

April 9, 2003

Members Present: Dorothy Hill, Charles LaMuniere, and Robert Weber.

Members Absent: Helen Gray, Marguerite Purnell.

Alternates Present: Candace Korzenko, Mark Picton.

Alternates Absent: Anthony Bedini.

Staff Present: Michael Ajello, Katherine Moquin.

Also Present: Marc Daft, Reporter from Voices, Susan Branson, James Ross, Anton Hildmann, Brian Neff, and David Wilson.

Dorothy Hill called the meeting to order at 7:06 p.m., Wednesday, April 9, 2003. Members seated were Dorothy Hill, Charles LaMuniere, Robert Weber, Candace Korzenko for Helen Gray and Mark Picton for Marguerite Purnell.

Pre-application Advice

Steep Rock Association, IW-03-17, Macricostas Preserve (Meeker Swamp) RT. 202, Trail Boardwalk.

Susan Branson, Executive Director, was present and she answered the member's questions and explained the following: 1.The goal is to construct a foot path (approximately 200 feet long) across a section of wetlands to access the other side of the corn field. This would include a foot bridge. 2.The Trails and Stewardship Committee is not interested in an elaborate construction. 3.A possible location for the trail has been marked and she would like the Commission to visit the site to gather their input before submitting an application.

Mr. Ajello made the following points: 1.A boardwalk will keep people on the path and out of the wetlands. 2.The bridge would need to be designed to withstand a 100 year flood and provide safe passage. 3.An alternate to pressure treated wood needs to be considered.

The members agreed that the foot path and the foot bridge can be included in one application. The members will make a Site Visit on Wednesday, April 16,'03 at 9:00 a.m.

Pending Applications

Ross, IW-03-12, 199 Baldwin Hill Road, Construct Barn.

James Ross was present and he answered the member's questions and explained the following: 1.The alternate site farther back on the property is near his reserve septic area, which includes a reserve and he might want to put a bathroom in the barn. There is not enough room there for the barn without blocking off any usable septic area. Septic fields are required to be 100 feet from wetlands according to the Health Code and he consulted with Suzanne Von Holt, Sanitarian, about this. 2.A few trees will be removed including a white birch. 3.The basement of the barn will have a walkout at floor level leading to a gravel pad. There will be an 8 foot foundation wall in the front of the barn and the barn dimensions are 36 x 25 feet.

The members made the following points: 1.Serious care needs to be taken with silt fences during construction. 2.The submitted topography map is not accurate as to the present grading. The proposed upper site is very constrained by a mound, boulders and the tree line and the 40 foot distance to wetlands. 3.A compact area of development is better than an extension out to the back of the property. 4.The driveway to the back of the barn is not depicted on the map. 5.A condition of the permit would be to locate the barn closer to the house and farther from the existing tree line and wetlands.

Mr. Ross depicted the changed barn site on the map to 50 feet in distance from the house and 40 feet in

distance to the tree line and he depicted the grass driveway on the map and signed his name.

MOTION: To APPROVE the application Ross, IW-03-12, 199 Baldwin Hill Road, Construct Barn AS MODIFIED to locate the barn site approximately 40 feet distance from the back of the barn to the treeline and exactly 50 feet distance from the barn to the house and with the following conditions: 1.No further encroachment of the lawn into existing woodland at the back of the barn is to take place. 2.Particular care is to be given to silt fences placed at the point of the downhill slope to ensure that no erosion goes to the wetland. By Mr. Weber, seconded by Mrs. Korzenko and passed 5-0.

Mr. Weber said that he is not thrilled with either site but is in favor of the site with the least digging for a driveway and which leaves the septic area alone.

Mrs. Korzenko agreed with Mr. Weber and pointed out that Mr. Ross will need to come back to receive a permit from Inland Wetlands for a septic tank, which is in the upland review area, although the septic fields are out of the upland review area.

Mr. LaMuniere and Mr. Picton agreed with Mr. Weber.

Mrs. Hill had Mr. Ross add a riprap spreader at the end of the footing drain at the tree line to the project description narrative and add the justification for not using the feasible/alternate back site which was+ to allow for future septic expansion.

New Applications

Hildmann, IW-03-14 ATF, 34 Popple Swamp Road, Drainage System.

