

April 28, 2010

Regular Meeting

7:00 p.m. Land Use Meeting Room

MEMBERS PRESENT: Mr. Bedini, Mr. Bohan, Mrs. Hill, Mr. Wadelton

MEMBER ABSENT: Mr. LaMuniere

ALTERNATE PRESENT: Ms. Cheney

ALTERNATE ABSENT: Mr. Martino

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

ALSO PRESENT: Mr. Angell, Mr. Auth, Mr. Sabin, Mr. Papsin, Ms. Delancy, Mr. Delancy, Mr. Durkin

Mr. Bedini called the Meeting to order at 7:00 p.m. and seated Members Bedini, Bohan, Hill, and Wadelton and Alternate Cheney for Mr. LaMuniere.

CONSIDERATION OF THE MINUTES

The 4/14/10 Show Cause Hearing minutes were accepted as corrected.

Page 1: Mrs. Friedman should be listed under Also Present.

Page 2: 6th line from bottom: "regarding" should be "regrading."

MOTION:

To accept the 4/14/10 Show Cause Hearing minutes as corrected.

By Mr. Bedini, seconded by Mr. Wadelton, and passed 5-0

The 4/14/10 Regular Meeting minutes were accepted as amended.

Page 5: 2nd paragraph after the motion, third line: Insert "bond" after "\$20,000."

Page 10: 2nd line: Insert: "per the requirements of the Zoning Regulations" after "wetlands."

MOTION:

To accept the 4/14/10 Regular Meeting minutes as amended.

By Mr. Bedini, seconded by Mrs. Hill, and passed 5-0.

MOTION:

To accept the Gorman site inspection minutes as written.

By Mrs. Hill, seconded by Mr. Wadelton, and passed 5-0.

PENDING APPLICATIONS

Angell/47 West Shore Road/#IW-10-12/Install Buffer Vegetation, Construct Stairs, Move Dock, Put in New Bulkhead:

Mr. Angell presented photos of the shoreline and the bank where the stairs were proposed. Mr. Bedini noted that the Lake Waramaug Assoc., holder of the conservation easement on the property, had written that it still had not received a request from Mr. Angell for breaks in the buffer vegetation. Mr. Angell stated he had submitted plans for moving the dock to the LWA, but would provide it with additional information regarding the buffer plantings. The proposed stairs from the dwelling to the bottom of the bank were discussed. Mr. Angell said the stairs would be 3 to 4 ft. wide with 6 inch risers. An 8 to 10 ft. wide stone would be placed over the ditch to cross the intermittent stream without any impact. Mrs. Hill said adequate details had not been submitted and she read the list of questions in the 4/14/10 minutes that had been raised at the last meeting. She also asked that copies of the photos presented be submitted for the file. Mr. Angell stated there would be a stone foundation on the sides of the stream area and the large stone would be set on top for the crossing. To construct the stairs, the shrubs would

