



**TOWN OF WINCHESTER**  
**INLAND WETLANDS & WATERCOURSES COMMISSION**  
Town Hall, 338 Main Street, 2<sup>nd</sup> Floor – P. Francis Hicks Room, Winsted  
October 19, 2022 – 7:00PM  
Regular Meeting Minutes

**1. CALL TO ORDER/ROLL CALL:**

Vice Chairman Russ Davenport called the meeting to order at 7:00PM. Roll call was completed by Mr. Davenport. Present at the meeting in addition to him were: Jeff Lippincott, Mary Ann Marino, Leeane Marvin, Jackie Mulvey, Frank Oliveri, and Gary Paganelli.

Steve Molinelli and Andrea Krawiecki were absent excused.

The agenda was modified in that *Agenda Review* was discussed ahead of *Approval of Minutes*.

**2. AGENDA REVIEW:**

**MOTION:** Mr. Davenport, Mr. Paganelli second, to modify the agenda to add *IWWC #22-42 (Modification of IWWC #21-45) Applicant: Michael Cardillo Owner: Jeffrey Muller and Melissa Muller Location: 248 Perch Rock Trail under New Business*; unanimously approved.

**3. APPROVAL OF MINUTES – SEPTEMBER 21, 2022 REGULAR MEETING:**

**MOTION:** Ms. Mulvey, Mr. Paganelli second, to approve the September 21, 2022 Minutes; unanimously approved.

**4. PUBLIC HEARINGS:**

**A. Owner: Town of Winchester Applicant: Ricky Mears – Alfred Benesch & Company Location: 204 Wallens Street Proposal: Removal of Existing Water Storage Tank.**

The legal ad was read aloud with it being reported as having run the requisite two times, October 6, 2022 and October 12, 2022, in the Republican American.

Professional Engineer Ricky Mears and Town of Winchester Project Manager Bart Clark appeared before the commission regarding this application. Mr. Clark reminded the commission that the proposal was to remove the tank on Wallens Hill, noting that the exterior of it had lead-based paint. He explained that the Water Department had abandoned the use of the tank due to its condition and because it was not placed at the correct elevation for it to be effective. He reminded the commission that an approval had already been received to install another tank at the correct location/elevation.

Mr. Mears noted that the foundation of the tank will remain and will be repurposed by the Town. Mr. Mears noted that to reuse the steel of the tank, the paint would need to be removed. He explained that to have done that at this site, a tent would need to be installed over the whole tank and a vacuum utilized to suck the air and particulates. Mr. Mears indicated that would not be occurring with this project and that what will be done by way of removal is much simpler. He reported the contractor will put down plastic sheets along the outside of the perimeter of the tank and workers will need to wear respirators and have air monitoring devices equipped to themselves. Mr. Mears noted that there will also be air-monitoring devices set up for the properties nearby, noting that there are alarms that go off as prescribed by Occupational Safety and Health Administration (OSHA). The contractor will need to submit an action plan that includes information on the type of protective devices to be utilized, the type of air-monitoring devices that will be used, and details on the personal safety station. Mr. Mears noted that there will be restrictions to work occurring on windy days.

Mr. Mears confirmed that there are no wetlands impacts, explaining that the work consists of 3000 square feet within the buffer zone.

Mr. Lippincott questioned how the tank would be cut. Mr. Mears noted that the method will be decided as part of the Means and Methods details provided by the contractor, explaining that sometimes the Jaws of Life is used to crimp it down and placed on their truck for removal. Another method is the utilization of a heat gun and grinder with filters and vacuums for the air, according to Mr. Mears. With that method, he explained, a little bit of water is also used to keep controls on the heat and escape of particulates into the air. Mr. Paganelli questioned the containment measures used for the second approach described by Mr. Mears. The amount of water used with that method, according to Mr. Mears, is not enough to create runoff. Mr. Paganelli questioned whether there was a fulltime engineer on site to oversee the project. Mr. Mears confirmed that his company is typically on site during the whole process. Mr. Paganelli questioned the duration of the project. Mr. Mears noted that it should take a couple of days for the demolition and a little bit longer for the cleanup. Mr. Oliveri questioned whether runoff might be a problem if work were to occur during a rain event. Mr. Mears noted that no work was allowed to be done during the rain.

