

October 12, 2005

MEMBERS PRESENT: Mrs. D. Hill, Mrs. Korzenko, Mr. Picton, Ms. Purnell

MEMBER ABSENT: Mr. LaMunier

ALTERNATES PRESENT: Mr. Bedini, Ms. Coe

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

ALSO PRESENT: Mr. Tagley, Mr. Boling, Mr. Charles, Ms. Matthews, Mrs. Andersen, Mr. Fowlkes, Mr. Worcester, Mr. Neff, Mr. Sears, Mrs. Condon, Ms. Brose, Mr. Rosiello, Mr. Ross, Mrs. Donnelly, Mr. Sabin, Atty. Ebersol, Press

PUBLIC HEARING

Myfield, LLC./7 Mygatt Road/#IW-05-54/10 Dwelling Units/Con't.

Mr. Picton reconvened the public hearing at 6:00 p.m. and seated Ms. Purnell, Mr. Picton, and Mrs. Hill, and Alternate Bedini for Mrs. Korzenko.

Mr. Picton noted the only new document in the file was his 10/2/05 memo to Land Tech questioning the effectiveness of the proposed buffer area.

The map, "Proposed Site Plan," by Mr. Alex, dated January 2005 with buildings, roads, and new grading by Mr. Worcester, revised to 8/22/05 was reviewed.

Mr. Boling submitted the plan, "Proposed Planting and Invasive Species Management Plan," dated 10/12/05. The entire 37 foot wide buffer area would be left totally undisturbed and a rail fence installed at its upper edge to mark the limit of disturbance line. He said if the invasives were to be removed in the future, a separate application would be submitted.

Mr. Boling reported he had reviewed the Myfield plans with Mr. Hayden from NCD who was satisfied with the erosion control measures proposed and who would submit a written report to the Commission. Mr. Picton noted Mr. Hayden was supposed to be working for the Commission, but the Commission had heard nothing from him. He said the Commission, not the applicant, would communicate with its consultants in the future.

Mr. Boling submitted the map referenced above revised to 10/11/05, which included a line to mark the conservation easement area and the grade of the slopes between the roof drains and the wetlands. Mr. Worcester stated the worst of these grades was 26%. Also added to the map were updated calculations for proposed open space - 75%; and coverage - 8.56%. Mr. Neff noted he had submitted revised calculations to Land Tech earlier in the day.

Mr. Picton said he had inspected the site since the last meeting. He noted the market rate houses have garages that face each other and that these were only 34-35 ft. apart. He questioned whether this was an adequate distance apart for the proper maneuvering of vehicles, noting this was relevant because the Commission had to know whether the proposed plan was realistic or if it would require a series of revisions. Mr. Boling responded that in keeping coverage to a minimum, some dimensions were tighter than they would be in conventional developments. Mr. Picton noted the plans showed walk out basements, but no landscaping features at the walkout level. Mr. Boling said room had been allowed for a terrace for each unit and that the terraces had been included in the coverage calculations. Mr. Picton said he figured the slopes between the roof drains and the wetlands varied between 24-32% and that one section behind the row of houses had a 60% grade. Mr. Worcester said the area with the 60% grade would be undisturbed. Mr. Picton noted he had asked Land Tech whether the proposed buffer was

adequate. He said the Commission should apply the same standards when reviewing this application as it usually does for an application for one single family dwelling. Although the standards can differ due to differences in proposals and site conditions, he noted usually the Commission requires 75 feet of undisturbed area between new development and wetlands and that in such cases it evaluates the condition of the buffer area to determine that 75 feet is adequate. He said he was not assured at this point that the row of houses proposed conformed to both the consultants' standards and the usual Commission standards. Public comments were taken.

Mr. Tagley, Quarry Ridge, thought the applicant was trying to put an inordinate number of large buildings on an ecologically sensitive property with wetlands and a watercourse downgrade of the development site. He thought too many units were proposed in relation to the degree of the slope of the land and called for the redesign of the project.

