

# March 12, 2014

7:00 p.m. Upper Level Meeting Room

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

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

**ALTERNATES PRESENT:** Mr. Davis, Mr. Martino

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

**ALSO PRESENT:** Mr. Rosiello, Mr. Szymanski, Mr. Duggan, Mr. Sabin, Mr. Neff, Mr. Zekas

Mr. Bedini called the meeting to order at 7:03 p.m. and seated Members Bedini, Papsin, and Wadelton and Alternates Davis and Martino for Members LaMuniere and Cheney.

**MOTION:**

To add the following subsequent business to the Agenda:

V. New Applications:

C. The Gunnery, Inc./100 Green Hill Road/#IW-14-12/Install Artificial Turf Field and Relocate Septic Pipes,

D. Metzger/23 Cook Street/#IW-14-13/Pool, Fence, Stonewalls, and Landscaping,

E. Bol Reiss/24 Rabbit Hill Road/#IW-14-14/Deck Addition and landscaping.

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

## **Pending Applications**

Laverge/228 Bee Brook Road/#IW-14-02/Bridge and Driveway:

Due to the snow cover over the winter, it had not been possible to stake the driveway route or to conduct a site inspection. Mr. Ajello reported that the driveway would be staked by the end of next week and a site inspection was scheduled for Tuesday, March 25, 2014 at 4:30 p.m. Mr. Ajello noted the 3/11/14 letter to the Commission from Atty. Fisher, which granted an extension to 3/26/14.

Rumsey Hall School/201 Romford Rd./#IW-14-07/Expand Septic System:

It was noted there had been no new information submitted since the last meeting, the proposed activity was for the expansion of the exiting septic system in a level area in the upland review area, and the applicant had been told it was not necessary to attend this meeting.

**MOTION:**

To approve Application #IW-14-07 submitted by Rumsey Hall School to expand the septic system at 201 Romford Road per "New Dorm Replacement," sheets L-1, L-2, by Buck and Buck, LLC., dated 2/20/14, revised to 2/26/14 and "Topographic Survey, New Dorm," by Smith and Company, dated 1/31/14; the permit shall be valid for 2 years and is subject to the following conditions:

1) that the land use office shall 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) that any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Papsin, seconded by Mr. Martino, passed 5-0.

### **New Application**

#### Lake Waramaug Country Club/22 Golf Links Road/#W-14-10/ Reclamation Project:

Mr. Duggan, golf course superintendent, represented the applicant. Using an aerial view and photos of the site, he detailed the proposed work to restore an 8000 sq. ft. stormwater collection area along West Shore Road. Overgrown vegetation and damaged trees had already been removed. Mr. Duggan proposed reviewed the revised narrative, dated 3/11/14, which described the proposed phases of work; Phase I: preparation and stabilization of the roadside area slope at the earliest possible date, Phase II: eradication of invasive species with application of herbicides, and Phase III: plant and seed with native species. Grubbing of excess material in the drainage basin was discussed. This debris will be removed to a compost pile elsewhere on the property. Installation of a vegetated bio filtration basin to carry stormwater to the outflow pipe was also discussed. Mr. Davis asked if the conduit emptied into the lake and whether the herbicide used would reach the lake. Mr. Duggan responded that the phragmites was not near the conduit and that the herbicide to be used had a short half life, was safe for aquatic use, and would be used in such a small area, 60' X 10', that it would not impact the lake. He also stated the herbicide would not be applied if rain were forecast immediately before or after the planned treatment date. Mr. Ajello noted that Mr. Duggan was certified to apply the proposed chemicals. Mr. Ajello asked if soil tests had been done. Mr. Duggan said no, but he had gotten the soils information from a map in the land use office, which showed this area as disturbed soils. Although probably not wetlands, Mr. Ajello said the Commission had jurisdiction because the site was both close to and drains to the lake. Mr. Papsin asked if soil tests should be done, but the consensus of the other commissioners was that this was not necessary. Mr. Duggan said he wanted to do the work this spring and would withdraw the request to treat the phragmites if a soil test would be required. Mr. Papsin thought the plan was a good one, but questioned the use of Rodeo so close to the lake. Mr. Ajello said the outflow pipe could be plugged during the application of the herbicide. Mr. Duggan noted that although the original narrative proposed rip rap along the channel leading to the conduit, he thought vegetated sides would allow more filtration and would be easier to maintain. Mr. Ajello asked if the trees removed would be replaced. Mr. Duggan said they would and read a list of possible species that would restore shade to the lower basin. Mr. Papsin asked that a planting plan be submitted: type, size, number of plants and where they would be planted. It was the consensus that a site plan would not be required because the aerial view was adequate. It was noted the \$60 state tax and the state reporting form were still due.

