

January 22, 2003

Members Present: Dorothy Hill, Charles La Muniere, Robert Weber.

Members Absent: Helen Gray, Marguerite Purnell.

Alternates Present: Candace Korzenko.

Alternates Absent: Mark Picton.

Staff Present: Michael Ajello, Katherine Moquin.

Also Present: Mark Daft, Reporter from Voices, Dirk Sabin, Mark DePecol, Dorota Habib, Thomas Farnen, Philip Farmer, Curt Smith, Anthony Di Benedetto, and Alex Mc Naughton.

I. Show Cause Hearing re: S.M.R. Partners, IW-03-V5, 103 Baldwin Hill Road, Permit Violation, Deposition on Shared Driveway.

Dorothy Hill called the Show Cause Hearing to order at 7:05 p.m., Wednesday, January 22, 2003. Members seated were Dorothy Hill, Charles La Muniere, Robert Weber and Candace Korzenko for Helen Gray.

Mr. Weber read the Enforcement Order sent to Mr. Gitterman, dated 1-15-03. Mr. Gitterman was not present to respond.

MOTION: To CLOSE the Hearing by Mrs. Hill, seconded by Mrs. Korzenko. All agreed at 7:10 p.m.

Dorothy Hill called the Regular Meeting to order at 7:11 p.m., Wednesday, January 22, 2003. Members seated were Dorothy Hill, Charles La Muniere, Robert Weber and Candace Korzenko for Helen Gray.

MOTION: To ADD to the Agenda under VII. Enforcement S.M.R. Partners IW-03-V5. By Mrs. Hill, seconded by Mr. Weber and passed 4-0.

MOTION: To SHIFT Consideration of Minutes to the end of the meeting. By Mr. La Muniere, seconded by Mr. Weber and passed 4-0.

III. Pre-Application Advise

Maury, IW-03-06, 67/69 Carmel Hill Road, Lot Line Revisions, Develop Two Lots.

Dirk Sabin, Landscape Architect, was present and explained: 1. There are approximately 73.15 acres total for three separate parcels on the Bethlehem Town line. 2. This site sits on a sub-regional watershed divide with a head water flowing to Sprain Brook and other drainage going to Sprain Brook from a different direction. 3. This is a rolling highland with a high point and is pretty high on the watershed. 4. The Washington Natural Resource Inventory Report shows a corridor on this site with a series of six vernal pools with streams flowing from them. 5. There are a, b. and c class soils and some wetlands soils. The wetlands are flagged and identified on the map submitted tonight, "Site Analysis Plan, Maria Eugenia Maury, Carmel Hill Road by T. Michael Alex, L.S., dated November 2002." 6. This property contains three wood roads and a spruce grove and a gravel pit from a long time ago. 7. There are two dams existing on one stream which are tumbling down and proposed to be restored. 8. There is a deed restricted area protecting the bordering properties of Murphy and Mnuchin. 9. Zoning Regulations allow three houses if one lot has full road frontage. There are three to six lots possible on the total existing acreage. 10. There is one driveway to service three lots and another

Maury con't:

driveway to service three more lots. 11. There is one existing wetlands crossing, proposed to be moved and one wetlands crossings to construct. 12. Ed Cady, Builder, proposes to combine the three parcels into two and build two houses (4000-8000 square feet) on 30 acres designated as the development area. He would assign conservation easements for 40 acres of the property to the Steep Rock Association or

the Town of Washington. 14. Mr. Sabin proposes to create two ponds within a stream corridor and with areas of swamp in-between. There would be a meadow fringe around the ponds, not lawn. There is also a wooded corridor between the two ponds. One pond would be two thirds of an acre and the other pond one half an acre with the intent to offer something substantial on site. He tried to create the ponds in an area upland of the wetlands but it was not possible to find enough ground water. And he considered a plan to construct a dam and flood the area but the flooding would have extended too far. 15. He proposes to put in dry hydrants with a meadow wood road. 16. The red maple swamp would remain untouched. 17. There is a stream flowing between the center of the two proposed house sites and two other existing streams. One house site is 140-150 feet from one wetland and 130-140 feet from the vernal pool area. Except for one stream corridor and the two proposed ponds, all the wetlands are in the conservation easement areas. 18. The septic systems are in areas that are out of Inland Wetlands jurisdiction. 19. On the plan submitted tonight, "Preliminary Concept for Maria Eugenia Maury, Carmel Hill Rd. by Dirk W. Sabin, dated 1-20-02," the proposed areas for conservation easement and development are marked.

