

November 25, 2008

Public Hearing / Regular Meeting

6:00 p.m. Land Use Meeting Room

MEMBERS PRESENT: Mr. Bedini, Mrs. Hill, Mr. Picton, Mr. Thomson

MEMBER ABSENT: Mr. LaMuniere

ALTERNATES PRESENT: Mr. Bohan, Mr. Wadelton

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

ALSO PRESENT: Mr. Szymanski, Atty. Strub, Mr. Charles, Atty. Fisher, Mr. Klauer, Ms. Zinick

PUBLIC HEARING

Revision of the Inland Wetlands and Watercourses Regulations for the Town of Washington

Mr. Bedini called the Public Hearing to order at 6:00 p.m. and seated Members Bedini, Hill, Picton, and Thomson and Alternate Wadelton for Mr. LaMuniere.

Mr. Bedini noted that a subcommittee had worked on the proposed revisions for over a year. He explained that the state DEP drafted model regulations based on the current state legislation and that the individual towns could tailor these to meet their needs as long as they stayed within the state guidelines. He said the subcommittee had spent a lot of time to clarify the definitions of the terms used throughout the text. He explained that the proposed revisions were so extensive and complicated that they could not be noted page by page; that if a comparison with the old regulations was needed, the two documents would have to be reviewed side by side.

Mrs. D. Hill noted the draft regulations had been referred to both the DEP and to Atty. Zizka for review. The DEP responded that it did not have the staff to conduct a review and Atty. Zizka was still working on his report.

It was noted that since the last meeting Sections 7.01 and 7.05 had been revised to strongly encourage preliminary discussions and to authorize the Commission to charge applicants for technical reviews of their preliminary proposals.

Mr. Szymanski was the only member of the public present and he had the following questions and comments:

1) There were a number of definitions in the revised regs for words that weren't used in the text. Mrs. D. Hill explained that the definitions are for words used both in the text and in the Commission's deliberations.

2) "Understory" was not defined. Mr. Szymanski said this term is used on the Town website and it is clear that that cutting the understory can be a regulated activity, so he thought a definition should be added for clarity. Mr. Picton thought it was a good idea to be more specific and to add this term. Mrs. D. Hill said it was covered under the definition of clearing, but agreed it would be clearer if it was included in the definition of regulated activity as well.

3) Mr. Szymanski noted there was a new definition of upland review area, which stated that slopes greater than 12% may be included. He said he wanted to know up front whether all slopes over 12% were included, thought this might have left too much to subjective interpretation, and asked why 12% was used and not 15%, for example. Mr. Picton explained that much depended on the scope and the nature of the proposed activity. Mr. Szymanski noted that the majority of slopes in Washington are

greater than 12%, so he asked the Commission to reconsider. He also asked for greater clarity.

4) Under Inventory, Mr. Szymanski did not know how many of the listed criteria can be used to prove a wetland or watercourse. He noted that typically a soil scientist makes the determination. Mrs. D. Hill noted that elsewhere in that section soil scientists are referred to and she said the proposed language was taken directly from the model regs. Mr. Szymanski stated that aerial maps could not be solely relied on. Mr. Picton suggested "mapping by a certified soil scientist" be added.

5) In Section 7.02 Mr. Szymanski recommended a specific reference to the Inland Wetlands Commission secretary, not the land use secretary as currently written. He also asked if 3 days was enough notice. It will be clarified that this is 3 business days.

6) In 8.05d Mr. Szymanski recommended 2 ft. contours. Mr. Picton agreed that the Commission should be able to require more accurate details.

7) 8.06b refers to land contours, but not to contour intervals.

8) In 8.05g Mr. Szymanski asked if the Commission could make the paragraph on alternatives more detailed.

9) He noted that the language in 8.05g and 8.06f did not match.

10) The mandatory conservation easement form should be added to the list of requirements in Section 8.05.

11) Mr. Szymanski recommended that in lieu of the sketch map by the soil scientist, the Commission could accept the soil scientist's statement that he has reviewed the survey map and the wetlands were accurately shown. He said that would bring down the cost for applicants.

12) Mr. Szymanski asked that a maximum number of copies of the application material be specified. The Commission declined to do so.

13) In 8.09 Mr. Szymanski thought there should be a time limit for submitting renewal or amendment requests. Mr. Picton suggested that it say the renewal request must be submitted 3 months prior to the permit's expiration date, but that consequences should this fail to be done need not be included. Atty. Strub noted he has worked with the Inland Wetlands Commissions in many other towns who approve 30 day permit extensions, which works well.