be cleared from the bank and the stairs would be built up from the bottom on crushed stone. He said there would not be a lot of digging required and he would install silt fence. Mr. Ajello said erosion controls should be installed along both sides of the stairway and at the base to prevent silt from reaching the stream. He also noted any excess soil would be taken to the other side of the bridge because there would be no room for it on the steep side. Mr. Angell stated he would try to use stone from the site in the construction, but he might have to bring in some stone from off site. Regarding the buffer plantings, Mr. Angell said he had verbal approval from the DOT and that he would forward approval from the LWA as soon as it was received. Mrs. Hill noted that at the last meeting Mr. Angell had reported that the DOT had reserved judgment on the placement of the trees near the curve. She said she would not want the Commission to approve the temporary location and then find the trees had to be replanted elsewhere. Mr. Angell pointed out the probable location of trees and shrubs and said he did not plan to plant where the sight lines were bad. Plans for the installation/ relocation of the dock, dated April 2010, were reviewed. Mr. Angell said he would try to keep the existing tree and that a smaller 6' X 10' dock would replace the existing 8' X 16' dock. He said steps would be needed to go up the last two feet to the dock, but noted there was already stone in this area, so the impervious surface would not be increased. Mr. Ajello read portions of the 4/28/10 letter from Mr. McGowan of the Lake Waramaug Task Force concerning Zoning and Inland Wetlands requirements. He noted that per the Zoning Regulations, wooden stairs would be required. Other Zoning requirements were also reviewed. Mr. Angell proposed to relocate the existing dock, it would be removable, and it would bolted to the bulkhead with the same type of hardware as the existing dock. He noted the existing dock was not anchored at the outer end, but said the new dock should be. He said he would check with a structural engineer to make sure the proposed anchoring was sufficient. Mr. Ajello noted there was an existing impervious surface between the road and the water's edge and he asked if it was useable. Mr. Angell said he would store kayaks and canoes there and that he proposed to put in 75 additional plants to compensate for it. Mr. Angell agreed to amend his proposal in writing to include the following: 1) add the submission of the Start Card to his construction sequence, 2) install silt fence and use a tarp or plywood at the base of the proposed stairs to contain the sediment, 3) decrease the base of the dock to 8' X 4', 4) build wooden stairs with pressure treated posts, 5) obtain the LWA approval for the break in the plantings in the conservation easement area, and 6) submit copies of the photos for the file.

Auth/329 West Shore Road/#IW-10-10/Shoreline Work, Install Dock:

Mr. Auth said that at the last meeting he had heard the Commission's concerns about his proposed deposition of soil along the shoreline and had reconsidered. He now proposed to install stones as had been discussed at the last meeting. The revised sketch map was reviewed. He circulated photos of a similar stone shoreline in Warren, but said he would use larger stones. Mr. Ajello explained the dock would attach to the shoreline at a point 26 feet from the road pavement and he presented photos with measurements and reference points so it would be clear how far out from the shoreline the stonework would be permitted. Mr. Bedini asked Mr. Auth for a revised written description of the work to be done, which would incorporate the changes to his plans such as no deposition of soil, use of larger rocks, and new dimensions. Mr. Auth also proposed to erect a split rail fence and put in plantings along the road to reduce erosion from the road runoff. Mr. Auth said he would return later in the meeting with his written revisions.

Gorman/233 Roxbury Road/#IW-10-13/Inground Pool, Terrace, Fence, Stonewall, Drain, Landscaping, Etc.:

Mr. Sabin, landscape architect, noted the location of a driveway easement and said the holder of that easement had been notified of the application, but said there was no conservation easement on the property. He submitted his plan, "Site Plan Illustrating Proposed Swimming Pool," revised to 4/28/10 and two copies of a larger scaled plan to show the proposed work in more detail. He described the proposed buffer plantings and the diversion swale with level spreader. He noted he had added a note to

the plan that the WEO shall be notified 48 hours prior to the commencement of work so that the installation of the erosion controls can be inspected and approved. He also noted that the line of silt fence was the limit of disturbance and he added that note to the plan. Mr. Bedini stated that all of the Commission's questions had been answered and there were no unresolved issues.

MOTION:

To approve Application #IW-10-13 submitted by Mr. Gorman for an inground pool, terrace, fence, stonewall, drain, landscaping, etc. at 233 Roxbury Road per the site plan of the property revised to 4/26/10.

By Mr. Bedini, seconded by Mrs. Hill, and passed 5-0.

Auth/329 West Shore Road/#IW-10-10/Shoreline Work, Install Dock:

Mr. Ajello read the revised narrative by Mr. Auth, noting the build out of the shoreline could not extend beyond a point 26 feet from the edge of the road.

MOTION:

To approve Application #IW-10-10 submitted by Mr. Auth to install a dock and do shoreline work at 329 West Shore Road per the documents in the file dated 4/28/10.

By Mr. Bedini, seconded by Mrs. Hill, and passed 5-0.