The Commission discussed these proposals and asked many questions and are waiting for a full application to be submitted.

Mrs. Korzenko requested the watershed calculations for this site.

V. Pending Applications

Sheinfeld, IW-02-61 ATF, 112 Lower Church Hill Road, In-ground Pool, Modify Deed Restrictions.

Dirk Sabin, Landscape Architect, was present and submitted an E-mail letter from Mr. Sheinfeld, dated 1-22-03 with his account for when the compressor was installed. The members disagree with Mr. Sheinfeld's claims, pointing out the compressor was not present when they made a site inspection on 6-8-02. And he submitted a Mylar copy of the map, "Site Analysis Plan, Conservation Easement Map, Prepared for Jay Sheinfeld, 112 Lower Church Hill Road by T. Michael Alex, L.L.S., dated July 1996 and revised 1-14-03" showing the revised conservation area location, new location for the pool, pool mechanicals and the new location for the compressor.

Mrs. Hill pointed out that a Mylar map has to be recorded and then presented to the Planning Commission.

Mr. Ajello relayed Marguerite Purnell's message: 1. She recommends permanent field markings of the Conservation Easement area. 2. She did not understand the first item of the Conservation Easement Agreement and recommended striking it altogether. Mrs. Korzenko and Mr. La Muniere said they understood the first item and the members agreed to leave it intact. Mrs. Hill noted that she sent a copy of the draft Conservation Easement Agreement, provided by the Commission's Attorney, to Attorney Robert Fisher. Mr. Sheinfeld sent in his proposed final wording of the Conservation Easement Agreement attached to the above mentioned E-mail letter. Mr. Sabin noted his revisions to the survey map were referenced with the title SK 1.' The members agreed

Sheinfeld con't:

to make the motion at the end of the meeting so that other applicants present would not be kept waiting.

Cass/DePecol, IW-02-73, 46 June Road, Construct Dwelling & Driveway, Renovate Guest House.

Mark DePecol was present and submitted a revised plan, "Site Development Plan, Prepared for Mark DePecol, June Road by Berkshire Engineering & Surveying, L.L.C., dated 10-15-02 and revised 1-22-03" showing the radii dimensions for the three driveway bends and the three added gravel by-passes.

Mrs. Hill checked the file and accounted for the items recommended by Land Tech Consultants, Inc.

Mrs. Korzenko asked about Mark Picton's recommendation to have one section of the driveway stabilized during construction before continuing to the next section. Mr. DePecol said that this was a standard construction practice and explained he would start at the base and the erosion controls would go in first, then the trees cut, the grubbing done and the loam removed. Mr. Weber pointed out that a storm, occurring between grading and installing drainage protections, could cause trouble.

MOTION: To APPROVE the application Cass/DePecol, IW-02-73, 46 June Road, Construct Dwelling & Driveway per the following plans: "Site Development Plan, Prepared for Mark DePecol, June Road by Berkshire Engineering & Surveying, L.L.C., dated 10-15-02 and revised 1-22-03" and "Details and Notes, Prepared for Mark DePecol, June Road by Berkshire Engineering, L.L.C., dated 10-15-02 and revised 12-31-02" and with one condition: Water run-offs be watched with due diligence. By Mr. Weber, seconded by Mrs. Korzenko and passed 4-0.

Mrs. Hill noted the members are satisfied with the plans as submitted. She asked Mr. DePecol to pay the bill for Land Tech Consultants per Town Ordinance 710. Mr. DePecol agreed and said he knew about this.

Rumsey Hall School, IW-03-01, 201 Romford Road, Demolish Dorm, Construct Dwelling.

