



**TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION**

Town of Winchester Town Hall, 338 Main Street

P. Francis Hicks Room – 2nd Floor

July 21, 2021 – 7:00PM

Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Steve Molinelli called the meeting to order at 7:27PM.

2. ROLL CALL:

Roll call was completed by Mr. Molinelli. Present at the meeting in addition to him were Russ Davenport, Jackie Mulvey, Andrea Krawiecki, Jeff Lippincott, and Kurt Timmeney as well as staff member Pam Colombie. Mary Ann Marino was absent excused. Mr. Molinelli reminded the Commission that there are remains two vacancies.

3. APPROVAL OF MINUTES – June 16, 2021 Regular Meeting:

The June 16, 2021 minutes should include the following modification:

- On page 8, under Application IWWC#21-23 regarding 110 Weigold Road, the motion should have read, “to accept” and not “to approve”; and
- On page 8, under Application IWWC#21-24 regarding 112 Weigold Road, the motion should have read “to accept” and not, “to approve”.

MOTION: Mr. Molinelli, Ms. Mulvey second, to approve the June 16, 2021 regular meeting minutes as amended; unanimously approved.

4. AGENDA REVIEW:

The agenda was modified to take the application made on behalf of the Town of Winchester, IWWC#21-32, a modification of IWWC#18-23, regarding Pratt and Lewis Street Proposal: Repair Collapse of Existing Culvert Under Pratt Street, after the public hearings.

5. PUBLIC HEARINGS:

A. IWWC#21-09 Applicant/Owner: Michael Goncalves and Desiree Goncalves Location: 524 East Wakefield Boulevard Proposal: Install Dock and Boat Lift.

Mr. Molinelli reported the applicants having requested a continuance.

MOTION: Mr. Molinelli, Ms. Krawiecki second, to continue Application IWWC#21-09 at the applicant’s request; unanimously approved.

(NEW BUSINESS) A. IWWC#21-32 (Modification of IWWC#18-23) Applicant/Owner: Town of Winchester Location: Pratt and Lewis Street Proposal: Repair Collapse of Existing Culvert Under Pratt Street.

Town of Winchester Project Manager Bart Clark appeared before the Commission regarding this application. He explained that the original Pratt Street culvert had included a pedestrian bridge that went across the stream. Mr. Clark noted that there had already been approval for the replacement of the culvert with a concrete sidewalk. Having gone out to bid over the winter and the bids coming in too high, a subsequent inspection revealed that a portion of the southern wall of the concrete culvert had collapsed. Additionally, a crack runs across the culvert, according to Mr. Clark. As a result, the culvert needs to be replaced rather than repaired. Mr. Clark indicated that the modification of the permit being sought was for the demolition of the existing culvert and installation of a new metal culvert that will go across the road.

Mr. Molinelli questioned the timeframe for the project. Mr. Clark indicated that the Board of Selectmen is currently determining the correct fund for the project. He noted that \$30K was originally intended for the project prior to it being bid and that sum would be used for the purchase of the culvert. Mr. Lippincott questioned whether the Town would be completing this project themselves. Mr. Clark confirmed. Mr. Molinelli questioned the duration of the project. Mr. Clark reported that it was anticipated to take four weeks. He confirmed that traffic will be detoured around this area for a portion of that time. Mr. Molinelli questioned whether work will be continuous or will have starts and stops. Mr. Clark indicated that the expectation was for a continuous flow but explained that sometimes conditions warrant a stop to prevent water from entering an area or waiting on a utility.

MOTION: Ms. Marino, Mr. Lippincott second, to approve Application IWWC#21-32 (Modification of IWWC#18-23) Applicant/Owner: Town of Winchester Location: Pratt and Lewis Street Proposal: Repair Collapse of Existing Culvert Under Pratt Street; unanimously approved.

Brief discussion ensued prior to Mr. Clark leaving the meeting regarding a beaver dam on International Way in the Industrial Park. He explained that just upstream in the culvert, beavers created more than one dam causing water to back up in the drainage system causing trouble downstream from this area. Mr. Clark reported a specialist in beaver diversion had been consulted who has a structure for his clients to use that divert the water around the dam while satisfying the beaver's need to keep the dam in place.

As to whether an application is necessary prior to the Town undertaking this work, the consensus of the Commission was that the Town would apprise the wetlands agent of when the work would commence and would provide updates. Mr. Molinelli suggested an agent determination on this matter.

6. OLD BUSINESS.

A. IWWC#21-07 Applicant: Ideal Woodworking Owner: Marcin Urbaszek Location: 129 East Lake Street Proposal: Increase Water Entrance by 12'x13'; Excavate for Pervious Paver Terrace Uphill and Outside Regulated Area.

MOTION: Mr. Davenport, Ms. Marino second, to continue Application to the next regularly scheduled meeting scheduled for August 18, 2021; unanimously approved.

B. IWWC#21-09 Applicant/Owner: Michael Goncalves and Desiree Goncalves Location: 524 East Wakefield Boulevard Proposal: Install Dock and Boat Lift.

MOTION: Mr. Molinelli, Ms. Krawiecki second, to continue Application to the next regularly scheduled meeting scheduled for August 18, 2021; unanimously approved.

