

Inland Wetlands Commission

MINUTES

Regular Meeting

July 10, 2019

7:00 p.m.

Main Level Meeting Room

Members Present: Chairman Papsin, Mr. LaMunier, Mr. Davis, Mr. Bennett, Mr. Bedini, Ms. Branson, Alt.

Staff Present: Mr. Tsacoyannis, Ms. Rill

Public Present: Mr. Sabin, Mr. Szymanski, Attorney Fisher

Consideration of the Minutes (22sec.):

MOTION: To approve the June 26, 2019 Regular Meeting minutes, by Mr. Davis, seconded by Mr. Bennett, passed 5-0 vote.

Consideration of the Minutes from Site Visits of July 2, 2019 (42sec.):

MOTION: To approve the minutes of the July 2, 2019 Site Visit to 24A Old North Road, by Mr. Davis, seconded by Mr. Bennett, passed 5-0 vote.

MOTION: To approve the minutes of the July 2, 2019 Site Visit to 166 East Shore Road, by Mr. Davis, seconded by Mr. LaMunier, passed 5-0 vote.

MOTION: To approve the minutes of the July 2, 2019 Site Visit to 323 West Shore Road, by Mr. Davis, seconded by Mr. Bennett, passed 5-0 vote.

Pending Applications (1min 41sec):

Sarjeant – 9 Church Hill Road - #IW-19-21, Add shed roof to storage area and improve drainage.

Mr. Sarjeant was not in attendance of this evenings meeting. Mr. Tsacoyannis, Enforcement Officer, stated that Mr. Sarjeant's Zoning Board of Appeals application was denied at the June meeting, so the Land Use office had asked him to resubmit with more detailed plans, however, nothing has been submitted as of yet. Chairman Papsin questioned if whether Mr. Sarjeant's time allowed to submit was close to being over, and Mr. Tsacoyannis confirmed he was. The Commission agreed that asking Mr. Sarjeant to withdraw his application would be best.

Lloyd – 149 Whittlesey Road – #IW-19-29 - to demolish and rebuild a home. (2min 30sec):

Attorney Fisher and Mr. Sabin, representing the Lloyd's, stated that this is a residential property at the divide of the Bantam and Shepaug Rivers. The house has flooded on a number of occasions and is currently uninhabitable. The Lloyd's are proposing to demolish the current structure and rebuild a new home with a foundation that allows water to run through underneath, with no basement. Mr. Sabin stated the home sits on 2.25 acres, has an existing septic, well and pool. He stated that the proposed home will be in the same location as the current home, just rotated. The current home is within the flood plain with an elevation of 615.558. The current driveway will be extended so that it runs to the garage, and a parking apron will be removed and replaced with an infiltration rain garden for recharge. Native buffer plantings will also be used to increase the buffer area to the river. Chairman Papsin questioned where debris and rubble for the demolished home would be stored. Mr. Sabin said he believed that dumpsters would be hauling away the material as it is torn down. Mr. Davis questioned if there would be any stock piling on the property. Mr. Sabin stated that, yes, there would be some, and that there is silt fence in place for that purpose. Chairman Papsin requested that a designated stock pile area be labeled on the plan. The Commission stated that they would like to schedule a site walk of the property, and agreed upon the date of July 16, 2019 at 4:00pm. The Commission also requested more information on the construction sequence for the next meeting, and that the file be updated overall from its original 2006 approval.

Getnick, 237 West Shore Road - #IW-19-30 – replace stairs within 100' of Lake Waramaug (25min. 41sec.):

Mr. Tsacoyannis stated that he visited the site earlier that day, and that the silt fence for erosion control was not in place yet, but was told it would be the following day. Ms. Branson questioned whether or not CSC Construction had provided a sequence of construction as requested at the last meeting, to which Mr. Tsacoyannis responded he had.

MOTION: To approve Permit #IW-19-30, for Getnick at 237 West Shore Road – replace stairs within 100' of Lake Waramaug, per the plans titled, "Richard and Paula Getnick", "Assistance Drawing for Stair Clarification", "Metal Handrail Detail", and "Sequence of Procedural Steps to Be Facilitated Upon Stair Replacement Approval", dated 6-27-19, submitted by CSC Construction 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 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, and 4. that silt fence be installed prior to construction; 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. Bennett and seconded by Mr. Davis, passed by 5-0 vote.