Mr. Mears reported the plastic sheets are laid 10'-15', explaining that is typically the work area.

The hearing was open to the public. No comment was received.

**MOTION:** Mr. Davenport, Ms. Marino second, to close the public hearing; unanimously approved.

#### **5. OLD BUSINESS.**

As no representative for the Camp Wahnee parcel was present, it was moved to the end of the agenda.

Mr. Davenport reported having had an opportunity to review the audio of the September 21, 2022 regular meeting.

**MOTION:** Mr. Davenport, Mr. Paganelli second, to move *Application IWWC #22-31 Owner: Camp Wahnee Associates Applicant: Camp Wahnee Location: 128 Wahnee Road Proposal: Maintenance of Sandy Beach* to the end of the agenda; unanimously approved.

#### **A. IWWC #22-35 Owner: Town of Winchester Applicant: Ricky Mears – Alfred Benesch & Company Location: 204 Wallens Street Proposal: Removal of Existing Water Storage Tank.**

**MOTION:** Mr. Lippincott, Mr. Paganelli second, to approve Application IWWC #22-35 Owner: Town of Winchester Applicant: Ricky Mears – Alfred Benesch & Company Location: 204 Wallens Street Proposal: Removal of Existing Water Storage Tank; unanimously approved.

#### **B. IWWC #22-37 Owner/Applicant: Catherine Lee Location: 102 Shore Drive Proposal: Lake Wall Replacement.**

John Lauzon, noting that he was the neighbor of the owner/applicant, appeared before the commission regarding this application. Mr. Stankov noted that he had been meeting with Mr. Lauzon, reminding the commission that there had been previous questions about the connection of the lake wall to the lake wall of the neighbor to the west and that there had been questions about the design (height) and erosion controls. Mr. Stankov noted that the dock and boatlift depicted as existing on the 2021 survey had not been previously permitted nor registered. It was noted that as those items did not meet the setback requirements of the Dock and Mooring Ordinance, a public hearing would be required.

Mr. Lauzon clarified the tie-in to the wall of the westerly property, noting that it will not be completed by his client. He explained that his client's neighbor's wall will stop 22" from the property line. Mr. Lauzon noted that there was a very large boulder there. He indicated that his client's wall will step back to the same boundary of the large boulder.

The commission considered approving the lake wall replacement at this meeting and continuing the dock and boatlift portion of the request to the following meeting.

**MOTION:** Mr. Davenport, Ms. Mulvey second, to approve Application IWWC #22-37 Owner/Applicant: Catherine Lee Location: 102 Shore Drive Proposal: Lake Wall Replacement, including a \$2,000 sediment and erosion control cash bond, and to schedule the public hearing for the dock and boatlift for the November 16, 2022 meeting; unanimously approved.

**C. IWWC #22-38 Owner/Applicant: William Carnelli and Linda Carnelli Location: 664 East Wakefield Boulevard Proposal: Garage, Front Entrance & Foyer, Expanded Living Space, and Spiral Staircase**  
William Carnelli and Linda Carnelli appeared before the commission regarding this application. Mr. Carnelli reminded the commission that there had been a request made at the last meeting for the applicant to consider pervious pavers. He reported that pervious paver driveways are not recommended in areas with a pitch of 5% or greater, noting that the pitch of his driveway is 7% to 9%. Mr. Carnelli opined that the rain garden would be a better solution. The driveway will be pitched towards the garden, according to Mr. Carnelli. He noted that the gutters on the front of the garage will be redirected to the raingarden. Referring to his site plan, Mr. Carnelli pointed to the area where the raingarden will be located. Mr. Carnelli noted that the existing grade is pitched towards the planned raingarden area. However, the back of the raingarden would need a berm, according to Mr. Carnelli.