C. IWWC#21-19 Applicant: Daniel Bastian Owner: Daniel Bastian and Patricia Bastian Location: 614 East Wakefield Boulevard Proposal: Changes to Walkways/Driveway.

Staff reported having met with the applicant and explained that most of the work was done outside of the review area. It was noted that the walkways were replaced as the new owner needed a more stable surface for handicap access. Mr. Stankov reported having visited the site in June and indicated that all the work as having been completed and there being no risk of erosion. He noted that there is no ongoing activity and explained that had he not been advised that there had been activity, he would not be able to tell.

MOTION: Mr. Davenport, Ms. Mulvey second, to approve Application IWWC#21-19 Applicant: Daniel Bastian Owner: Daniel Bastian and Patricia Bastian Location: 614 East Wakefield Boulevard Proposal: Changes to Walkways/Driveway; unanimously approved.

D. IWWC#21-21 Applicant/Owner: Winchester Land Trust Location: Newfield Road to South Road – (crossroad) Proposal: Replace Damaged Culvert with Foot Bridge to Stop Erosion of Trail.

Jen Perga and Doug Pfenninger appeared before the Commission regarding this application. Ms. Perga reported that she and Mr. Pfenninger had met with Mr. Stankov and had created some drawings depicting

where the work would be confined to and a staging area for soil. A construction sequence plan had also been submitted, according to Ms. Perga. Mr. Stankov confirmed that he had visited the site. He noted that there was a large amount of mounding over the top of the trail. He opined that installing a footbridge will have a less impact than installing a culvert.

MOTION: Mr. Davenport, Ms. Marino second, to approve Application IWWC#21-21 Applicant/Owner: Winchester Land Trust Location: Newfield Road to South Road – (crossroad) Proposal: Replace Damaged Culvert with Foot Bridge to Stop Erosion of Trail, subject to the standard 1-12 conditions; unanimously approved.

E. IWWC#21-23 Applicant/Owner: Richard Szabo Location: 110 Weigold Road Proposal: Construction of Single-Family Residence.

Richard Szabo appeared before the Commission regarding this application. He distributed an updated soil report from his soil scientist. Mr. Szabo confirmed that the wetlands have been flagged. He noted that the work that will be undertaken will be more than 75' from the wetlands. Mr. Stankov confirmed that he had met the applicant at the site and had measured with him the distance from the wetlands to the location of the home with the closest point estimated at 88'. As Mr. Szabo had indicated the precise location of the home might shift, Mr. Stankov confirmed that no activity would be occurring in the back wetland.

MOTION: Mr. Davenport, Mr. Lippincott second, to refer Application IWWC#21-23 Applicant/Owner: Richard Szabo Location: 110 Weigold Road Proposal: Construction of Single-Family Residence for an agent determination; unanimously approve.

F. IWWC#21-24 Applicant/Owner: Richard Szabo Location: 112 Weigold Road Proposal: Construction of Single-Family Residence.

Richard Szabo appeared before the Commission regarding this application. He previously distributed an updated soil report from his soil scientist. Mr. Szabo reported that he was proposing to move the proposed house an additional 10' further away from the wetlands. He indicated that the wetlands are being located on a survey and would have that plan available for the Commission for the August meeting.

MOTION: Mr. Molinelli, Ms. Krawiecki second, to continue Application IWWC#21-24 to the August regular meeting; unanimously approved.

G. IWWC#21-27 Applicant: Denise Pratt Owner: Kenneth Pratt and Eleanor Pratt Location: 225 West Wakefield Boulevard Proposal: Demolish Existing Cottage and Construct New Single-Family Residence.

Professional Engineer Todd Parsons of Lenard Engineering appeared before the Commission regarding this application. He reported having completed a field walk with Mr. Stankov. Mr. Stankov had requested that silt fence be installed to protect against erosion as there had been clearing done on the property, according to Mr. Parsons.

Mr. Stankov indicated that the disturbance, resulting from the clearing that had already occurred, is protected from erosion, with runoff unlikely in that area. The back area is mostly forested, too, according to Mr. Stankov.

Mr. Molinelli questioned if whether the area that was cleared is the same spot as the location of the former cottage. Mr. Parsons explained that the cottage was several hundred feet away from this. Mr. Molinelli questioned the dirt drive. Mr. Parsons indicated that no changes were planned.

MOTION: Mr. Davenport, Ms. Krawiecki second, to approve Application IWWC#21-27 Applicant: Denise Pratt Owner: Kenneth Pratt and Eleanor Pratt Location: 225 West Wakefield Boulevard Proposal: Demolish Existing Cottage and Construct New Single-Family Residence, subject to the standard 1-12 conditions along with the following special condition:

13. Cash erosion and sedimentation bond totaling \$1000 to be submitted to the Inland Wetlands Office prior to the commencement of work;

unanimously approved.

H. IWWC#21-28 Applicant/Owner: Barry Reardon` Location: 622 East Wakefield Boulevard Proposal: Replace Rotted Timber-tie Wall with Block Wall and Steps.