Anton Hildmann and Brian Neff, Civil Engineer, were present. Brian Neff answered the members questions and explained the following: 1. The plan, "Drainage Plan, Anton & Siegrid Hildmann Barn, 34 Popple Swamp Road, by Brian E. Neff, P.E., dated 4-5-03." shows the existing piping and catch basins. Two catch basins (CB1 and CB2 along the road) were required by the Town of Washington. 2. The pipe outlet located just before the stream could use a silt basin at the end of the piping to catch any material before it goes into the stream. Some road sand will travel there. The silt basin would be excavated with rocks placed on the outside. 3. At this point, some installed pipe lies on top of the ground on either side of the barn. 4. The entire septic system is located outside the upland review area and the corresponding piping runs along the road to another location. 5. Solid manure is being transported in wheelbarrows to the dumpster. 6. The grading will pretty much stay the same. 7. The stockpiled topsoil will be used on the site, where it can be best utilized. 8. The parking area will consist of crushed stone to aid in dispersing roof run-off. 9. All the catch basins lie underground and have sumps.

Mrs. Hill, Mr. Picton and Mr. Ajello visited the site on April 5, 2003. Mr. Picton said there is an opportunity to create a swale, in which grass and shrubs will grow quickly, around the edge of the drive at the business end of the barn, hoping to make a longer surface for drainage to filter material before it reaches the wetlands. Mr. Ajello pointed the following: 1. The winter started early and he guesses that semi-frozen ground had been backfilled then and not properly mulched with hay; also proper erosion controls were not used. The drainage next to the dumpster holding manure (the pitch was adjusted) seems to be working and the pipe runs clean. Catch basin #7, next to the manure pile, goes to # 8 pipe, which goes to the woodland behind the barn and not to the wetland. 2. The ground pitch feeds the water into the lower catch basins.

Mr. Hildmann said there is a provisional cover on the dumpster holding manure and there will be a permanent cover to ensure that no rain enters the dumpster.

The members expressed concern about this site located at the edge of wetlands and the increasing number of ground-disturbing activities: 1.The map submitted for barn construction did not show a

drainage system or the portion of the existing driveway going into the wetlands. 2. Barn construction plans did not include plumbing. 3. Originally the Hildmanns stated that there was no need for a pasture.

The members asked for the following: 1 The gravel drive is to be depicted on the plans. 2. CB6 catch basin outlet is to be modified to spread out run-off to create a longer drainage travel time to the wetlands. 3. The catch basin next to the area where the manure is handled is to be changed to direct drainage away from this area. 4. The silt basin proposed tonight for the area where drainage goes into the stream is recommended to be as far from the stream as possible.

Hildmann, IW-03-15, 34 Popple Swamp Road, Construct Gravel Driveway.

Anton Hildmann and Brian Neff, Civil Engineer, were present. Mr. Neff answered the members questions and explained the following: 1. The proposed 10 foot wide gravel driveway is planned as an all-weather access to a proposed riding ring at the north end of the property. Curtain drains (8 inch piping) will be placed under the riding ring. The outlet of the piping is shown on the plan, "Horse Riding Ring & Pasture Access Plan, Anton & Siegrid Hildmann Farm, 34 Popple Swamp Road, by Brian E. Neff, P.E., dated 4-7-03." 2. There is 12 inches of topsoil existing in the area proposed for the driveway. The topsoil will be removed and placed on both sides of the path. Then filter fabric and 350 yards of 3" minus processed gravel will be put down on the path. The driveway will be flat and lie parallel with the direction of the water flow. He is not expecting the flow of water to cross the driveway.

Mr. Hildmann answered the member's questions and explained the following: 1. The actual boundaries of clearing are the same as the areas marked on the above cited map, except for one small section cleared by mistake. 2. The area for the 60 x 180' riding ring will be leveled and sand put on top. There will not be a surrounding fence but they will use portable cones for delineation. A tractor will be used to rake the riding ring level when necessary. 3 The area behind the house, which now is woodland and some meadow on the other side of the stream, had been cleared when he bought the house. 4. The stumps and chips from clearing in the pastures will be taken off the property.

