

September 26, 2012

7:30 p.m. Upper Level Meeting Room

MEMBERS PRESENT: Mr. Bedini, Mr. LaMuniere, Mr. Papsin, Mr. Wadelton

MEMBERS ABSENT: Mr. Bohan

ALTERNATES ABSENT: Ms. Cheney, Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. Neff, Mr. Repplier, Mr. S. Sabin, Mr. Cook, Mr. Szymanski, Mr. Talbot, Press

Mr. Bedini called the Meeting to order at 7:00 p.m. and seated Members Bedini, LaMuniere, Papsin, and Wadelton.

MOTION:

To add the following subsequent business not already posted on the agenda: VI. Other Business: C. Doherty/214 Calhoun Street/ Changes to Approved Drainage Plan.

By Mr. Wadelton, seconded by Mr. Papsin, passed 4-0.

Consideration of the Minutes

MOTION:

To accept the 9/12/12 Regular Meeting minutes as written.

By Mr. Wadelton, seconded by Mr. Papsin, and passed 4-0.

MOTION:

To accept the 9/21/12 Rosenberg and Murphy site inspection minutes as written.

By Mr. Papsin, seconded by Mr. LaMuniere, passed 4-0.

Pending Applications

Lancaster/244 West Shore Rd./#W-12-24/Addition to Dwelling. Pool:

Mr. Papsin recused himself.

Mr. Neff, engineer, presented his plan, "Proposed Site Plan," dated 7/31/12, revised to 9/10/12. He noted he had received a list of concerns dated 8/23/12 from Mr. Ajello and said he had responded with revisions to the plan and with a letter dated 9/11/12. Mr. Ajello reviewed each concern on the list and Mr. Neff responded briefly: 1) the equipment access had been added to the plan and it would include an 8 foot wide opening through the stonewall adjacent to the driveway. 2) to handle temporary runoff from the new well, a 100 sq. ft, 2 ft. deep sediment trap was added adjacent to the well, 3) a construction barrier fence was added along the limit of disturbance line and the silt fencing had been extended, 4) access clearance by the corner of the garage was increased to 16 ft, 5) the garage demolition was added to the sequence of construction, 6) no additional tree clearing along the edge of the lake was proposed, and 7) the footing drains and roof drains now exit to an underground stormwater infiltration system northwest of the house and the pool will be equipped with an internal groundwater relief valve in lieu of a foundation drain. Mr.

LaMuniere asked if surplus material would be removed from the site. Mr. Neff said it would and pointed out there was a note on the plans that said all excess material not used for backfilling would be removed from the site. Mr. Ajello noted the plans did not indicate any substantial grading changes.

MOTION:

To approve Application #IW-12-24 submitted by Mr. and Mrs. Lancaster for an addition to the dwelling and a pool at 244 West Shore Road per the plan, "Proposed Site Plan," by Mr. Neff, dated 7/31/12 and revised to 9/10/12; the permit shall be valid for 2 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. LaMuniere, seconded by Mr. Wadelton, and passed 3-0.

Peckerman/162 Sabbaday Lane/#IW-12-25/Dredge Pond: Mr. Papsin recused himself.

Mr. Neff, engineer, presented his plan, "Pond Cleanout Plan," dated 7/28/12. Mr. LaMuniere noted the application had been previously discussed in detail. Mr. Neff said there had been no revisions since it had last been discussed.

MOTION:

To approve Application #IW-12-25 submitted by Mrs. Peckerman to dredge the pond at 162 Sabbaday Lane per the plan, "Pond Cleanout Plan," by Mr. Neff, dated 7/28/12; the permit shall be valid for 2 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 3-0.

Town of Washington/2 Bryan Plaza/#IW-12-28/Repair Canoe Brook Embankment:

Mr. Papsin was reseated.

Mr. Bedini recused himself.

Mr. LaMuniere noted the plans had already been discussed in detail, there had been no revisions since the last meeting, and the work was already in progress.

MOTION:

To approve Application #IW-12-28 submitted by the Town of Washington to repair the Canoe Brook embankment per the documents, "Application for Emergency Rerouting of Canoe Brook and Repair of Fire Pond Embankment at Bryan Plaza," "Project Narrative Description," and "Sequence of Construction;" the permit shall be valid for 2 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. Wadeldon, seconded by Mr. LaMuniere, and passed 3-0.