Thomas Farmen, Headmaster, Dorota Habib, Business Manager and Curt Smith, Bradford E. Smith & Son, were present. Mr. Smith submitted a revised plan, "Site Plan & Sediment & Erosion Control Plan, Gros Cottage, Rumsey Hall School, Inc. Romford Road & Whittlesey Road by Bradford E. Smith & Son, L.L.S., dated 11-22-02 and revised 1-21//22-03" and pointed out the revisions: 1. Depiction of the footing drain and discharge for the footing drain and roof leaders, four, by four, riprap pad, designed as a spreader and two 4 inch pipes. 2. Depiction of the 100 year flood line which is 10 feet below the house site. 3. A construction sequence added on the second page. Mr. Smith drew, signed and dated the location for the 10 x 40 foot dumpster and the location for the temporary stockpile on the above mentioned map during the meeting.

Mr. Farmen explained: 1. There will be electric heat. 2. Eight students will reside here, the same number as in the present dorm. 3. There is no existing foundation. 4. This is a well drained area with alluvial soils.

MOTION: To APPROVE the application Rumsey Hall School, IW-03-01, 201 Romford Road, Demolish Dorm, Construct Dwelling per the plans, "Site Plan & Sediment & Erosion Control Plan, Gros Cottage, Rumsey Hall School, Inc., Romford Road & Whittlesey Road by Bradford E. Smith & Son, L.L.S, dated 11-22-02 and revised 1-21/22-03" and as submitted. By Mrs. Hill, seconded by Mr. LaMunier and passed 4-0.

Shepaug Realty, IW-03-03, RT. 47/Washington Depot, Temporary Bridge.

Mr. DePecol and Philip Farmer, co-owner, were present and they explained: 1. Their revised proposal is to rent a bridge, which will carry 50 tons, from a company which will bring the bridge on a trailer. The bridge will then be pulled across the 32 foot wide brook

into position with a mechanical winch. The stream will remain undisturbed except for the one time crossing of a bulldozer. The bulldozer will cross the stream about 12 feet upstream where the banks are flat. The 40 foot temporary bridge will sit on top of the existing collapsed bridge and the permanent bridge is being designed to sit beside it to the north. 2. There is an existing gravel driveway coming off the highway. 3. A temporary bridge will serve as access for perc tests and other planning activities during the time a permanent bridge is in the design and permit process. 4. A permanent bridge will be installed by Autumn. 5. The temporary bridge can be ordered and installed in one week, which is their

intention.

Mrs. Korzenko recommended the permit be placed within reasonable time parameters.

MOTION: To APPROVE the application Shepaug Realty, IW-03-03, RT.47/Washington Depot, Temporary Bridge per the Letter from Shepaug Realty, L.L.C., dated 1-22-03 and per the plans, "Site Development Feasibility Plan, Newman Lot Revision, 252 & 266 Bee Brook Road by Brian E. Neff, L.E., dated 11-13-02" and with two conditions: 1. The temporary bridge is to be removed by December 1, 2003. 2. The one time stream crossing by the bulldozer will occur at the point on the stream where there are no banks. By Mrs. Korzenko, seconded by Mrs. Hill and passed 4-0.

Rizzo/James, IW-02-69, 129 Bee Brook Road, Build Retaining Structure.

Mr. Ajello noted a newly submitted proposal, dated 1-22-03, including the placement of large boulders along the bank. A machine will place the boulders from the top of the bank.

Mrs. Korzenko noted that this proposal calls for cutting down the hemlocks growing along a portion of the top of this very steep bank. She asked about possible soil erosion occurring during the time the grass is forming strong root growth.

The Commission said there is not enough information and the information submitted is unclear. Mr. Weber will write a letter requesting specific plans with more detail and structure.

VI. New Applications

DiBenedetto, IW-03-04, 212/214 Calhoun Street, Remove Invasives & Dead Trees, Prune Trees.