The members expressed the following concerns: 1. The permit (IW-02-20) issued to construct the barn, specified that the driveway end on the barn side of the stream. They imagined only horses walking out to the pastures and no vehicle traffic going there. 2. The area proposed for the riding ring has not been analyzed by a soil scientist. The USGS map is not necessarily accurate but rather general in scope. 3. There doesn't seem to be a necessity for a gravel drive, across 600-800' of wetlands, out to the riding ring, when horses could walk on a 4-6' path of grass and woodchips. 4. Disturbing only 30% of the area soil is a condition which was set for the clearing of pasture. To date, the clearing has approached 30% and should stop now. 5. An Enforcement order may be considered to ensure future activities are done according to permit conditions.

The members requested: 1. The area designated to be a riding ring is to be flagged for wetlands by a soil scientist and surveyed by an engineer. 2. A silt basin is to be constructed in the catch basin #7 location. 3. The outlet for the catch basin #6 is to be re-located well before the wetlands. 4. More specifications for the gravel driveway are to be submitted. 5. A turn-a-round area is to be depicted on the above-cited map. 6. A written explanation for the necessity of a gravel drive out to the riding ring and justification for not using an alternate plan is to be submitted. 7. This is an after the fact application and requires an additional fee of \$60.00 according to regulations. 8. They decided not to send a cease and desist order in writing, because they had verbally explained these issues to Mr. Hildmann.

Feldman/Frater, IW-03-16, 123 West Shore Road, Install Floating Dock, Repair Stone Wall, Renovate Boat House.

David Wilson, Contractor, was present and he answered the members questions and explained the

following: 1. Mrs. Frater is a world class rower and a skull requires a low dock; the other of the two docks planned will be higher for boats. The docks will be made with mahogany or cedar wood. 2. The stone wall is now capped in concrete and is planned to be replaced with a cut stone cap. The concrete cap will be removed in large pieces and lifted out with a machine from the road, which lies close by. Anchor pivots will be set into the wall for the docks. 3. An application to the ZBA Commission will be submitted to obtain a permit to extend the boat house during renovation. A concrete deck, open above, exists now and is sitting on piers. The concrete deck will be removed.

The members reviewed the plan, "Frater Dock, Lake Waramaug, CT., Preliminary Design for Filing by Alexander Antonelli, Architect, P.L.L.C., dated 2-26-03 " and requested the following be submitted: 1. The lengths of the docks. 2. The construction sequence. 3. A depiction, to distinguish the part of the boat house that exists and the part which will be added, to be put on the plan.

Pending Applications

Brown, IW-03-09, 96 Romford Road, Permanent Dam Repair.

Mrs. Hill noted that she wrote a letter, dated 3-14-03, to Dr. Brown asking him to comply with the recommendations submitted by Land Tech Consultants, Inc. She asked Ms. Moquin to call Dr. Brown to remind him to submit a request for an application extension.

Maury/Cady, IW-03-10, 67/79 Carmel Hill Road, Property Line Revision & Site Development.

Dr. Michael Klemens made a Site Visit on 4-4-03 with Dirk Sabin as a guide; Mrs. Hill and Mr. Bedini were also present. Mrs. Hill noted that Dr. Klemens will make another Site Visit when the weather improves.

Mr. Weber asked Mrs. Hill to call Dr. Klemens to request a preliminary report before the continuation of the Public Hearing on April 23, 2003. Mrs. Hill noted that the Commission is waiting for Dr. Klemen's estimated fee to be submitted by the applicants.

The members had unanswered questions including: 1. Hydrology calculations. 2. Is there enough water to create viable ponds. 3. Water flow calculations/watershed analysis. 4. Possibly the weir structure, proposed for overflow from the pond, is not sufficient for a 100 year storm. 5. An engineered plan. 6. Calculations for a six lot development plan for this property. The members agreed that their main issue is the proposal to create ponds out of pristine headwater wetlands.

The Commission will make a **Site Visit** on Tuesday, April 22, 2003 at 10:00 a.m.

Enforcement

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

Mrs. Hill will call Mr. Beck to tell him that Cynthia Rabinowicz, Biologist, is accepted by the Commission to oversee the wetland restoration.

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

Mrs. Hill talked to Curt Smith, Bradford Smith & Son: 1. He is taking over the wetland restoration job for Dudley Ashwood. 2. He has a survey map, which was flagged for wetlands years ago by Bruce Laskey. He will mark the original wetland line and hire someone to remove the overburden and replant, following the guidelines of Kathy Johnson, N.R.C.S. 3. He will have information for the members to review as of two meetings from now on May 14, 2003.

