

November 25, 2003

Members Present: Dorothy Hill, Charles La Muniere, Marguerite Purnell, Mark Picton.

Members Absent: Helen Gray.

Alternates Present: Anthony Bedini, Candace Korzenko.

Alternates Absent: Robert Weber

Staff Present: Michael Ajello, Katherine Moquin.

Also Present: Brian Neff, Atty. Arthur Howland, Atty. Robert Fisher, Dorothy and Raymond Bolek, Ronald George, Laureen Marcucio, Karla Donnelly, First Selectman Richard Sears.

Regular Business

Dorothy Hill called the meeting to order at 7:00 p.m. and seated members Dorothy Hill, Charles La Muniere, Marguerite Purnell at 7:08 p.m., Mark Picton at 8:13 p.m., Candace Korzenko for Helen Gray and Anthony Bedini for Mark Picton.

Mrs. Hill seated Marguerite Purnell at 7:08 p.m.

MOTION: To ADD to the Agenda Authorization of the IWC 2004 Calendar under Administration, Marcucio IW-03-66 and Katz IW-03-67 and Gentile IW-03-68 under New Applications and Washington Montessori School IW-01-08 under Other Business. By Mr. Bedini, seconded by Mr. La Muniere and passed 5-0.

Pending Applications

Wadsworth, IW-03-50, 12 Winston Drive, Construct Dwelling.

Brian Neff, P.E., submitted a revised feasibility plan, "Subsurface Sewage Disposal System, 12 Winston Drive by Brian E. Neff, P.E., dated 8-20-03 and revised 11-13-03." He answered the members' questions and explained the following: 1. The wetlands were re-flagged and the topography done. 2. The development area is the driest spot and the farthest possible site from the wetlands. All of the development is within the 100' review area. The tree line and limit of disturbance is shown on the above cited plan. 3. The drainage is directed away from the well and septic; a modified riprap spreader would be installed at the pipe outlets to disperse the water into a sheet flow before it goes back to the woods. An 8' deep, screened curtain drain would be installed to intercept water from above the septic and the driveway. 4. The existing grade is 15%. 5. Fill would be added to the leaching fields. Ms. Purnell expressed concern about this constrained lot and the probable expansion of development by subsequent owners and she stated her preference for a three bedroom house plan. Mr. Neff thought this four bedroom house plan is a standard house size and downsizing to a three bedroom house involves shortening the length of the three septic trenches but would probably keep the same house footprint.

Mrs. Korzenko

Wadsworth con't:

asked about the difference in water usage. Mr. Neff said the calculation used estimates 150 gallons per day per bedroom.

MOTION: To APPROVE the application, IW-03-50, submitted by Burnley Wadsworth to construct a single family dwelling at 12 Winston Drive per the revised feasibility plan, "Subsurface Sewage Disposal System, 12 Winston Drive by Brian E. Neff, P.E., dated 8-20-03 and revised 11-13-03." By Mrs. Korzenko, seconded by Mr. La Muniere and passed 1-4.

(Motion to Approve - Application Denied)

Mrs. Hill, Mr. Bedini, Ms. Purnell, and Mrs. Korzenko voted nay as they think a three bedroom house

on this constricted site would provide less impact to wetlands and watercourses.

Ms. Purnell pointed out that incremental impacts to wetlands and watercourses eventually reaches a threshold whereby downhill streams cannot handle the water flow. Mr. Neff stated his understanding that an application for a three bedroom house could be submitted at the next meeting.

Ficalora, IW-03-54, 10 Sunrise Lane, Construct Dwelling.

Arthur Howland, P.E., L.S., submitted revised feasibility plans, "Alternative "A", Proposed Sanitary Disposal System, Church Hill Corp. Lot 59A, Church Hill Road by Arthur H. Howland, L.S.& P.E., dated July 25-03 and revised 11-11-03" and "Proposed Sanitary Disposal System, Church Hill Corp. Lot 59A, Church Hill Road by Arthur H. Howland, L.S.& P.E., dated July 25, 2003 and revised 11-11-03." He answered the members' questions and explained the following: 1.As requested, he submitted alternative ways to handle the water on the property; water is now being discharged from a bordering property to the proposed house site; he proposes a riprap swale to channel this water to a very deep ditch on the south eastern boundary/corner of the property. 2.He proposes grading at the back of the house that would diffuse water into a sheet flow. 3.He proposes a riprap swale to direct water to a shallow ditch and a pipe under the driveway. 4. The footing drain, collecting surface water, would have a riprap spreader. 5.Mr. Ficalora has a right of way over Fiddlehead Lane for ingress and egress but he does not have a drainage easement. 6.The Health Dept. approved a septic for a four bedroom house. The house footprint including the garage is 30'x 70'. All of the proposed development is within the 100' review area. 7.The limit of disturbance and five wetlands flags are marked on the above cited map. The soil scientist thought the water would probably return to non-wetland soil. Ms. Purnell noted there would be 4,400 square feet of wetlands re-graded. Mrs. Hill noted the closeness of the proposed impervious driveway (2/3 or more of the house footprint) to the wetlands. Members expressed their preference for a three bedroom house on this constrained lot, which would result in a reduction of water usage, less digging in the 100' review area and less impact to the wetlands.