Mr. Carnelli reminded the commission that there had been concern about his water going towards the neighbor's property. He explained that the neighbor to the north had a wall that began at the lake and extended to his vegetable garden. Mr. Carnelli noted that there was a horseshoe pit on the southerly side of his property along with a 14' wide right-of-way.

Mr. Davenport questioned whether there was a spec on the rain garden. Noting that the driveway was likely to be pitched towards the raingarden, Mr. Davenport questioned whether there was a swale planned for that and questioned how the water would be channeled in that direction. Mr. Carnelli noted that the driveway would be excavated out/replaced and would only need minor changes to pitch it in that direction. Mr. Davenport shared concerns with how the raingarden was going to function and with whether a swale was needed. Mr. Carnelli indicated that he was amenable to adding a swale. Mr. Paganelli noted that a lot of the confusion with the proposed conditions was that the drawing lacked any type of planned elevations. Ms. Marino questioned whether an engineer would be preparing plans. Mr. Carnelli indicated that he had not intended to retain one.

Discussion ensued regarding the plans and the lack of information on the proposed grades and raingarden. The consensus of the commission was that details were needed for the raingarden design, the piping of the roof leaders into the raingarden, and the height of the berm. Mr. Paganelli noted that a professional engineer would be qualified and able to compute the drainage of the water volume for the site. Mr. Davenport noted that the updated submittals should include specifications on the depth and width of the raingarden. Mr. Lippincott noted that the plans should include proposed elevations so that the commission can review how the water will flow.

As the commission came to the consensus that a professional engineer should definitely be retained, Mr. Davenport explained that an architect would not be qualified to prepare specification details on a raingarden. Mr. Stankov questioned whether the applicant needed to direct his engineer to design the whole site. It was noted that only the portion of the site that will be disturbed as part of this new development activity.

**MOTION:** Mr. Davenport, Mr. Paganelli second, to continue Application IWWC #22-38 to the November 16, 2022 regular meeting; unanimously approved.

**6. NEW BUSINESS:**

**A. IWWC #22-39 (Modification of IWWC#22-03 and #21-40) Owner/Applicant: Richard Josefek Location: 104 Shore Drive Proposal: Amend Permit for Extension of Lakewall by 22' to Meet Rebuild of Lakewall of 102 Shore Drive.**

Neither the owner/applicant nor a designated representative was present for the meeting. Mr. Stankov noted that this application was linked to the other Shore Drive property which involved rebuilding of the lakewall.

**MOTION:** Mr. Davenport, Mr. Paganelli second, to accept Application IWWC #22-39 (Modification of IWWC#22-03 and #21-40), finding it as not significant, and continuing it to the November 16, 2022 regular meeting; unanimously approved.

**B. IWWC #22-40 Applicant: Jim Rollins, Director DPW Owner: Town of Winchester Location: West Wakefield Boulevard over Taylor Brook Proposal: 15'x5' Culvert Replacement.**

Town of Winchester Department of Public Works Director Jim Rollins, accompanied by Professional Engineer Marty Giroux of Cardinal Engineering, appeared before the commission regarding this application. Mr. Rollins explained the proposal was to replace the culvert near Taylor Brook, where it runs directly under the road, on the south end of West Wakefield Boulevard. He noted the culvert was very old. Mr. Giroux noted that the culvert was in very poor condition and needed to be replaced. Mr. Davenport questioned whether the culvert would be replaced this year. Mr. Rollins noted that the work was intended for the spring, explaining that the starting dates were, in part, dependent upon the guidance provided by the environmental professionals who advise on the most ideal times for the critters in this area.

Mr. Rollins noted the coffer dam and the bypass planned for the work area. Mr. Davenport questioned whether the road will need to be closed during construction. Mr. Rollins confirmed. Ms. Marino questioned whether a contractor had been awarded the work yet and whether there was a sense of the duration of the project. Mr. Giroux noted that he had been affiliated with a similar project that had recently finished in Washington, CT, reporting that it had taken two months on that one. The terms of the contract will require this project be completed within ninety days, according to Mr. Giroux.

