



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town Hall, 338 Main Street, 2nd Floor – P. Francis Hicks Room, Winsted
September 21, 2022 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Steve Molinelli called the meeting to order at 7:00PM.

2. ROLL CALL:

Roll call was completed by Mr. Molinelli. Present at the meeting in addition to him were: Andrea Krawiecki, Jeff Lippincott, Leeane Marvin, Jackie Mulvey, Frank Oliveri, and Gary Paganelli.

Russ Davenport and Mary Ann Marino were noted as being absent (informed).

3. APPROVAL OF MINUTES – AUGUST 17, 2022 REGULAR MEETING:

MOTION: Ms. Krawiecki, Ms. Mulvey second, to approve the August 17, 2022 regular meeting minutes; motion approved with Mr. Molinelli, Ms. Krawiecki, Mr. Lippincott, Ms. Marvin, Ms. Mulvey, and Mr. Paganelli voting in favor while Mr. Oliveri abstained.

4. AGENDA REVIEW:

The agenda was amended to add Show Cause Hearings ahead of Public Hearings. Show Cause Hearings included *Cease and Desist Orders* on *102 Groppo Drive* and *139 West Wakefield Boulevard*.

5. SHOW CAUSE HEARINGS:

A. Cease and Desist Order: Owner: BNJ Real Estate LLC Location: 102 Groppo Drive.

No representative of the owner appeared before the commission regarding this matter. Mr. Stankov distributed photographs of the site, noting the absence of any silt fence or haybales. He reported that there had been the absence of both for what he described as a significant amount of time. Mr. Stankov noted that there should be those along Groppo Drive and Route 20. Despite repeated conversations with the owner and attempts to gain compliance, there had been none, according to Mr. Stankov.

Mr. Stankov reported visiting the site after a huge storm on Tuesday, September 6, 2022 and observed a lot of erosion.

Mr. Molinelli noted that the *Cease and Desist Order* should remain. Fellow commissioners shared no objection to that directive.

B. Cease and Desist Order: Owner: Michelle Babij Location: 139 West Wakefield Boulevard.

No representative of the owner appeared before the commission regarding this matter. Mr. Stankov shared photographs of the site, noting that several of them had been received from other lake residents. He noted that the subject site had a long history of renting boat slips. Mr. Stankov reported this violation having come before this commission in the 2010's and at that time, the *Dock and Mooring Ordinance* had noted that there was nothing to prevent someone from renting their property to allow someone access to their dock. He noted that this legal loophole was closed with the 2017 revision of the *Dock and Mooring Ordinance*. However, Mr. Stankov noted that after the Town received complaints from neighbors that people were coming in from different places in cars and coming down to this property, an investigation ensued, license plates of the cars were checked, and findings were returned that the three cars were registered by three different people in three different towns. None of those three own the subject property, according to Mr. Stankov.

Mr. Stankov indicated that there is reason to believe that the space is being rented and the property functioning as a marina. He noted that it is further believed that the dock was expanded beyond its original size. Mr.

Stankov noted that the original dock registration had been provided to commissioners, depicting the size and pictures revealing the dock being altered. He reported that this was done in 2021 without permits.

Mr. Molinelli questioned whether Mr. Stankov had sent a letter communicating the violation. Mr. Stankov confirmed. Mr. Molinelli questioned whether the letter had referenced the Minutes from when the activity was first cited. Mr. Stankov communicated that he thought he had but would pull the violation notice to confirm that he had. Mr. Stankov noted that the property owner had an attorney representing her back then but that the attorney was no longer representing her. Mr. Molinelli requested that Attorney Kevin Nelligan send the property owner a letter on this matter if no contact is made with the property owner.

5. PUBLIC HEARINGS:

A. IWWC#22-08 Applicant: James McTigue Owner: Steven Heffer and Heena Sultan Location: 212 West Wakefield Boulevard Proposal: Reconstruct Residence and Decking; New Walks and Retaining Walls.

Land Surveyor Jim McTigue appeared before the commission regarding this application. Mr. McTigue noted that a revised set of plans had been drafted on this application based on feedback received from this commission at the last public hearing and the Town's consulting engineer.

Mr. McTigue reported the foundation as being completely redesigned, noting that the foundation on the lakeside's foundation will be 6' long and perpendicular to the shore.

