Inland Wetlands Commission

MINUTES

Regular Meeting

September 28, 2016

7:00 p.m. Main Level Meeting Room

MEMBERS PRESENT: Mr. Wadelton, Mr. Davis, Mr. LaMuniere,

Mr. Papsin

MEMBERS ABSENT: Mr. Bedini

ALTERNATES PRESENT: Mr. Bennett, Mr. Kassis

ALTERNATE ABSENT: Ms. Cheney

STAFF PRESENT: Mr. Ajello, Ms. Pennell

ALSO PRESENT: Mr. Szymanski

Mr. Wadelton called the meeting to order at 7:00 p.m. and seated Members Wadelton, Davis, LaMuniere, Papsin and Alt. Kassis

**ADMINISTRATIVE BUSINESS**:

**MOTION:** To add the following subsequent business to the

Agenda: New Applications: Stiteler/IW-16-31/198 Tinker Hill

Road/Improve existing wood road, construct accessory building

with associated appurtenances. By Mr. LaMuniere, seconded by

Mr. Davis, passed 5-0 vote.

**CONSIDERATION OF MINUTES:**

**MOTION:** To accept the Regular Meeting Minutes of September 14, 2016 as submitted. By Mr. Papsin, seconded by Mr. LaMuniere, passed 5-0 vote.

**MOTION:** To accept the 09-21-16 site inspection for 3 Woodruff-3 West Shore Road minutes as written. By Mr. Papsin, seconded by Mr. LaMuniere, passed 5-0 vote.

**MOTION:** To accept the 09-21-16 site inspection for Mackesey-Morning Dew Farm 229 and 233 West Shore Road minutes as written. By Mr. Papsin, seconded by Mr. Laird.

**PENDING APPLICATIONS:**

**Hamilton/183 West Shore Road/#IW-16-26/Remove Decks and Stairs, Shoreline Stabilization, Demolition and Reconstruction of Building and Deck:**

Mr. Szymanski, engineer, presented this application. He explained that when applicant went to the ZBA’s meeting last month, the Board members were not supportive to the plan that applicant presented. Mr. Szymanski stated they are now proposing to remove the rear deck overhanging the lake, the existing decks located on west side will be raised; raising the deck nearest to lake, lowering the deck nearest to road so that they are all at the same elevation, proposing a small knee wall behind the deck and reconstruct the existing building and the back wall of the foundation which is failing. Mr. Szymanski stated they still plan to do the boulder work along the shoreline to have it stabilized. He discussed drainage on site and the planting that will be put in place. Mr. Szymanski stated that two rain gardens will put in place to treat the road run off as well.

Members asked questions which Mr. Szymanski addressed. It was decided that member would like to conduct a site inspection.

A site inspection was scheduled for Wednesday, October 5, 2016 at 4:00 p.m.

**Ingrassia/69 Whittlesey Road/ IW#16-27/Dredge Pond:**

Mr. Brian Neff, P.E., was not present at the meeting, however he did send an email to the Commission requesting the application be tabled until the October 12, 2016 meeting as he is waiting to receive the conservation approval letter from the State Department of Agriculture. Members were in agreement with this.

**24 ONR, LLC./24 Old North Road/#IW-16-28/Pool, Patio, Retaining Walls, Appurtenances**

Mr. Paul Szymanski, engineer, presented this application. He informed the members that there have been no modifications since the last meeting.

**MOTION:** To approve #IW-16-28: 24 ONR, LLC/24 Old North

Road/Pool, Patio, Retaining Walls, Appurtenances as per the Site

Plan by Arthur Howland & Associates dated July 6, 2016 with no

revisions, one sheet SD.1; the permit will be valid for two years

with the following conditions:

1. that the Land Use Office be notified at least 48 hours prior

to the commencement of work so the Wetlands Enforcement

Officer can inspect and approve the erosion control measures,

2. that the property owner give the contractor copies of both the

motion of approval and that approved plans prior to the

commencement of work,

3. any changes to the plans as approved must be submitted

immediately to the Commission for review; in considering this

application, the Commission has determined that no reasonable

and prudent alternatives exist, and believes that there is no

reasonable probability of significant adverse impact on any

wetlands or watercourses.

In considering this application, the Commission has determined

that no reasonable and prudent alternatives exist, and believes

that there is no reasonable probability of significant adverse

impact on any wetlands or watercourses. By Mr. LaMuniere, second

by Mr. Laird, passed 5-0 vote.

**Pinover/12 Senff Road/#IW-16-29/Aquatic Herbicide Application**

Michael Ajello, Zoning Enforcement Officer, listed all documents received for file.

**MOTION:** To approve #IW-16-29: Pinover/12 Seneff Road/Aquatic Herbicide Application; the permit will be valid for two years

with the following conditions:

1. that the Land Use Office be notified at least 48 hours prior

to the commencement of work so the Wetlands Enforcement

Officer can inspect and approve the erosion control measures,

2. that the property owner give the contractor copies of both the

motion of approval and that approved plans prior to the

commencement of work,

3. any changes to the plans as approved must be submitted

immediately to the Commission for review; in considering this

application, the Commission has determined that no reasonable

and prudent alternatives exist, and believes that there is no

reasonable probability of significant adverse impact on any

wetlands or watercourses.