14) Regarding 10.01, Mr. Szymanski asked what the word, "reside," meant.

15) In 10.02 "(s)" should be changed to "(2)."

16) In 10.03 Mr. Szymanski noted that the notice requirement in many other towns is for properties within 500 ft., not 200 ft. as proposed.

17) Mr. Szymanski asked if the references to 35 day time periods were accurate in Section 12.02. He was told they were.

18) Mr. Szymanski suggested the Commission add the statement in 20.07 that if an application is denied because it is incomplete, the fee will not be waived upon resubmission.

19) Mr. Szymanski recommended that sample mandatory conservation easement and owner authorization forms be included at the end of the Regulations.

Mr. Picton asked why "herbaceous plants" was deleted from section 2.45. He noted that not all of the species listed were wetlands plants and he recommended either leave this term in or just refer to wetlands plants.

In the first line of 2.42 Mr. Picton asked if there was a better word that could be used instead of "major." Mrs. D. Hill said this language had been taken from the DEP model. Mr. Picton suggested, "may adversely affect" or "may have an adverse affect." Mr. Bedini said this matter would be considered later by the subcommittee.

Mr. Bedini noted the hearing would be continued in order to receive Atty. Zizka's review and that all of the comments made tonight would be reviewed before the next meeting.

MOTION: To continue the Public Hearing to consider the revision of the Inland Wetlands and

Watercourse Regulations of the Town of Washington, Ct. to December 10, 2008 at 6:00 p.m. in the Land Use Meeting Room, Bryan Memorial Town Hall. By Mr. Picton, seconded by Mrs. Hill, and passed 5-0.

At 6:48 p.m. Mr. Bedini continued the Public Hearing.

This Public Hearing was recorded on tape. The tape is on file in the Land Use Office, Bryan Memorial Town Hall, Washington Depot, Ct.

REGULAR MEETING

Mr. Bedini called the Regular Meeting to order at 7:10 p.m. and seated Members Bedini, Hill, Picton, and Thomson and Alternate Wadelton for Mr. LaMunier.

MOTION: To add the following subsequent business to the agenda: Consideration of the 11/5/08 Special Meeting minutes. By Mrs. Hill, seconded by Mr. Wadelton, and passed 5-0.

Consideration of the Minutes

The 10/22/08 Regular Meeting minutes were accepted as corrected.

Page 2: Mrs. Hill abstained from the vote on the 10/9/08 Public Hearing minutes because she had not read them.

Page 5: 2nd full paragraph: 12th line: Add: "for erosion control" after "ongoing construction." 20th line: Add "in places" after "from the wetlands." 32nd line: Insert: "entirely" before "relied on."

Page 6: End of 2nd paragraph: Add: "and would draft a motion to deny" to the end of the last sentence.

Page 7: 1st line: Should be Mrs. J. Hill. Reger motion: 7th line: Change: "required" to "investigated."

Page 9: Under Buell: Next to the last sentence: Insert: "prudent" before "alternatives."

Page 11: Under LU Consultant: Should be Mrs. J. Hill.

MOTION: To accept the 10/22/08 Regular Meeting minutes as corrected. By Mrs. Hill, seconded by Mr. Bedini, and passed 5-0.

The 11/12/08 Regular Meeting minutes were accepted as corrected.

Page 3: 10th line from bottom: Insert after "footings:" "for the kitchen addition." 9th line from bottom: Insert: "larger" before "addition."

Page 6: 3rd sentence from bottom: Reword to read: "...grading closest to wetlands was well away from structures...."

MOTION: To accept the 11/12/08 Regular Meeting minutes as corrected. By Mrs. Hill, seconded by Mr. Bedini, and passed 5-0.

MOTION: To accept the 11/19/08 Sen site inspection minutes as written. By Mrs. Hill, seconded by Mr. Wadelton, and passed 4-0-1. Mr. Picton abstained because he had not attended the site inspection.

MOTION: To accept the 11/19/08 Town of Washington site inspection minutes as written. By Mr. Bedini, seconded by Mrs. Hill, and passed 4-0-1. Mr. Picton abstained because he had not attended.

MOTION: To accept the 11/19/08 Moore site inspection minutes as written. By Mr. Bedini, seconded by Mr. Wadelton, and passed 3-0-2. Mr. Thomson and Mr. Picton abstained because they had not attended.

