

September 25, 2013

7:00PM Upper Level Meeting Room

MEMBERS PRESENT: Mr. Papsin, Mr. Wadelton

MEMBERS ABSENT: Mr. Bedini, Ms. Cheney, Mr. LaMuniere

ALTERNATES PRESENT: Mr. Davis

ALTERNATES ABSENT: Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. Shade

ALSO PRESENT: Brian Baker, Brian Neff, Ms. Issavi, Press

Mr. Wadelton called the Meeting to order at 7:00PM and seated Members Papsin and Wadelton and Alternate Davis for Mr. Bedini. Mr. Wadelton noted there were only three members present and since a quorum requires three, there could be a problem if one member needs to be recused. In that case the application would need to be tabled until the next meeting. Mr. Wadelton wanted to make sure everyone present understood.

MOTION:

To add the following subsequent business not already posted on the agenda:

V. New Applications: Nauiokas/170 Church Hill Road/#IW-13-35/Driveway entrance improvements.

VI. Other Business: Keating/67 West Shore Road/#IW-12-27/Planting plan revision.

By Mr. Papsin, seconded by Mr. Wadelton and passed 3-0.

Consideration of the Minutes

MOTION:

To accept the 9/11/13 Public Hearing and Regular Meeting minutes with two minor corrections:

Page 1, hearing called to order at 6:46 p.m. and closed at 6:49 p.m.

By Mr. Papsin, seconded by Mr. Laird and passed 3-0.

MOTION:

To accept the Heyman 9/17/13 site inspection minutes as written.

By Mr. Papsin, seconded by Mr. Davis and passed 3-0.

MOTION:

To accept the von Hoorn 9/18/13 site inspection minutes as written.

By Mr. Wadelton, seconded by Mr. Davis and passed 3-0.

Pending Applications

74 West Morris Road, LLC (Randall)/74 West Morris Road /#IW-13-28/Application to correct a violation:

Mr. Ajello read a letter from Mr. Randall describing his plan to remove debris from the brush pile by the stream. Mr. Wadelton asked Mr. Ajello if he was satisfied with the report. Mr. Ajello replied he had no problem with the plan.

MOTION:

To approve application #IW-13-28 submitted by Mr. Randall, 74 West Morris Road, to correct a violation in accordance with the schedule for removing debris as noted in a letter from Mr. Randall to the commission dated 9/25/13. This permit is valid for two years and 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,
3. any change to the plans as approved must be submitted immediately to the commission for reapproval.

By Mr. Papsin, seconded by Mr. Davis and passed 3-0.

175 Calhoun St. LLC and Heyman/175 Calhoun Street/#IW-13-29 /Pool, Patio, Fence and Garden:

Paul Syzmanski, engineer, represented the applicant. He told the Commission that nothing about the application has changed since the last meeting. Mr. Wadelton commented that all members present were at the site visit. He asked if there were any further questions. There were none.

MOTION:

To approve application #IW-13-29 submitted by 175 Calhoun St. LLC and Heyman, 175 Calhoun Street, for a pool, patio, fence and garden, per the nine page set of plans by Folia Gardens dated 9/6/13. This permit is valid for two years and 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,
3. any change to the plans as approved must be submitted immediately to the commission for reapproval.

By Mr. Papsin, seconded by Mr. Davis and passed 3-0.

von Hoorn/179 West Shore Road/#IW-13-30/Repair shoreline platform, replace dock:

The commissioners briefly discussed this application. All agreed they had no problem with it. They all had been to the site. Mr. Ajello showed the members photos of the shoreline and dock drawings by Mrs. von Hoorn. Mr. Wadelton said he does not see any disturbance. He asked the members if they had any issues to discuss. There were none.

MOTION:

To approve application #IW-13-30 submitted by Ann and Richard von Hoorn, 179 West Shore Road, to repair shoreline platform and replace dock as described in four pages of handwritten plans along with drawing by Ann von Hoorn dated 8/29/13. This permit is valid for two years and 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,
3. any change to the plans as approved must be submitted immediately to the commission for reapproval.

By Mr. Papsin, seconded by Mr. Davis and passed 3-0.

Deperno/63 Wykeham Road/#W-13-31/Construct dormer:

Mr. Deperno was told he did not need to come back for this meeting. The dormer is to be built on a part of the house that is farthest from the wetlands but is in a regulated area. The members had no additional discussion or questions.

MOTION:

To approve application #W-13-31 submitted by Mr. Deperno, 63 Wykeham Road, to construct a dormer according to drawings submitted along with the Property/Boundary Survey Map by Michael Alex dated September 2013. This permit is valid for two years and 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,
3. any change to the plans as approved must be submitted immediately to the commission for reapproval.

By Mr. Papsin, seconded by Mr. Laird and passed 3-0.

Nauiakas/170 Church Hill Road/#W-13-32/Equestrian trail improvements:

Brian Neff, engineer, represented the applicant. He told the Commission that there have been no changes to the plans since the last meeting. Mr. Ajello checked the file and confirmed that the applicant does have an approval from Steep Rock. There were no additional comments or questions.

MOTION:

To approve application #W-13-32 submitted by Amy Nauiakas, 170 Church Hill Road, for equestrian trail improvements per the two page Equestrian Riding Trail Plan dated 8/1/13, revised 9/7/13 and the Soil Erosion & Sediment Control Plan dated 9/5/13; both plans by Brian Neff. This permit is valid for two years and 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,
3. any change to the plans as approved must be submitted immediately to the commission for reapproval.

By Mr. Davis, seconded by Mr. Papsin and passed 3-0.