4. And a letter of approval from Steep Rock Association.

In considering this application, the Commission has determined

that no reasonable and prudent alternatives exist, and believes

that there is no reasonable probability of significant adverse

impact on any wetlands or watercourses. By Mr. Papsin, seconded

by Mr. LaMuniere, passed 5-0 vote.

**Meyer/106 Shearer Road/#IW-16-30/Dredge Pond, Repair Dam, Repair Footbridge, Access, Fireplace, Pier:**

After review and discussion of this application, members were in agreement that there was not enough information needed to consider this application due to lack of information (and the application needs to be signed). Commission will request a representative for this application be present to provide more information to the Commission for further consideration of approval.

**NEW APPLICATIONS:**

**Stiteler/198 Tinker Hill Road/Improve Existing Wood Rd,Construct**

**Accessory Building:**

Paul Szymanski, engineer, presented this application. He stated

there is currently an existing access to the wood road located off West Shore Road. He noted there are wetlands pockets on both sides. Mr. Szymanski stated they will be utilizing the existing wood road with a proposed processed gravel driveway and proposed swales and rain gardens on the edge of the driveway to catch run off. He explained there will be an accessory building with a proposed well, rain garden to capture the roof run off and a septic tank with a pump chamber to pump up to a septic system.

Members reviewed plans dated February 18, 2016 by Arthur Howland & Associates, SDS.1. Questions were addressed and decision to schedule a site visit. It was noted that revised plans will be submitted.

A site inspection was scheduled for Wednesday, October 5, 2016 at 4:30 p.m.

**OTHER BUSINESS:**

**GSN, LLC./214 West Shore Road/Request to Revise Permit #IW-16-18/Demolition and Rebuild Existing Dwelling and Foundation and Add Buffering:**

Paul Szymanski, engineer, presented this application. He stated he had made modifications to the plan with regards to erosion control per the Commission’s request at last meeting. This includes staked hay bales and silt fence. Mr. Szymanski further stated that they will have two rows of 12” filtrexx siltsoxx put in place. With these measures in place, there will be four layers of erosion control between the proposed excavation site and the lake. He noted that vegetative area removed or disturbed during proposed construction will be replanted by plants that are similar to those removed. Mr. Szymanski stated there will be inspection after a quarter inch rain event or larger and buffer plantings will be installed along lake edge as well.

Mr. LaMuniere stated that the requests the Commission have made all have been addressed by applicant. Members were in agreement.

**MOTION:** To approve the request to revise #IW-16-18 submitted by GSN, LLC/214 West Shore Road/Demolition and Rebuild Existing Dwelling and Foundation and Buffering per plans dated June 21, 2016 with revision date of September 23, 2016, one page prepared by Arthur Howland & Associates; the permit will be valid for two years with the following conditions:

1. that the Land Use Office be notified at least 48 hours prior

to the commencement of work so the Wetlands Enforcement

Officer can inspect and approve the erosion control measures,

2. that the property owner give the contractor copies of both the

motion of approval and that approved plans prior to the

commencement of work,

3. any changes to the plans as approved must be submitted

immediately to the Commission for review;

4. all previous conditions remain.

In considering this application, the Commission has determined

that no reasonable and prudent alternatives exist, and

believes that there is no reasonable probability of

significant adverse impact on any wetlands or watercourses. By

Mr. Laird, seconded by Mr. LaMuniere, passed by 5-0 vote.

**Haight/45 Old North Road/Request to Revise Permit #IW-14-46/Add Stonewall and Plantings:**

Paul Szymanski, engineer, presented this application. He stated that instead of the cast in place concrete retaining wall, it is proposed to have boulders on the slope. Mr. Szymanski believes this is better as it will be less chance for failure, allows for vegetation to be intermingled between the boulders and this will allow the dispersal of run off.

Mr. Ajello asked if this has been approved by the First Selectman, as he may have concerns with the concrete retaining wall being removed and replaced with a different construction. Mr. Szymanski stated he will need to get approval for the plantings in the right away and the change in the retaining wall will also be included. He stated that this can be added as a condition for approval.

**MOTION**: To approve the request to revise Permit #IW-14-46 submitted by Haight/45 Old North Road/Add Stonewall and Plantings per plans “Planting Plan-Phase III” revised September 1, 2016, by Arthur Howland & Associates; the permit will be valid for two years with the following conditions:

1. that the Land Use Office be notified at least 48 hours prior

to the commencement of work so the Wetlands Enforcement

Officer can inspect and approve the erosion control measures,

2. that the property owner give the contractor copies of both the

motion of approval and that approved plans prior to the

commencement of work,

3. any changes to the plans as approved must be submitted

immediately to the Commission for review;

4. all previous conditions remain, along with approval from the

First Selectman’s office be given to the contractor prior to

any work beginning for this project and copy provided for file.