Mrs. Krajnak, Quarry Ridge, was concerned about the Quarry Ridge water supply and Myfield's possible use of the Quarry Ridge well pump. Mr. Picton stated the domestic water supply was not under the Commission's jurisdiction.

Mrs. Krajnak noted some of the proposed units are very close to the steep slope above the Quarry Ridge units and worried that if the proposed dry wells were installed so close to the boundary line, Quarry Ridge units and back yards would flood. Mr. Neff explained some of the runoff would continue over land as it has always flowed and some would flow into the detention basin, which would empty at a slow rate. He said the natural soils would not hold a significant amount of water on a continual basis and also there would not be a significant amount that would infiltrate into the soil. Mrs. Krajnak asked if the Myfield owners would be liable for any damage resulting from flooding due to a blocked outlet pipe in the detention basin. Ms. Purnell said that would be a civil matter between the parties involved. Mr. Picton stated prior to the final Wetlands signoff there would be storm events to prove the system works. He also noted the Commission had not yet discussed an appropriate bond for the project. Mr. Picton asked Mr. Neff to point out the high water level on the stormwater plans dated 8/8/05. Mr. Neff stated if the pipe was plugged, the plans provided for the water to flow overland in the same direction it currently does. The cross section on page 2 was reviewed. Mr. Neff said the runoff would flow down hill parallel to the boundary line and not towards Quarry Ridge. Mr. Picton noted the overflow level would be 12 feet from the property line for a short duration and 40 feet from the steep bank. Mr. Neff said he was not concerned with seepage problems as this was Charlton soil and the disturbed areas would be spread with top soil and planted with grass so they would not be as permeable as unstabilized soil.

Mrs. Andersen commended the Commission for its knowledge and due diligence.

Mr. Boling responded to Mr. Tagley's concerns. He stated no structure was proposed on a slope and all structures were "outside the upland review area" except for the drainage facilities. He again stated the applicant was concerned with ecological issues and so proposed to preserve 75% of the property as open space, which would include all the wetlands and watercourses. Ms. Purnell noted by keeping the proposed impervious development to below 10% the applicant was working to preserve the water quality in the wetlands and watercourse.

Regarding the Affordable Housing Appeals process, Mr. Boling stated the applicant was working to reach the 10% goal of affordable housing with good development in accordance with the character of the Town. He noted the three affordable units would be deed restricted in perpetuity, not 40 years as is required by state statute. Mr. Picton noted, however, that the Town would have to grow by 40% to reach the 10% goal in this manner (3 of 10 units affordable).

Mr. Picton noted if the number of proposed units was reduced, there would be more area in which to solve the buffer area and related problems concerning runoff. For example, space would be opened up

for installing the infiltration systems out of the upland review area. Ms. Purnell agreed that feasible and prudent alternatives should be discussed. She stated the applicant had made a start by saying three building lots was an alternative, but had not reported on the long and short term effects three lots would have and had not investigated other alternatives that would meet the owners' economic needs.

Atty. Ebersol commented that all the proposed market value houses were the same distance from the slope. Mr. Picton responded that some of the slopes were steeper than others and his main concern was with houses #2, #4, and #5. Mr. Boling stated the houses were relatively close to the wetlands because the applicant had tried to keep the septic systems as far as possible from the wetlands. Ms. Purnell noted, and Mr. Picton agreed, the Commission preferred that septic systems be kept away from wetlands and watercourses. Mrs. Korzenko stated that several members think that too many units have been proposed.

Mr. Picton noted the hearing would be continued because the Land Tech report had not been received. He asked that if any revisions were made to the plans, that they be submitted as far in advance of the next session of the hearing as possible.