Repplier/8 Rabbit Hill Road/#IW-12-30/Replace Stream Culvert:

Mr. Bedini was reseated.

Mr. Ajello noted the existing double culvert would be replaced with a larger box culvert and that the work site was approximately 100 feet above Meeker Swamp. Mr. LaMuniere referred to the 9/12/12 minutes and asked if the capacity of the proposed culvert was large enough to handle the runoff. Mr. Ajello explained the existing pipes were large enough to handle the runoff except that they were often blocked with debris. He noted the dimensions of the proposed culvert were 4' X 6'. It was noted that a sequence of construction had been submitted, application details were provided, and all of the questions raised in Mrs. Hill's review had been addressed. The plan, "Plan Detail – Culvert Replacement (Revised,)" dated 9/24/12 by Ms. Condon was reviewed. Mr. LaMuniere reviewed the proposed erosion control measures and Mr. Repplier stated the work would be done during low flow conditions.

MOTION:

To approve Application #IW-12-30 submitted by Mr. Repplier to replace the stream culvert at 8 Rabbit Hill Road per the plan, "Plan Detail – Culvert Replacement (Revised,)" Sheet LA-01, by Ms. Condon, dated 9/24/12 and per the definition of the work provided by the contractor; the permit shall be valid for 2 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. LaMuniere, seconded by Mr. Papsin, and passed 4-0.

John Dorr Nature Lab/220 Nettleton Hollow Road/#IW-12-32/ Deposition of Dredged Material:

Mr. Ajello noted that Mr. Law, Executive Director of Steep Rock, had sent a letter dated 9/25/12 approving the proposal. Further discussion was tabled because Mr. Szymanski, engineer, was not present.

Nauiakas/170 Church Hill Road/#IW-12-33/Construct Guest House and Septic System:

The 9/25/12 approval letter from Mr. Law, Executive Director of Steep Rock, was noted and Mr. Ajello read a portion of it to the Commission. Mr. Neff, engineer, reviewed his plan, "Septic System Plan," dated 8/4/12. The boundaries of the conservation easement and the location of a future tennis court were noted. Mr. Bedini stated that the Commission had had no questions when the application had first been reviewed.

MOTION:

To approve Application #IW-12-33 submitted by Ms. Nauiakas for a guest house and septic system at 170 Church Hill Road per the plan, "Septic System Plan," by Mr. Neff, dated 8/4/12; the permit shall be valid for 2 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 4-0.

Rosenberg and Murphy/10 West Morris Road/#IW-12-34/Application to Correct Violation/Unauthorized Clearing and Soil Disturbance:

Mr. S. Sabin presented the revised plan, "Proposed Site Plan with Mitigation Buffer," by Mr. D. Sabin, revised to 9/26/12. Mr. Sabin pointed out where 6 trees had been added to the wetland border to provide a canopy for shade and where mitigation was planned for an area infested with loosestrife. Mr. Papsin asked if jute matting had been added to the steep slope behind the pool where 60 yards of top soil will be deposited. Mr. LaMuniere said there was a potential for erosion in this area. Mr. Sabin added jute mat to the plan and initialed and dated the revision.

MOTION:

To approve the Application to Correct a Violation, #IW-12-34, submitted by Mr. Rosenberg and Mr. Murphy, 10 West Morris Road, per the plan, "Proposed Site Plan with Mitigation Buffer," by Mr. Sabin, revised to 9/26/12; the permit shall be valid for 2 years, it is noted that the contractor must get a copy of the annotated plans revised to 9/26/12, and the permit 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. Papsin, seconded by Mr. Wadelton, and passed 4-0.

John Dorr Nature Lab/220 Nettleton Hollow Road/#IW-12-32/ Deposition of Dredged Material:

Mr. Papsin expressed his concern about preserving the top soil. Mr. Szymanski said it would not be removed from the site. The top soil would be stripped and stockpiled, the dredged material spread over the 2.5 acre site, and then the top soil would be respread. Mr. Ajello read the portion of the 9/25/12 letter from Mr. Law, Steep Rock, that addressed this matter. Mr. Papsin hoped the disturbed areas would be seeded soon. Mr. Szymanski said the work would not be done until the spring.