A three page letter was submitted from Pasquale and Adrienne Guiliano, 19 Winston Drive, dated 11-21-03 stating their concerns about the drainage situation. Mr. Ajello asked Mr. Guliano to address the water now flowing from his property onto Lot 59A; in this area all of the land slopes to the northeast and water is finding its way along their driveway. Mr. Howland will read and address the Guliano's letter.

Members agreed that further consideration of this application is needed. The Commission will make a **Site Visit** on December 3, 2003 at 9:00 a.m.

Mrs. Hill seated Mark Picton at 8:13 p.m.

Ficalora, IW-03-55, 10 Sunrise Lane, Construct Dwelling.

Arthur Howland, L.S., P.E., submitted a revised plan, "Proposed Sanitary Disposal System, Church Hill Corp. Lot 56A, Church Hill Road by Arthur H. Howland, L.S.& P.E., dated 8-6-03 and revised 11-17-03." Mr. Picton noted the submitted revisions and pointed out the existing grade is not steep.

MOTION: To APPROVE the application, IW-03-55, submitted by Anthony Ficalora to construct a single family dwelling at 10 Sunrise Lane per the revised plan, "Proposed Sanitary Disposal System Plan, Church Hill Corp. Lot 56A, Church Hill Road by Arthur H. Howland, L.S. & P.E., dated 8-6-03 and revised 11-17-03." By Mr. La Muniere, seconded by Mrs. Korzenko and passed 5-0.

Ms. Purnell noted the revisions were done per request, all development is outside the 100' review area, provisions were made to deal with the short term impacts of construction. She does not think there would be short term nor long term impacts.

Laverge, IW-03-62, 228 Bee Brook Road, Stream Crossing.

Atty. Robert Fisher answered the members questions and explained the following: 1. There is an existing bridge and shared driveway to her house. This application proposes a new bridge and two wetland crossings to access the other part of her property, already subdivided. One of her neighbors opposes letting a forth family use the driveway. 2. He envisions an alternative in which the existing bridge and a short part of the driveway is shared to a point where a separate driveway continues; this scenario would eliminate another bridge crossing Bee Brook and one of the two wetland crossings and a lot of cutting and filling; Ms. Laverge agrees to this alternative and he is willing to speak with the engineer to ask about the amounts of cutting and filling involved. The roadway over the bridge is considered a highway right of way and belongs to the State. Ms. Korzenko thought the width of the shared section of the driveway could be widened on the west side, the side owned by Ms. Laverge. Members agreed the alternative suggested would decrease the impacts to Bee Brook and other wetlands and they agreed Atty. Fisher could present this new approach to the neighbors with the Commission's favor and he could ask the engineer to modify his plans.

New Applications

Neuhaus, IW-03-64, 147 Kinney Hill Road, Drainage Installation.

Brian Neff, P.E., said this is a proposal to construct a swale parallel to the northern boundary to collect surface drainage run-off coming from a pipe on the bordering property, 145 Kinney Hill Road. He said this is a feasibility plan - the property is for sale. Mr. Bedini noted the driveway is proposed for construction on the north side of the property which has an existing 10-15% grade and he noted the swale would not be within the 100' review area. The Commission will make a **Site Visit** on December 3, 2003 at 9:45 a.m.

Bolek, IW-03-65, East Shore Road (June Road), Docks, Lake Wall, Retaining Wall, Deck.

Dorothy and Raymond Bolek and Ron George, P.E. were present. Mr. George answered the members' questions and explained the following: 1. A deteriorating concrete and wood deck, canti-levered over the lake, would be removed. 2. Two new plastic docks would be installed, one

Bolek con't:

for a boat and one for recreational use; the floating docks are lightweight and environmentally safe. 3. A wood deck would be constructed on top of a poured concrete pad. 4. A lake wall

would be constructed by placing 1 1/2 high x 4' wide concrete blocks on top of a stone base; the considerable weight of the blocks would keep the stone from moving. 5. A 4 1/2 high retaining wall would be constructed to contain any erosion. 6. To deal with the water run-off from Rt. 45, grading would be done on the west side and stone put down. The steep drop between the road and the lake edge would be flattened per the retaining wall. The Commission will make a **Site Visit** on December 3, 2003 at 10:30 a.m.