MOTION: To accept the 11/19/08 Beckett site inspection minutes as written. By Mrs. Hill, seconded by Mr. Wadelton, and passed 4-0-1. Mr. Picton abstained because he had not attended.

The 10/29/08 Special Meeting minutes were accepted as corrected.

Page 3: First full paragraph: End of first sentence: After "implemented and completed" insert: "without

unnecessary risk to wetlands and watercourses.”

Page 7: 3rd paragraph: Should be Mrs. D. Hill. 3rd paragraph, 3rd line: Change to: “...if changes to the development in the area of the septic system are proposed.”

Page 11: 2nd paragraph, 7th line: Change: “three engineers” to “two engineers.”

MOTION: To accept the 10/29/08 Special Meeting minutes as corrected. By Mrs. Hill, seconded by Mr. Wadelton, and passed 5-0.

MOTION: To accept the 11/5/08 Special Meeting minutes as written. By Mr. Bedini, seconded by Mrs. Hill, and passed 5-0. Other Business

Federer Appeal of #IW-08-31 Pursuant to CGS Section 47-42(d)(c):

Mr. Bedini noted that Atty. Zizka had recommended in his 11/25/08 letter that the Commission decline to make a finding as requested in the appeal and also decline to reverse its decision to approve the application at this time. Mr. Picton agreed that these were legal issues that should be determined by the court. MOTION: Regarding the Federer appeal of the Wykeham Rise, LLC./#IW-08-31 approval; to follow the advice of the Commission’s attorney to take no action until/unless directed to do so by the court. By Mrs. Hill, seconded by Mr. Bedini, and passed 5-0.

Pending Applications

Conlon/6 Valley Road/#IW-08-53:

Mr. Szymanski, engineer, presented the map, “Proposed B-100a Sanitary Disposal System Plan,” by Arthur H. Howland & Assoc, revised to 11/25/08, and said it was a better alternative than the previous plan. He explained that the garage had been shifted south to move it closer to the house and increase its distance from the Shepaug River by 10 to 15 feet. He said it would be in an area away from the well where minimum grading would be required. He also noted the infiltration of all roof leaders and said the limit of disturbance line at the top of the slope would provide a reasonable work area. He said the owners did not want to move the garage farther north because they wanted it near the house and the northern location would have required filling. Mr. Picton suggested attaching the garage to the house or rotating it. Mr. Szymanski said the owners wanted a separate garage and said the alternate location discussed would require an expensive 6 ft. high retaining wall with drainage, which per the Health Code, could not be located within 25 feet of the well, so the existing well would have to be abandoned and a new one drilled. Mr. Picton was concerned that a structure would be located only 28 feet from the river. Mr. Szymanski said this was not significant because between them was a scrub area that provides for sheet flow and treatment of runoff. Mr. Picton objected to the enlargement of a building so close to the river. Mr. Szymanski stated it could not be located to the south of the house because if it was, it could not accommodate a studio. Mr. Picton suggested the studio could be located in the attic or the basement of the house or foregone if there was no room. Mr. Szymanski noted the proposed house footprint was smaller than the existing footprint and an infiltration system had been added. He said the applicant was trying to find a balance between protecting the environment and using the property reasonably. Mr. Picton noted that property owners used to try to stay away from wetlands resources, but now they instead try to justify doing what they want. Mr. Szymanski said in this case, with both Zoning and Inland Wetlands setbacks to consider, there is about an 80 ft. square unrestricted area to work in. The previous plan dated 11/3/08 was compared to the current plan. Mrs. D. Hill asked if the porch could be deleted to keep the building farther from the river. Mr. Thomson thought the size constraints shown and the addition of the infiltration system made this a sensible plan. Mr. Szymanski noted that with the removal of the porch there could be a 25 ft. wide undisturbed buffer the entire length of the river and he drew it in on the map. He also proposed to increase the width of the buffer north of the proposed garage. Both buffer areas would be seeded with a meadow mix and mowed once a year. Mrs.

D. Hill said there should be no mowing along the river's edge. Mr. Szymanski said the half nearest to the river would not be mowed and offered to add this note to the plan if the owners agreed. Mr. Picton thought there had been an inadequate effort made to locate the structures as far from the river as possible and to provide a standard width riparian buffer.

