Inland Wetlands Commission

MINUTES

Regular Meeting

January 27, 2016

7:00 p.m. main level meeting room

MEMBERS PRESENT: Mr. Bedini, Mr. LaMuniere, Mr. Papsin,

Mr. Wadelton

MEMBER ABSENT: Mr. Davis

ALTERNATE ABSENT: Ms. Cheney

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. McCormack, Mr. Sabin, Mr. Profita, Mr. Hazo, Mrs. Haddad, Mr. Neff,

Mr. Sarjeant

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

MOTION: To add the following subsequent business to the

Agenda: V. New Applications: D. Haddad/141 West

Shore Road/#IW-16-06/2 nd Story Addition, Install

A/C pads, Remove Invasives from Watercourse, Strip

Sod and Top Soil and Replace with Pea Stone, Place

Stones and Fill Along Streambank. By Mr. Wadelton,

Seconded by Mr. Papsin, passed 4-0.

Consideration of the Minutes

The 1/13/16 Regular Meeting minutes were accepted as corrected. On pg. 3-last line: “excavation” should be “drilling.”

MOTION: To accept the 1/13/16 Regular Meeting minutes

corrected. By Mr. Wadelton, seconded by Mr.

Papsin, and passed 4-0.

The 1/22/16 Bazos site inspection minutes were accepted as submitted.

MOTION: To accept the 1/22/16 Bazos site inspection

minutes as submitted. By Mr. Papsin, seconded by

Mr. Wadelton, and passed 4-0.

Pending Applications

Bazos/ 90 Tinker Hill Road/#IW-15-52/Lake Access Path and Dock: Mr. Bedini recused himself. Mr. Sabin, landscape architect, noted that in his letter to the Commission dated 1/27/16, he had requested a two meeting extension in order to give the applicant time to obtain necessary signatures and to provide the engineered plans that the Commission had requested. He hoped to submit the plans at the next meeting so that the commissioners would have two weeks to review them before acting at the second meeting. Mr. LaMuniere stated that the Commission had previously asked for details on how the stone slabs would be moved to their proposed locations on the steep slope and said that it was important that this information be included in the engineered plans. It was the consensus to grant the extension.

Mr. Bedini was reseated.

Gutierrez/13 Dark Entry Road/#IW-16-01/Replace Footing Drain: It was noted that the application had been thoroughly reviewed at the last meeting and there had been no concerns that had to be addressed.

MOTION: To approve Application #IW-16-01 submitted by Mr.

Gutierrez to replace the footing drain at 13 Dark

Entry Road per the plan dated 1/13/16; the permit

shall be 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

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 approved

plans prior to the commencement of work, and

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.

By Mr. Papsin, seconded by Mr. LaMuniere, passed 4-0.

Amed/210 New Milford Turnpike/#IW-16-02/Reconstruct Dwelling: it was noted that the house would be rebuilt on the existing foundation, the wetlands were 40 to 45 feet from the house, and that no additional information had been requested at the last meeting.

MOTION: To approve Application #IW-16-02 submitted by Mr.

Amed to rebuild the existing dwelling at 210 New

Milford Turnpike per the plan “Nazai Properties,

LLC., dated 1/5/16; the permit shall be 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

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 approved

plans prior to the commencement of work, and

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.

By Mr. LaMuniere, seconded by Mr. Papsin, passed 4-0.

New Applications

Dobson/295 New Milford Turnpike/#IW-16-03/Repair Septic System: Mr. Neff, engineer, reviewed his plan, “Septic System Repair Plan,” revised to 1/26/16. He explained that the existing system is not functioning and so the existing galleries will be removed, the sand will be replaced, and the galleries reinstalled. He said the excavated material would be removed from the site. Mr. Papsin asked if the galleries, when removed, would remain within the limit of disturbance area and whether they would be cleaned in a containment area. Mr. Neff said a statement that they will be cleaned in a container would be added to the plan and to the construction sequence. Mr. LaMuniere asked if the shed would be removed. Mr. Neff stated that it would be impossible to dig out the galleries without demolishing the shed. Mr. Ajello asked why a stockpile area was needed if the excavated sand would be taken off site. Mr. Neff replied that the top soil would be stripped and reused. Mr. Bedini asked Mr. Neff to also address the disposal of the water used to clean the galleries. Mr. Neff agreed to provide this information.

MaClean/71 West Shore Road/#IW-16-04/Replace Deck, Rebuild Retaining Wall: Mr. Bedini noted the application review by Mrs. Hill found that a lot of information was missing from the application. Mr. LaMuniere, who had reviewed the file, agreed. Mrs. Hill will contact the agent to advise him about the additional documentation that is needed.