### **Pending Applications**

#### Morris Electric, LLC./132 Lower Church Hill Road/#W-14-08/Utility Conduits:

Mr. Szymanski, engineer, and Mr. Rosiello, landscape designer, represented the applicant. Mr. Szymanski presented the revised plans, "Proposed Improvement Location Plan (Utils & Patio," by Arthur H. Howland and Assoc., revised to 3/12/14 and letter to Mr. Bedini dated 3/12/14, in response to Mrs. Hill's application review and comments made at the last meeting. The revisions included:

- 1) naming the person responsible for inspecting the erosion control measures,
- 2) approval from Steep Rock Assn. for all of the proposed activities within the conservation easement area except for the boardwalks,
- 3) a note that the existing drainage pipe will be abandoned, 4) addition of a note re: footings for the concrete headwall,
- 5) a note regarding the placement of a hay filter,
- 6) additional silt fencing between the house and garage and on the downhill side of the existing house,
- 7) a note that the new propane tank will be underground, and
- 8) notes re: the extension of the driveway.

Mr. Szymanski showed photos of the existing patio at the west end of the house and explained how a frost wall would be excavated for supports for a roof over the patio. The excavated material will be taken off site. In response to questions from the commissioners, Mr. Szymanski stated the existing propane tank would be removed, the aerator control would be relocated, and the rusted pipe at the outlet of the swale would be replaced and covered with approx. one foot of fill.

#### MOTION:

To approve Application #IW-14-08 submitted by Morris Electric, LLC. for utility conduits at 132 Lower Church Hill Road in accordance with "Proposed Improvement Location Plan (Utils & Patio)," sheets SD.1 and SES.1, by Arthur H. Howland and Assoc., dated 2/21/14 and revised to 3/12/14; the permit shall be valid for 2 years and is subject to the following conditions:

- 1) that the land use office shall 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) that any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Wadelon, seconded by Mr. Papsin, passed 5-0.

#### Morris Electric, LLC./132 Lower Church Hill Road/#IW-14-09/Meadow and Tree Planting, Trails and Boardwalks:

Mr. Szymanski, engineer, and Mr. Rosiello, landscape designer, represented the applicant. Mr. Szymanski said that he had incorporated comments from the last meeting and responses to issues raised by Mrs. Hill in the plans, "Overall Proposed Improvement Location Plan (Landscaping,) by Arthur H. Howland and Assoc., revised to 3/12/14. He noted information from the Lewis planting plan was now included on the revised site plan. He noted, too, that Steep Rock Assn. had prohibited the installation of boardwalks in the conservation easement area and so these sections were now proposed as maintained paths through the forest. Mr. Szymanski brought in a small container of liquid to illustrate the amount of herbicide that would be applied per 1000 sq. ft. by a licensed applicator. Literature from UConn and the DEEP regarding the herbicide to be used was submitted and Mr. Rosiello read that it has a low toxicity for humans and animals and does not bio accumulate. Mr. Szymanski detailed the changes that had been made on the revised plan. He also described the method to be used for the installation of the boardwalk. This would require no machinery in the wetlands. A site inspection was scheduled for Tues., March 25th at 5:30 p.m.

## **New Applications**

### **Morris Electric, LLC./132 Lower Church Hill Road/#IW-14-11/ Relocate Pool and Septic System, Build Stonewalls, Regrade Driveway:**

The site plan, "Overall Proposed Improvement Location Plan," by Arthur H. Howland and Assoc., revised to 3/12/14 was reviewed. Mr. Szymanski, engineer, said the following activities were proposed:

- 1) change the grade in front of the house to slope away from the house; an approximate 6 inch change,
- 2) replace the existing walk,
- 3) install a dry stacked stonewall along the edge of the existing driveway,
- 4) install a new brick walk with steps, 5) abandon the existing pool; it will be filled with material excavated from the new pool location, and
- 5) abandon the existing septic system and build a new one 50 feet downhill from the current location.

The new pool and septic system and all their required grading were as far from the wetlands as possible and out of the regulated area. The location of the pool equipment was still undecided, but Mr. Szymanski said that if it was moved, it would be farther from the wetlands. Mr. Szymanski responded to questions raised in Mrs. Hill's application review in a letter to Mr. Bedini dated 3/12/14. It was noted the locations of the proposed activities had been staked on the property.