MOTION: To continue the public hearing to consider Application #IW-05-54 submitted by Myfield, LLC. for 10 dwelling units at 7 Mygatt Road to Wednesday, October 26, 2005 at 6:00 p.m. in the Land Use Meeting Room, Bryan Memorial Town Hall. By Ms. Purnell, seconded by Mr. Bedini, and passed 4-0.

Mrs. Korzenko was not seated for the hearing.

At 6:55 p.m. Mr. Picton continued the hearing to 6:00 p.m. on Wednesday, October 26, 2005 in the Land Use Meeting Room, Bryan Memorial Town Hall, Washington Depot, Ct.

This hearing was recorded on tape. The tape is on file in the Land Use Office, Bryan Memorial Town Hall, Washington Depot, Ct.

REGULAR MEETING

Mr. Picton called the Regular Meeting to order at 7:00 p.m. and seated Members Hill, Korzenko, Picton, and Purnell and Alternate Coe for Mr. LaMuniere.

MOTION: To add subsequent business to the agenda: Other Business: James Calhoun House, LLC./ 156 Calhoun Street/Request to Revise Permit #IW-05-47/Addition to Existing Dwelling. By Mr. Picton, seconded by Ms. Purnell, and passed 5-0.

Consideration of the Minutes

The 9/28/05 Public Hearing-Show Cause Hearing-Regular Meeting minutes were accepted as corrected.

Page 1: 2nd paragraph: Add "was reviewed" at the end of the sentence.

2nd line from bottom: Change Mr. Kelly to Mr. Boling.

Page 2: 2nd paragraph from bottom: 4th line: Add "to wetlands" after "lawn."

Last paragraph and throughout: It was noted it is the Judea Water Company and the Quarry Ridge system.

Page 4: 3rd paragraph from bottom: 2nd line: Add "previously" before "existing."

Page 8: 6th line: Change Mr. "Charles" to "LaMuniere."

Page 13: 2nd line under Gatto: Add "from NCD" after "Mr. Hayden."

Leach-Smith: Add final sentence: "Mrs. D. Hill had raised the latter question."

MOTION: To accept the 9/28/05 Public Hearing - Show Cause Hearing - Regular Meeting minutes as corrected. By Mrs. Hill, seconded by Mr. Picton, and passed 5-0.

MOTION: To accept the Taylor/11 Sunset Lane site inspection minutes as written. By Mr. Picton, seconded by Mrs. Korzenko, and passed 5-0.

Regarding **Taylor/11 Sunset Lane**, it was noted Mr. Taylor stated he had done more work on the boulders after Mr. Ajello's site inspection, but had stopped the next day when he received the enforcement order.

Pending Applications

Cohen/62 South Street/#IW-05-44/Pond and Well: Mr. Rosiello submitted revised site plans dated 10/12/05 and a revised narrative entitled, "Ornamental-Irrigation Pond," also dated 10/12/05, which, he said, addressed the concerns raised at the last meeting. Revisions to the map included the addition of the limit of disturbance line and the delineation of the irrigation area and the location of the irrigation pipes. He also provided details of the proposed buffer planting and of the crossing as had been requested by Ms. Purnell and Mr. Picton and noted the 18" deep, 16" wide trench at the crossing would be hand dug and lined with sand. Mr. Rosiello added that the trench would be only 13 ft. long and so the work should take less than a day to complete. Mr. Picton asked Mr. Ajello to review these plans for completeness. The Commissioners questioned the need for an irrigation system so close to wetlands and the restored wet meadow. Mr. Rosiello stated all the restoration and buffer plantings proposed had to be watered for two years and said there would also be a vegetable garden. Mr. Picton noted to protect water quality in areas of intense use where there are moderate slopes, the Commission usually requires a minimum 30 ft. wide natural buffer. Mr. Rosiello offered to extend his proposed buffer another 10 feet. Mr. Picton asked if the limit of work was shown on the plan. Mr. Rosiello said he had not drawn it in. Mr. Picton asked Mr. Ajello to review the proposal per the Commission's usual standards and to make a list of any additional information, which would be needed for the Commission to make a decision. Ms. Purnell noted Mr. Rosiello had stated the owners want a view of the pond and asked how the Commission could ensure the wetlands plants and natural buffer areas would be maintained in perpetuity. She was concerned sections in close proximity to wetlands could easily be converted to lawn where herbicides, fertilizers, etc. could be used. It was noted there is already a lawn that is mowed once a week in this area. Mr. Picton recommended keeping landscaping enhancements out of the upland review area. Mr. Rosiello said he would redesign the irrigation system to take it out of the upland review area. Mrs. Korzenko asked that the revised plan show all of the proposed irrigation system. Mr. Picton asked that a 30 ft. wide buffer containing natural vegetation be shown within 30 feet of the wetlands along the western edge of the eastern field and for all areas where site work or improvements are proposed.