For the new lakewall, Mr. McTigue indicated that angular boulders within the limit of the property lines will be utilized. Mr. McTigue noted that stairs down into the lake were also part of the plan. Three trees on the east side and three trees on the west side as well as an additional tree and shrubs were part of the landscaping, according to Mr. McTigue. He pointed out that the plans included 18' of lake wall, in what he described as a drastic reduction in what had been previously proposed. The proposed impervious surface coverage would be reduced from 32.1% to 29.9%, according to Mr. McTigue. He explained that his clients were seeking a small useable yard and to reconstruct the residence that had been there since 1923.

Mr. McTigue reminded the commission that they had sought additional enhancements to construction sequence which he noted had been provided, noting that the erosion control plan and construction sequence notes that no machine is allowed on the lakebed. Mr. McTigue highlighted Condition #8, in that an environmental scientist will make recommendations regarding the restoration of the lakebed and that his recommendations will be incorporated into the restoration of the lakebed. Additionally, Mr. McTigue noted that the plans include scaffolding around the residence, going up 30', to prevent any debris from falling in the work area. He reminded the commission that the storage area would be located across the street and that the demolition of the piers would be completed by hand. Mr. McTigue reported having looked into a Frac tank but explained that those were more appropriate for polluted sites. He did not think he could get a tractor trailer truck down West Wakefield Boulevard. Silt sacks are part of the standard procedures currently, according to Mr. McTigue. Noting the area was completely covered with riprap, Mr. Lippincott questioned the installation. Mr. McTigue noted that once the lakewall was installed, there would be a bench area that could be utilized for sedimentation control. Mr. Lippincott noted that the water behind the coffer dam has to be pumped out first. Mr. McTigue indicated that the water behind the coffer dam was clean but that during the excavation for the columns/piers, they were unsure of what type of ground conditions would be encountered.

Mr. McTigue noted that he had distributed documents at this meeting including the boat house history, the structural engineer's report, samples of coffer dams, and examples of silt sacks. Ms. Mulvey questioned the ground level decking and how water would be kept out of that area. Mr. McTigue explained that the bottom level was planned for a small utility area and storage. He referred the commission to the floor plan. Mr. Molinelli questioned the elevation of the ground level and the elevation of the water. Mr. McTigue indicated the lower-level floor was at 82.3' and the water level was 81.2'. He noted the utility room would be waterproof

whereas the storage room will have decking to allow water to come in and out of the floor. Mr. McTigue reported those elevations as being shot in November of 2021.

Mr. Molinelli questioned whether Mr. McTigue has been provided with a copy of the recommendations from the consulting engineer, Tom Grimaldi. Mr. McTigue confirmed, reporting that he had no problems with the recommendations that were made in the letter from R.R. Hiltbrand Engineering, dated September 21, 2022. Mr. Molinelli questioned whether Mr. Stankov had reviewed the same. Mr. Stankov confirmed he had and directed the commission's attention to the recommendation of Mr. Grimaldi that the design engineer shall provide the value of the erosion and sedimentation control bond, based on their calculation to install the coffer dam. He reminded the commission that they still needed to find that no less prudent and feasible alternatives to reduce impacts to the lake exist.

Mr. Paganelli referred to his earlier concerns related to the dewatering. He agreed that silt sacks work but noted that the water will run constantly down the bank whereas with a Frac tank, it would be piped. He also noted that a porta dam is a good system, but the lakebed is rocky and wondered if the contractor runs into a condition where it was too rocky, what the next plan would be. Mr. McTigue noted that the work would stop in order for a meeting to commence in order to make a decision. Mr. Paganelli reminded the commission and the applicant that the concerns of fellow commissioners Mary Ann Marino and Russ Davenport were that boulders cannot be moved. Mr. McTigue noted that divers will go down, install the brackets, and the membrane on the brackets. Mr. Paganelli reminded the applicant that nothing, such as boulders, is to be moved.

Impervious surface coverage was discussed with Mr. McTigue explaining that the only difference would be that of the 210 square feet in wall coverage. Mr. McTigue reminded the commission that a variance was still being sought from the Zoning Board of Appeals and a Special Permit from the Planning and Zoning Commission.

Ms. Marvin questioned whether an environmental scientist ought to be present when the divers are on site to install the coffer dam. Mr. McTigue noted that Mr. Grimaldi had suggested that the environmental scientist be on site from the beginning. Mr. McTigue noted that the environmental scientist is Tim Welling, a professor at SUNY, who he reported is often consulted when there are disputes between soil scientists. Mr. Paganelli suggested that there be exploratory diving ahead of time, cautioning against the "methods and means" concept. Mr. McTigue insisted that every single scenario that is going to happen cannot be articulated.