Buell/3 Findley Road/#IW-08-54/Addition, Enclose Porch, Deck, Spa, Pool:

Ms. Zinick, agent, and Mrs. Buell were present. Ms. Zinick noted that at the last meeting the Commission had asked for specific information and she submitted a written statement that addressed those concerns. She noted that the recreational activities had been eliminated from the application and would be applied for separately in the future. She pointed out that erosion controls and a stockpile area had been added to the site plan. Photos of the property were circulated. She noted there would be 32 cubic yards of excavated material that would be used on site for the frost wall of the foundation and that a proposed septic system layout had been submitted. Mr. Bedini asked Ms. Zinick to label the silt fence and limit of disturbance line on the site plan and to delete the references to the recreational activities from the application form. Ms. Zinick made the revisions, dated, and initialed them. Mr. Picton noted that these revisions should have been made in the office prior to the meeting. Ms. Zinick submitted her letter of authorization. It was noted the DEP form had been corrected and the mandatory conservation easement form had been submitted.

MOTION: To approve Application #IW-08-54 submitted by Mrs. Buell to construct an addition on the south side of the house, enclose the porch off the kitchen, and install a septic system per the revisions to the application and site plan dated 11/12/08 with the stipulation that the only activities approved are those referenced above. By Mrs. Hill, seconded by Mr. Thomson, and passed 5-0.

Moore/127 Blackville Road/#IW-08-55/Well:

Ms. Zinick, agent, and Mr. Moore were present. The map, "Proposed Sanitary Disposal System Plan & B-100a Plan," by Arthur H. Howland & Assoc., revised to 10/31/08 was reviewed. It showed the proposed house location was just over the 100 ft. upland review line, but the well was approximately 80 feet from the wetlands. It was noted that both the septic system and stockpile area would be outside the upland review area. Mrs. D. Hill thought the meadow should be left to grow naturally and that mowing along the wetlands should be limited. Mr. Moore said he did not mow the wet corner. Mr. Bedini noted the silt fence line was also the limit of disturbance. No other issues had been raised on the site inspection.

MOTION: To approve Application #IW-08-55 submitted by Mr. Moore to install a well at 127 Blackville Road subject to the condition that the wetlands soils remain undisturbed and there is no mowing past the wetlands flags. By Mrs. Hill, seconded by Mr. Wadelton, and passed 4-0-1. Mr. Picton abstained because he had not attended the site inspection.

From this point on, Mr. Bohan was seated for Mr. Picton.

Beckett/23 Loomarwick Road/#IW-08-56/Reconstruct Dwelling, Install Septic System:

Mr. Baker and Mr. Lassard from Civil 1, Mr. Diller, architect, Mr. Klein, environmentalist, and Atty. Strub were present. They submitted the map, "Proposed Subsurface Sewage Disposal System," by Civil 1, revised to 11/20/08 to show which trees would be removed. Atty. Strub noted the entire property is located within the review area and the goal is to rebuild in a reasonable way. In doing so, the distance between the house and the wetlands will be increased to 26 ft., a stonewall will be installed to delineate the wetlands and prevent further development from creeping towards them, a rain garden will be installed to treat and renovate stormwater runoff, a new septic system will be installed, and landscaping will be done. He submitted the Health Dept. approval for the septic system. Mr. Bedini noted the site was constrained, but that the proposed house location was an improvement and there was no other viable location for the septic system. There was a discrepancy in the two wetlands flaggings and it was

noted that this was likely because it is difficult to use an auger on rocky sloped sites. Mr. Baker pointed out the limit of disturbance line. He also noted the drainage pipe that outlets to the road drainage system and the pipe from the footing drain to the rain garden. Mr. Bedini noted that Mrs. Frank, Conservation Commission, noted the Town culvert on Tinker Hill Road dumps water on the property. Mr. Baker said this water feeds the wetlands area and is manageable. Mr. Klein agreed, saying it was a common situation and there would be no need to divert it from its traditional path. Mr. Baker pointed out an area on the property where there has been some dumping and where dense shrubs will be planted to prevent this from happening again in the future. Mr. Klein said the prepared plant list would be supplemented with native species and that he would be willing to meet in the field with the EO to discuss where they should be planted. Mr. Picton stated that the proposed footprint had not increased much over the existing and that the plan tried to observe the optimum setbacks and enhance the wetlands buffers. Mr. Bedini said he did not see any alternatives that would improve the plan. Mrs. D. Hill stated the current plan was an improvement over previously submitted plans.