Mr. DiBenedetto was present, submitted a photo and explained: 1. He wants to remove the vines, invasive plants, including multi-flora rose and bittersweet, and dead wood along the road frontage now, while the intermittent stream and ground are frozen. The vines are endangering some beautiful large trees including hickory. There will be no clear cutting or grubbing. 2. If the members make a site visit and agree, he will then present a planting plan, including winterberry and other plants native for the area. The planting would be done in the Spring or Autumn. 3. Per his experience, if he continually cuts back (brush cutting or weed whacking) the multi-flora rose, it will decline without grubbing.

Mr. Weber thought the best time to install the silt fence is in the Spring before planting or it could be used now as a limit of disturbance.

The Commission will make a Site Visit on Thursday, January 30'03 at 3:00 p.m.

Washington Montessori School, IW-01-08, 240 Litchfield Tnpk., Revision of Permit to Construct a School.

Alex McNaughton, Secretary/Treasurer and Point Person for the Facility, was present and he explained: 1. The fifty four (36 spaces on the easterly side of the driveway and 18 spaces on the other side of the road) planned parking spots are not in the best locations and are now proposed to be replaced with parking off the circle in front of the school, which puts the parking in Warren. There will be a staircase from the parking area going down to the school. The new parking area will have 105 parking spaces. 2. The road leading to this new parking site is in Washington but out of the 100 foot upland review area for wetlands. The wetlands are delineated on the map, "Additional Parking Plan, Washington Montessori School, 240 Litchfield Turnpike by DYMAR, Engineering, Planning, Surveying, Development Services, dated 1-10-03." 3. The reason for coming to Inland Wetlands Commission is to review the drainage plan, which is part of the original permit. Water coming down the hill goes to two catch basins. Other catch basins were added on the side of the road going to the parking site and on the side of the parking lot in Warren. 4. The engineers calculated for a 100 year storm and their analysis

("Stormwater Management Report Addendum #1, Washington Montessori School by DYMAR, dated 1-2-03") shows the new parking area drainage will easily be carried by the two catch basins. All the water coming from the 54 parking spots does not go into the two catch basins. There is an 8% reduction in the peak storm run-off from pre-development. Even with the new parking area, there is less drainage than before the school existed. All the water ends up in the brook and then into Meeker Swamp.

Mr. Weber restated the situation, saying that the overall drainage is now reduced by 8% from pre-development and the two catch basins can handle the run-off from the new parking area.

MOTION: To APPROVE the Revision to the Original Permit for Washington Montessori School, IW-01-08, 240 Litchfield Tnpk., Construct School per the plans, "Additional Parking Plan, Washington Montessori School, 240 Litchfield Turnpike by DYMAR, Engineering, Planning, Surveying, Development Services, dated 1-10-03" and as submitted. By Mrs. Hill, seconded by Mrs. Korzenko and passed 4-0.

VII. Enforcement

Daly/Aldredge, IW-02-51, 300 West Shore Road, Remove & Install Oil Tank.

Mr. LaMuniere expressed concern about the possible leakage from an old vehicle parked so close to the lake. Mr. Ajello said he sent a letter, dated 10-22-02, to address this but long term parking is not regulated.

S.M.R. Partners, IW-03-V5, 103 Baldwin Hill Road, Violation of Permit, Deposition of Material on Shared Driveway.

Mr. Ajello said the foundation was poured last week and a well is now being drilled.

Mr. LaMuniere noted that the deposition of material raised the road bed by 4-5 inches for approximately 150 feet. The members discussed the situation and agreed to leave the Enforcement Order in place. Mrs. Korzenko recommended sending a copy of the Enforcement Order to the driveway co-owner. The members agreed.

MOTION: To HAVE the Enforcement Order for S.M.R. Partners, IW-03-V5, 103 Baldwin Hill Road, Violation of Permit, Deposition on Shared Driveway REMAIN IN EFFECT until conditions of the permit are met. By Mrs. Korzenko, seconded by Mr. La Muniere and passed 4-0.

Fairbairn, IW-02-54, 206 Wykeham Road, Construct Wetland Crossing.

Mr. Ajello left a phone message for William Fairbairn regarding the easement, which was a condition to the permit. He did not receive a response.

