

April 13, 2011

Public Hearing – Regular Meeting

5:00PM

Land Use Meeting Room

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

ALTERNATES PRESENT: Ms. Cheney, Mr. Papsin

ALTERNATES ABSENT: Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. Shade

ALSO PRESENT: Mr. Woodward, Mr. Neff, Mr. Sabin

PUBLIC HEARING

Klein(cont'd) /271 West Shore Road and 236 Tinker Hill Road /#IW-11-03 /Construct Driveway

Mr. Bedini reconvened the Public Hearing at 5:06PM to consider Application #IW-11-03 for Klein, 271 West Shore Road and 236 Tinker Hill Road to construct driveway. He seated members Bedini, Hill, Wadelton and Alternate Papsin for Mr. Bohan. The applicants were not at the meeting and no one was there to represent them. Mr. Wadelton read a letter from Mrs. Klein dated 4/11/11, stating she was unable to attend this Public Hearing but would agree to continue the Hearing until 5PM on May 11, 2011. Mr. Bedini and the Commissioners said that would be acceptable.

MOTION:

To continue the Public Hearing for Klein, 271 West Shore Road and 236 Tinker Hill Road, IW-11-03, for driveway construction, until May 11, 2011, at 5:00PM.

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

Mr. Bedini continued the public hearing at 5:11PM.

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

REGULAR MEETING

Mr. Bedini called the Regular Meeting to order at 7:01PM and seated members Bedini, Bohan, Hill, LaMuniere and Wadelton.

MOTION:

To add the following subsequent business to the agenda:

V. New Applications:

A. Doherty/212-214 Calhoun Street/#IW-11-07/Construct pool, guest house and utility shed.

B. Lanyi/105 West Shore Road/#IW-11-08/Boathouse renovation.

VI. Other Business:

A. Adams/233 West Shore Road/Requesting revision to #IW-07-10/change location of pool.

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

Consideration of the Minutes

The March 23, 2011 Public Hearing minutes were accepted as amended.

Page 2, Par. 2,of Lake Waramaug Task Force....” Should be inserted after Mr. McGowan’s name.

Page 2, Par. 4, Line 8,area is glacial till with.....

Page 4, Par. 1, Line 3,dated 11/4/2009..... The year was questioned – M. Shade will listen to tape.
Page 5, Under Thorn: Line 8,wood base..... was questioned –should be surface(?) – M. Shade will listen to tape.

Page 6, Under Rosen: Line 14, remove one level

MOTION:

To accept the 3/23/11 Regular Meeting minutes as amended.

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

Site Inspection/Klein

MOTION:

To accept the 3/22/11 Klein site inspection minutes as written. By Mrs. Hill, seconded by Mr. Bohan and passed 5-0.

MOTION:

To add Rosen site inspection visit to agenda.

By Mrs. Hill, seconded by Mr. Bedini and passed 5-0.

Site Inspection/Rosen

Mr. Bedini asked the members if they had any comments on the Rosen Site Inspection. There were none.

MOTION:

To accept the 4/7/11 Rosen site inspection minutes as written.

By Mrs. Hill, seconded by Mr. Bedini and passed 5-0.

Pending Applications Klein/271 West Shore Road and 236 Tinker Hill Road#IW-11-03 Construct Driveway.

Public Hearing was continued until 5:00PM on May 11, 2011 in the Land Use Meeting Room.

Thorn /228 West Shore Road #IW-11-04 /Install Dock.

Mr. Ajello told the Commissioners that Mr. Thorne had called to say he would be unable to attend the meeting. Mr. Ajello told him the members did not have any questions and no new information regarding this application has been received since the last meeting. The dock is 80ft long because the water is shallow and there is no shore line disturbance. Mr. Papsin said this was a well thought out plan. All agreed. Mr. Ajello said Steve Sordi, Lake Safety Officer, is ready to sign off.

MOTION:

To approve Application #IW-11-04 submitted by Mr. Thorne, 228 West Shore Road, to install a dock per plans by Peter Talbot, AIA, marked Floating Dock and dated 3/9/11. This permit is valid for 2 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,
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval. By Mr. Wadelton, seconded by Mr. Bohan and passed 5-0.

