

June 23, 2010

Special Meeting

7:00 p.m. Land Use Meeting Room

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

ALTERNATES PRESENT: Ms. Cheney, Mr. Papsin

ALTERNATE ABSENT: Mr. Martino

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

ALSO PRESENT: Mr. Wilson

Mr. Bedini called the Meeting to order at 7:04 p.m. and seated Members Bedini, Bohan, Hill, LaMuniere, and Wadelton. He stated the purpose of the Special Meeting was to address Mr. Auth's violation of Permit #IW-10-10; to discuss and then decide whether to revoke the permit. He noted all of the commissioners had now had time to review the file and asked based on that review, would they revoke the permit or explain to Mr. Auth what had been approved, give him an opportunity to comply, and if he does not, then revoke the permit. He asked each commissioner for his opinion and noted Alternates could participate in the discussion until the point when a motion was made.

Mr. Wadelton circulated a 2 page diagram, dated 6/22/10, not to scale, of what he understood the Commission had approved, which was a slope from the edge of the grass to the point at the lake bottom measured 26 feet from the edge of the road pavement. He noted how this differed from Mr. Auth's understanding of a continuation of the natural slope, which he had also diagrammed. He labeled the point where the slope reached the lake bottom as "x" and asked what height the Commission had intended x to be. Mr. Bedini asked why x could not be zero. Mr. Wadelton said it could, but it had to be defined because it was one of the misunderstandings between Mr. Auth and the Commission. He also noted that if the Commission agreed that it was the slope from the edge of the grass to the lake bottom that it had approved, then it would be possible to move the anchor block back, closer to the existing grass, to help to eliminate a massive build out. He stated that the height at point x and the location of the anchor block had to be agreed upon if the two parties were going to try to work together so the Commission would not revoke the permit at this time.

Mr. Ajello agreed with Mr. Bedini that the height at x could be close to zero. He noted that Mr. Wadelton's page 2, diagram B was a new concept that had not yet been discussed. He said if Mr. Auth would propose it, he would be interested because it would limit the build out.

Mr. Ajello passed out his 3 pages of diagrams, dated 6/23/10, which, he said, depicted what he had understood the Commission had approved and subsequently discussed, and which did not differ much from Mr. Wadelton's understanding.

Mr. LaMuniere asked if the anchor stone was to be placed at the same level as the cement. Mr. Ajello said yes, this was shown in his second diagram.

Mr. Bedini noted the Commission had never approved tapered sides along the anchor block, so one solution would be to move the anchor block back and use a longer cat walk.

Mr. LaMuniere agreed that the Wadelton and Ajello sketches showed what the Commission had approved, saying the slope was needed to dissipate the energy of the waves and current. He did not think two levels like Mr. Wilson had proposed should be considered and he noted there was evidence of erosion along the shoreline.

Mr. Wadelton was concerned about locating the anchor block out at the 26 ft. point with no lateral support. He asked if this was sound from an engineering standpoint. Anchoring the dock was briefly

discussed. It was the consensus that the end of the dock had to be securely cross anchored or the anchor block would not hold no matter how it was pinned or mortared to the stone. Mr. Wilson stated the end of the dock would have cross anchors, cross anchors have held larger docks, and the anchor block would be pinned to the stones underneath it.

Mr. Papsin said he agreed with Mr. Ajello's drawing and also liked the idea of setting the anchor block in closer to the shore. Mr. Ajello said he did not draw his diagram to show this because he had not understood that was what had been approved, but he thought the idea had merit.

Mr. Bohan also liked the idea of setting the anchor block back because it would take it away from the face of the lake.

Mr. LaMuniere again stressed that the anchoring of the dock was critical and should be included as part of the plan.

Mr. Wadelton asked the commissioners whether they had approved a solid mass at the shoreline or a slope down to zero.

Mrs. Hill said she had not envisioned an anchor stone or a catwalk off the anchor stone when she had voted to approve the original permit.

Mr. Bedini referred to page 3 of Mr. Ajello's diagrams and asked the commissioners if they were all in agreement that this site plan depicted what the Commission had approved except for the step stone walkway from the grass to the anchor stone. Mr. LaMuniere, Mr. Wadelton, Mr. Papsin, and Ms. Cheney agreed.

Because the commissioners agreed that the plan by Mr. Ajello depicted what they had originally approved, Mr. Bedini suggested that if Mr. Auth would follow the plans as suggested, his permit would not be revoked at this time, but if as the work progressed he made any changes, the permit would be revoked at a later date. He suggested that Mr. Wilson draw up engineered plans based on what the Commission had approved and then submit them to Mr. Ajello for review. If Mr. Ajello found the engineered plans were substantially like his 3 pages of drawings, he could approve them and the work could then recommence.

Mr. LaMuniere again asked that details for the anchoring of the dock be included in the plans, saying acceptable specs were required to protect the shoreline.

Mrs. Hill asked how much of the shoreline would be sloped. After a brief discussion it was agreed the area to be sloped extended from the existing dock anchor to the large stone to the north, which was built into the shoreline. For reference, these were circled and labeled on two of the photos in the file. Also noted on photo #2 was that the measurement from the lake bottom to the top of the anchor block was 3 feet.

After a brief discussion it was agreed the outer limit of the work was 26 ft. from the edge of the road pavement and approximately 10 feet from the edge of the grass. Mr. Ajello said the rocks would not have to extend the full 26 feet if this was not needed.

Mrs. Hill questioned why the Commission was allowing the work as far out as 26 ft. from the edge of the road pavement because the rocks that were out that far were not natural; they had been dumped there. Several commissioners said this was too late to consider because the Commission had already approved it. Mr. Ajello countered that it was not too late to discuss it if the Commission revoked the permit.

It was noted that Mr. Bedini's suggestion above was a suggestion to the property owner to ask his engineer if he could draft plans to make it work.

The height of the rocks at the low end of the ramp at the lake bottom, or point "x," was discussed. Mr. Ajello stated this was zero or as close to zero as possible.

Before a motion was drafted, Mr. Wadelton asked Mr. Wilson if Mr. Ajello's 6/23/10 drawings were feasible from an engineering point of view. Mr. Wilson said they were. Mr. Wilson did, however, present some photos taken earlier in the day and said for the first two feet of the ramp the slope might be a little steeper in order to set the stones in correctly.

MOTION:

Regarding Auth/329 West Shore Road/Violation of Permit #IW-10-10, to suspend the decision to revoke the permit and present to Mr. Auth the two labeled photos dated 6/23/10 and the three drawings by Mr. Ajello dated 6/23/10, which represent what the Commission approved, and direct Mr. Auth to complete this work within 4 months; Mr. Auth has the option to either draw new drawings or to endorse these (Mr. Ajello's drawings dated 6/23/10) by approving and signing them as his submittal; These drawings should then be submitted to the Wetlands Enforcement Officer and if he finds they are substantially like the suggested shoreline configuration by Mr. Ajello, dated 6/23/10, Mr. Ajello, WEO, may approve Mr. Auth to go forward with the work; Should the WEO at any given time find that the work is not going forward as specified, he will stop work and refer the matter back to the Commission. By Mr. Bedini, seconded by Mr. Wadelton, and passed 4-0-1.

Mrs. Hill abstained because she had not understood the original plan when it was approved.

MOTION: To adjourn the Meeting. By Mr. LaMuniere.

Mr. Bedini adjourned the Meeting at 8:05 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill
Land Use Administrator