Cohen/62 Calhoun Street/#IW-05-45/Deer and Pool Fence: Ms. Purnell announced the Garden Club would hold a seminar on deer issues on 10/13 at St. John's Parish Hall. Mr. Rosiello said the application had been revised to propose that only 13 acres be enclosed by deer fence. He said that the area to be enclosed had been divided into two separate sections so that the wetlands would not be partitioned and that slightly more than 1 acre of wetlands would be contained. The site plan revised to 10/12/05 was reviewed. Mr. Rosiello pointed out that the proposed deer fence would act as a barrier that would limit access and disturbance to the wetlands. Mr. Picton thought there should be standards for deer fences; that they be at least 30 ft. from wetlands and they do not bisect wetlands. He reviewed the 9/28/05 minutes and noted the Commission had suggested the pool fence could be installed around the pool and the garden fence around the garden only. Mr. Rosiello noted the applicant had addressed most of the issues raised by the Commission and had the right to develop his property in this way. It was the

consensus the review of the application would be limited to how the proposed fence would impact the wetlands. Mr. Picton thought the proposed fence both cut off and isolated the wetlands and funneled them so wildlife would move more intensively through only one section of the wetlands corridor. Mr. Rosiello said the revised plan opened up the corridor to Steep Rock and noted hand dug post holes would not cause much impact. Ms. Purnell stated it was not the post holes, but the impacts to the larger scale habitat and to the ecology of the wetlands and watercourses that were the main issues for the Commission. Given that the next day there would be a seminar that might provide information on preventing damage from deer, Ms. Coe suggested further discussion be tabled to the next meeting.

MOTION: To table further discussion re: Application #IW-05-45 submitted by Mr. Cohen to install a deer fence at 62 Calhoun Street to the next meeting. By Mr. Picton, seconded by Mrs. Hill, and passed 5-0.

Myfield, LLC./7 Mygatt Road/#IW-05-54/10 Dwelling Units: The public hearing was continued to October 26, 2005 at 6:00 p.m. in the Land Use Meeting Room, Bryan Memorial Town Hall.