MOTION: To approve Application #IW-08-56 submitted by Mrs. Beckett to reconstruct the house, install a septic system, remove a shed, and landscape at 23 Loomarwick Road per the map, "Proposed Subsurface Sewage Disposal System," by Civil 1 dated 11/0/08, revised to 11/20/08. By Mr. Bedini, seconded by Mrs. Hill, and passed 5-0.

Washington Partners, LLC./108 New Milford Turnpike/#IW-08-57/ Affordable Housing Subdivision: Atty. Strub represented the applicant. Mr. Bedini noted that a site inspection had been conducted earlier, but the minutes had not yet been written. Hiring a consultant was discussed. Mr. Bedini stated that over time he would like the Commission to use three different consulting firms, Land Tech, Fuss and O'Neill, and Milone and McBroom, to get a broader outlook and determine whether any one of them has a proficiency in a particular area. Atty. Strub said that all were very qualified, but that based on cost, his applicant's first choice would be Land Tech and then Milone and McBroom over Fuss and O'Neill. Mr. Picton stated that due to the wetlands resources on site, the Commission would favor an ecologically driven review. Mr. Bedini said he had talked with Milone and McBroom who would review the application for compliance with the Regulations, review the engineering for stormwater management, and report on the environmental aspects of the application. He said all communications with the consulting firm would be in writing and should go through the land use office. Atty. Strub asked that the Commission be flexible and allow phone calls when doing so would save time and money. Mr. Bedini agreed as long as a written report on what transpired was submitted for the file. Mr. Bedini noted a public hearing had been scheduled to consider this application because there was a likelihood of significant impact to the wetlands due to the steep slopes on site and due to public interest. Mr. Picton hoped that in the interest of improving the review process the Commission's environmental concerns would be incorporated in the plan, resulting in a better outcome for all parties. He thought that ideally there should have been a preliminary review before the final plans had been drafted and that this would have allowed an opportunity for creative site planning. He thought perhaps instead of a conventional subdivision layout, massing the proposed structures in area suitable for development might better address ecological concerns. Mr. Bedini agreed that good communications were needed and the applicant should understand the Wetlands Commission's concerns. Mr. Strub said he agreed in theory. Mr. Picton hoped a good environmental analyst would recommend site planning to address environmental concerns and said the applicant could benefit from an alternate plan as well. Atty. Strub briefly described the review process in Southbury, noting the planning aspects of the review were addressed in the beginning of the process, not in stage II. It was not known whether Milone and McBroom would have its review ready for the December meeting.

Town of Washington/112 Walker Brook Road/#IW-08-58/Road Drainage Improvements: Mr. Szymanski, engineer, presented the map, "Site Development Plan," by Arthur H. Howland &

Assoc., dated 9/22/08. It was noted that a site inspection had been held to review the work proposed in the Town right of way. As discussed previously, the work would remediate the erosion on the uphill side of the road. The slopes would be reinforced with filter fabric with field stone on top and in areas where steep slopes have eroded, a field stone boulder retaining wall would be constructed. Mr. Coleman, adjoining property owner, is willing to pay for this work and will be responsible per agreement filed on the Town Land Records for its maintenance in perpetuity.

MOTION: To approve Application #IW-08-58 submitted by the Town of Washington for road drainage improvements at 112 Walker Brook Road as drawn on the 9/22/08 site development plan. By Mr. Bedini, seconded by Mr. Wadeldon, passed 5-0.

Sen/116 Shearer Road/#IW-08-59/Addition, Renovations, Septic, Driveway, Pool:

The map, "Proposed B-100a Sanitary Disposal System Plan," by Arthur H. Howland & Assoc., dated 10/9/08 was reviewed. Mr. Szymanski, engineer, noted the greatest concerns expressed at the site inspection were the potential impacts 1) north of the barn where grading was proposed, 2) in the area where the pool will be installed, 3) in the area where the septic system will be installed, 4) south of the pool where fill is proposed to level this area, and 5) the relocation of the springhouse to the kennel site. He pointed out two areas where natural meadow to be mowed only once a year were proposed. The limit of disturbance and location of staked hay bales were noted. Mrs. J. Hill questioned the need to relocate the springhouse. Mr. Szymanski said the owners could not now see it from the house. Mr. Bedini thought most of the proposed activities were under control. His one concern was the grading for the septic system near the regulated area. Mr. Szymanski read his notation concerning the natural buffer.