Mrs. Korzenko noted the property had been sold via two transfers by two Fairbairn brothers and now that the property is sold, an easement cannot be given by the Fairbairns. She recommended issuing a Cease and Desist Order to halt the house construction. Mr. Ajello will write a letter to Ronald Fairbairn.

Beck, IW-02-V1, 132 Calhoun Street, Clearing in Wetlands.

Mrs. Hill noted that there is no new information submitted to date.

Brown, Long View Landing, Inc., IW-02-V3, 96 Romford Road, Dam Failure.

Mrs. Hill sent a letter to Dr. Brown, dated 1-13-02 and there has not been a response nor any new information submitted to date.

Ross, IW-02-V4, 10 Sunny Ridge Road, Wetlands Restoration.

Mrs. Hill will call Dudley Ashwood again. Mr. Ross is in Florida.

VIII. Administration

1. Special Meeting - Administration Procedures

Mrs. Hill said her goal is to revise the regulations and application form. The members set a special meeting on January 29, 2003 at 7:00 p.m. in the Land Use meeting room.

2. Cell Tower - 1-27-03 Public Hearing.

Mrs. Hill noted the members promised input from Inland Wetlands to the Zoning Commission. Mrs. Korzenko recommended waiting until Spring to let the experts review the area. Mr. Weber agreed saying that the members cannot recommend anything until we have the advantages and limitations of risk.

Mr. Ajello reported the following: 1. Intermittent drainage from the proposed cell tower site on Rabbit Hill flows towards Washington. 2. There are wetlands within 50 feet of the tower base. 3. He is most concerned with the batteries, which could freeze and crack and leak acid in the winter. Mrs. Korzenko will write to the Zoning

Commission. The Commission discussed proposed Zoning Regulation changes and determined they could not support the changes.

Mr. Weber will review the DEP Stormwater Management CDs and turn it over to Janet Hill for Planning and Zoning.

IV. Consideration of Minutes

Regular Meeting - January 8, 2003

MOTION: To ACCEPT the minutes of the Regular Meeting on January 8, 2003, as amended. By Mrs. Hill, seconded by Mrs. Korzenko and passed 4-0.

The amended/corrected minutes (relevant pages) are attached to the end of these pages.

Sheinfeld, IW-02-61 ATF

The members discussed and agreed on the conditions of the approval.

MOTION: To APPROVE the application Sheinfeld, IW-02-61 ATF, 112 Lower Church Hill Road, In-ground Pool, Modify Deed Restrictions (Pool and Pool Mechanicals, Conservation Planting and the Execution of a Conservation Easement) per the plans, "Site Analysis Plan, Conservation Easement Map, Prepared for Jay Sheinfeld, 112 Lower Church Hill Road by T. Michael Alex, L.L.S., dated July 1996 and revised 1-14-03 (referred to as Schedule A)" and Revisions to the "Site Analysis Plan referred to as SK1, Prepared by Dirk Sabin, Landscape Architect, dated 1-20-03 and per the Conservation Easement Agreement submitted to the Inland Wetlands Commission on 1-22-03 with the following conditions: 1. Completion of the Planting Plan as shown on SK 1.' 2. Relocation of the Pool Mechanicals to the area shown on SK1.' 3. Relocation of the Compressor to the area shown on SK 1.' 4. Review and Approval of the Conservation Easement Agreement by the Inland Wetland's Attorney. 5. Signature of the Conservation Easement Agreement by Jay Sheinfeld and the Inland Wetlands Commission's Chairman and the Recording of this Agreement and Conservation Easement Map (Schedule A - Mylar Drawing) by the Town Clerk. 6. Submission of a \$5,000.00 Cash Bond to be held by the Town of Washington until permitted and required activities are completed. 7. The applicant shall be responsible for the Commission's Attorney's Fees in accordance with Town Ordinance #710 and for Recording Fees. By Mr. Weber, seconded by Mrs. Korzenko and passed 4-0.

MOTION: To ADJOURN the meeting by Mrs. Korzenko. All agreed at 12:27 a.m., January 23, 2003.

Katherine Moquin Land Use Secretary

January 31, 2003