Bennett/207 Bee Brook Road/#IW-05-55/Additions to Existing Dwelling: Mr. Ajello reported Mr. Bennett had submitted preliminary floor plans and elevations by Mr. Bugryn, dated 5/24/05 to clarify the renovations proposed. The site plan, "Map Prepared for Joseph Bennett, Jr.," by Mr. Osborne, revised to June 24, 2005 was also reviewed. Mr. Ajello said there was little excavation required because the existing foundation for the decks and dwelling would be used for the renovations. Mr. Picton questioned whether the existing deck foundation was adequate for an upper story addition. Ms. Purnell asked what the impact on Bee Brook would be and about the proximity of construction equipment. Mr. Ajello stated there was a narrow area between the house and the brook where there would be no room for equipment, but would be accessible for manual labor. He noted the other three sides of the house could be accessed by equipment. He also noted the silt fence shown on the site plan was the proposed limit of disturbance and that there is an existing lawn between the house and Bee Brook. Mr. Picton asked what the distance was between the stream and the proposed improvements and noted the Commission does not allow new construction that close to a watercourse due to the soil disturbance during construction and the long term impacts from the intensified use and maintenance of the property. Mr. Picton requested a plan that would show exactly what work was proposed. Mr. Bennett arrived at this point. Mr. Picton pointed out there were discrepancies in the plans regarding which structures already exist and which are proposed and there was a question regarding how close to streams the Commission allows new structures. Mr. Bennett tried to explain how what he proposed to do differed from his preliminary plans, but it was noted based upon his submission, it appeared he was proposing work on the southeast side of the house. Ms. Purnell had no problem with work over the deck on the northeast side because it was existing and there would be no increase in impervious surface. Mr. Picton disagreed, saying the Commission did not always permit new construction over existing decks. Mr. Bennett stated the existing house was 25 feet from the streambank, but the map showed it was 24 ft. from the center of the brook. Mr. Picton asked for accurate measurements. He noted the proposed addition on the NW side would be only 24 ft. from the brook. Mr. Bennett stated he had discussed the work plans with Mr. Ajello as the Commission had requested at the last meeting. He submitted a revised construction sequence and planting plan/site plan both dated 10/10/05. Ms. Purnell noted the planting proposed along the streambank would be mitigation for the work proposed on the opposite side of the house. Mr. Picton stated he was not comfortable approving an addition so close to the stream, even if it did not bring the existing building any closer to Bee Brook. Mr. Bedini pointed out that a bay window was proposed on the brook side of the house, so there would, indeed, be activity on the SE side. Mr. Ajello noted that was the only proposed increase beyond the footprint of the existing building. Mr. Bennett offered to delete it, but Ms. Purnell said there was already a roof overhang there so it was already counted as impervious surface. Mr. Bennett said the existing footprint is 610 sq. ft.

compared to the 1170 sq. ft; 690 for the house and 480 for the decks, proposed. Mrs. Hill, Ms. Purnell, Mrs. Korzenko, and Mr. Bedini had no problem with the proposed roof over the existing deck on the NW side. Mr. Bennett asked if he could do the streambank planting now before it gets too cold. Mr. Picton said this could be done upon Ms. Purnell's review and approval of the planting plan. Mr. Bennett, again, was asked to revise his plan to show the exact work proposed.

Brose/213 Roxbury Road/#IW-05-56/Garage, Septic System: Ms. Brose and Mr. Neff, engineer, were present. Ms. Brose submitted a plan revised to 9/26/05, which showed the proposed planting in relation to the wetlands and proposed engineering on the property and the 10/4/05 revised narrative from Cortina Gardens. It was noted lawn would be replaced by clusters of plants to help control erosion. Mr. Neff stated there would be a wide area where runoff would continue to sheet flow, but said the plants would withstand it. Ms. Brose noted she had increased the width of the wetland buffer as had been requested by the Commission. She said wetlands species would be filled in along the natural buffer. Mr. Neff explained that with the removal of the paved driveway, the impervious coverage would decrease by 170 sq. ft., although the impervious surface of building coverage would increase by 678 sq. ft. Ms. Purnell was concerned the original septic for the 2 to 3 bedroom house that had originally been approved in close proximity to wetlands would be replaced by a 5 bedroom system. Mr. Neff said the new septic system was not proposed in the regulated area. Ms. Purnell did not think the Commission would have approved a 5 bedroom house and septic on such a constrained lot if it had been applied for originally. She briefly reviewed the 1998 file for Permit #IW-98-28. Ms. Brose noted she had not changed the number of bedrooms in the house since she had purchased it in February. Ms. Purnell pointed out a former owner had also increased the size of the driveway and parking area over what had been originally approved. Mr. Neff stated the proposed dry wells would handle a 1" downpour and had the capacity for a 25 year storm event so driveway runoff would be managed. Mr. Picton noted the proposed building would not come any closer than 65 feet to the wetlands, which is the distance between the wetlands and the existing building and that the extent of the built area would not be widened along the stream. Most of the Commissioners thought the current property owner should not be penalized for the unauthorized work of previous owners, but Ms. Purnell did not think the Commission should approve increased coverage and usage in such a constrained area. Mr. Picton suggested approval be tied to plans to restore the natural function of the wetlands and wetlands border. It was noted Ms. Brose had agreed to let the understory regrow in all areas beyond the silt fence shown on the revised site plan and Mr. Picton asked that this notation be added to the plan.