MOTION: To approve Application #IW-08-59 submitted by Mr. Sen to construct an addition, demolish and rebuild barn, install pool and septic system, relocate driveway and springhouse at 116 Shearer Road per the plans dated 10/9/08 by Arthur H. Howland & Assoc. By Mr. Bedini, seconded by Mrs. Hill, and passed 5-0.

Town of Washington/101 School Street/Removal of Invasives:

Mr. Thomson noted the location of the property, of the wetlands on the property, and the areas totaling .7 acres where he proposed to remove invasives, all of which were within 10 to 20 feet of the wetlands. The plants to be treated and removed were mainly phragmites and Japanese knotweed. In response to a question from Mrs. J. Hill at a previous meeting, he said there was no way to eradicate the knotweed in Canoe Brook near the Senior Center. He explained the process to remove the plants would be to cut them back in June, bag the stalks, and carry them off site and to apply herbicide in late August, early September. Mr. Thomson was not optimistic about getting the funds to accomplish this work. He said if the application was approved tonight, it had to be submitted to the state and 25% of the funds raised by 12/8/08. The application is sponsored by the Park and Rec Commission with approval of the Board of Selectmen. Mr. Thomson noted that maintenance would be required in the second year and care will be taken not to convert the denuded areas to lawn.

MOTION: To approve Application #IW-08-60 submitted by the Town of Washington to remove invasives at 101 School Street. By Mrs. Hill, seconded by Mr. Bedini, and passed 5-0.

Other Business

Reinhardt/Perkins Road/Execution of Approved Restoration Plan/ Request for Release of Bond:

Mr. Picton said he inspected the site today, thought it looked OK, and recommended the bond be released. He thought any other action would not be consistent with the agreement. Mr. Bedini agreed, saying it looked like a good root system had been established. Mrs. D. Hill also recommended release

of the bond.

MOTION: To return to Mrs. Reinhardt the portion of the bond that remains according to the Commission's agreement with her. By Mr. Bedini, seconded by Mr. Thomson, passed 5-0.

Geurts/46 June Road/Request for Revision of Permit #IW-08-46: Mr. Szymanski, engineer, noted that site plan improvements had been made and submitted the map, "Site Development Plan," by Arthur H. Howland & Assoc., revised to 11/18/08. The revisions included: 1) the proposed house and workshop were moved farther from the upland review area, 2) rechargers were added to infiltrate roof runoff from the barn and from the house, and 3) retaining walls were added between the house and the barn, at the NW corner of the house, north of the house, and east of the house to minimize slopes. The slopes were originally 10-12% but 5-6% slopes are now proposed. The underground infiltration system was briefly discussed. The commissioners had no problem with the proposed revisions.

MOTION: To approve the request by Mr. Geurts/46 June Road to revise Permit #IW-08-46 per the 11/18/08 plan by Arthur H. Howland & Assoc. to revised the house footprint, construct retaining walls in six areas, and make minor changes to the overall site grades. By Mr. Bedini, seconded by Mrs. Hill, passed 5-0.

McCullers/18 Plumb Hill Road/Request for Release of Bond:

It was noted that Mr. Ajello reported the disturbed area had been restored to its original condition.

MOTION: To return the \$5000 bond to Mr. McCullers/18 Plumb Hill Road because the restoration requirements have been met as documented by the WEO. By Mr. Bedini, seconded by Mr. Waderton, and passed 5-0.

Enforcement

Andersson/35-45 Gunn Hill Road: The Commission is waiting for the finalized agreement.

DiBenedetto/212-214 Calhoun Street/Restoration of Understory: It was noted this property would be monitored for a while.

Lodsin/78 Litchfield Turnpike/#IW-07-V12/Unauthorized Excavation: Mr. Bedini read the 11/25/08 EO Report. It was the consensus to wait until a report from the Army Corps of Engineers is received before referring this matter to Atty. Zizka.

Administrative Business

Incomplete Applications: Mr. Bedini noted that applications such as Buell should be completed in the land use office prior to the meeting. Mr. Thomson suggested that incomplete applications be denied without prejudice.

