

November 29, 2006

MEMBERS PRESENT: Mr. Bedini, Mrs. D. Hill, Mr. LaMuniere, Ms. Purnell, Mr. Picton

ALTERNATES PRESENT: Mr. Potter, Mr. Thomson

ALTERNATE ABSENT: Ms. Coe

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

ALSO PRESENT: Mr. Sears, Mr. Wilson, Mr. McGowan, Mr. and Mrs. Frank, Mrs. Payne, Mrs. Corrigan, Ms. Dupuis, Mr. Mustich, Mr. Cornet, Mr. Carey, Mr. Szymanski, Mr. Solley, Ms. Baldwin, Mr. Lyon, Mr. Brigham, Atty. Kelly, Mrs. Anderson, Mr. Kozak, Mr. Neff, Mr. Betolatti, Mr. Scully, Mr. Esker, Mr. Arnold, Mrs. Branson, Mr. White, Residents, Press

PUBLIC HEARING

Town of Washington/59 East Shore Road/#IW-06-53/Boat Ramp and Parking

Mr. Picton called the public hearing to order at 5:05 p.m. and seated Members Bedini, Hill, LaMuniere, Picton, and Purnell. He read the legal notice published in **Voices** on 11/15 and 11/26/06 and the list of 21 documents included in the file.

Mr. Sears stated the towns of Kent, Warren, and Washington had worked with the state for two years on the boat launch proposal, which he believed was the "best possible solution." He thought the proposal would help to preserve the water quality of the lake and noted, if approved, the boat launch would be the only public launch on Lake Waramaug.

The maps, "Lake Waramaug State Park, Day Use/Boat Launch," dated Jan. 1995 and "Boat Ramp," by Mr. Wilson, revised to 10/23/06 were reviewed.

Mr. McGowan spoke about wetlands and environmental issues and submitted a four page summary of the 2004 Lake Waramaug Agreement, which he said the Lake Waramaug Task Force supports. He noted that aquatic weeds are a major problem in Ct., that the state does not inspect for them at any of the state boat launches, but that the 2004 Agreement would allow for the continued inspection of all motor boats entering the lake from the Washington launch site. He said the state had also agreed to allow the inspection of all car top boats launched at the state park.

Dr. Kortmann, a wetlands and watercourses specialist from Eco Systems Consulting Services, addressed feasible and prudent alternatives to the proposed plan. He based his opinion on the following decision criteria: 1) Are there prudent and feasible alternatives with less regulated activity and less impact to the resource? He found that due to the steep slopes down to the lake along Rt. 45 and the north shore, the general unavailability of any land along West Shore Road, the increase in wetlands resources that would be impacted if the launch was constructed in the Ash Swamp area, and the difficulty in negotiating trailer traffic around the lake there were no other suitable sites. 2) Are there alternates for design that could reasonably minimize impacts further? Dr. Kortmann noted the difficulties that would be encountered if the boat ramp was installed at the state park where the lake is most shallow. The amount of dredging required and sediments that would be stirred up would be far less at the Town Beach site than at the state park. He noted the construction plans for the Town property called for a minor projection of the seawall, well designed drainage behind the wall, and buffer plantings that would minimize the total impact. 3) Are there additions to the proposal that could reasonably be added to further protect the wetlands resources? Dr. Kortmann made several suggestions: A. Install a small vegetated dry drainage basin so that stormwater will not discharge directly into the lake. B. Move one catch basin 20 feet and install it with oil absorbent material and regrade the ramp

pavement differently so that wastes from the boat bilges can be intercepted in the basin instead of flowing directly into the lake. C. Require that instructional signage be posted in a prominent location. D. Install gating on the entrance so that access can be monitored. 4) Are there prudent and feasible mitigative measures that could reasonably be required to make up for the unavoidable loss of wetlands resources? Dr. Kortmann said a very small area of wetlands resources would be lost and, in fact, the proposal would result in improvements such as guarding against erosive forces along the shoreline. Therefore, he did not think there was a need for additional mitigation.