MOTION: To approve Application #IW-05-56 submitted by Ms. Brose for a garage and new septic system at 213 Roxbury Road per the plan revised to 9/26/05 and the 10/4/05 Cortina Gardens letter and planting plan with the condition that the entire area below the length of the limit of disturbance line be allowed to revegetate to restore the natural woodland vegetation and the understory. By Mr. Picton, seconded by Mrs. Korzenko, and passed 4-0-1. Ms. Purnell abstained because she wanted more background information on how the situation on the property developed.

After the vote was taken, the Commission asked Ms. Brose if she would permanently mark the limit of disturbance line on site.

Fowler/138 Nichols Hill Road/#IW-05-58/Remediation per IWC Order: Mr. Ajello reported he had sent another letter to Mr. Fowler as requested by the Commission at the last meeting.

Janowicz/51 Rabbit Hill Road/#IW-05-61/Driveway: Mr. Ross, contractor, presented Map #789, which is on file in the Town Clerk's Office, to show the Commission the subdivision had been approved in 1984. He noted in 1994 the Planning Commission had approved a revision to the right of way to avoid a wetland and watercourse area. The Commission asked that the proposed driveway work be indicated on a map of the entire subdivision so the relation of the location of the driveway to the lot it serves and to wetlands and watercourses could be seen. Mr. Picton said when this map is submitted, it

would be referred to Land Tech. A colored map of the revised section of the right of way was reviewed. It was noted that although the revised right of way avoided wetlands, it was still in a difficult location due to steep grades. Mr. Picton asked if Mr. Ross had chosen the route with the best grades. Mr. Ross stated the IWC had already twice approved the proposed route. The preliminary construction plan by Mr. Howland, dated September 1993 was reviewed. Mr. Ross noted there would be a separate application to Warren for the section of driveway in that Town. The Commission asked for one plan, which showed the entire driveway, noting that the Warren work could impact Washington. Mr. Picton asked Mr. Ajello to inspect the site and determine whether there were additional wetlands. Mr. Ross stated Mr. Howland was going to reflag the wetlands. It was noted the 65 day limit for action by the Commission would be up on 11/18 so an extension would probably be needed. Mr. Ross said he would work on getting the additional information requested by the Commission.

Herrmann/92 East Street/#IW-05-62/Dredge Pond: Mr. Neff, engineer, submitted his plan, "Pond Cleanout Plan," dated 9/15/05. He said the existing pond was a small man made spring fed pond with a 1.5 acre watershed and that no water flowed through it. He proposed to dig out the organic matter and sediment on the bottom without altering the existing side slopes. He noted the pond has no emergent vegetation. The temporary stockpile area was noted. A site inspection was scheduled for Tuesday, October 18, 2005 at 4:00 p.m.

Murgio/21 New Preston Hill road/#IW-05-63/First Cut and Driveway: Mr. Charles presented the map, "Site Development Plan," by Mr. Neff, dated 10/6/05. He explained this map showed the feasible driveway and house sites, but was not final because it did not include the proposed lot line. Mr. Picton said the Commission would wait until the application is complete before scheduling a site inspection. It was noted a final map and narrative were still needed.