Marcucio, IW-03-66, 45 Dark Entry Road, Construct Swale.

Laureen Marcucio answered the members' questions and explained that water goes over the driveway in the area where the driveway splits and creates icy conditions during the winter. She said that an armored riprap swale would be constructed and a culvert installed under the driveway with an open basin at one end; a detention basin exists at the other end and this would be cleaned out; hay bales and a silt fence would be used during construction. The Commission will make a **Site Visit** on December 3, 2003 at 11:15 a.m.

Gentile, IW-03-68, 38 Winston Drive, Construct Dwelling.

Karla Donnelly, Blaze Design - Building, answered the members questions and explained the

following: 1.The property was purchased with a septic already installed and with an existing driveway. 2.Water comes across the road into a catch basin and directs water onto this property. 3.The Health Dept. approved a three bedroom house plan; the Health Dept. will not allow more bedrooms. Mr. Ajello said there is an existing 18" concrete pipe taking water from one wetland across the proposed house site to a wetland on the other side. Mrs. Korzenko requested the wetlands to be flagged. Mr. Picton thought it would be useful to look at the feasible house site on the original subdivision map. The Commission will make a **Site Visit** on December 3, 2003 at 8:45 a.m.

Pending Applications

Madoff, IW-02-42, 241 West Shore Road, After the Fact Fence/Revision to Permit.

Mr. Ajello said the fence was installed within the 100' review area. Members agreed to deny the revision request. Mr. Ajello will write a letter to Mrs. Madoff to request a new application be submitted.

MOTION: To DENY the revision to Permit, IW-02-42, submitted by Paula Madoff for an after the fact fence construction at 241 West Shore Road because of a lack of detailed information and specifically a map. By Ms. Purnell, seconded by Mr. Picton and passed 5-0.

Auchincloss, IW-03-57, 5 Kielwasser Road, Cut Trees and Brush, Stabilize Stream Banks, Planting.

Mr. Ajello reported that he approved the 30 trees marked for removal; a few elms and a few black cherry would remain. Members re-read the minutes from the last meeting, 11-12-03, and they read the E.O. Report. Mr. Ajello will call Mr. Bennett to tell him not to cut any trees

Auchincloss con't:

until the members visit the site. The Commission will make individual **Site Visits** before the next meeting.

Ms. Purnell noted today's Tuesday meeting equals thirteen days, not the fourteen required, post the last meeting, 11-12-03, so the Commission cannot vote on the applications received on 11-12-03.

Meyers, IW-03-58, 5 West Church Hill Road, Clean Silt Basin.

A work sequence and sketch, dated 11-13-03, and the \$10.00 State fee were submitted. Mrs. Hill noted the existing catch basin is 12'x 6' not the 15'x 9' proposed now and material would be spread 41' north of the pond. Mr. Ajello will make a site inspection and report his findings at the next meeting, 12-10-03.

Meyers, IW-03-59, 5 West Church Hill Road, Re-build Stone Wall.

The \$10.00 State fee was submitted. Members reviewed the sketch, "Robert Meyers, 5 West Church Hill Road, dated 11-5-03." The Commission will make individual **Site Visits** before the next meeting.

Katz, IW-03-67, 136 Nichols Hill Road, Repair Wall.

Mrs. Hill noted the agent authorization letter is missing a live signature; Ms. Moquin will call to request a signature and site plan/sketch. Mrs. Hill noted the wall proposed for repair, is a reflecting pond's retaining wall.

Administration

Mr. Bedini offered to work-up a system for listing citations sent for violations and follow-up procedures on his Excell data base program re Mark Picton's idea for a quick review list to help them keep track of the status of violations.

Enforcement Officer's Report - Actions Taken

Mr. Ajello reviewed his 11-25-03 report. Updates on Hildmann/34 Popple Swamp Road, Arciola/9 Dark Entry Road, Schwartz/West Shore Road, Finch/Mt. Tom Road, Lloyd/149 Whittlesey Road, Levy/Kady/129 Wykeham Road, Pearstine/36 Carmel Hill Road and Randall/53 River Road were included.

Enforcement

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

Mrs. Hill noted the requested as-built had not been submitted. Mr. Picton will talk to Atty. Michael Zizka about the possibility of using court action. Mrs. Hill thought Mr. Ross should have time to respond to the letter, dated 11-17-03, sent to him. Members agreed to discuss the situation at the next meeting on 12-10-03.

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

Brown, IW-02-V3, 96 Romford Road, Dam Failure.

Mrs. Hill noted requests have not been submitted to date re both these violations.