General Questions and Procedures: There was a lengthy discussion regarding general wetlands issues. These included: 1) importance of buffers, 2) desire to have consultants examine alternatives that will better serve the environment, 3) requiring applicants to show feasible and prudent alternatives, especially when the property has steep slopes, 4) shortcomings of the EO review for Wykeham Rise, LLC., 5) concern that mitigation is often proposed as a feasible and prudent alternative, 6) what is meant by likelihood of adverse impact, 7) balancing the need to get information from the Commission's consultant as early in the process as possible and the need to keep costs down for the applicant, 8) the importance of commissioners reviewing materials on their own and using their experience and judgment to make decisions, 9) possibility of having a seminar at a native plant nursery in Woodbury, and 10) the need to have frequent discussions like this one to air Commission problems and concerns,

consider new ideas, get answers to questions, etc.

MOTION: To adjourn the Meeting. By Mr. Bedini. Mr. Bedini adjourned the meeting at 10:25 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill

- SITE VISIT MINUTES -

SITE INSPECTION REPORT

I. APPLICATION #: IW-08-56

INSPECTION DATE: 19 November 2008

TIME: 3:25 to 3:45pm

II. NAME: Beckett

III. PROPERTY ADDRESS: 23 Loomarwick Road

IV. REASON FOR APPLICATION: Reconstruct Dwelling, Install Septic System

V. MEMBERS PRESENT: Dorothy Hill, Steve Wadelton, Tony Bedini

STAFF PRESENT: Mike Ajello

OTHERS PRESENT: Mr. Eric Diller, Architect; Mr. Brian Becker, Eng.; Mr. Zackary Lessard, Eng.;
Mr. Jim Cowen, Environmental Scientist, Ms. Linda Frank, Conservation Commission.

VI. REFERENCES: Site Plan, Grading Plan, Erosion Control Plan by Civil One, Co. (2 pages) dated 03 Nov 08.

VII. OBSERVATIONS: The Commissioners arrived on site at 3:25 pm and were met by the above mentioned people (in "others present"). The existing house, porch and chimney are leaning at a precarious angle in the northerly downhill direction. The structure is literally falling apart. It is proposed to demolish the existing structure and a shed south of the structure. The site is extremely constricted by the property lines (a total area of 0.804 acres), the wetlands to the west side, Loomarwick Road on the east side and Tinker Hill Road to the south, and Zoning restrictions. The only available area for the new pumped septic system is south and uphill of the proposed house. The proposed three bedroom house has a smaller footprint than the existing structure. The driveway and turn-around is of minimal size. The house has been located in the best orientation possible given the constraints and as far from wetlands as possible. Given all those issues, the majority of the house footprint is in the 50 foot wetland setback line, the closest point of the house is 26.5 feet from the flagged wetland boundary.

Several very large trees will be cut flush with the ground and stumps left in place. Some of the trees are Ash and of those, some are dead. An area of about 10 to 15 feet wide will be graded around the house and a 2' x 2' x 60' long stone wall will be erected between the wetlands and the edge of the graded area on the west side. Proposed is a 150' long wetland planting buffer along the west side, between the building and the wetland, and extending past the building in both directions. The north end of the buffer ends at the proposed rain garden used to process all the runoff water from the building.

Ms. Frank is concerned about water that is being directed onto the property at the south end from a culvert on Tinker Road. This only occurs during storm events, but can be a substantial quantity of water. Mr. Cowen noted that this water runs along some small intermittent streams, but they show no

signs of scouring so he does not believe it poses a significant problem. Not dumping the water onto the property would best for all concerned. We might mention this to Mr. Kevin Smith, our town engineer.

The documentation is very well done with considerable detail showing or listing the following items:

Water quality volume sizing of the rain garden.

Invert elevations.

Earthwork quantity in 100' regulated area.

Earthwork quantity in 50' wetland setback area.

R-3 Zoning summary.

Double Arc Biodiffuser detail.

Pump chamber & pump installation details.

Construction sequence.

Planting details.

MLSS Calculations.

Curtain drain detail.

Rain garden detail.

Soil testing results by Civil One and others.

General septic notes.

Inspections.

Fill requirements.

The Commissioners left the site at 3:45pm.

Respectfully submitted, Tony Bedini

SITE INSPECTION REPORT

I. APPLICATION #: IW-08-60

INSPECTION DATE: 19 Nov. 2008

TIME: 1:35 to 2:05pm

II. NAME: Reemah Sen

III. PROPERTY ADDRESS: 115 Shearer Road

IV. REASON FOR APPLICATION: Addition, Renovations, Septic, Driveway

V. MEMBERS PRESENT: Dorothy Hill, Steve Wadelton, Tony Bedini

STAFF PRESENT: Mike Ajello, WEO

OTHERS PRESENT: Mr. Paul Szymanski, P.E., representing the applicant.