By Mr. Papsin, seconded by Mr. LaMuniere, passed by 5-0 vote.

In considering this application, the Commission has determined

that no reasonable and prudent alternatives exist, and

believes that there is no reasonable probability of

significant adverse impact on any wetlands or watercourses.

**Mackesey-Morning Dew Farm/229-233 West Shore Road/Request to Revise the Site Plan for Permit #IW-15-58/Shift Location of Building, Changes to and Location of Storm Water Management**:

Paul Szymanski, engineer, presenting this application. He noted that they added additional information to the plan, as well as modified the driveway layout based on the mature tree locations. Mr. Szymanski stated they located all the desiguous trees in the area of development. He explained that the driveway was modified by moving it westerly to preserve most of the desiguous trees. Mr. Szymanski gave an explanation to the Commission with regards to desiguous trees and how the modifications made allowed for at least a dozen trees to be saved that otherwise would have had to be removed.

Mr. Szymanski stated that they also added another additional rain garden along the proposed driveway, 70 ft. long and 10 ft. wide, which will provide additional protection. He also noted that he added a requirement to monitor the rain gardens for three years for a 70% success rate.

It was noted that a letter dated September 13, 2016 from Spencer Myles, Soil Scientist, was received and on file. This letter is in regards to the Intermittent Watercourse Inspection at 233 West Shore Road.

**MOTION**: To approve the request to revise Permit #IW-15-58 submitted by Mackesey-Morning Dew Farm/229-233 West Shore Road/Request to Revise Site per plans SD.1 dated September 1, 2016 with a revision date of September 28, 2016 by Arthur Howland & Associates; the permit will be valid for two years with the following conditions:

1. that the Land Use Office be notified at least 48 hours prior

to the commencement of work so the Wetlands Enforcement

Officer can inspect and approve the erosion control measures,

2. that the property owner give the contractor copies of both the

motion of approval and that approved plans prior to the

commencement of work,

3. any changes to the plans as approved must be submitted

immediately to the Commission for review;

4. all previous conditions remain. By Mr. LaMuniere, seconded

Mr. Papsin, passed by 5-0 vote.

In considering this application, the Commission has determined

that no reasonable and prudent alternatives exist, and

believes that there is no reasonable probability of

significant adverse impact on any wetlands or watercourses.

**ENFORCEMENT:**

Activity Report: Mr. Ajello reviewed his September 28, 2016 report.

In addition the following was discussed:

**Woodruff/3 West Shore Road/Request to Remove Notice of Violation from Land Records:**

Members discussed this request. Mr. Laird noted that Mr. Woodruff has been notified several times with regards to this violation notice and not once has he made an effort to address the violation. Members had a site inspection on September 21, 2016. It was found that there has been disturbance in this area and violations remain and have not been addressed. Mr. LaMuniere stated that this should not be ignored any longer. It was the agreement of all members to deny Mr. Woodruff’s request to remove the Notice of Violation.

**MOTION:** To deny request to remove Notice of Violation from Land Records for Woodruff/3 West Shore Road/Request to Remove Notice of Violation from Land Records. By Mr. Laird, seconded by Mr. Papsin, passed 5-0 vote.

**ADMINISTRATIVE BUSINESS:**

With regard to discussion on fines listed on the agenda for this meeting, it was the decision of Commission members to table this discussion until the next scheduled meeting as Tony Bedini, chairperson, was not present.

**COMMUNICATIONS:**

Mr. Wadelton stated an email was received from Brendon Vejseli, Eagle Scout, dated September 18, 2016 addressed to Mrs. Janet Hill. Mr. Vejseli requested permission to pass this project on to The Green Club at The Gunnery to help in maintaining the area. He also requested if a small plaque next to the project can be placed. Mr. Wadelton referred Mr. Vejseli to consult with Park and Recreation to look into this.

Mr. Wadelton also received a lengthy letter from Dorothy Winter of

CACIWC, dated September 27, 2016. Mr. Wadelton read the letter in part to the members and will also email Commission members this letter. This letter referenced reorganizing of the association with respect to reassignments, budget cuts, regulation changes and such.

Also discussed:

Mr. Papsin spoke with regard to tree work being done in the River Walk area. He expressed his concern that healthy trees are being taken down without notification to Inland Wetlands Commission. Mr. LaMuniere also expressed his concern with this matter. A brief discussion took place amongst members with regards to their concerns of the tree cutting taking place. Mr. Papsin requested that Mr. Wadelton, as acting chairperson, contact Mr. Bedini to request that Conservation Committee be asked to notify IWC of any future or pending tree removal. Mr. Wadelton will follow up on this request.

**ADJOURNMENT:**

Mr. Wadelton adjourned the meeting at 9:55 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Donna Pennell

Land Use Clerk

October 4, 2016