Mr. Wilson, engineer, stated he had submitted five various plans that were bound by both the DEP and DOT requirements and he briefly reviewed some of the problems with each design. He noted one of the earlier designs had a softer treatment of the edge of the lake, but the final plan calls for a seawall that will resist wave action and prevent scouring and is segmented to provide greater stability without requiring a solid poured foundation beneath it. He reviewed the construction sequence, which is detailed on 10/23/06 plan. He noted a turbidity curtain would be installed prior to the start of the ramp construction, work areas segmented to control turbidity and a 6 ft. wide vegetated buffer, not lawn, would be planted at the top of the seawall. Work would be done 3 days a week April - June, 7 days a week July - Labor Day, and 3 days a week Labor Day - October. He also noted the work area would be inspected every day.

Mr. Potter asked if there would still be a launch at the state park once the new launch was constructed. Mr. Wilson said the park would allow carry on launches only.

Mr. Picton asked if boats would be inspected at the state park. Mr. Wilson said in theory this would be done. Mr. McGowan said the state had agreed and hopefully, would allow volunteers to make the inspections.

Mr. Bedini asked how much invasive plant material would be brought in from car top boats. Mr. McGowan said the amount brought from smooth sided canoes and kayaks was less than what was brought in by other boats and trailers.

Ms. Purnell noted she was a board member of the Lake Waramaug Task Force, but had not participated in any of its ongoing discussions about the launch.

Mr. LaMuniere asked if the site plan had been amended since the Commission's site inspection. Mr. Wilson said it had not.

In response to a question from Ms. Purnell, Mr. Wilson stated there would be 9 parking spaces including one handicapped space, 220 ft. of shoreline would be disturbed, 3800 sq. ft. was the size of the area to be filled, and the volume of fill proposed was 220 cu. yds.

Mr. Picton said the Commission would require a more comprehensive consideration of the feasible and prudent alternatives and also of the type of shoreline being lost compared to the type of shoreline it would be replaced with.

Mr. Dishy, Warren, asked what regulations the state would abide by if it did the building. Ms. Purnell said a general state permit would be issued and the state would decide what regulations would apply. Mr. Wilson said DEP and DOT regulations would have to be followed.

Mr. Frank, president of the Lake Waramaug Assoc., read the Association's 11/28/06 letter of "unqualified" support.

Mr. Cornet thought the proposed boat launch would ruin the Town beach, result in dangerous traffic conditions, and would cost too much. He asked why the remediation was necessary and why motorboats had to be allowed on the lake. Mr. Picton noted traffic safety was not a wetlands issue. Mr. Sears noted Lake Waramaug belongs to the people of the state and Mr. McGowan said the state has

plans to build a launch here as it has on all other significant state lakes. Mr. Cornet argued that different lakes should accommodate different activities. Mr. McGowan agreed, but said it was up to the state.

Mrs. Frank stated the Town beach would not be ruined and the launch would not be seen from the beach because the existing house would block the view. She also said once the new drainage system was installed less pollution would reach the lake because materials would be filtered that had never been filtered out before. Ms. Purnell agreed runoff reaching the lake would be cleaner, but said the increase in the number of boats served would result in an impact. Mr. McGowan noted a maximum of 20 boats per day would use the launch, which was fewer than the number proposed under the original state park plan.

Mr. Potter asked how long the total shoreline of the lake was and pointed out the disturbance of 200 ft. of a total 7.8 miles was insignificant.

Mr. Kozak spoke of the public's right to fish and pointed out how difficult the new launch and parking rules would make it for fishermen. He said the parking requirements would mean fishermen would need partners and the out of town people returning their trailers to the state park would increase the traffic congestion on the roads surrounding the lake.

Mr. Cornett said if the state did not inspect boats launched at the state park, then it should be responsible for funding the clean up of the lake.

Ms. Purnell asked if there was a correlation between lakes with boat launches and infestation of invasive plants. Mr. McGowan said a study was now being done, but that statistics showed invasive weeds first show up in close proximity to boat launches. Ms. Purnell asked if it would be a good idea to monitor the East Aspetuck River for invasives once the launch is opened. Mr. McGowan said he would consider it. Dr. Kortmann did not think invasives would threaten the East Aspetuck because unlike the lake, its water was flowing and it had a canopy.