Mr. Davenport questioned whether the area will be closed to foot traffic, too. Mr. Giroux confirmed.

Mr. Giroux reported that the existing structure is essentially a small bridge. He noted that what was being proposed was a fifteen (15') foot wide box which would result in no more disturbance than what a bridge would necessitate. He indicated a culvert is preferred over a bridge because of scour which while it occurs on both types of structures, the bottom of the box culvert is fairly resistant as opposed to the bridge. Additionally, he noted the types of pilings that might be required by the State of Connecticut Department of Transportation for a bridge as a means of addressing scouring. Mr. Giroux reminded the commission that flowing water is what causes scouring, erosion that can sometimes cause a hole, which can cause undermining of substructures. Ms. Mulvey questioned the conditions remaining after the installation of the culvert. Mr. Giroux confirmed that the bottom of the culvert will include natural streambed material with boulders and rocks installed on the downhill side of the culvert discharge point.

**MOTION:** Mr. Davenport, Ms. Marino second, to accept Application IWWC #22-40 Applicant: Jim Rollins, Director DPW Owner: Town of Winchester Location: West Wakefield Boulevard over Taylor Brook Proposal: 15'x5' Culvert Replacement, finding a public hearing should be scheduled for November 16, 2022 due to public interest; unanimously approved.

**C. IWWC #22-41 Applicant: David Antoniazzi Owner: David Antoniazzi and Mary Ann Antoniazzi Location: 25 East Lake Street Proposal: 8'x10' Greenhouse Shed; Fire Pit and Gas Line.**

David Antoniazzi appeared before the commission regarding this application. Mr. Antoniazzi passed around a photograph of the proposed greenhouse shed that he intended to install. He explained that it would be brought

in on a skid and put in place. Additionally, it was noted that Mr. Antoniazzi was seeking to trench in a gas line within the upland review area of the lake. Mr. Davenport guessed that the trenching and backfill completion could occur within one day. Mr. Antoniazzi confirmed. Mr. Davenport questioned the distance of the trenching from the lake. Mr. Antoniazzi reported that it could very well almost have been outside of the upland review area. Mr. Davenport questioned the base for the greenhouse. Mr. Antoniazzi explained that he was still undecided but noted that it would be located on either a bed of gravel or some blocks.

**MOTION:** Mr. Davenport, Mr. Lippincott second, to accept Application IWWC #22-41 Applicant: David Antoniazzi Owner: David Antoniazzi and Mary Ann Antoniazzi Location: 25 East Lake Street Proposal: 8'x10' Greenhouse Shed; Fire Pit and Gas Line and refer for an agent determination; unanimously approved.

**D. IWWC #22-42 Applicant/Owner: Clarice N. Stevens Location: 374 East Wakefield Boulevard Proposal: Arm and Protect North Side of Shoreline from Erosion.**

Tom Nichols and Denise Nichols appeared before the commission on behalf of the owner/applicant, the aunt of Mr. Nichols. He noted that the proposal was to arm and protect the north shoreline with riprap. He noted that there would be no digging and that the work would be protect the shore from any additional erosion being caused by the wake boats. Mr. Nichols noted that the plan in the application was a misrepresentation of the work that would be undertaken, explaining that there will be a loose wall with riprap. Mr. Lippincott questioned whether there would be a foundation. Mr. Nichols explained that the proposal was to install loose rock, not any further out than what is there currently. Mr. Lippincott questioned whether the rock to be installed was already on site. Mr. Nichols noted that rock would need to be brought on site for this project.

Ms. Marino questioned whether there was wave action coming over the existing rock wall. Mr. Nichols noted that the waves have risen up over the granite ledge. Where the granite ledge meets the lakebed will be built up using gravel, filter paper, and riprap, according to Mr. Nichols.

Using his iPhone, Mr. Nichols shared photographs of conditions on the site. Mr. Stankov advised Mr. Nichols that the photographs being shared should be emailed for his printing of them for the application file. Questions on the "closure line" depicted on the survey and where the work would be occurring was discussed.