Mr. Oliveri questioned the location of the utilities. Mr. McTigue noted that they would come in through the ceiling.

The hearing was open to the public.

Jen Perga of 378 East Wakefield Boulevard opined that the latest revisions had resulted in a much-improved plan, but questioned whether the applicant had considered pervious pavers for the walkway, what the width of the stairs would be, and whether a vegetative buffer between the yard and the lake would be added. Mr. McTigue noted that the stairs are only as wide as required by the Building Code.

The public hearing was closed.

6. OLD BUSINESS:

A. IWWC#22-08 Applicant: James McTigue Owner: Steven Heffer and Heena Sultan Location: 212 West Wakefield Boulevard Proposal: Reconstruct Residence and Decking; New Walks and Retaining Walls.

MOTION: Mr. Molinelli, Mr. Paganelli second, to approve Application IWWC#22-08 Applicant: James McTigue Owner: Steven Heffer and Heena Sultan Location: 212 West Wakefield Boulevard Proposal: Reconstruct

Residence and Decking; New Walks and Retaining Walls, subject to the standard 1-12 conditions, and the following additional conditions:

13. Recommend that the Environmental Consultant be present at the Pre-Construction Meeting, to voice any potential concerns and/or hazards, prior to the commencement of construction.
14. Recommend that the Applicant hire a Third-Party Engineering Consultant to inspect the erosion & sedimentation control measures throughout the construction process. Reports shall be submitted monthly and/or after every rainfall event of 0.5 inches or greater. These reports shall be submitted to the General Contractor, the Site Contractor, and the Town of Winchester Inland Wetlands Agent. This individual shall be present at the Pre-Construction meeting as well.
15. The Design Engineer shall provide an Erosion & Sedimentation Control Bond, which shall be reviewed and the fee set by the Consulting Town Engineer. Said bond shall include all erosion control measures, all aspects of the de-watering process (to include the cofferdams/turbidity curtains), maintenance of all items throughout the project, final stabilization of the lake bed and surrounding areas, and an estimate of the Engineering and Environmental Consultant(s) fees based upon the individual consultant's proposals.
16. Any revisions to the plan set that may arise from other Town of Winchester Commissions, shall be submitted to the Inland Wetlands Agent for review.
17. In addition to the above-mentioned Consultants, we recommend that the Design Engineer inspect all phases of the site work and provide correspondence to the Land Use Administrator indicating the permanent stabilization of each project Phase.
18. The Owner/Developer shall add erosion and sedimentation control measures as deemed necessary by the Town of Winchester staff and/or Consulting Town Engineer.
19. A Pre-Construction Meeting is recommended with the Town staff prior to the start of construction to inspect E & S control measures and to discuss construction sequencing/phasing.
20. Inspection requirements, by the Consulting Town Engineer, shall be determined by the Commission.
21. All erosion and sedimentation control measures shall remain in place and maintained until a permanent vegetative cover is established.
22. Provide the name and 24-hr Emergency contact telephone number for the Responsible Party regarding the maintenance of the proposed Erosion & Sedimentation Control Measures.
23. An As-Built Site Improvement and Grading Plan, prepared by a State of Connecticut Registered Land Surveyor, shall be submitted to the Land Use Administrator after all of the site work is completed, and prior to requesting a final sign-off from the Land Use Administrator and/or a Certificate of Occupancy from the Building Official.
24. A final site inspection shall be completed by the Land Use Administrator and/or the Consulting Town Engineer prior to requesting the release of the Erosion & Sedimentation Control Bond;

Motion passed with Ms. Krawiecki, Mr. Lippincott, Mr. Marvin, Mr. Molinelli, and Mr. Paganelli being in favor while Ms. Mulvey and Mr. Oliveri abstained.

B. IWWC#22-13 Applicant: Donald Lapointe Owner: Robert Bates and Tracy Bates Location: 428 East Wakefield Boulevard Proposal: Add Deck to Shed; Use Lake for Irrigation System.