Herrmann/92 East Street/#W-13-33/Dredge pond:

This application is to approve an expired permit. There are no changes to the original approval. The commissioners discussed the fact that Steep Rock is the holder of an easement on the property. That paperwork is in the file.

MOTION:

To approve application #W-13-33 submitted by Mr. Herrmann to dredge the pond at 92 East Street, per the one page Clean-Up Plan by Brian Neff dated 9/15/05; the permit is valid for two years and 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,

3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Davis, seconded by Mr. Papsin and passed 3-0.

Mr. Ajello asked the Commission for a discussion. He noted that although there is paperwork showing Steep Rock to be the holder of an easement on the Herrmann property, there is no letter from Steep Rock stating that Mr. Herrmann is within his right to work on the pond. Mr. Ajello said he does not think the letter has been written since Mr. Law of Steep Rock has been out of town. Mr. Davis said he would withdraw his motion.

MOTION:

To withdraw the previous motion of approval for Mr. Herrmann to dredge the pond at 92 East Street /#W-13-33/ until a letter is received from Steep Rock granting him permission to work on the pond.

By Mr. Davis, seconded by Mr. Papsin and passed 3-0.

Mr. Herrmann will be placed on the Agenda for the next meeting on 10/9/13.

New Applications

Anderson/30 Tompkins Hill Road/#W-13-34/Clean Pond:

Brian Baker, engineer, represented Mr. Anderson. He explained to the Commission that Mr. Anderson has owned the property since 1976 and would like to clean the pond. He is looking to pull the material out of the pond and stockpile it until it can be removed from the property. Mr. Baker went over his two-page Site Plan Pond Restoration with the commissioners. He told them this would be a spring activity. He told the members there is an existing watercourse on the southern property line, but nothing will end up in the watercourse. Mr. Wadelton asked if there were other wetlands on the property. No. Mr. Ajello said there appears to be no inlet or outlet; just a spring fed pond surrounded by berms. Mr. Wadelton commented the application cannot be acted on until the next meeting since it is a new application. He asked if there were any questions. There were none. Mr. Papsin said it seems straight forward. Mr. Baker said he would be at the next meeting.

Nauiakas/170 Church Hill Road/#W-13-35/Driveway Entrance Improvements:

Brian Neff, engineer, represented Ms. Nauiakas. He discussed the proposal for the driveway entrance. The existing driveway is in a regulated area, but there are no wetlands; it is pretty straight forward. Mr. Ajello asked if there are to be pillars or posts. Mr. Neff replied the pillars at the end of the stone walls would be approximately 4ft high. Also, some conduit work will be done. Mr. Wadelton commented that the commissioners had all been on the property recently, so there is no need for a site visit. Mr. Neff said he would come back for the next meeting.

Other Business

Straw Man/135 Bee Brook Road/#W-09-44/Request for Extension of Time for Bridge Work

Related Activities:

Mr. Wadelton read a letter from Ebersol & McCormick, LLC asking for a postponement of their request to be extended until the October 9, 2013 meeting.

Update re: state spraying of herbicides near wetlands and watercourses:

No update at this time.

Keating/67 West Shore Road/#W-12-27/Planting Plan Revision:

Mr. Ajello showed the members photos of the property. They discussed the planting plan which showed the plantings would be between the deck, fence and the road. He recently noted that the only young tree on the property had disappeared; only a stump remained. Mr. Ajello said he had hoped to close out the file, and could have, if the maple had not been cut down. Mr. Davis asked what recourse the Commission had. Mr. Papsin said he would like to see a tree restored to that area. Mr. Ajello said he had specifically asked the contractor to use care and not damage the tree. Then it disappeared. Mr. Davis commented that the roots are still there and will prevent erosion in that area. Mr. Papsin said the canopy needs to be re-established and another tree should be planted if it is not too late to plant. Mr. Wadelton stated it is clearly a violation in the shoreline regulated area. He said he would like to table and discuss this with the full commission. All agreed. Mr. Ajello said he would send a letter to Mrs. Keating asking her to come to the next meeting.

Enforcement

Chatfield-Schellerer/19 Tinker Hill Road/#W-10-V01 /Unauthorized Clearing:

Ms. Mary Pat Isavi, the new owner, was present. Mr. Ajello stated the previous owner started clearing without any permits. He also installed a length of 4" diameter pipe without permits (which went over the septic area). In addition, he had asked Mr. Chatfield for a site development plan but never got one. Mr. Ajello noted the area is completely stabilized now and there is no erosion at the roadside. There are invasives along the boundaries and Mr. Ajello suggested that monitoring periodically for invasives would be important. Mr. Papsin asked Ms. Isavi what her intentions are for the property. Ms. Isavi replied she has no intention to develop the land. She would like to plant trees. Mr. Davis asked what else the Commission would require to release the new owner since the violation has corrected itself. Mr. Ajello said the Commission would need a violation control plan to cut back on invasives. Mr. Davis asked Ms. Isavi if she would object to someone coming out to monitor growth of invasives every year for the next three years. Ms. Isavi agreed and said she would talk with Mr. Ajello about a plan for invasive control and a plan for replacement plants.

Berg/22 Foulis Road:

Mr. Ajello said the Notice of Violation was just received by Mr. & Mrs. Berg on 9/24/13.

Administrative Business:

Mr. Wadelton told the members about a Soils Training Workshop being held on 10/23-24. An e-mail will be sent to those members not present.

Mr. Wadelton said there is information in the Land Use Office regarding the new cell tower.

MOTION:

To adjourn the meeting. By Mr. Davis.

Mr. Wadelton adjourned the meeting at 8:30PM.

FILED SUBJECT TO APPROVAL

Respectfully Submitted,

Martha T. Shade, Land Use Clerk