxious to expedite the application, Atty. Kelly stated that he had asked Land Tech to review it, but had been told the Land Use Office had asked him not to do so. Atty. Kelly also offered to ask Mr. McGowan to review the plans or to get additional information as requested by the Commission. Mr. LaMuniere did not think review by a consultant was needed because there would be no work on the seawall. Mr. Bedini agreed, noting there would be no activity in the lake. Mr. Ajello stated that a careful review of the construction sequence would be necessary and that he would review the application again to see if additional information was needed. Ms. Cheney questioned whether the seawall would hold up with all of the equipment that would be operating near it. Mr. Neff said it was a substantial wall. Atty. Kelly explained that conceptually most of the work would be accomplished from the top down and that once the buildings and wall were constructed, the equipment would not move around much on site.

Johnson/30 West Mountain Road/#IW-12-02/Addition to Dwelling:

Mr. Bedini asked Mr. Johnson to submit the information noted on the application review form. Both the map, "Zoning Location Plan," by Mr. Alex, dated January 2-12 and the "Soil Erosion and Sediment Control Plan," by Mr. Neff, dated 1/20/12 were reviewed. It was noted the proposed addition would be 27.20 feet from the pond in the rear of the property. Mr. Johnson said this area

was currently lawn that gradually sloped towards the spring fed pond. He said the existing one story addition would be demolished and replaced with another addition on frost walls on a slab and also a terrace. The architectural plans were reviewed. Mr. Johnson referred to the erosion control plan and said the construction site would be managed to prevent runoff to the pond. Mr. Ajello asked if there were plans to handle the roof drainage. Mr. Johnson said there were none, adding that the existing house has gutters that flow to the lawn. Mr. Neff suggested the roof runoff not be piped so there would be an opportunity for the stormwater to be treated before it discharges to the wetlands beyond. He noted the pond would effectively act as a sediment basin, but the small amount of sediment that would reach it would not make any difference. Mr. Bohan asked what kind of terrace would be built. Mr. Johnson said it would be trap rock and blue stone. Mr. Bedini again advised Mr. Johnson to submit the missing information before the next meeting.

Other Business

Bol/44 Slaughterhouse Road/Request to Amend Permit #IW-08-25:

Mr. Neff, engineer, explained the original permit had been to rebuild the garage and renovate the dwelling but the current proposal was to tear the house down to its foundation and rebuild it. He said the only change to the approved site plan was a note that this is a demolition and rebuild. He said the reconstructed dwelling would have the same footprint and there would be no additional disturbance to the wetlands. Mr. Ajello said there would be no risk to the wetlands if the limit of disturbance line was respected. Mr. Neff noted the foundation would be saved and the equipment would work from the front yard. Mr. Ajello suggested an anti tracking pad should be added to the plan. Mr. Neff said there was silt fence around the lower portion of the site and that it extended to the Town road shoulder. He thought the road was well protected. The map, "Proposed Site Plan," by Mr. Neff, revised to 1/14/12 was reviewed. It was noted that the original five year permit would expire on May 28, 2013 according to the approval letter. Because the permit had not expired, it was the consensus that action could be taken.

MOTION:

To approve the request by Mrs. Bol to revise Permit #IW-08-25 to demolish and rebuild the dwelling at 44 Slaughterhouse Road in accordance with "The Proposed Site," by Mr. Neff, revised to 1/14/12.

By Mrs. Hill, seconded by Mr. Wadelton, and passed 5-0.

Wykeham Rise, LLC./101 Wykeham Road/Motion of Approval for the Third Revision of Permit #IW-08-31:

Mrs. J. Hill compared the motions of approval for the second and third revisions of Permit #IW-08-31; the motion for the second revision being more detailed, and asked whether the Commission thought it would be a good idea to add the same conditions to the approval for #3 that had been made for #2. It was the consensus to do so.

MOTION:

To amend the motion of approval for the third revision of Permit #IW-08-31 issued to Wykeham Rise, LLC./101 Wykeham Road for a school to state that all previous conditions of approval continue to apply.

By Mr. Wadelton, seconded by Mr. Bedini, passed 5-0.

Enforcement

There were no other concerns than those already listed in Mr. Ajello's 1/25/12 report.

It was noted again how confusing the state legislation is regarding nine year permits. Mrs. J. Hill will consult with Atty. Olson about this matter.

MOTION:

To adjourn the Meeting. By Mrs. Hill.

Mr. Bedini adjourned the Meeting at 8:55 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill, Land Use Administrator