Lekaj/276 New Milford Turnpike/#IW-16-05/General Maintenance, Replace Foundation, Add Porch, Install New Septic System: Mr. Ajello reported that the applicant’s agent had submitted responses earlier in the day to Mrs. Hill’s review and would attend the next meeting to answer questions from the Commission. The plan, “Proposed Site Plan,” sheet S.01, by F&H Architectural Design and Consulting, LLC., dated 1/16/16 was reviewed and Mr. Ajello described the proposed activities. Mr. LaMuniere asked how construction vehicles would access the site and noted that no contours were shown on the map. Mr. Ajello said the property slopes away from the stream, and that the construction vehicles would use the existing parking area. The installation of the septic system was briefly discussed. Mr. LaMuniere said it was not clear whether galleries would be installed.

Haddad/141 West Shore Road/#IW-16-06/2nd Story Addition, Install A/C Pads, Remove Invasives from Watercourse, Place Stones and Fill Along Watercourse, Remove Sod and Top Soil and Replace with Pea Stone, Etc.: Mrs. Haddad and Mr. Profita and Mr. Haxo, contractors, were present. The map, “Site Plan,” by Oakwood Environmental Associates Consulting Engineers, dated 1/26/16 was reviewed. Mrs. Haddad noted the unique nature of the property and said the second story addition would result in less disturbance in the regulated area. She stated she was applying only for the addition, but Mrs. Hill pointed out that the site plan included numerous other proposed regulated activities. Mrs. Haddad stated these additional activities had been approved previously by the Commission, but the permit had expired. Mr. Ajello recommended that if this additional work was planned in the near future, it should be added to the application form. Mrs. Hill explained that alternatively, the site plan could be revised to exclude all activities except the proposed addition. Mrs. Haddad said she would decide exactly what work would be applied for and revise the application accordingly prior to the next meeting. Mr. LaMuniere asked, if possible, that the revisions be submitted prior to the next meeting to give the commissioners time to review them. It was noted that an improved, more comprehensive construction sequence was required and the limit of disturbance line should be clearly marked on the site plan. Mr. Profita stated that the installation of A/C pads and the addition of stairs, both on the east side of the house, were also proposed. Mr. Haxo said he would address the issues raised in the application review. Mr. Papsin recommended a site inspection due to the possibility that activities in and along the watercourse would be added to the application. A site inspection was scheduled for Tuesday, February 2, 2016 at 3:00 p.m.

Pending Application

Sarjeant/28 Tinker Hill Road/#IW-15-54/Stonewall and Replanting: Mr. Sarjeant submitted a more detailed, 2 page planting plan and noted the proposed plants were recommended as good buffer plants by the Lake Waramaug Task Force. Mr. Ajello asked how much soil would be deposited. Mr. Sarjeant said that not much would be needed because there was no ledge in this area. Mr. Bedini asked if the area would be used as a parking space. Mr. Sarjeant said it would not as buffer plants were proposed there. Mr. Bedini asked about the integrity of the stonewall. Mr. Sarjeant reviewed the specifications of the base of the wall and said the hill was very stable in this area. Mr. Bedini noted the Commission was concerned about cleaning out the catch basin, but Mr. Sarjeant said the runoff situation would improve with the planting of the buffer area. Mr. LaMuniere agreed that the runoff would infiltrate and there would be less impact to the catch basin. He noted, however, that a large tree had been taken down and since and an order had been issued to restore the area to its previous condition, he recommended the planting of additional bushes. Mr. Ajello noted the first two or three feet of the planted area would be compromised due to traffic and DOT spraying, and so recommended that hardy, wooded vegetation be planted. Mr. Sarjeant agreed to plant more pepper bushes and at least six mountain laurel, which would help to prevent people from driving here and would also help to prevent debris from washing into the catch basin. He noted that due to the additional mountain laurel, the sedge he had originally proposed might not be needed. He granted and extension of time so that he may submit a revised planting plan at the 2/10/16 meeting.

Activity Report

Mr. Ajello reviewed his report dated 1/26/16. Mr. Papsin asked him to provide photos of the Edwards property at 14 Church Hill Road at the next meeting.

Administrative Business

Revision of the Regulations: Mr. LaMuniere reported that the revisions made at the 1/7/16 meeting had been incorporated in the draft and that he and Mrs. Hill would soon meet for a final review.

Communications

The 1/25/16 memo from Mr. Kleinberg concerning the Bazos application was briefly discussed. It was noted the concerns he raised would be addressed in an ongoing basis and that an environmental review could not be done because complete engineered plans had not yet been submitted. Regarding the request for a transparent review, Mr. Wadelton noted the application had already been discussed at three meetings and that two site inspections had been conducted.

MOTION: To adjourn the meeting. By Mr. Wadelton.

Mr. Bedini adjourned the meeting at 8:18 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Administrator