Steep Rock Association – 124 Christian Street - #IW-19-31 – Beaver Management (30min. 01sec.):

MOTION: To approve Permit #IW-19-31, for Steep Rock Association at 124 Christian Street – for Beaver management, per the plans titled, “ Beaver Management”, prepared by Rory Larson, dated 06-26-19, submitted by Rory Larson of Steep Rock Association 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 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. LaMunier and seconded by Mr. Davis, passed by 5-0 vote.

Issavi – 166 East Shore Road - #IW-19-32 – Proposed dock, replacing treads on stairs, plantings (33m 23sec):

Mr. Szymanski of Arthur H. Howland and Associates representing the property owner stated that he had met with Mr. Cheney of the CT Department of Transportation as well as a vegetation manager for the State of CT, and they approved the plantings of “salt tolerant grasses” proposed for the site. He added that there were two dead trees on the property that the owners have decided to remove, that he had added a “sequence of construction” per the Commission’s request, and had added the anchor detail for the floating dock. Chairman Papsin asked if there would be equipment used to unload topsoil to the site, to which Mr. Szymanski replied that it would be transported via wheel barrow to avoid closing down the road. Mr. Szymanski signed and dated the updated plans for the file.

MOTION: To approve Permit #IW-19-32, for Issavi at 166 East Shore Road – for Proposed dock, replacing treads on stairs and plantings, per the plans titled, “Site Development Plan” dated June 25, 2019, prepared by Arthur H. Howland & Associates, PC 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 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. Bennett and seconded by Mr. Davis, passed by 5-0 vote.

24 ONR, LLC – 24A Old North Road - #IW-19-33 – Installation of new driveway with grass strip (42min 23sec.):

Mr. Szymanski, representing 24 ONR, LLC requested to withdraw the application.

Mr. Szymanski stated that he will be providing an update on 169 West Shore Road at the next meeting.

Enforcement Report (43min 47sec.):

Mr. Tsacoyannis reported that there are currently 58 active Inland Wetlands Sites. He stated that there were no status changes to any of the sites.

47 West Shore Road – Mr. Tsacoyannis will be contacting the property owners who will be redesigning their terrace so that it will not be considered a structure by the Zoning Commission. He stated from there they will be asking for a modification from their original permit.

323 West Shore Road – has presented a planting plan to the Land Use Office, and would be presenting it to the Inland Wetlands Commission at their next scheduled meeting. Mr. Tsacoyannis has requested a sequence of construction from the property owner as well. Chairman Papsin has requested that all of these documents be in the file prior to the next meeting, and that the Land Use office notify the Commissioners when all of the information is in the file so that they can review it prior to the meeting. Mr. Papsin stated that he will be recusing himself from this case, and that Mr. Bennett will be acting as Chairman. He also requested that Mr. Bedini and Ms. Branson listen to the recordings of the meetings concerning this property so that they are familiar with the file.

Mr. LaMuniere stated that in a previous meeting, it was presented that the slope that is there would be rebuilt at a 45-degree angle. However, at the Site Visit the contractor stated that they would be preserving the existing slope. Mr. LaMuniere stated he would like clarification of the definition of a terrace. Mr. Tsacoyannis stated that he has requested that the Zoning Commission define what a terrace is, and what the ratio is – pervious to impervious.

Mr. Davis asked to discuss 101 Wykeham Road's progress and if they were any closer to demolishing the burnt buildings. Mr. Tsacoyannis stated that when he had last spoken to the attorney for the project, he had stated that a demolition plan was going to be made. The Commission was curious as to why Washington did not have a blight ordinance in place to protect the town. Mr. Bedini stated that a number of years ago that Washington had discussed a blight ordinance, and suggested that the Inland Wetlands Commission may consider coming up with their own blight ordinance based on proximity to wetlands and watercourses.

The Commissioners began discussing the July 24, 2019 meeting. A number of members stated that they would not be able to attend this meeting due to previously planned commitments. The Commission decided that based on the importance of the next meeting and the lack of a quorum, that they would be cancelling the meeting.

MOTION: To cancel the July 24, 2019 Inland Wetlands Commission Meeting due to lack of quorum, by Mr. Davis, seconded by Mr. Bennett, passed 5-0 vote.

Chairman Papsin stated that he would like Attorney Olson to possibly review the Commissions bi-laws regarding quorums and the number of members needed for one.

MOTION: To adjourn the July 10, 2019 meeting at 8:15pm, by Mr. Davis, seconded by Mr. Bennett, passed 5-0 vote.

Respectfully Submitted,

Tammy Rill

Land Use Clerk

July 11, 2019