Another resident pointed out that Mr. Kozak had raised valid points about parking difficulties. He thought fishermen would purchase season passes for the Town beach to get around this, which would result in more congestion for the beach users. He thought it was short sighted of the Town not to recognize the need for more parking spaces and not to include them in the proposed design.

Dr. Kortmann addressed Mr. Picton's question about the comparison of the existing shoreline to that with which it will be replaced. He noted the existing condition is almost entirely wall or rock promontory and therefore, the proposal would not be that much of a change. Mr. Picton pointed out, however, that the vegetation would be at the top of the wall, not in the water, and there would be a vertical drop off. Dr. Kortmann said the slope of the wall could be built with a more gradual grade to deeper water, but then there would be greater impacts further into the lake. He thought the proposed wall mimicked the existing conditions as closely as possible.

Alternative plans were discussed. Mr. Picton asked if it was possible to flip the location of the ramp and the Town beach. Mr. Wilson said this would not be possible due to the state Health Code requirements. Ms. Purnell asked if there was text analysis in the file. Mr. McGowan said there was not. Mr. Sears stressed the use of the public beach would not be compromised. Mr. Picton thought it made sense to move the boat ramp to the other side where the beach is wider. Mr. Wilson said the geometry for entering and exiting and the turning radius for boat trailers would not work on the other side. Dr. Kortmann said the lake contour itself was a reason the locations could not be flipped. The beach was too gradual with a sandy bottom at the current Town beach, which would require dredging and result in turbidity.

Mr. Kozak asked what the cost of the project was and how it would be funded. Mr. Picton said these were not wetlands issues. Mr. Wilson said the cost would be \$215,000+/-.

Mr. Picton asked if the other commissioners wanted a site by site analysis of the alternatives. Ms. Purnell asked that this be submitted in text. Mr. Wilson stated Dr. Kortmann's submission addressed the alternatives, but Dr. Kortmann said it was not an exhaustive property by property analysis. Mr. McGowan said the current Zoning Regulations do not permit private boat launches on the lake so the only other alternative would be at the state park. It was the consensus the Town property was the better location. Mr. Wilson noted, too, that the proposal for the Town beach property took into account all DEP, DOT, zoning, and inland wetlands regulations.

Mr. Cornet asked why the Warren Town beach was not a suitable location. Mr. McGowan responded it was too shallow for the first 50 ft. into the lake.

Ms. Purnell thought the hearing should be continued so there would be more time for the public to raise issues and for the Commission to review the alternate plans. Mr. LaMuniere, Mr. Potter, Mrs. Hill, and Mr. Bedini thought the notice requirements had been met and the hearing should be closed.

Mrs. Buonaiuto asked whether it was possible for the three towns to tell the state they did not want a boat launch on the lake. Mr. McGowan said they already did, but the state went ahead with its plans anyway. Mr. Sears noted the three towns are now bound by an agreement to put the launch at the proposed site. Dr. Kortmann said he knew of no major lake in the state that is a significant public resource where part of the shoreline is owned by the state that did not have a public boat ramp. He noted Lake Waramaug is the second largest natural lake in Ct.

MOTION: To close the public hearing to consider Application #IW-06-53 for a boat ramp and parking at 59 East Shore Road. By Mrs. Hill, seconded by Mr. LaMuniere, and passed 4-1.

Ms. Purnell voted No because she wanted more opportunity for public comment.

Mr. Picton closed the hearing at 7:07 p.m.

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

REGULAR MEETING

Mr. Picton called the Regular Meeting to order at 7:18 p.m. and seated Members Bedini, Hill, LaMuniere, Picton, and Purnell.

MOTION: To add the following subsequent business to the agenda: New Application: 1) The Foothills Group/55 West Shore Road/#IW-06-60/Repair Steps and Walkway and Other Business: 1) Request from Steep Rock to Amend Permit #IW-06-33/147 Sabbaday Lane/Bridge, 2) Executive Session to discuss pending litigation, 3) Potter Farm proposal. By Mrs. Hill, seconded by Ms. Purnell, and passed 5-0.

Consideration of the Minutes

The 11/15/06 Regular Meeting minutes were not received in time to be reviewed before the meeting. They will be considered at the next meeting.