Mr. Lippincott questioned the depth of the water in this spot. Mr. Nichols estimated it to be 1½' to 2' deep. Mr. Lippincott noted that the area would be dry during the work. Mr. Nichols confirmed, indicating that it is also very flat but drops off very steeply. He indicated that he intended to install the riprap where it drops off steeply and up on the ledge.

Mr. Davenport referred again to the specification depicted on the plan. Mr. Nichols characterized that as a misrepresentation. Mr. Davenport explained that typically the commission seeks more detailed information on exactly what will be installed and where and how. Mr. Nichols noted that the size of the riprap would be between 6" and 12". Mr. Nichols questioned whether he would need a professional engineer to complete the drawing, explaining that he had ten years of experience in landscaping and commercial parking lot drainage. Mr. Davenport noted that a clear specification would likely suffice. Mr. Paganelli suggested that there be information provided on how the filter fabric will be toed in. Mr. Lippincott questioned how the material will be brought down to the area it will be installed. Mr. Nichols indicated that it would all be brought down by hand, confirming that the area could not be accessed with a machine.

As erosion controls were discussed, Mr. Paganelli suggested the utilization of a silt sock rather than a silt fence.

**MOTION:** Mr. Davenport, Ms. Mulvey second, to accept Application IWWC #22-42 Applicant/Owner: Clarice N. Stevens Location: 374 East Wakefield Boulevard Proposal: Arm and Protect North Side of Shoreline from Erosion, finding the proposed activity as not significant and continuing it to the November 16, 2022 regular meeting; unanimously approved.

**E. IWWC #22-42 (Modification of IWWC #21-45) Applicant: Michael Cardillo Owner: Jeffrey Muller and Melissa Muller Location: 248 Perch Rock Trail.**

Neither the owner/applicant nor a designated representative was present for the meeting. Mr. Stankov noted that a reconstruction was currently underway, and that the applicant was seeking to install a gas line in the upland review area. Mr. Stankov noted that the site was already disturbed. Mr. Davenport questioned the length of the gas line to be installed. Mr. Stankov was unsure.

**MOTION:** Ms. Mulvey, Mr. Lippincott second, to accept and approve Application IWWC #22-42 (Modification of IWWC #21-45) Applicant: Michael Cardillo Owner: Jeffrey Muller and Melissa Muller Location: 248 Perch Rock Trail; unanimously approved.

**(OLD BUSINESS CONTINUED TO END OF MEETING)**

**A. IWWC #22-31 Owner: Camp Wahnee Associates Applicant: Camp Wahnee Location: 128 Wahnee Road Proposal: Maintenance of Sandy Beach.**

**MOTION:** Mr. Davenport, Mr. Lippincott second, to continue Application IWWC #22-31 Owner: Camp Wahnee Associates Applicant: Camp Wahnee Location: 128 Wahnee Road Proposal: Maintenance of Sandy Beach to the November 16, 2022 regular meeting; unanimously approved.

**7. AGENT ACTIONS:**

**A. Determinations.**

No discussion.

**B. Warnings.**

No discussion.

**C. Violations.**

The discussion of violations were taken out of order in that Gary Koplak owner of the parcel on East Wakefield Boulevard (MBL 032/105G/327) was present.

**i. East Wakefield Boulevard (MBL 032/105G/327) (Koplak)**

Mr. Stankov reminded the commission that some of the substructure of the dock was replaced. Mr. Koplak explained that he had anticipated the permit fee to be \$30 rather than \$210. Mr. Stankov suggested that the fee ordinance can be modified if enough residents were to band together. The commission discussed whether the lakebed was disturbed as part of what this property owner undertook with his dock. Mr. Stankov agreed to obtain photographs once the lake is drawn down after November 1<sup>st</sup> and the commission can make a determination as to whether the dock's legs are in the mud.

**ii. North Main Street (18.1-acre parcel located behind 493 North Main Street)**

Mr. Stankov reported that the individual who was the assumed new owner is no longer affiliated with the property. He noted that the Town's attorney has an upcoming court hearing with the counsel for the owner. Mr. Stankov indicated that he would begin issuing the \$100 per day fines, which with eleven violations, will result in a penalty of \$1100 daily. He explained that once the lien is equal to the value of the property, the Town will foreclose.

