Inland Wetlands Commission

MINUTES

Regular Meeting

April 8,, 2015

7:00 p.m. Upper Level Meeting Room

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

 Mr. Papsin, Mr. Wadelton

ALTERNATE ABSENT: Ms. Cheney

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. Oskandy, Mr. Szymanski, Mr. McGowan

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

MOTION: To add the following subsequent business to the

 agenda: VI. Other Business A. Lake Waramaug

 Task Force/Arrow Point/Preliminary Discussion

 Re: Installation of 2 Layer Air System and IX.

 Communications A. 4/8/15 Letter from Mr. Charles.

 By Mr. Wadelton, seconded by Mr. Davis, and

 passed 5-0.

Consideration of the Minutes

 The 3/25/15 Regular Meeting minutes were accepted as corrected.

Page 4: Delete the 4th condition in the Lancaster motion of approval.

Page 6: 5th line from bottom: Change “hay bales” to “loose hay filter.”

MOTION: To accept the 3/25/15 minutes as corrected. By

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

Pending Application

Mackesy/233 West Shore Road/#IW-15-11/Renovate Main and Carriage Houses, Relocate Driveway, Improve Drainage, Demolish and Rebuild Pool, Install Retaining Walls and Stream Overflows, Build Pool House, etc.: Mr. Oskandy, engineer, presented the plan, “Proposed Improvement Location Plan, (Main House,)” by Arthur H. Howland and Assoc., revised to 4/1/15. He said he had revised the plans to include the installation of hay bales below the rain gardens, but would now change these to hay filters. Also added to the plan was the limit of disturbance line, details regarding the rain gardens, and armoring of the channels. Mr. Ajello read a note from Mr. Bennett of Joe’s Tree Service, which stated the maple to the left of the beach house and the Norway maple to the right of the driveway near rain garden #1 would be removed due to disease. Mr. Oskandy noted the entire street line on the house side of the road would be planted with a hedge, but there had been no discussion yet about plantings for the lake side of the road. Regarding the plant list for the rain gardens, Mr. Szymanski, engineer, said one gallon sized perennials would be planted one every 3 sq. ft., or approximately 18 inches apart. Mr. Oskandy pointed out that a stockpile location had been added to the plan, but said the intent was to take any excess material off the property. Mr. Papsin asked if a note regarding the maintenance of the rain gardens had been added to the plan. Mr. Oskandy stated he would add a maintenance schedule similar to the one the Commission had approved for the Hamilton property.

MOTION: To approve Application #IW-15-11 submitted by Mr.

 and Mrs. Mackesy, 233 West Shore Road, to renovate

 the main and carriage houses, relocate the driveway,

 improve drainage, demolish and rebuild the pool,

 install retaining walls and stream overflows, build

 a pool house, etc. per the plan, “Proposed Improvement

 Location Plan, (Main House,)” by Arthur H. Howland

 and Assoc., dated 3/23/15 and revised to 4/1/15 as

 well as the 3 maps and drawings by M. Trapp, Inc.

 and the list of trees and shrubs for the rain

 garden dated 4/6/15, and in addition, the timing

 for the maintenance of the rain garden, which will

 be added as a second sheet to the site plan

 referenced above; 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

 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,

 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 alter-

 natives 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 5-0.

New Applications

Micheletto and Kleine/110 Calhoun Street/#IW-15-12/Remove Invasives: Mr. Szymanski, engineer, presented the plan, “Existing Conditions Topographic and Proposed Restoration Map,” by Arthur H. Howland and Assoc., dated April 6, 2015. He stated that the invasives would be cut by hand, the leaves brushed with an herbicide once they are out, and the area replanted with native species in May. He added that a second application might be needed in the fall and that if the herbicide would be sprayed at that time, a drop cloth would be put down to protect the wetlands. He said he would provide information about the herbicide and the size and types of the proposed native species to be planted at the next meeting. It was noted there is a conservation easement on this property, that it does allow the removal of invasives and replanting of native species, but that to date there was no written approval from the holder of the easement. Mr. Szymanski also noted that the applicant might want to place a large boulder in the conservation easement area.

Hamilton and Waramaug Lake House, LLC./199 and 208 West Shore Road/#IW-15-13/Erosion Remediation, Replace Wall, Planting: Mr. Szymanski, engineer, reviewed the map, “Site Development Plan,” by Arthur H. Howland and Assoc., dated 3/13/18. It was noted Mr. Gilmore, adjoining property owner, had written a letter of authorization for Arthur H. Howland, LLC. Mr. Szymanski explained the current erosion problem was due to the outflow from the drain pipe, which picks up runoff from across the street and discharges it 15 feet above the lake. He said that currently the runoff sheet flows across the property and into the lake. The proposed drainage improvements were discussed in detail. Mr. Szymanski noted there was a cross section on sheet SES.1 of the proposed rain garden with overflow drain, which would capture some of the runoff. He gave details about the 8 inch and 12 inch pipes to be installed and the proposed 4 ft. deep sump and the catch basins to be installed to trap sediment before it reaches the lake. Mr. LaMuniere asked if Mr. Szymanski was confident the proposed drainage system could adequately handle heavy storms. Mr. Szymanski said the proposed system would be much better than the existing system. He proposed to reconstruct the retaining wall to the east of the lake house and to install a tiered retaining wall with plantings between the walls on the west side. Also proposed were the reconstruction of existing stairs and a shed, docks, and the installation of a 10’X 15’ level area of randomly spaced stones to be used as a dining area. Mr. Szymanski noted a planting plan with maintenance schedule had been submitted. He said he would respond to the questions raised in Mrs. Hill’s 4/8/18 review by the next meeting and would submit cross sections for the proposed wall reconstruction and a detailed erosion and sedimentation control plan. Mr. Ajello thought that other than the proposed drainage improvements there was no reason to wait until the dry season to do the proposed work. Mr. Szymanski said he would also submit a construction sequence for the next meeting. A site inspection was scheduled for 5:00 p.m. on Tuesday, April 14, 2015.