MOTION: To accept the Reinhardt/11/21/06 site inspection minutes as submitted. By Ms. Purnell, seconded by Mr. Bedini, and passed 4-0-1.

Mrs. Hill abstained because she had not attended the site inspection.

MOTION: To accept the Mayflower Inn/11/21/06 site inspection minutes as written. By Mr. Bedini, seconded by Mr. Picton, and passed 4-0-1. Mrs. Hill abstained because she had not attended the site inspection.

Pending Applications

Rising/191 West Shore Road/#IW-06-46/Repair Septic System: Mr. Ajello reported a written request for an extension had been received within the required time frame. There was no other new information. Mr. Ajello again suggested that NCR be asked to review the erosion control issues. Ms. Purnell said, however, that the issues went beyond erosion and sedimentation control. She said hydrological concerns must be addressed. Mr. LaMuniere agreed. Mr. Picton wanted to know how the relocation of the stream and the removal of massive quantities of rock from a steep major runoff area would impact the lake, how the stream channel and slope would be stabilized, and how the construction project would be managed. Mr. Ajello noted the applicant would not agree to pay for any other technical reviews. Ms. Purnell suggested the NRCS also be asked to conduct a review the application with the above issues in mind. Mr. Picton pointed out that the engineering plans submitted did not provide specifications such as the rock size, width, etc. and noted the plan called for moving water features on a steep site that was marginal for accommodating a septic system. Mr. Ajello asked the commissioners to submit to him as soon as possible the concerns they want NRC and NRCS to address. He will then contact these organizations to request reviews.

Town of Washington/59 East Street/#IW-06-53/Boat Ramp and Parking: The Commission will review the materials presented prior to acting on the application.

Hochberg/15 Couch Road/#IW-06-55ATF/Clean Out Pond: Mr. Hochberg paid both the citation and the after the fact fee and reported that he does not intend to conduct any more regulated activities. Mr. Picton noted if the Commission knew where the excavated materials had been deposited, it would order they be removed. Ms. Purnell asked for photos of the current site conditions. Mr. Ajello presented the photos he took on August 4th. Mr. Picton asked why no enforcement action had been taken, resulting in the excavated materials washing down stream. Mr. Ajello said there had been other legal matters that were priorities at that time. Ms. Purnell recommended this issue should be included in a discussion of Commission procedures in the future.

Mayflower Inn, Inc./118 Woodbury Road/#IW-06-56/Repair Septic: Mr. Neff, engineer, was present. Mr. Picton noted the Commission had conducted a site inspection. Mr. Neff submitted the topographic map by Mr. Riordan, dated 9/30/88, which showed the location of wetlands in the area and the 11/24/06 document, "Septic System Repair," which included a description of the project, materials to be used, and proposed sequence of construction. The map, "Brook House Septic System Repair," by Mr. Neff, dated 9/16/06 was reviewed. He noted the proposed septic system would serve the 2 bedroom Brook House only and would be located in the same general location where it is now. Ms. Purnell was concerned about locating the septic tanks and pump chamber so close to large trees whose roots would be cut during the installation. Mr. Neff said no trees would be cut down. Ms. Purnell was surprised the Health Dept. approved a septic location so close to the trees and asked if there was a place where the pump chamber could be relocated. Mr. Neff thought it would fit between the leaching fields. Mr. Picton noted this would increase the distance from the stream to 45 feet. It was the consensus this was a good idea because it would be farther from both the trees and the stream. Mr. Neff said he would submit revised plans for the file.

MOTION: To approve Application #IW-06-56 submitted by the Mayflower Inn, Inc. to repair the Brook House septic system at 118 Woodbury Road subject to the condition that Mr. Neff move the septic tank and pump chamber away from the stream side of the system to a location in between the galleries or off the end of the galleries in order to minimize damage to the tree roots and to get the tank and chamber away from the stream. By Mr. Picton, seconded by Mr. Bedini, and passed 5-0.

