Inland Wetlands Commission

MINUTES Regular Meeting March 13, 2019

7:00 p.m. Main Level Meeting Room

MEMBERS PRESENT: Mr. Bennett, Mr. LaMuniere, Mr. Papsin, Mr. Wadelton

MEMBER ABSENT: Mr. Davis

ALTERNATES PRESENT: Mr. Kassis, Mr. Matthews

STAFF PRESENT: Mrs. Hill, Mr. Tsacoyannis

ALSO PRESENT: Mrs. Branson, Mr. Charles, Mr. Carpanzano, Mr. Hayden, Mr. Szymanski, Mr. Laifer

Mr. Wadelton called the meeting to order at 7:00 p.m. and seated Members Bennett, LaMuniere, Papsin, and Wadelton and Alternate Kassis for Mr. Davis. He announced Ms. White had been hired to replace Mrs. Hill as the Land Use Administrator.

Consideration of the Minutes

The 2/27/19 Regular Meeting minutes were accepted as corrected. Under Williams/23 Loomarwick Road in the third line on page 3, it should state “stones” not “timbers” will be excavated into the dirt. Under Collins/323 West Shore Road, the first two lines on page 5 should be, “…instead of grass as he had seen that grass and herbaceous material could resist the impact of road salt.” On page 6 under Woodruff/3 West Shore Road, Mr. Papsin noted he had recommended that a site inspection be scheduled when the snow cover had melted.

MOTION: To accept the 2/27/19 Regular Meeting minutes as amended. By Mr. Papsin, seconded by Mr. Bennett, and passed 5-0.

There was no subsequent business to add to the agenda.

Pending Applications

McGill and Sweeney/105, 107 River Road/#IW-19-07/Remove Invasives Repair Driveway: It was noted that written approval for the proposed work from Steep Rock, the holder of the conservation easement, had been received. Mr. Papsin recommended a five year permit to allow time for future tree work.

MOTION: To approve Application #IW-19-07 for McGill and Sweeney to remove invasives and repair the driveway at 105, 107 River Road per the plan prepared for Jeffrey P. McGill and Catharine Sweeney, dated August 2013 including undated hand written notes; the permit shall be valid for five 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 Wetland 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 5-0.

Woodco, LLC./78 Litchfield Turnpike/#IW-19-09/Remove Debris from Upland Review Area: It was noted that Mr. Woodward had been advised he did not have to attend tonight’s meeting and that no work had been done yet on site.

MOTION: To approve Application #IW-19-09 for Woodco, LLC. to remove debris for the upland review area at 78 Litchfield Turnpike per the information supplied in the file; the permit shall be 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 Wetland 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 5-0.

New Applications

Tartaglia/10 Slaughterhouse Road/#IW-19-10/Install Septic System, Decks, Propane Tank, Hot Tub: Mr. Carpanzano, contractor, presented the plan, “Proposed B100a Sanitary Code Complying Area Plan,” by Arthur H. Howland and Assoc., dated 2/15/19. He listed the proposed activities; add to the existing deck and install a canopy and hot tub on it, using the existing cinder block piers, replace the collapsed deck on the garage, install an underground propane tank, and replace the existing septic system. He noted, too, that possibly rocks would be placed along the streambanks to maintain a defined channel. He noted the old septic system was located in the wetlands and had failed. The proposed new system would be a pumped system, had been approved by the Health Dept., would be located in the upland review area, and would serve both the house and garage. Mr. Wadelton asked if the septic tank would be removed. Mr. Carpanzano stated it would be crushed in place and filled with soil and that the leaching fields would be left in place. He added that the septic area was already grassed, but would be reseeded after the completion of work so there would be no adverse impact to the wetlands. In response to questions by the commissioners Mr. Carpanzano said the conduit under the driveway already existed, that a 14,000 lb. excavator and a dump truck would be used, and that the site for the new septic system was 80 to 90 feet from the wetlands. He pointed out the limit of disturbance line and silt fence location on the plan. Mr. Matthews asked why the new septic system had not been proposed farther from the wetlands. Mr. Carpanzano was not sure, but said it could be due to the topography and soil type and the large trees that provide a canopy in the area. He thought the removal of these trees could impact the wetlands. Mr. Bennett asked that the note on the plan regarding the removal of the septic tank be corrected. Mr. Szymanski, engineer, agreed to do so, saying the tank would be abandoned, not removed. Mr. Carpanzano was advised that he would not have to attend the next meeting.