Neither the applicant nor a designated representative appeared before the commission regarding this application. Mr. Stankov reported that the owner had paid Land Surveyor John Dicara to get the as-built survey done but noted that he had no communication with the applicant. Mr. Stankov noted that the applicant was out of time as the application had been received in May. Mr. Lippincott questioned whether a Cease and Desist would be issued for this property. Mr. Stankov indicated that there was already a violation on the Land Records and noted that he would contact Mr. DiCara to inquire whether the survey would be ready for the October meeting. Mr. Stankov reported the site conditions as still stable and noted that if no one gets back to him for three months, he could begin to fine them.

MOTION: Mr. Molinelli, Ms. Krawiecki second, to approve Application IWWC#22-13 Applicant: Donald Lapointe Owner: Robert Bates and Tracy Bates Location: 428 East Wakefield Boulevard Proposal: Add Deck to Shed; Use Lake for Irrigation System, noting that the applicant is out of time;

Motion failed as Ms. Krawiecki, Mr. Lippincott, Mr. Marvin, Mr. Molinelli, Ms. Mulvey, and Mr. Paganelli were opposed and Mr. Oliveri abstained.

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

Neither the applicant nor a designated representative appeared before the commission regarding this application. Mr. Molinelli reminded the commission that the applicant was supposed to provide the Town with an affidavit certifying that no new sand had been brought in and that no new sand would be brought in. Mr. Stankov reported that they had not done so.

MOTION: Mr. Lippincott, Ms. Krawiecki second, to continue the application to the October regular meeting; unanimously approved.

D. IWWC #22-32 Owner: Ledgebrook, LLC Applicant: Palm Coast Capital, LLC Location: New Hartford Road (Map 034, Block 158, Lot 001E-2) Proposal: Construction of Retail Building, Parking Area, Fenced Outdoor Display and Stormwater Basin.

Professional Engineer Jim Cassidy, accompanied by Matthew Darlington of Palm Coast Capital, LLC, Soil Scientist Matt Davidson and Attorney Lew Wise, appeared before the commission regarding this application. Mr. Cassidy reminded the commission that the proposal was for development of a new retail store, Tractor Supply, on the 10.6-acre parcel behind 200 New Hartford Road. He reminded the commission that Mr. Davidson had located and flagged all the wetlands on the site.

Mr. Cassidy reviewed the site plans, describing the proposed development, including the new retail building and associated parking. He noted the slope of the site and how the drainage on the property is currently. Mr. Molinelli questioned the distance of the development to the wetlands located in Barkhamsted. Mr. Cassidy noted that it was about 20' from those and confirmed that an application for that community was in the process of being done. Mr. Molinelli advised that this commission may go forward based on the review of the wetlands application for Winchester and that Barkhamsted will have their own review. He referred commissioners to an email thread between Land Use Attorney Mark Branse dated September 19, 2022 and the Town, recommending that each municipality move ahead and act independently regardless of what another municipality may or may not do.

Mr. Cassidy noted that recommendations received from this board were incorporated into the plan, including the removal of debris from the wetlands on the southerly side of the property. Additionally, planting some wetlands plants to provide a buffer with that area was also suggested and incorporated into the plans with about 100 shrubs, according to Mr. Cassidy. He noted the location of the basins that will pick up the water on the site, explaining that there would be no increase in flow. Mr. Cassidy reported that a hydrodynamic separator had been incorporated into the plans. He indicated that a level spreader is included so as to avoid point discharge.

Mr. Molinelli questioned the maintenance on the basins. Mr. Cassidy explained that it should be cleaned twice per year initially and then monitored following that to see what type of pollutants are in it.

Mr. Stankov reported having received a communication from Barkhamsted First Selectman Don Stein earlier the afternoon of this meeting, with a copy of a letter from a certified soil scientist that there were some concerns that Barkhamsted had. Mr. Stankov noted that he had not had a chance to fully review the letter and/or pass it off to the applicant but that from his cursory overview, most of the concerns expressed should be addressed by Barkhamsted's Inland Wetlands Commission. Mr. Stankov noted that one question that he did have for Mr. Davidson, arising from the letter, was about the percolation of waters in the area where the

various stormwater infiltration basins were planned. In the instance that ledge was encountered, the soil scientist retained by Barkhamsted, had questioned what type of test pits had been dug and the likelihood of dealing with difficulty with those. Mr. Cassidy corrected, explaining that the plans were not for infiltration basins but were instead for stormwater management basins. He noted that there was an outlet structure that allows for the water to go up to the face of the structure, and that it regulates flow in and out, as they are utilized only for detention.

Discussion ensued about a schedule of cleaning the basins.