Klauer/102 East Street/#IW-06-58/Temporary Wetlands Crossing: Mr. Esker, contractor, submitted an amended document dated 11/29/06, which stated the proposed wetlands crossing would be 40 ft. wide by 60 ft. long, covered with geotech road fabric, and a layer of gravel spread over that. Once the house was moved, both the gravel and fabric would be removed. Mr. Picton noted at the last meeting

the Commission had asked for a map that showed more of the property. Mr. Klauer presented the map, "Property/Boundary Survey," by Mr. Alex, revised to 8/28/06. Mr. Ajello said he had inspected the property and had no concerns. Mr. Esker noted some wet areas on the property, but said he would put planks down as they pull the house to its new site. Mr. Picton said he was satisfied with the mapping.

MOTION: To approve Application #IW-06-58 as submitted by Ms. Klauer for a temporary wetlands crossing at 102 East Street with a note of caution that the Enforcement Officer must pay attention to the other wet sites on the property. By Mr. Picton, seconded by Mr. Bedini, and passed 5-0.

Reinhardt/10 Perkins Road/#IW-06-57E/Exemption: It was noted a report from Mr. Allan of Land Tech, dated 11/22/06, had been received. Representing Mrs. Reinhardt, Atty. Kelly said he had anticipated Mr. Allan's questions and had revised the map in the file in response. The map, "Existing Conditions Map," by Mr. Howland, revised to 10/25/06 was reviewed. Atty. Kelly listed the revisions to the map and presented photos for the file. Mr. Picton briefly summarized the points in Allan's 11/22 report and noted on her property Mrs. Reinhardt had cleared a small triangular area within 100 feet of a watercourse. He asked 1) Did that clearing impact a wetlands or watercourse? 2) Is the 100 ft. review area adequate for dealing with the potential adverse impacts of the clearing? 3) Should the Commission assume the activity on the Reinhardt property was only part of the entire activity and that clean up would be an additional activity? He also noted that the issue of whether the activity qualifies as an exemption differed from the issue of whether it caused an adverse impact. Atty. Kelly stated the triangular area had not been forested; that "growth" had been cut there, not trees. He said this qualified as an exemption for landscaping under the Regulations and that whether it had caused an adverse impact was irrelevant. Ms. Purnell disagreed and read Section 4.3, which states that nonregulated use does not carry with it the right to disturb the natural and indigenous character of the wetlands and watercourses. She also read a portion of Section 2.3. Sections 2.4 concerning clear cutting and 2.34 concerning regulated activities were also read in part. Atty. Kelly argued the Commission could consider only the clearing that occurred in the approximate 75 sq. ft. area on the Reinhardt property and that the clearing qualified as an exemption under Section 4. Ms. Purnell disagreed and read Section 4.3 again. Mr. Ajello thought the clearing qualified as a regulated activity under Section 2.34 and read the second sentence in Section 4.1(a), which he thought excluded it from uses permitted as of right. Atty. Kelly said he was seeking the exemption under 4.1(d) not (a). Mr. Ajello noted the clearing had been done as part of a timber harvest operation, not due to landscaping. Atty. Kelly read a portion of Mr. Ajello's 2/23/06 enforcement report, which referred to the clearing as insignificant and said Mr. Ajello had issued the cease and desist order without knowing exactly where the property line was. Mr. LaMuniere said he had inspected the site and had seen no evidence that large trees were cut in the triangular area. He saw no further issues on the Reinhardt property, but stressed she had to pay for the damage done and be responsible for the ecological restoration required on the Cremona and Cavallaro properties. Atty. Kelly briefly discussed the terms of a previously proposed consent order, said Mrs. Reinhardt would take full responsibility for the damage done to the other properties, and said he wanted the Commission to acknowledge its mistake regarding the cease and desist order issued for her property. Mr. Picton said he viewed the clearing as one activity that extended beyond property lines and said the clearing was not part of an exempt landscaping activity. As one regulated activity, he continued, the clearing could be regulated beyond the 100 ft. review area as it was done above the lake on a hillside with a complicated drainage pattern. He asked if the Commission was ready to vote. Mr. LaMuniere thought the Commission should have a restoration plan drawn up by a forester and/or Land Tech specifying exactly what work must be done and how much it would cost before the vote was taken. Atty. Kelly pointed out that Mrs. Reinhardt could not sell her property until the enforcement order is released and said she never waived from her responsibility on the Cremona property. Mr. LaMuniere thought approval of the exemption could be conditioned on the posting of a sufficiently sized bond to ensure the required restoration work on the other properties was completed, but Mr.