Douglas /68 Painter Ridge Road /#IW-11-06 /Herbicide Application

Mr. Ajello noted that Mr. Gambino was unable to attend this meeting. Mr. Ajello said he and Mr. Wadelton visited the site and saw rip rap swale which was installed by the Town at the point of drainage and is close to two well heads. They did not see any other changes on the site since IWC approved a similar application last year. Mr. Bedini asked the members if they had any questions. Mr. LaMunier asked if the chemicals are similar to the ones applied last year. Mr. Ajello said he would

need to compare the chemicals but the old application expired, Mr. Gambino sent a Finish Card, and this is a re-application. Mr. Wadelton said this is the same treatment for the same problem they had last year. Mr. LaMuniere asked if this is a closed system. Mr. Ajello said they will try to keep the water level in the pond low in order to keep the chemicals in the pond as long as possible. If you consider the fact that the small pond has no weeds, it is a closed system.

MOTION:

To approve Application #IW-11-06, submitted by Mr. Gambino for Mr. Douglas, 68 Painter Ridge Road, for herbicide application to control aquatic weeds. This permit is valid for 2 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. any change to the plans as approved must be submitted immediately to the Commission for reapproval,
3. the Commission strongly encourages buffer planting around the larger pond. By Mrs. Hill, seconded by Mr. Wadelton and passed 5-0.

Rosen /304 Nettleton Hollow Road /#IW-11-05 /Correct Violations-Restore Buffers and Streams

Mr. Rosen was represented by Mr. Dirk Sabin, Landscape Architect. He submitted a letter for the record from Brian Neff, P.E. dated 4/11/11, in which Mr. Neff reported on his inspection of the driveway bridge and gate house on the Rosen property. Mr. Sabin said he would be open to any questions from the Commission. The members looked over the drawings with Mr. Sabin: L-1, the stream & buffer restoration plan and L-2, the gate house. Mr. LaMuniere asked about the automatic gates. Mr. Sabin said the gates, which are for security, will not be on the stream, they will be on the driveway which goes over the stream. The members discussed the wing walls. The stone facing on the wing walls is new since the concrete structure was built. Mrs. Hill asked if there was any impact on the stream from the structure. Mr. Sabin replied there is no significant impact on the stream. Mr. LaMuniere referred to Mr. Neff's letter which stated the stone veneer would not impact the flow of the stream. Mr. Wadelton said that Mr. Rosen carried out the construction of the gate house and stone veneer on the bridge within the regulated area, so basically the Commission is going to approve that in retrospect along with new plans for restoration of the stream and buffer. Mr. Sabin said the gate house is definitely part of this application and he will annotate the plan accordingly.

Mr. Papsin asked Mr. Sabin if the native shrubbery would be left alone. Yes. Mr. Sabin said he only wants to remove invasives like the multi-flora rose. Mrs. Hill said some of the trees look like they are on their last legs. Mr. Sabin agreed that some are scrubby looking, but the songbirds like them so he will not be taking any down unless absolutely necessary. The intent is to have the meadow edge brought to the road. The Commissioners discussed the best time to mow the wet meadow. It was decided on or about September 1st. In addition, for the information of future owners, Mr. Sabin suggested that these plans could be placed on the land records once all the work is completed. The members agreed. Mr. Bedini asked the members if they were ready to make a motion.

MOTION:

To approve Application #IW-11-05, submitted by James Rosen, 304 Nettleton Hollow Road, to correct violations-restore buffers and streams per plans by Dirk Sabin, Landscape Architect. Plan L-1, Stream & Buffer restoration at Stonebrook Estate, and L-2, Gatehouse at Stonebrook Estate; both dated 3/22/11. This permit is valid for 2 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,

4. that the wet meadow be cut once a year on or around September 1,

5. the work is to be monitored by a competent professional acceptable to the Commission,

6. a copy of the map shall be filed on the Land Records once the work has been completed. By Mr. Waderton, seconded by Mr. Bedini and passed 4-1.

Mrs. Hill denying. She stated Mr. Rosen was well aware he needed a permit to do this work and she does not think the Commission should approve it after the fact.