New Applications

Pierce/31 Shearer Road/#IW-05-64/Exterior Stairs, Dormer, Clean Out Ditch, Etc: Ms. Donnelly, agent, presented the map, "Sarracco Residence," by Sarracco, Inc., dated 7/21/87 with handwritten notations by Mrs. Donnelly and the 10/5/05 document, "Scope of Work Within Regulated Wetlands Area." Mrs. J. Hill was asked to bring the original subdivision map to the next meeting so the wetlands boundary could be compared with that shown on the map submitted. Mrs. Donnelly outlined the proposed work, which included removing four pine trees, cleaning debris, dead limbs, and invasives from the area at the corner of Hinkle and Shearer Roads, cleaning out a sediment ditch, repairing or replacing a check dam above a culvert, constructing exterior stairs, extending an existing dormer, and rebuilding the stone wall. Undated elevations by Blaze Design-Build were reviewed. Ms. Purnell questioned why the Town would offer to clean out the ditch when property owners routinely clean up sediment from road runoff. Mr. Ajello said the catch basin had not been maintained and Mr. Cannavaro had offered to clean out the ditch. It was noted the proposed construction on the house would be 60 feet from wetlands. A site inspection was scheduled for Tuesday, October 18, 2005 at 4:30 p.m. Mr. Ajello asked the Commissioners to look at the sand bar area and the catch basin, which feeds into the wetlands.

Enforcement

Reinhardt/10 Perkins Road/Clearcutting: The Commissioners wondered how the heavy rains had affected the downhill Dohn property.

Greenfield/13 Ives Road/Clearing In or Near Wetlands: It was noted this matter has gone unresolved for quite some time. Mr. Ross said a comprehensive proposal for the entire scope of the work would be submitted soon and that it would include a remediation plan by Mr. Sabin.

Carter/292 Walker Brook Road/#IW-04-V8/Repair Retaining Wall: It was noted this matter has

been unresolved for a long time, also. The Commission is waiting for Mr. Neff's input.

Taylor/11 Sunset Lane/Unauthorized Excavation: Mr. Ajello sent Mr. Taylor a letter detailing all that he is required to do.

Feola/Carmel Hill Road/Excavation in Wetlands: Mr. Feola paid the citation.

Other Business

Montessori School/240 Litchfield Turnpike/Request to Release Bond: Ms. Purnell noted she is pleased with the progress made.

October 5, 2005 Organizational Meeting: Mr. Picton asked the Commissioners to read the minutes and be prepared to discuss organization at the next meeting.

James Calhoun House, LLC./156 Calhoun Street/Request to Revise Permit #IW-05-47/Addition to Existing Dwelling: In her letter dated 10/11/05, Ms. Dedell asked to revise Permit #IW-05-47 to comply with the Certificate of Appropriateness granted to her by the Historic District Commission. The previous map, "Soil Erosion and Sediment Control Plan," by Mr. Neff, dated 8/5/05 was compared to the plan revised to 9/30/05. It was noted the change to the proposed addition to not make it come any closer to the wetlands than what had been previously approved.

MOTION: To approve the request submitted by Ms. Dedell on behalf of the James Calhoun House, LLC. to revise Application #IW-05-47 for an addition to the existing dwelling at 156 Calhoun Street per the plans by Mr. Neff revised to 9/30/05. By Ms. Purnell, seconded by Mrs. Korzenko, and passed 5-0.

Pending Litigation

Gatto: Mr. Ajello said he had inspected the site with Mr. Hayden from NCD who would report to the Commission on the proposed mitigation plan.

Cremona: Arguments were scheduled for October 18 in the Litchfield Courthouse. Mr. Ajello will check with Atty. Zizka to find out if it is OK for Commissioners to attend.

Private Mortgage Fund: Mrs. Hill said Atty. Hoben had advised her this appeal was on hold while the adjoining property owner negotiated the purchase of the property.

MOTION: To adjourn the meeting. By Mrs. Hill.

Mr. Picton adjourned the meeting at 9:59 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted, Janet M. Hill, Land Use Coordinator