S.M.R. Partners, IW-03-V5, 103 Baldwin Hill Road, Permit Violation, Deposition of Materials.

Mrs. Hill talked to Mr. Gitterman today. He said he has an engineer working on a plan for the driveway and that all he previously did was what he was allowed to do and he asked why he is expected to team

up with the co-owner of the driveway to submit an application.

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

Mrs. Hill talked to Attorney William Fairbairn this evening and he will have a map showing the center line of the right of way from Michael Alex, L.S. by Friday, 4-11-03.

Hildmann, IW-03-14 ATF/IW-03-15 ATF, 34 Popple Swamp Road, Drainage System.

Mrs. Hill noted that there is a driveway going across the stream behind the barn and Commission did not permit a driveway in any shape or form but did allow pasture to be re-instated according to the agricultural exemption for grazing land.

Mr. Ajello read portions of the regulations on the limits of exemptions including: shall not be construed to include road constructionfilling or reclamation of wetlands or watercourses with a continual flow,does not carry with it the rights to disturb the natural and indigenous character of wetlands or watercourses.

Mr. Ajello will tell the contractor he may continue with erosion controls and putting down gravel around the barn, while the field clearing is suspended.

Consideration of Minutes

Regular Meeting - March 26, 2003

MOTION: To ACCEPT the Minutes of the Public Hearing re: Maury/Cady IW-03-10 and the Regular Meeting on March 26, 2003 as amended. By Mrs. Hill, seconded by Mr. LaMunier and passed 5-0.

Site Inspection re: Ross IIIW-03-12 - April 1, 2003.

MOTION: To ACCEPT the Minutes of the Site Inspection re: Ross IW-02-12 on April 1, 2003 as written. By Mrs. Hill, seconded by Mr. LaMunier and passed 5-0.

Administration

Mrs. Hill informed the members that the Conservation Commission is requesting that they notify them a.s.a.p. when a Conservation Easement is to be recorded.

Old Business

Garrity, 60 Scofield Road.

Mrs. Hill said that Mr. Garrity extended a curtain drain, without a permit and his neighbor, Diane Stevens, has been at issue, for years, with the resulting water and erosion problems on her property.

Mr. Weber noted the following: 1.Mr. Garrity agreed to pull the pipe back and install a spreader at the outlet. 2.There is no site inspection report in the file. 3.The Health Dept. approved the curtain drain. 4.Water runs across the Steven's property to the Papsin's property.

Mr. Picton pointed out that storm water drainage is not within the Commission's jurisdiction if the water flow stops after a storm, unless sediment ends up in a wetland.

Mrs. Hill will send a letter based on the draft letter of 9-13-01, which was never sent. Mr. Ajello will investigate this situation.

Enforcement Officer's Report

Bohan, IW-99-16, 72 Mygatt Road

Mr. Ajello said that Mr. Bohan is developing the lot next to his house and Mr. Bohan said that he will continue the work after mud season.

Hochberg, Couch Road

Mr. Ajello reported: 1. He made a site visit on 4-4-03 per Mr. Hochberg's request to see the high water on the pond site. 2. He pointed out several wetland indicators and advised Mr. Hochberg to hire a professional engineer and to consider giving the excavated material to an excavator instead of spreading it on the property.

DiBenedetto, IW-03-04, 214 Calhoun Street, Brush Removal Near Wetlands.

Mr. Ajello reported that he made sure the stone wall repair did not include extending it and asked for a silt fence placement between the wall and the stream.

The Commission will make individual Site Visits before the next meeting.

Daudelin/Arciola, 9 Dark Entry Road.

Mrs. Hill said that she intends to visit the site tomorrow, knowing this small lot is wet but not knowing if it is wetlands. Mr. LaMuniere made a site visit on 4-7-03 and said that a soil scientist report is the only sure analysis.

Sheinfeld, IW-02-61, 112 Lower Church Hill Road.

Mrs. Hill said that she call Mr. Sheinfeld several times and left messages.

MOTION: To ADJOURN the meeting by Mr. LaMuniere. All agreed at 11:12 p.m.

Katherine Moquin
Land Use Secretary