MOTION: Ms. Krawiecki, Mr. Lippincott second, to approve Application IWWC #22-32 Owner: Ledgebrook, LLC Applicant: Palm Coast Capital, LLC Location: New Hartford Road (Map 034, Block 158, Lot 001E-2) Proposal: Construction of Retail Building, Parking Area, Fenced Outdoor Display and Stormwater Basin, subject to the standard 1-12 conditions and the following additional condition:

13. All catch basins to be maintained and cleaned a minimum of twice per year, late in the fall and after the snow melt in the spring.

14. Cash erosion and sedimentation bond of \$6000 will be submitted to the Inland Wetlands office;

Motion passed with Ms. Krawiecki, Mr. Lippincott, Mr. Marvin, Mr. Molinelli, Ms. Mulvey, and Mr. Paganelli being in favor while Mr. Oliveri abstained.

E. IWWC #22-33 (Modification of IWWC#20-31 and #22-04) Owner: Sandy Drive Three, LLC Applicant: Peter D'Addeo Location: 240 Perch Rock Trail Proposal: Brick Paver Patio and Electrical Conduit & Pole.

Peter D'Addeo appeared before the commission regarding this application. Mr. D'Addeo distributed copies of a site plan depicting the location for the planned underground conduit to run electric for power and an outlet for his boatlift. Mr. Stankov reminded the commission that the applicant was also before them to gain approval for his patio, explaining that after the footing in the lakebed had been approved after-the-fact, he had signed off on the Certificate of Occupancy. Following that, Mr. Stankov noted that he had received complaints regarding an installation of a brick patio to the rear of the house. Mr. D'Addeo noted that the patio was pervious and distributed photographs of the site conditions prior to the brick patio. He noted the area had previously been covered with plywood and carpet. He indicated that there was little to no excavation done when the pavers were installed. He explained that he had misunderstood the regulations, as he had thought that this work would fall under Section 4.1 and would be interpreted as this being a by-right use. Mr. Stankov shared his understanding of what would be considered landscaping, including plants and not movements of large amounts of earth. He noted that typically for a patio to be considered pervious, a letter is prepared by an engineer confirming the installation was according to the design. Mr. D'Addeo was agreeable to an engineer digging up areas of the patio to confirm the installation.

Mr. Lippincott questioned how the trench will be dug. Mr. D'Addeo confirmed it would be dug by hand.

MOTION: Mr. Lippincott, Ms. Mulvey second, to approve Application of IWWC #22-33 (Modification of IWWC#20-31 and #22-04) Owner: Sandy Drive Three, LLC Applicant: Peter D'Addeo Location: 240 Perch Rock Trail Proposal: Previously Installed Brick Paver Patio and Electrical Conduit & Pole

Motion passed with Ms. Krawiecki, Mr. Lippincott, Mr. Marvin, Mr. Molinelli, Ms. Mulvey, and Mr. Paganelli being in favor while Mr. Oliveri abstained.

The commission recessed at 8:48PM. They reconvened at 8:52PM.

7. NEW BUSINESS:

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.

Town of Winchester Project Manager Bart Clark appeared before the commission regarding this application. Mr. Clark reminded the commission that they had recently approved the construction of a water storage tank.

He explained that this application was to remove the existing structure, noting that a portion of the tank was within a regulated area. Mr. Clark reviewed the plans, pointing out the edge of the regulated area and noted the location of the watercourse and associated wetland. He explained that the demolition of the tank would be achieved with a couple of excavators sheering the tanks allowing it to fall in on itself. The pieces are then snipped to a small enough size so that they can fit into a dumpster, according to Mr. Clark. The exterior of the tank are a lead-bearing coating so there will be some protection provided around the tank which is usually polyethylene, he explained. Mr. Clark reported that the lower edge of the site will be further protected with a silt fence and a compost barrier.

Mr. Molinelli questioned the duration of the project. Mr. Clark reported that once the contractor gets started, it typically takes two months. Mr. Molinelli questioned when the work would likely get done. Mr. Clark noted that it would be during the winter period so that people will have their windows closed, explaining that with the two houses nearby, the Town wants to be sure that no dust gets inside the home. Ms. Krawiecki questioned whether with the lead paint, permits needed to be secured from the EPA (Environmental Pollution Authority). Mr. Clark indicated that this was not necessary as it did not meet the minimum thresholds for the lead.