**iii. 308 East Wakefield Boulevard**

Mr. Stankov noted that he has had no contact with the property owner, John Sliney, and intends to move this matter to Attorney Kevin Nelligan.

**iv. 713 East Wakefield Boulevard**

Mr. Stankov noted that he intended to move this matter to Attorney Kevin Nelligan as the property owner had not yet paid the surveyor.

**v. 182 Shore Drive**

Mr. Stankov reported that the wetlands violation had been finished, noting that the property was currently before the Zoning Board of Appeals.

**vi. 257 Colebrook Road**

Mr. Stankov reported that he had moved this violation to Attorney Kevin Nelligan but that the surveyor had finished his scope of work. He noted that an application was expected for November, explaining that a portion of the house had been torn down and rebuilt with no permits.

**vii. 203 West Wakefield Boulevard**

Mr. Stankov noted that he had not contacted the property owner to advise him to tweak the dock just a little bit.

**viii. 132 Wahnee Road**

Mr. Stankov reminded the board that he will continue to try to make contact with the owner.

**ix. 102 Groppo Drive**

Mr. Stankov noted the property owner had since installed a lot of silt fence and that he was undertaking haying/seeding.

**x. 139 West Wakefield Boulevard.**

Mr. Stankov reported that he had received a communication from the property owner who believed she was already in compliance. He noted that he will have to respond to her to relay all of the changes with the *Dock and Mooring Ordinance* that have since disallowed all of the uses that she had previously had.

**8. COMMUNICATIONS AND BILLS:**

Mr. Stankov reported that an appeal had been filed on the approval that was granted on the Tractor Supply.

**9. OTHER BUSINESS:**

**A. Report from Department of Public Works Liaisons – Russ Davenport and Jeff Lippincott.**

As Mr. Rollins was present for the meeting, he addressed the schedule of catch basin cleanings in town. He noted that the crews try to do these cleanings, around Highland Lake and around other sensitive areas, before winter and right after winter. Mr. Davenport questioned whether the worst of the catch basins were ever identified. Mr. Rollins noted that four or five of the worst cases, on the west side, were identified and made part of the town-wide bond project. He reported that those will be used for educational purposes, too.

Mr. Rollins reported the three Vortex units (hydrodynamic separators) that were cleaned including the ones on Shore Drive and near Norwood Cross.

Mr. Paganelli had questioned whether there was still an intention to charge property owners that have eroding driveways. Mr. Rollins explained that this was still work being done to progress on this. He noted how difficult this will be on paper roads where the owner is unknown.

**B. Report from Highland Lake Watershed Association Liaisons – Jackie Mulvey and Mary Ann Marino.**

Ms. Mulvey noted that the Highland Lake Watershed Association only meets three or four times per year. It was noted that their trash clean-up day was scheduled for November 7, 2022.

**C. IWWC Suggested Commission Recommendations for Various Project Types.**

Following the discussion with the owner of the property that is being carried under the list of current violations, located on East Wakefield Boulevard (MBL 032/105G/327), the commission discussed what type of drawings and plans should be required on various projects. Mr. Davenport suggested that the scope of development should dictate whether an engineered plan is required. Ms. Marvin questioned whether residents who purchase on Highland Lake understood how regulated it was and what is required with modifying their

properties. It was noted that they do not and while it would be helpful if their realtors helped alert them to it, often residents are unaware. Ms. Marino suggested that an informative communication be mailed out to each resident after a conveyance of property occurs in town.

There was discussion regarding holding a special meeting to discuss these recommendations. Mr. Stankov indicated he would coordinate that meeting through email on the day following this meeting. It was noted that a special meeting would be posted and open to the public.

**MOTION:** Ms. Mulvey, Mr. Lippincott second, to adjourn at 10:13PM; unanimously approved.

**Respectfully submitted,  
Pamela A. Colombie  
Recording Clerk**