Other Business

Lake Waramaug Task Force/Arrow Point/Preliminary Discussion re: Installation of Two Layer Air Systems: Mr. McGowan, Director of the Lake Waramaug Task Force, explained that the Arrow Point aeration system that was installed in the 1980’s to improve water quality by adding cold oxygenated water to the lake was in need of repairs. Using the plans, “Lake Waramaug Restoration Project; Draw-off Systems, I and II, Site Plan System II,” by Cahn Engineering, revised to 10/7/82 and “Layer Air System Diagram – Component Details,” no date or signature, he explained in detail how the aeration system works and how the new equipment would be installed. He stressed there would be no new construction; a new pump and compressor would be installed within the existing pumphouse on Arrow Point and the new compressor lines would be snaked through the existing pipes. He said there would be no soil disturbance either at the equipment site or at the boat launch where the equipment would loaded and taken to Arrow Point, no deposition of materials, and no new fuel tanks. At the boat launch where the anchors would be prepared, he said a tarp would be placed over the area, and then concrete would be poured into the 30 gal. pvc barrels, which would be used as the anchors. He hoped to have this work done in May and so asked if an Inland Wetlands permit would be required. It was the consensus that there was no reason for an application.

MOTION: Regarding the Lake Waramaug Task Force plan to

 install two layer air systems at Arrow Point, the

 Commission has determined that since the installation

 is for the improvement of the water quality of Lake

 Waramaug and since there will be no soil disturbance

 of the shoreline or in the lake, no permit is

 required. By Mr. Wadelton, seconded by Mr. LaMuniere,

 and passed 5-0.

Enforcement

Activity Report: It was noted that Mr. Ajello’s activity report had been previously emailed to the commissioners.

West Indies, LLC./Calhoun Street: Mr. Papsin asked if the markers required by the Commission had been properly installed. Mr. Ajello said that this work had not yet been done. Mr. LaMuniere noted the work had been conditioned to be done during the dry time of year and asked how this would be defined. Mr. Ajello said this would be a time of absolute minimal or no flow with little or no muddy conditions in the surrounding fields.

The Gunnery, Inc./22 South Street: Mr. Papsin asked who would monitor this project. Mr. Ajello said there was a monitoring schedule that Mr. Allan of Land Tech would follow and that he had already filed his first report and had taken photos of the site. Mr. Ajello said that he would make weekly inspections, too, and said that he would keep track using a weekly check list. Ebner/335 Litchfield Turnpike: Mr. Papsin asked if the logging had been delayed due to the snow and mud. Mr. Ajello said a few logs had been taken out.

Cafaro/53 River Road: Mr. LaMuniere noted a start card had been received for this project and asked if markers had been installed to delineate the wet meadow boundary as had been required as a condition of approval. Mr. Ajello stated this had not yet been done.

Administrative Business

Revision of the Regulations: Mr. LaMuniere reported that many hours had been spent coordinating/incorporating revisions required by the state model regs, updates from DEEP, advice from the Commission’s attorney, and decisions made at previous IWC meetings. The final draft should be ready for the next meeting. Once it is reviewed by the Commission, it will be sent to Atty. Olson and the DEEP for further review. Then finally, he said, a public hearing will be conducted prior to the adoption of the revisions.

Enforcement: Several long standing issues were noted and it was asked why, even though they were still unresolved, they were still listed on the agenda.

 a. Old Town Garage Property/16 Titus Road: Mr. Bedini noted that rock blasted from the cell tower site had been stockpiled there and until it was removed, this item should remain on the agenda. He also noted the Town had to figure out what to do with road sweepings and similar kinds of road material.

 b. Lodsin/78 Litchfield Turnpike: Mr. Bedini noted this matter was a dead issue and said the Town did not want the property by default. It was noted this property was not buildable.

 c. Hochberg/15 Couch Road: Mr. Hochberg had been fined for a violation several years ago and had asked for a hearing because he disputed the fine. The Selectmen still have not scheduled the hearing because there are currently no hearing officers available. The commissioners were not sure whether this should be taken off the agenda or whether a notice should be filed on the Land Records as Mr. Hochberg never paid his fine.

 d. Randall/West Morris Road: Mr. Ajello said he had not signed off on this permit and that he would continue to inspect the property.

 e. Hayden/11 Loomarwick Road: Mr. Ajello said this permit was open and the work was not yet completed.

Correspondence

 Mr. Wadelton read the 4/8/15 letter from Mr. Charles thanking the Commission for regularly posting the Enforcement Report on the Town website.

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

 Mr. Bedini adjourned the meeting at 8:35 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Administrator