Mrs. Korzenko thought the three longstanding violators, Beck IW-02-V1, Brown IW-02-V3 and Ross IW-02-V4, in fairness, should be treated the same.

Wertheimer, IW-03-V11, 106 Shearer Road, Logging Operation.

Mr. Ajello said the property has been sold and Richard Johnson remains in the position of property manager; Mr. Johnson promises to remove the bridge sections from the intermittent stream. Members agreed to take Wertheimer off the agenda but continue review it via the E.O.

Report.

Randall, 53 River Road.

Mr. Ajello reported another violation has taken place - a bulldozer was used in an area in or near wetlands and stabilization of the disturbed area has not been done to date. Mrs. Hill noted there is no confirmation of wetland soils present. Mr. Ajello said the work was done close to the stream. Mr. Ajello will send a letter of violation to Mr. Hank Randall.

Other Business

Montessori, IW-01-08, 240 Litchfield Tnpk., Construct School.

A letter, dated 11-15-03, from Alex Mc Naughton was submitted. Ms. Purnell and Mr. La Muniere will inspect the vernal pools and possibly request a stay in the removal of material, previously approved. Members agreed to the proposed water test if it is in addition to Randy Bernard's, Hydro-Technologies, Inc., water testing plan. Members discussed the pros and cons of Montessori's offer of money for an environmental cause in lieu of attempting creation of new vernal pools - one of the permit conditions. Ms. Purnell will ask Betsy Corrigan, Conservation Commission, to make a site visit with her to see if they can locate a viable site for a vernal pool. Mrs. Hill noted the Commission is not ready to release the \$25, 000.00 bond until all issues are resolved.

Consideration of Minutes

The 10-22-03 Regular Meeting minutes were accepted as amended.

Page 1, under Leddy, Line7, delete "the 36" rail tops at the same height of the wall on the patio side" under Leddy, Line 8, replace #3 with #4 and delete "152' curtain, delete parentheses

" " Line 10, replace #4 with #5 and delete "A drain next to the driveway would be installed at a future date as well a water garden"

Page 2, under Washington Montessori, Line 6, delete "Water did not leave the property after the storm events of this summer (2003)"

" " " Line 14, delete parentheses and add- which- after pools.

Page 3, under Ficalora, Line 4, spelling Myles and replace "an associate" with- soil scientist.
under Schwartz, Line 6, replace "systemic" with- cut-stem

" " , Line 8, add - in early autumn- after plants

Page 4, under Auchincloss, Line 6, delete "dead"

Regular Meeting - 10-22-03 con't:

Page 7, bottom, spelling Wertheimer.

MOTION: To ACCEPT the October 22, 2003 Regular Meeting minutes as amended. By Mr. Picton, seconded by Ms. Purnell and passed 5-0.

The 11-12-03 Regular Meeting minutes were accepted as amended.

Page 1, under the first motion, add- Laverge IW-03-62 and Town of Washington, Fence- after Business

before Pending Applications add- Mrs. Hill seated Ms. Purnell at 7:05 p.m.

Page 3, from the bottom up Line 8, replace "recommended the Commission" with- made a motion to

MOTION: To ACCEPT the November 12, 2003 Regular Meeting minutes as amended. By Ms. Purnell, seconded by Mr. La Muniere and passed 4-0-1. Mr. Picton abstained as he did not read these minutes.

The 11-18-03 Special Meeting minutes for Laverge were accepted as written

MOTION: To ACCEPT the November 18, 2003 Special Meeting minutes for Laverge - IW-03- 62 as written. By Mrs. Hill, seconded by Mrs. Korzenko and passed 4-0-1. Ms. Purnell abstained as she did not attend this site inspection.

Other Business

IWC meeting's Calendar for 2004

Mrs. Hill said she checked the dates of meetings against a 2004 calendar; members authorized the IWC 2004 Calendar.

Sheinfeld, IW-02-61 ATF

Mrs. Hill noted Atty. Robert Fisher submitted the requested revisions on the map, "Site Analysis Plan, 112 Lower Church Hill Road by T. Michael Alex, L.L.S., dated July 1996 (circled penciled additions/corrections by G.Bender 12-5-03) Ms. Purnell reviewed the map and thought the limit of disturbance had been expanded in the pool area. Mrs. Hill will work with Atty. Fisher to complete an accurate map and she double-checked with the members re her authority to sign for the Commission when the mylar map and conservation easement are recorded with the Town Clerk.

MOTION: To ADJOURN the meeting. By Mrs. Korzenko.

FILED SUBJECT TO APPROVAL

Respectfully submitted, Katherine Moquin, Land Use Secretary

Dated December 8, 2003