VI. REFERENCES: Map and layout titled; Proposal B-100A Sanitary Disposal System Plan, SDS.1, dated October 9, 2008, and Proposed Sedimentation and Erosion Control Plan, dated October 14 2008

VI. OBSERVATIONS: We pulled into the driveway and parked in front of the existing barn. The barn and attached structure appear to be recently built and are in new condition. The structure is to be removed and replaced by a pool house and garage. The pool house will have the garage beneath the first floor and access is from the back, or west end, at ground level. A proposed pool and associated patio is located directly behind, and 50 feet to the west of the pool house. Another proposed garage is to be attached to the west of the existing main house. At the south end of the property it is proposed to move the existing spring house to an existing kennel area; a move of about 45 feet north of the present site. To the south and east of the buildings and along the property line, lies a wetland area. A 50 foot buffer is proposed along the length of the wetland that will only be mowed annually. At the northwest

corner of the property starting at Shearer Road, another wetland area extends along the northerly property line. This too is proposed to have a buffer area that will only be mowed annually.

All of the construction activity is well outside the 100 foot regulated line from the wetlands. Some grading activity from the septic and a small portion (<300 sq.ft.) of the driveway on the south side of the property will just break into the 100 foot regulated area. The proposed driveway on the north side of the house and garage will cut through a portion of the 100 foot regulated area. It will be no closer than 60 feet from the edge of the flagged wetlands. We detected no apparent wetlands impact from the proposed activities.

All the maps and plans are well documented. The erosion and sedimentation control details are complete. Limits of disturbance, 100 foot upland review area, contour lines, and septic system are all well described and indicated on the plans.

We left the site at 2:05pm.

Respectfully submitted, Tony Bedini

SITE INSPECTION REPORT

I. APPLICATION #: IW-08-56

II. NAME: Town of Washington

III. PROPERTY ADDRESS: 112 Walker Brook Rd

IV. REASON FOR APPLLICATION: Drainage improvements

V. MEMBERS PRESENT: Tony Bedini, Dorothy Hill, Steve Wadelton,

STAFF PRESENT: Michael Ajello

OTHERS PRESENT: Paul Szymanski, Engineer

VI. OBSERVATIONS: References: Site Development Plan (1 page) dated: Sept 22, 2008

The site visit team traveled south along Walker Brook road and observed several areas where serious erosion is taking place on the east side of the road, bordering the Coleman property which consists mostly of steep banks. The west side of the road falls off sharply to Walker Brook. There are several existing drainage pipes running under the road that carry the water from two existing watercourses and all the runoff from the banks to the brook.

The proposed plan is to clean an existing drainage swale to eliminate pooling. Additionally bank stabilization will be provided by "boulder packing" in three locations and several field stone drainage channels will be provided to channel the runoff to the existing drainage pipes. All of the work will be carried out on the east side of the road, away from Walker brook.

The team departed the site at approximately 2:20 PM, November 19, 2008

Stephen L. Wadelton

November 22, 2008

SITE INSPECTION REPORT

I. APPLICATION #: IW-08-58

II. NAME: Moore, Daniel & Sandra

III. PROPERTY ADDRESS: 127 Blackville Rd

IV. REASON FOR APPLICATION: Construct house & driveway, install well and septic

V. MEMBERS PRESENT: Tony Bedini, Dorothy Hill, Steve Wadelton,

STAFF PRESENT: Michael Ajello

OTHERS PRESENT: Sandrq Moore, Tammy Zinick

VI. OBSERVATIONS The Moores plan to build a second larger house on their property to accommodate their growing family. The new house and new septic system will be a few feet out of the commissions 100' review area, as will the extended driveway. The new well will be +/-20' within the review area.

The land where construction is proposed is the flatter portion of the property which slopes down to Mallory Brook. Natural vegetation is allowed to grow as a buffer for the brook; perhaps this buffer should be allowed on the wetlands adjacent to the brook.

A flat tire caused Ms Zinick's late arrival at the site but shwe did arrive in time to confirm that the commission had observed and noted was necessary (with Mrs Moore's help)

Dorothy G. Hill 11/24/08