The timing of this application and the one previously approved for the new tank was discussed. Mr. Clark noted that the two projects required different skill sets from the contractors.

MOTION: Ms. Krawiecki, Mr. Lippincott second, to accept 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, and finding it to be in the public interest, to schedule a public hearing for 7PM at the October 19, 2022 regular meeting; unanimously approved.

B. IWWC #22-36 (Modification of IWWC#21-14) Owner/Applicant: Harris Daigle Location: 304 East Wakefield Boulevard Proposal: Remove Approved Raingarden.

Harris Daigle appeared before the commission regarding this application. Mr. Daigle explained that he was seeking a modification to his approved plan by omitting the raingarden. He noted his submittal with his application of a letter from his professional engineer Mike Sherman. Mr. Daigle explained that there was a collection of rain leaders that converge which he has been monitoring for four months, noting that the water bounces back only four to five feet and then dissipates into the ledge. He noted that there were no signs of erosion which led to his request to swap out a rain garden with a crush stone splash pad. Mr. Daigle noted that to put in a rain garden, he would have to blast the site.

Mr. Lippincott reported having visited the site and failing to understand how a rain garden would be installed, noting that the site is just ledge and the only way to accomplish one would be to blast.

Mr. Stankov reported having questioned whether Mr. Sherman could run the drainage calculations for the site. Mr. Sherman indicated that he could not and had no idea how he could on a property with this much ledge without doing a huge amount of excavation to figure out where the water is going, according to Mr. Stankov. He further noted that Mr. Sherman's professional opinion had been that the water was going somewhere. Mr. Lippincott wondered if the water was seeping into the ledge. Mr. Oliveri noted that often a green vegetable dye is utilized to determine where the water was going. Mr. Molinelli reported having visited the site, too, and opined that there was enough of a collection system under the deck. He questioned what would be used to fill that area in. Mr. Daigle noted that 2" stone would be laid first followed by a layer of 1" stone. He indicated that this would be hauled in with a wheelbarrow.

MOTION: Ms. Mulvey, Mr. Paganelli second, to accept and approve Application IWWC #22-36 (Modification of IWWC#21-14) Owner/Applicant: Harris Daigle Location: 304 East Wakefield Boulevard Proposal: Remove Approved Raingarden; unanimously approved.

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

John Lauzon, identifying as a neighbor of the applicant, appeared before the commission regarding this application. Mr. Lauzon explained that his neighbor was seeking approval for a 30' lake wall replacement. Mr. Stankov noted that he had taken photographs of the site as he had been on the site on the Friday preceding this meeting. He noted that there were significant vertical cracks.

Mr. Lauzon noted that the wall will be a poured wall. Mr. Lippincott questioned the depth of the lake in front of this wall. Mr. Lauzon noted that it was about 28" deep. Mr. Molinelli questioned how the existing lake wall would be removed, explaining that it would need to be done by hand. Mr. Lauzon noted that all of the machinery will be from the higher ground. Mr. Lippincott questioned whether Mr. Lauzon would be able to get a mini excavator down to the work area. Mr. Lauzon confirmed. Mr. Stankov questioned whether Mr. Lauzon would be able to get an access easement from the neighbor noting that there was only 8' to 10' of clearance on that side. Mr. Lauzon indicated that the majority of the easement was already on the applicant's property. Mr. Stankov questioned whether there was already an access easement. He noted they do have a verbal agreement with the neighbor.

Mr. Molinelli questioned whether the wall could be staked out, in terms of the width of the wall. Mr. Lauzon noted that where there are jogs, the wall will, when reconstructed, be a straight line. Mr. Molinelli questioned whether it would be going out into the lake or coming into the land. Mr. Lauzon noted that the wall would come into the land. It was discussed that it would tie into the wall of 104 Shore Drive. Mr. Stankov explained that an application for a modification for that property's site plan would be required.

The footing of the lake wall was discussed and whether the beginning of the footing would be located on the owner's property.

MOTION: Mr. Lippincott, Ms. Mulvey second, to accept Application IWWC #22-37 Owner/Applicant: Catherine Lee Location: 102 Shore Drive Proposal: Lake Wall Replacement, finding the proposed activity as not significant; unanimously approved.

D. 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, noting that they were brother and sister, appeared before the commission regarding this application. Mr. Carnelli reviewed the existing conditions of the site, noting the impervious surface coverage will be reduced from 41.1% to 37.6% by removing a shed and walkways and reducing the size of the driveway. Mr. Carnelli reviewed the proposed locations for silt fence and hay bales. He noted the areas planned for the stored materials to be used for garage fill.