Ajello questioned how approval of a non regulated activity could be conditioned. He said the activity was not landscaping; it was clearing. Mr. Bedini asked whether the work done within the 75 sq. ft. area had an adverse impact, but Mr. Picton said the relevant question was, is it a regulated activity? Ms. Purnell noted it was difficult to identify the triangular area and agreed the Commission had the authority to regulate beyond the 100 ft. review area. She also noted Land Tech's letter described the adverse impacts caused due to the elimination of the tree canopy. She and Mr. Bedini thought it was logical for the Commission to request an application for a regulated activity should the exemption request be denied. Ms. Purnell stated the Commission must follow its Regulations and proper procedures.

MOTION: To approve Application #IW-06-57E submitted by Mrs. Reinhardt for an exemption for activities at 10 Perkins Road. By Ms. Purnell, seconded by Mr. Bedini, and denied 2-3.

Ms. Purnell voted No because landscaping as a permitted as of right use does not carry with it rights to disturb the natural and indigenous character of the wetlands or water courses and Land Tech's 11/22/06 letter pointed out there had been impacts resulting from the clearing done.

Mr. Picton voted No because the activity on the Reinhardt property was part of the one timber clearing activity that took place on all three parcels and this type of clearing is not permitted as an exempt landscaping activity.

Mr. Bedini voted No because he, too, thought the clearing done was a regulated activity.

Betalotti/32 Flirtation Avenue/#IW-06-54/First Cut: Mr. Betalotti and Mr. Scully, engineer, were present. Mr. Picton noted that at the last meeting the Commission had asked that a specific location for the proposed driveway to the rear lot be shown on the map. The map, "Preliminary Driveway Plan," by CCA. LLC., dated 11/28/06 was reviewed. Mr. Scully noted while the driveway shown on the plan was feasible, it did not necessarily mean it would be eventually proposed. Mr. Picton noted the feasible driveway route did not cross wetlands and so no drainage details were required. The commissioners advised the property owner an application would be required when the lot was to be developed and the driveway constructed. Ms. Purnell did not understand why the proposed lot included an access to Flirtation Avenue that did not meet the zoning grade requirement for driveways.

MOTION: To approve Application #IW-06-54 submitted by Mr. Betolatti for a first cut at 32 Flirtation Avenue with the understanding there is a driveway location without an adverse impact to the wetlands subject to the condition that prior to construction of the driveway, detailed drainage plans must be reviewed and approved by the Commission to confirm there will be no adverse impact to the wetlands and watercourses. By Mr. Picton, seconded by Mr. LaMuniere, and passed 4-0-1. Ms. Purnell abstained because she did not understand the driveway proposal.

New Applications

James Calhoun House, LLC./156 Calhoun Street/#IW-06-58/Inground Pool: Mr. Neff, engineer, said a pool was proposed between the existing house and cottage. The map, "Soil Erosion and Sediment Control Plan," by Mr. Neff, revised to 11/22/06 was reviewed. Ms. Purnell noted it was proposed entirely within the regulated area. Mr. Neff responded the proposed location was a relatively level lawn area. He noted a patio around the pool, fencing, cartridge filter so there would be no backwash, heater, and underground propane tank were included in the application. Ms. Purnell thought realistically the pool water would flow downhill toward the wetlands when the pool was drained. Mr. Neff suggested a condition of approval that the pool be pumped out to a pool truck when it is emptied. Mr. Ajello thought the proposed plan was a good one because it condensed the development envelope. The commissioners thought the pool site was the logical location for a future garage and so asked if there were plans for a garage. Mr. Neff said the existing barn currently serves as the garage. A site inspection

was scheduled for Wednesday, December 6, 2006 at 3:30 p.m.

John Dorr Nature Lab at the Horace Mann School/___Nettleton Hollow Road/#IW-06-59/Restore Stream Channel: Mr. Szymanski, engineer, represented the applicant and submitted proof the Town of Bethlehem had been notified of the application. He noted the existing watercourse had badly eroded and was threatening to undercut an existing building. He briefly detailed his plans to stabilize the disturbed slope with filter fabric and standard grade rip rap. A site inspection was scheduled for December 6, 2006 at 4:00 p.m.