### **The Gunnery, Inc./100 Green Hill Road/#IW-14-12/Install Artificial Turf Field, Relocate Septic System Pipes:**

Mr. Zekas, Business Manager, represented the applicant. The plan, "Reconstruction of Football/Ball Field, The Gunnery," by Milone and MacBroom, dated 3/12/14 was reviewed. Mr. Zekas briefly described the proposed work, noting that engineers from Milone and MacBroom would attend the next meeting to provide more details and to answer questions. The work is proposed on three quarters of an acre in the upland review area. The location of the brook and the 100 ft. setback from the stream were noted. Mr. Ajello reviewed the erosion control plan and the construction specifications for the synthetic field.

### **Metzger/23 Cook Street/#IW-14-13/Pool, Stonewalls, Landscaping:**

Mr. Sabin, landscape architect, presented the 3/11/14 letter of authorization from Mr. Metzger. A landscaping plan, "Preliminary Site Plan," by Mr. Sabin, no date, was reviewed and the location of an intermittent stream was noted. Mr. Sabin said for the next meeting he would have a map showing the location of the wetlands. He stated site A had been chosen for the pool because it was a little farther from the stream than the alternate site considered and he said management of invasives would be included in the landscaping plan. Mr. Sabin noted he had received Mrs. Hill's application review and would submit the information requested at the next meeting. Mr. Ajello asked about the location of the pool equipment and Mr. Sabin responded that it was 50 feet from the stream. Mr. Sabin said the pool would have a cartridge filter with no backwash. The proposed pool location will be staked. A site inspection was scheduled for Tuesday, March 25, 2014 at 4:00 p.m.

### **Bol Reiss/24 Rabbit Hill Road/#IW-14-14/Deck and Landscaping:**

Mr. Sabin, landscape architect, presented his plan, "Site Plan," dated 3/11/14. He pointed out the portion of the deck and the landscaping proposed within the 100 foot setback. The landscaping plan included minor regrading and "plant refinement." Mr. Sabin noted that all of the proposed work was in areas that had previously been disturbed. Mr. Ajello noted a tree house on the property

within 100 feet of the stream did not have a wetlands permit. Although the commissioners did not think a site inspection was necessary, Mr. Sabin said they could drive to the property and inspect it on their own at their convenience.

## **Other Business**

### Coleman/31 South Fenn Hill Road/Revision of Permit #IW-13-41/ Reconfigure House and Garage:

Mr. Neff, engineer, pointed out minor changes to the configuration of the house and garage, all outside the regulated area, on the plan, "Proposed Site Plan," by Mr. Neff, revised to 3/3/13. This was compared to the original dated 12/5/13. Mrs. Hill noted that Atty. Olson had advised the Commission that because the Regulations did not differentiate between applications and requests for revisions, revision requests should be treated as applications. Mr. Wadelton disagreed, saying there was nothing to prohibit a vote tonight on the request and the other commissioners agreed.

### **MOTION:**

To approve the modification of Permit #IW-13-41 issued to Ms. Coleman, 31 Fenn Hill Road, in accordance with the site plan, "Proposed Site Plan," by Mr. Neff, revised to 3/3/14; all original conditions apply.

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

## **Enforcement**

In addition to the matters reported in Mr. Ajello's 3/12/14 enforcement report, the following issues were discussed:

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

Although it was noted the Town has a plan for removing the tailings stored on this site, it was the consensus to leave this matter on the enforcement list until the violation has been completely corrected.

### Woodruff/3 West Shore Road/Citation:

Mr. Wadelton reported that Mr. Woodruff had requested a hearing to appeal his citation and the Board of Selectmen said it would schedule the hearing.

### Hochberg/15 Couch Road/Unauthorized Excavation of Pond, Deposition of Material:

It was noted Mr. Hochberg's appeal of his citation had been pending for a much longer time than Mr. Woodruff's. The Board of Selectmen will be asked again to schedule a hearing for this appeal.

### Complaint re: Town of Washington/Application of Herbicide on Knotweed Along the Shepaug River:

The Commission had not obtained any information about the application of the herbicide or whether it had been effective. Mr. Bedini asked Mr. Ajello to inspect the site and to report back to the Commission.

### Smith/35 East Shore Road/Unauthorized Excavation, Deposition, Reconstruction Near River Bank:

Mr. Wadelton asked Mr. Ajello if he had required remediation of the site. Mr. Ajello said he had not.

MOTION:

To adjourn the meeting. By Mr. Martino.

Mr. Bedini adjourned the meeting at 9:13 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Administrator