Mr. Carnelli reviewed elevation drawings for the improvements noting that the finished grade had been raised by 8" from what had been previously submitted.

Mr. Lippincott questioned whether the application needed approval from the Zoning Board of Appeals. Mr. Carnelli confirmed. Mr. Lippincott questioned whether the applicant had considered pervious pavers. Ms. Carnelli noted that the driveway was going to be smaller than what was there previously.

Mr. Stankov reported that the steepest slope of the site will not be disturbed. He indicated that from his conversations with the applicant, the gutters will discharge over the lawn. Mr. Stankov noted the existing pipe that daylight on the bottom of the blue stone patio, indicating that he was unsure of the source. Mr. Carnelli guessed that it may have been from a drain installed as part of an addition project completed by his father in 1968.

How water will sheetflow over the driveway was discussed. The commission discussed whether an engineer should be retained. It was noted that the surveyor may be able to add more information on where the water is going to flow, with it being explained that the water should not be going toward the neighboring property. It was also suggested to the applicants that they may want to consider the water pitching away from the house but not in a way that it sheetflows toward the lake.

As the driveway replacement was not noted in the proposal, additional discussion occurred about what was being proposed in that regard. Mr. Stankov indicated that he would work with the applicants so that more information is provided on what exactly was being proposed.

MOTION: Ms. Mulvey, Mr. Paganelli second, to accept Application IWWC #22-38 Owner/Applicant: William Carnelli and Linda Carnelli Location: 664 East Wakefield Boulevard Proposal: Garage, Front Entrance & Foyer, Expanded Living Space, Spiral Staircase, and Driveway Replacement and finding the proposed activity as not significant; unanimously approved.

8. Agent Actions.

A. Determinations.

Mr. Stankov reported that there have been no agent determinations over the past month.

B. Warnings/Violations.

Mr. Stankov reported that there had been no new warnings or new violations.

Mr. Molinelli reported to the commission that he had a conversation with Mr. Stankov regarding carrying the list of violations from month to month and that there may be a need to move more aggressively with moving them along for litigation to the Town's attorney, Kevin Nelligan.

i. Parcel opposite 215 West Wakefield Boulevard (Preusse)

Mr. Stankov reported that there was a violation here, but the Board of Selectmen would need to consider this in order for the project to move forward. Mr. Stankov noted that he had questioned the town manager about this matter but had not yet received a reply on it.

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

Mr. Stankov reported that there might be a new buyer, and that at the very least, there was an agreement to rent the property. He explained that the new individual was operating machinery on the property. A meeting had been scheduled but the new individual had not shown up.

iii. 308 East Wakefield Boulevard

Mr. Stankov confirmed that this would be forwarded to Attorney Nelligan.

iv. 713 East Wakefield Boulevard

Mr. Stankov confirmed that this would be forwarded to Attorney Nelligan.

v. 182 Shore Drive

Mr. Stankov reported that this matter was resolved for this commission, although they were to be going before the Zoning Board of Appeals.

vi. East Wakefield Boulevard (MBL 032/105G/327) (Koplar)

Mr. Stankov confirmed that this would be forwarded to Attorney Nelligan.

vii. 257 Colebrook Road

Mr. Stankov confirmed that this would be forwarded to Attorney Nelligan.

viii. 203 West Wakefield Boulevard

Mr. Stankov reported that there was one final item to be corrected but confirmed that he would forward a friendly letter to the new owner of this property.

ix. 132 Wahnee Road

Mr. Stankov suggested that he send a friendly letter to remind him that he needs to satisfy the request of the commission. Mr. Molinelli suggested that if no reply is received, the matter be forwarded to Attorney Nelligan.

xiv. 240 Perch Rock Trail

Mr. Stankov noted that this had been resolved.

10. COMMUNICATIONS AND BILLS:

None.

11. OTHER BUSINESS:

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

No report provided.

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

No report provided.

C. IWWC Suggested Commission Recommendations for Various Project Types.

A memorandum prepared by a subcommittee tasked with providing guidelines on the application process was reviewed and discussed. Ms. Krawiecki led the discussion on behalf of the subcommittee, Ms. Marino and Mr. Paganelli.

MOTION: Ms. Mulvey, Mr. Lippincott second, to adjourn at 10:57PM; unanimously approved.

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