MOTION:

To approve Application #IW-12-32 submitted by John Dorr Nature Lab for the deposition of dredged material at 220 Nettleton Hollow Road per the plan, "Pond Dredging Plan (East Pond,) by Arthur H. Howland and Assoc., dated 9/1/12 and revised to 9/12/12; the permit shall be valid for 2 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. Papsin, and passed 4-0.

New Applications

Town of Washington/11 School Street/#IW-12-35/Enlarge Ball Field, Clear Trees:

Mr. Cook represented the Park and Rec. Commission. The map, "Site Plan," by Mr. Alex, dated May 2004, revised to 5/24/04 with unsigned handwritten revisions to Joe Martin Field, was reviewed. Mr. Cook stated the closest activity to the river would be installation of silt fencing approximately 160 ft. from the streambank. To enlarge the field, 25 trees would have to be cut, an irrigation system would be added to the outfield, the field would be regraded, a new outfield fence would be installed, and up to 200 c. yds. of material would be deposited on the left field side to prevent it from dropping off so steeply and to provide a place to put bleachers. Mr. Cook said that the extent of the work done would depend on the funds available. He also said the disturbed areas would be spread with top soil with sod placed on top. It was noted the entire field is located in the flood plain and that was the reason an IW permit was required. Mr. Wadelton said he saw no potential negative impacts to the wetlands. Mr. Bedini said the Commission would not require any revisions, and would act at the next meeting.

Community Table Restaurant/223.227 Litchfield Turnpike/#IW-12-36/Phase I: Parking and Boardwalk:

Mr. Talbot, architect, and Mr. S. Sabin, landscape architect, represented the owner. Mr. Talbot explained that the owners had purchased the adjoining property and were proposing to extend parking there rather than on Wilbur Road as had recently been approved. The "Site Plan," Sheet DD-SP-1, revised to 9/26/12 showing both existing conditions and proposed parking, was reviewed. The proposal included a wetlands crossing with an 18 inch culvert to connect the impervious parking areas on each property, a boardwalk circling at the rear of the two properties, and a revised parking lot configuration for 223 Litchfield Turnpike. The number of parking spaces would increase from 17 to 39, alleviating the current parking problems. Mr. Talbot said that additions to the existing buildings and plans for a retail shop, wine bar, greenhouse, and septic system would be a future Phase II. Mr. Sabin said a hedgerow would be planted to supplement the buffering along Wilbur Road. Mr. LaMuniere asked how much wetlands would be filled. Mr. Sabin said 220 sq. feet in addition to the crossing. The proposed crossing was discussed in more detail. Mr. Talbot said an 18 inch ID culvert and headwalls with fill above them were proposed. Mr. Neff thought this culvert would be adequate because the drainage area is very small and comes from the site itself. Drainage patterns were noted. Mr. Talbot said Mr. Neff would provide more details at the next meeting. Mr. Ajello thought the proposal was adequate since 20 feet downgrade of the wetlands the flow is already directed to another pipe and because the quality of the existing wetlands was not significant. He noted that the proposed boardwalk would not have much impact on the wetlands. Mr. LaMuniere was concerned there could be ponding and so thought there should be two culverts. Mr. Talbot submitted additional documentation in response to questions raised in Mrs. Hill's review. He said he would have revised plans ready for the next meeting and that he hoped for an approval at that time because he had to coordinate with other commission schedules and hoped to get the work done this year. The commissioners will inspect the site on their own before the next meeting.

