

March 13, 2013

7:00 p.m., Upper Level Meeting Room

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

MEMBER ABSENT: Ms. Cheney

ALTERNATE ABSENT: Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. Neff, Mr. Alex, Mr. Bowman

Mr. Bedini called the Meeting to order at 7:00 p.m. and seated Members Bedini, LaMuniere, Papsin, and Wadelton. He noted there was no subsequent business to add to the agenda.

Consideration of the Minutes

The 2/27/13 Regular Meeting minutes were accepted as corrected. In the 7th line on page 2, "is he" should be "is the."

MOTION:

To accept the 2/27/13 Regular Meeting minutes as corrected.

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

Pending Application

Kessler/103-105 West Mountain Road/#IW-13-03/Driveway, Utilities, Well, Fence:

Mr. Neff, engineer, presented his plans, both revised to 3/10/13; "Driveway Culvert Plan," "Soil Erosion and Sediment Control Plan," 2 sheets. He noted the plans had been updated to include the sediment barrier downstream of the culvert and the detail of the sediment filter construction. Mr. Papsin asked if the electrical trench and culvert would be dug at the same time. Mr. Neff said they would and that this would be done quickly in a month or two when conditions were drier. Mr. Neff said that Steep Rock, holder of the conservation easement on the property, had submitted a letter dated 3/12/13 stating that it had no objections to the proposed activities. Mr. Charles reviewed the project narrative and asked whether the underground drainage system that would collect runoff from the tennis courts and roof drains would be adequate for large storm events. He noted that for the previous application for this address, the Commission had required a rip rapped channel at the outlet of the storage tank. Mr. Neff pointed out the location of the outflow pipe and said any discharge would flow over grassed lawn and that this would be adequate for this application because there was a very small watershed and the previous plans had proposed a lot more impervious surfaces. Mr. Ajello noted the outlet was 100 feet from the wetlands and the area between the outlet and the wetlands was naturally vegetated. When asked if the size of the proposed driveway culvert was adequate, Mr. Neff stated that although it would be sunk into the ground, it would still be 3 ft. wide and 2 ft. high so it would have no problem handling storm flow.

MOTION:

To approve Application #IW-13-03 to install a driveway, utilities, wall, and fence for Kessler, 103-105 West Mountain Road per the plans, "Soil Erosion and Sediment Control Plan," 2 sheets, and "Driveway Culvert Plan," both by Mr. Neff and dated 2/11/13 and revised to 3/10/13; the duration of

the permit shall be 2 years and approval 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. LaMuniere, and passed 4-0.

New Application

Regional School District #12/159 South Street/#IW-13-04/Stream Crossing:

Mr. Alex explained he was a senior working on his senior project and presented the plans, "2012 Senior Project," unsigned, dated November 2012 and "Property/Boundary Survey, Site Analysis Plan," by T. Michael Alex, dated February 2004, revised to 3/4/13. He proposed to install a 24 inch culvert to cross an intermittent stream and noted the location on the map. When asked how he had determined the diameter of the pipe, he responded that there was not much flow in the existing channel and that this area was fed with a 24 inch pipe. Mr. Bedini asked how the pipe would be placed in the stream. Mr. Alex said the pipe would be installed 4 inches into the channel, flares would be installed at the ends to help prevent further erosion along the banks, and 3 to 5 yards of fill from a local farm would be placed over it. Mr. Bedini asked where the fill would end and how he would prevent it from washing out. Mr. Alex said the fill would have a gentle grade, would be made into a grassed path, and he drew a diagram to illustrate his plan. Mr. Bedini noted the pool water is emptied into the pond and then flows downstream. Mr. Alex noted, however, that the flow is controlled. Mr. Ajello asked if the culvert was ever plugged, whether the water would flow towards the track. Mr. Alex said, no, the crossing was at a point lower in elevation than the track and any overflow would just continue down the stream. Mr. Alex expected this would be a one day project and said he would seed and mulch on the same day the rest of the work was done.

The Commission asked that the following information be added to or deleted from the plans:

- 1) dimensions to be put on the plan,
- 2) enlarge the cross section and include dimensions,
- 3) specify the width and length of the crossing,
- 4) provide slope information and pipe length,
- 5) delete the alternate plan,
- 6) specify how deep into the stream the culvert will be placed,
- 7) specify how many yards of what kind of fill,
- 8) provide a very detailed construction,
- 9) describe how the hay bales will be staked,
- 10) provide details re: seeding and mulching, for example, the kind of grass seed,
- 11) add the limit of disturbance to the plan, and
- 12) make sure the construction sequence includes notifying the Land Use Office at least 48 hours prior to the commencement of construction so that the WEO can inspect and approve the erosion control measures and again upon completion of the work.

Enforcement

Smith/22 Parsonage Lane/Violation of Permit:

Mr. Ajello read the 3/11/13 letter from Mr. Caroe, which complained that two pipes that direct runoff to the southwest corner of the Caroe property have been installed on the Smith property at 22 Parsonage Lane. Five photos taken on various dates of these pipes and resulting ponding water were circulated. The approved plan dated 4/24/12 for the Smith property was reviewed and Mr. Ajello noted what work had been done that was not in compliance with this plan. This included:

- 1) two pipes were installed instead of the one approved,
- 2) the pipes were longer than what had been approved,
- 3) a berm was installed instead of a line of boulders.

Mr. Ajello read his 3/13/13 enforcement report concerning 22 Parsonage Lane. The drainage system for this property was discussed at length. It was noted that any changes to the approved plan were supposed to come back to the Commission for approval, but this had not been done. It was also noted that this was the responsibility of the property owners. Mr. Ajello said he would inform the Smiths about all of the discrepancies and said he would not sign off that the work had been properly completed until these have been addressed. The 12/10/11 plan for the originally proposed retaining wall and then Mr. Sabin's January 11, 2012 letter and plan to install boulders instead of the wall were reviewed. Mr. Wadelton noted the installation of the berm had not been approved and it was not functioning correctly as sedimentation was occurring. Mr. Papsin and Mr. Wadelton considered the situation to be a violation because the work done significantly differed from the approved plan. Mr. Bedini requested, and the rest of the commissioners agreed, that Mr. Ajello should send a letter to the Smiths without making any recommendations about how to address the discrepancies and how to solve the current drainage problems. It was the consensus that a proper design was the responsibility of the property owners. Mr. Ajello will also research past minutes for details regarding the exact plan approved by the Commission. Mr. Ajello agreed to amend his letter before mailing it to the Smiths.

Enforcement Report

In addition to the information included in Mr. Ajello's 3/13/13 report, the following was noted:

EIS Realty, LLC./92 Bee Brook Road:

Mr. Ajello reported that much of the excavated material would be taken off site.

Lautier/56 June Road:

Mr. Ajello stated that Mr. Lautier was doing stonework that was not indicated on the approved plan, although most of it was further than 50 ft. to any wetlands. The exception is the construction of a stonewall within 50 ft. of a "drainage path." He said if this is a watercourse, it would violate the Zoning Regulations.

Woodruff/3 West Shore Road:

Several commissioners noted that Mr. Woodruff had burned some of the material he had been asked to remove instead of removing it. Several trees were burned and it was thought they were destroyed. It was noted that Mr. Woodruff had withdrawn his application to correct a violation because he could not accomplish the work the Commission had requested before the ground was covered with snow, but he had said he would resubmit in the spring. The commissioners agreed they would reinspect the property when the application was resubmitted.

MOTION:

To adjourn the Meeting. By Mr. LaMuniere.

Mr. Bedini adjourned the Meeting at 8:17 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Administrator