Kandel and Levin/28 Tinker Hill Road/#IW-19-11/Demolish, Rebuild Boathouse, Remove Fire Pit, Extend Deck: Mr. Szymanski, engineer, reviewed his plan, “Boathouse Site Development Map,” dated May 16, 2017. He stated the boathouse would be rebuilt at the exact location over the existing concrete dock, but with a roof overhang and on the same footprint. He added the removal of the fire pit and the removal and replacement of decking to the application. He stated there would be no alterations made in the water, but that a turbidity curtain would be installed as a precautionary measure. He proposed to install a stone infiltration trench behind the boathouse so that the roof runoff would not flow directly into the lake. He said this 2 ft. wide, 2 ft. deep, 15 ft. long trench would also capture the surface runoff from the road. It would be dug with a mini excavator and the dirt would be hauled off site. When asked what type of construction materials would be used for the boathouse, Mr. Szymanski said he would have a materials list for the next meeting. Mr. Matthews asked if expansion of the roof was proposed. Mr. Szymanski said yes, it would extend from the boathouse to cover some of the existing concrete dock. Mr. LaMuniere recommended a site inspection and it was agreed to schedule it later in the meeting.

Lake Waramaug Task Force/48 Arrow Pt. Road/#IW-19-12/Revision of Permit #IW-18-51: Mr. Hayden, director, explained the boulder proposed to anchor the previously approved dock was not large enough to handle it and so he would need to pour some concrete. He said it would be mixed by hand and all work would be done above water level. Mr. Wadelton stated the Commission was OK with this simple modification.

Other Business

Collins/323 West Shore Road/Noncompliance with Permit #IW-17-31/ Remediation Plan: Mr. Wadelton noted discussion would be tabled until a site inspection had been conducted.

Scheduling of Site Inspections: The following site inspections were scheduled for Thursday, March 21, 2019. The commissioners will meet at the Town Beach at 4:00 p.m. and proceed with inspections in this order: Woodruff/3 West Shore Road Kandel and Levin/28 Tinker Hill Road/#IW-19-11/Demolish, Rebuild Boathouse Collins/323 West Shore Road/Noncompliance w/Permit #IW-17-31

Enforcement and Activity Report: Mr. Tsacoyannis circulated his updated inspection spread sheet and reported the following:

101 Wykeham Road, LLC./101 Wykeham Road/Clean Up of Hazardous Materials: Atty. Kelly reported that a revised plan for the clean up only (not to include the start of construction) will be submitted next week. When it has been received, Mr. Tsacoyannis has been authorized by the Zoning Commission to send it to a professional engineer for review.

Steep Rock Assn. 124 Christian Street: The removal of the invasive plants has been completed. Steep Rock will submit an application to amend its original permit to include heat treatment for any shoots that regrow. If the heat treatment is not effective, then a chemical treatment will be used. Mr. Wadelton noted that any chemicals should be applied by hand to stems, not sprayed. Mr. Tsacoyannis said Steep Rock will also apply for a second permit to restore another area of the Preserve. Mr. Wadelton spoke briefly regarding the state statues and referred to Section 1-1(q), which, he said, showed that the removal of invasives on this property did not qualify for an agricultural exemption as had been argued by Mr. Quaranta. Copies of this section were circulated. Mr. Matthews was concerned about the broad definition of silviculture in the Town’s Regulations. Mr. Wadelton asked him to review the statutes and to report back with his findings to the Commission.

Mr. Wadelton circulated a copy of the Voices article, which covered Atty. Brooks’ recent lecture in Woodbury.

Mr. Wadelton announced a program on vernal pools at the Flanders Nature Center in Woodbury on Saturday night, March 16.

The commissioners made a unanimous resolution to thank Mrs. Hill for her years of service to the Commission.

The meeting was adjourned at 7:45 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Administrator