Thorne/228 West Shore Rd./#IW-12-27/Rebuild Shed. Build Boathouse:

Mr. Talbot, architect, presented the plan, "Site Plan," Sheet SP-1 revised to 9/26/12. He said the revisions were in response to Mrs. Hill's application review. Mr. Talbot said the owners plan to replace the 6'2" X 6'6" shed and to add a 10'X 15'boathouse. He pointed out the proposed location for each and the temporary access for the bobcat to be used for the pier holes. The boathouse will have 6 piers on a gravel pad with weed matting under the gravel. He indicated stockpile locations, the limit of disturbance line, and the location of the erosion and sedimentation controls. Mr. Talbot said he still had to get Health Dept. approval, but did not think this would be a problem since the boathouse would be located in an area that could not accommodate a septic system. Mr. Bedini asked if all of Mrs. Hill's questions had been answered. Mr. Talbot said they had. Tree removal was discussed. Stumps will be ground, not removed, and a buffer planted along the property line. He said he would provide planting details at the next meeting. Mr. Ajello advised the commissioners to drive by prior to the next meeting and to consider how much of the canopy might be lost due to the tree cutting.

Other Business

Wykeham Rise, LLC./101 Wykeham Road/Request to Revise Permit #IW-08-31/School:

Mr. Szymanski, engineer, noted he had made two minor revisions to the plans based on Mr. Allan's 9/17/12 review. On Sheet D5 the elevation of the berm on the northwest side of the forebay was revised. On Sheet PL.1 the use of conservation mix was added within the disturbed areas associated with the pump house, underground water tanks, and water supply connection line. Mr. LaMuniere noted the changes requested by Land Tech had been minor and in no way altered what the Commission had previously approved.

MOTION:

To approved the request by Wykeham Rise, LLC. to revise Permit #IW-08-31 for a school at 101 Wykeham Road per the plans, "Wykeham Project," 32 Sheets, by Arthur H. Howland and Assoc., dated 7/8/11 and revised to 9/20/12; the permit shall be valid for 5 years and is subject to the same conditions of approval as the original permit 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. LaMuniere, seconded by Mr. Wadelton, and passed 4-0.

Ingrassia/143 East Shore Road/Request to Revise Permit #IW-12-23:

Mr. Neff, engineer, explained the depth of the existing well near the seawall is only 6 feet and so the owners propose to deepen it in its existing location to improve the water supply. The work will be done at the same time as the wall repair work. Mr. Neff explained that a sump area next to the well will be excavated for turbid water, the spoils will be taken off site, and the well drilling equipment will be lifted by crane onto the site. It was noted that due to Health code setback requirements, there is nowhere else on the property to locate a well.

MOTION: To approve the request by Mrs. Ingrassia to revise Permit #IW-12-23 to deepen the well

at 143 East Shore Road per the plan, "Lakeside Wall Replacement Plan," by Mr. Neff, dated 7/30/12 and revised to 9/21/12; the permit shall be valid for 2 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. Papsin, and passed 4-0.

Doherty/214 Calhoun Street/Changes to Drainage System:

Mr. Ajello noted that during his final inspection he found that the drainage system had not been installed per the Inland Wetlands approval. The Commission had not been notified immediately that a revision was requested as was required by the permit. Further discussion was tabled until the applicant submits the fee and a written request for a permit revision.

Enforcement Report

In addition to the matters written up in Mr. Ajello's 9/26/12 report, the following topics were discussed:

Brown/127 West Shore Road:

The settlement check was received and deposited in the Town's legal litigation fund.

DeVisscher/69 Wykeham Road:

A citation was sent, but the fine has not been paid. Mr. Ajello advised the Commission to consider increasing the fine and to file the notice of violation on the Land Records. Mr. LaMuniere suggested a final letter be sent warning that if the fine is not paid a notice will be filed on the land records.

Etherington/49 and 52 Wheaton Road:

Mr. LaMuniere was concerned that if the phragmites was not separated from the rest of the dredged material, that it would regrow. Mr. Ajello did not think this would be a problem because the field where the material is being spread is mowed three times a year.

Smith/22 Parsonage Lane:

Mr. Ajello said he would discuss the rain garden with Mr. Sabin because the area approved for the garden has become a sediment basin.

Hochberg/15 Couch Road:

Mr. Bedini reported that he has contacted the Selectman's Office re: scheduling a citation hearing.

Administrative Business

The commissioners filled out registration forms for the 11/17/12 CACIWC seminar.

MOTION:

To adjourn the Meeting. By Mr. Papsin.

Mr. Bedini adjourned the Meeting at 9:55 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Administrator