New Applications

Doherty, 212-214 Calhoun Street /#IW-11-07 /Construct pool, guest house and utility shed

Mr. and Mrs. Doherty were represented by Mr. Brian Neff, P.E. Mr. Neff presented his plans for the guest house and pool house septic systems along with the plans by Peter Talbot Architects to construct the guest house, pool house and pool. He pointed out that the house and barn complex are very close to the road. Mr. Neff told the Commission that the applicants have approval from the Historic District Commission. He explained that the existing barn will be converted to a guest house, the pool will be in the old barn foundation and pool equipment will be placed in the utility shed. Mr. Neff showed the future areas for septic and noted that the actual leaching fields are functioning. Mr. Ajello asked why the fence extends so far down through part of wetlands. Mr. Neff replied that they want the entire guest house and pool complex surrounded by fence. Mr. LaMuniere asked if the pool is to be built within the barn frame. Mr. Sabin commented the pool will be built in the foundation of the old bank barn. Mr. Ajello said he would like to know how equipment will access the back area. Mr. Sabin said they only want to mow the hay fields. Mrs. Hill said she likes that idea. Mr. Bohan asked if the existing leach fields can be used with the new guest house. Mr. Neff said possibly, they seem to be in good shape. The Commissioners thought a site visit would be beneficial and they agreed on Wednesday, April 20, 2011. Meet at Town Hall at 4:15PM and visit site at 4:30PM.

Lanyi /105 West Shore Road /#IW-11-08 /Boathouse Renovation

Mr. Lanyi was represented by Brian Neff, P.E. The members looked at the Boathouse Renovation plan by Mr. Neff. Mr. Neff told the Commission that they are proposing to rebuild the boathouse in the same location and use the existing foundation. The roof is fairly low and they may raise the roof. A dumpster will carry materials away. Mr. Neff said an architect is working on the plans which will show the raised roof. It is a kind of open patio house with the boat underneath. The footprint is not changing. Mr. Neff suggested the members could go individually and park in an area across the street to get a good look at the boathouse. Mr. Ajello asked if anyone is presently living on the property. No.

Other Business

Adams /233 West Shore Road /Revisions to #IW-07-10 /Change location of pool

Mr. Sean Woodward represented Mr. Adams. He reminded the Commissioners that this used to be The Birches Inn. Mr. Ajello said at one point the pool was to be in front where the parking area used to be for the restaurant. Then eventually approval was given to locate the pool behind the house. Tonight Mr. Woodward is here with a revision to relocate the pool back in front where it was previously approved. Mr. Bohan commented the pool is further away from a water course than it would have been in the back. Mr. Woodward said it is a simple gunite pool with safety fence and conifer tree line. Pool equipment will be inside a structure. Mr. Bohan said this is a simple revision that can be approved tonight. The Commission had no problems. This 5year permit expires 5/9/12.

MOTION:

To approve the revision of Permit #IW-07-10 requested by Mr. Sean Woodward for Mr. Adams, 233 West Shore Road, to change location of the pool as shown on plans "Site Plan Map Prepared For Birch Hollow, West Shore Road, Washington, Connecticut", revised to September 2010. This permit is still valid until 5/9/12.

By Mr. Bedini, seconded by Mr. LaMunier and passed 5-0.

Enforcement

Chatfield /Schellerer /19 Tinker Hill Road:

Mr. Chatfield left a message for Mr. Ajello – he wants to clean up the site and said they have an erosion control expert working with them. Mr. Ajello showed some photos to the Commission. He said he is glad they are making an effort even if they have not discussed it with him. They want to restore the property and sell.

Kinney Hill LLC:

No change.

Leary /164 West Shore Road:

No Change

Martinelli /18 Titus Road:

Owner of building. Met with him on site, lots of debris on bank. Mike suggested plantings or fence along top, perhaps stepping stones on bank for fishermen to use. He will come before IWC with application.

Rosen /304 Nettleton Hollow Road:

Will stay in touch with him to make sure he is going in right direction.

Wexler /157 Calhoun Street:

No Change.

Whittenberg:

No change

Administrative Business

Shoreline Protection Policies:

Mr. LaMunier noted the Commission has the ok of Bob Kortmann and the Conservation Commission is happy. He suggested working on a final draft to circulate and then send to Mike Ziska to see what he recommends.

Mrs. Hill had a question regarding enforcement. She asked about Mr. Wang, 110 Blackville Road, has any planting been done. Mr. Papsin said he drove by recently – nothing has been planted.

MOTION:

To adjourn the meeting. By Mrs. Hill.

Mr. Bedini adjourned the meeting at 8:50PM.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Martha T. Shade, Clerk