ENFORCEMENT

Delancy/7 New Milford Turnpike/#IW-09-V04/Clearing in Regulated Area:

Mr. Delancy read his proposal to clean up and restore the disturbed area. The cut wood and all but a 1 inch layer of wood chips would be removed with minimal disturbance to the soil. He pointed out the small area of concern on the site plan. The proposed plantings were reviewed. Mr. Delancy proposed to clean out the culvert by hand to make it operational and he pointed out its location. Mr. Ajello said this would help to prevent sheet flow across the road. Ms. Delancy noted that any invasives to be removed would be cut so there would be no soil disturbance. Mr. Bedini said the proposal was acceptable and thanked Mr. Delancy for his cooperation.

NEW APPLICATION

Town of Washington/11 School Street/#IW-10-14/Stormwater Management System:

The map, "Proposed Drainage Improvement Sketch," by Arthur H. Howland and Assoc., dated 10/16/10 was studied. The 4/26/10 letter of authorization from Dr. Storm for Mr. Bedini was noted. Mr. Bedini reviewed the ongoing drainage problems at the Primary School property. He pointed out where the current drainage flows, where the broken and clogged pipes and catch basins and roof leaders were located, and the how the drainage would be redirected south to the river by a 24 inch pipe and west through an 18 inch pipe with the new system. Energy dissipaters are proposed at the outflows into the Shepaug. With the installation of the new system, catch basins will pick up the runoff at the playground and near the cafeteria and parking area to dry up the area around the school building. The old pipes will not be dug up and replaced. The new pipes can be more accurately pitched if they are placed in new trenches. Mr. Ajello asked how far above water level the outflow to the Shepaug would be and if there would be the possibility of backflow during flood events. Mr. Bedini responded that the area is a floodplain, and if the water got that high, the whole area would be flooded. Mr. Papsin asked if there was any way to pipe the runoff in the opposite direction, as that would be a shorter route to the river. Mr. Bedini said that due to the location of the septic fields and tanks and the underground electrical service this was the route that had to be used. Because the property is used so much throughout the year, the project will be done between July 26 and the first day of school. It was noted that although the fee was waived for the Town, the state tax was due.

ENFORCEMENT REPORT

Town of Washington/16 Titus Road/#IW-09-V02/Unauthorized Stockpiling in Floodplain:

In his enforcement report, Mr. Ajello included the finished "settlement agreement" with the Town for all to review.

Gootrad/877 Wykeham Road/Application of Herbicide to Pond:

Mr. Ajello noted that Mr. Gambino had not yet used herbicides on this pond, but that a 5 year permit had been approved.

Tomczyk/39 River Road/#IW-09-V03/Unauthorized Clearcutting:

A citation was issued.

Slaymaker/17 Sunset Lane/#IW-08-13:

Mr. Ajello thought the work was near completion and the Commission might possibly act to release the bond at its next meeting.

Lodsins/78 Litchfield Turnpike/#IW-07-V12:

It was noted Mr. Lodsins had declared bankruptcy. The enforcement order has already been placed on the Land Records. Mr. Ajello will discuss this matter with the Selectmen and the Tax Collector.

Town of Washington/Corner of Christian Street and Slaughterhouse Road/Unauthorized Dumping of Woodchips:

Mr. Ajello read the 4/28/10 letter from Mr. Lyon, First Selectman. Mr. Ajello said he had inspected the site and woodchips had, indeed, been deposited in a wetland area and had been spread too thickly. The commissioners asked the WEO to inspect again and determine whether the Town should be asked to remove the chips from the site.

Brose/213 Roxbury Road/#IW-08-V5:

There was no progress since the last meeting. Mrs. Brose will be back in Town on May 1.

There was no business under Communications or Administrative Business.

MOTION:

To adjourn the Meeting. By Mr. Bedini

Mr. Bedini adjourned the Meeting at 9:08 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill
Land Use Administrator