Foothills Group/55 West Shore Road/#IW-06-60/Repair Steps and Walkway: Mr. Arnold, property owner, noted the steps are in the regulated area. He said he would reuse the materials on site to repair them. Photos of the existing steps were reviewed. All work would be done by hand and the stones put in without mortar. The map prepared for Peter Arnold and Timothy Lee by Mr. Howland, dated 4/11/06 was reviewed. Mr. Picton asked the commissioners to drive by the property on their own before the next meeting.

Other Business

Steep Rock Association/147 Sabbaday Lane/Request to Amend Permit #IW-06-33/Bridge: Mrs. Branson, Director, read her 11/29/06 letter to the Commission. She explained that although she had stated when the application was originally applied for that no machinery would operate from the river, due to the above average rain fall this year, it would now be necessary for the crane to operate in the water for a brief period when it sets the far section of the bridge on the north side of the riverbank. She noted the piers and abutments were finished and the bridge was now being assembled on site. Mr. Picton asked how long the crane would be in the water. Mrs. Branson said approximately one hour. She also noted only the tires would be in the water and the water level would be 1 to 1.5 feet below the axle. Mr. Bedini asked if a ramp would be built into the river. Mrs. Branson said, no. Ms. Purnell asked if there would be armoring of the banks and if the work area would need restoration. Mrs. Branson responded there would be no armoring and Mr. Ajello stated the area has a sandy beach and would need no restoration. Mr. White also noted the smallest piece of equipment possible would be used to get the work done.

MOTION: To approve the revision to Permit #IW-06-33 issued to Steep Rock Assn. to install a bridge at 147 Sabbaday Lane. By Mrs. Hill, seconded by Mr. Picton, and passed 4-1. Ms. Purnell voted No because she thought it was too significant of a revision to be handled by a revision to the application.

Enforcement

Spring Hill/Whittleey Road: Mr. Picton noted the cottage was not being reconstructed. An entirely new building was being built in a different location.

Wright/Scofield Hill Road: Ms. Purnell asked if the work was progressing per the agreement. Mr. Ajello reported the base rocks had been put in as agreed.

Tompkins/Tompkins Hill Road: Ms. Purnell reported that O and G had deposited a lot of material within 100 ft. of a watercourse and should have had a permit to do so. Mr. Ajello said a driveway had been applied for and the plans showed it was not within 100 ft. of the stream. He will inspect the site to confirm this before the next meeting.

Moore/25 Litchfield Turnpike: Mr. Ajello compared the "Site Analysis Plan," by Mr. Alex, dated 8/1999 with the "Site Analysis Plan," dated July 2006. When the flagged wetlands areas were compared, it was evident where filling had occurred between 1999 and 2006. Ms. Purnell noted that Mr. Moore had admitted he had filled in wetlands and had said he would remove the material. She asked Mr. Ajello to show him the maps and ask him to remove the deposited material. Mr. Ajello

agreed to ask Mr. Moore to remove all the fill from the areas on the map that highlight the differences in the wetlands delineation and everything within the previous wetland perimeter.

Potter Farm Proposal: Mrs. Hill asked what, if anything, the Inland Wetlands Commission had approved. Mr. Picton noted the driveway for a subdivision lot on the north side of Shearer Road had been approved, but that this had nothing to do with the current proposal.

Communications

Mr. Picton noted the Board of Selectmen had asked for a volunteer from each of the land use commissions to provide input on the proposed walking trail for the River Loop property. Mr. LaMunier will serve on behalf of the Inland Wetlands Commission.

MOTION: To enter executive session at 9:48 p.m. By Mrs. Hill, seconded by Ms. Purnell, and passed 5-0.

MOTION: To end executive session at 10:21 p.m. By Mrs. Hill, seconded by Ms. Purnell, and passed 5-0.

MOTION: To adjourn the meeting. By Mrs. Hill.

Mr. Picton adjourned the meeting at 10:22 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Coordinator