Barry Reardon appeared before the Commission regarding this application. Mr. Reardon explained that he was looking to replace the existing timber-tie wall with a block wall along with the replacement of the timber steps with stone steps. He noted that both would be in the exact same location as what was there. It was noted that this work had begun prior to receiving a permit but that upon be contacted, work was suspended until approval was received

Mr. Stankov reported that silt fence and hay bales was observed during his visit on June 14. He reported that he had again visited the site on Monday, July 16 and found the conditions to be exactly as they had been previously. Mr. Reardon indicated that he would be using manufactured block.

Staff reminded commission that this property had been before them in late 2020 for a lake wall rebuild and that it was noted at that time as having unresolved compliance to a 2009 enforcement order from a former owner. It was also noted that Mr. Reardon had subsequently purchased this property. A vegetative buffer was to be installed near the patio and had still not been done. Discussion ensued regarding how to resolve that work that remains unfinished.

MOTION: Ms. Marino, Mr. Davenport second, to approve Application IWWC#21-28 Applicant/Owner: Barry Reardon` Location: 622 East Wakefield Boulevard Proposal: Replace Rotted Timber-tie Wall with Block Wall and Steps, subject to the standard 1-12 conditions along with the following special condition:

13. Condition #15 of Application IWWC#20-34 to also be addressed during the same time period as this work. Condition #15 to be reviewed by wetland agent in terms of specifics on how it is completed.

13. Cash erosion and sedimentation bond totaling \$375 to be submitted to the Inland Wetlands Office prior to the commencement of work;

unanimously approved.

I. IWWC#21-29 Applicant/Owner: Bob Leach Location: 183 Losaw Road Proposal: Declaratory Ruling Sought for Timber Harvest.

Ian Kagan appeared before the Commission regarding this application. He explained that this parcel is heavy forested and includes heavy white ash but is also loaded with emerald ash borer.

Mr. Stankov reported having visited the site. Noting that he is not a soil scientist, he indicated that there were several areas that were likely wetland areas. Mr. Kagan noted that all of the white ash will be removed and a selective harvest on the remaining land. He noted that timber mats would likely be utilized.

MOTION: Mr. Molinelli, Mr. Lippincott second, to find Application IWWC#21-29 Applicant/Owner: Bob Leach Location: 183 Losaw Road Proposal: Declaratory Ruling Sought for Timber Harvest an as-of-right activity;

unanimously approved.

J. IWWC#21-30 (Modification of #20-50) Applicant/Owner: Normand J. Laliberte, Jr. Location: 416 West Wakefield Boulevard Proposal: Add Retaining Walls and Paver Pathway.

Normand Laliberte appeared before the commission regarding this application. Mr. Laliberte explained that he was looking to add retaining walls and a paver walkway, and to install underground utilities. Mr. Molinelli questioned whether any of the work being done involved town-owned land. Mr. Laliberte indicated that it is not.

Mr. Molinelli questioned the area depicted in blue on the plan. Mr. Laliberte indicated that he was looking to add a patio in that area adjacent to the water. Mr. Molinelli questioned whether there was an increase in the amount of impervious area. Staff noted that the applicant would need a variance for the increase in impervious surface as well as having a patio within 20' of the lake.

Mr. Laliberte indicated the locations of the grinder pump for the sewer and explained that there is no well because the cottage draws water off the lake. Mr. Stankov noted that with the slope of the bank of the property, the chance for erosion is high. He opined the walls of the site will change the flow of the water and that without a review of an engineer, it is unknown how the flow of water will be affected.

Mr. Davenport questioned what the walls would be made of and how they would be constructed. Mr. Laliberte indicated that they would be made of field stone and that concrete would also be used with the walls. Mr. Lippincott questioned whether there were any basins in the road in this area and how the water flowed over this property. Mr. Laliberte indicated there were not any basins.

It was noted that a temporary stockpile was depicted as being on town property. The consensus of the commission was that an engineer should be consulted for this project. Mr. Stankov recommended silt fence be installed, too. Inquiry was made as to what would be between the walls. Mr. Laliberte indicated that grass was planned for those areas. Whether it would be flat or not, Mr. Laliberte did not think it would be.

MOTION: Mr. Davenport, Ms. Mulvey second, to continue Application IWWC#21-30 (Modification of #20-50) Applicant/Owner: Normand J. Laliberte, Jr. Location: 416 West Wakefield Boulevard Proposal: Add Retaining Walls and Paver Pathway to the August 18, 2021 regular meeting; unanimously approved.

K. IWWC#21-31 Applicant: Gary Goulet Owner: Jonathan Abram Location: 632 East Wakefield Boulevard Proposal: Reset Lower Patio and Steps; Build New Retaining Wall and Raised Lawn Area; Install New Paver Patio; Rebuild Existing Stone Retaining Wall; and Install Stone Steps.

Neither the owner nor the applicant appeared before the Commission regarding this application. Mr. Stankov reported having spoken with the applicant the date of this meeting. Referring to photographs of the site, Mr. Stankov noted that the silt fence was not properly installed. He noted that fortunately the silt pooled against the dock rather than into the lake. Most of the silt has not gone into the lake, according to Mr. Stankov. He noted that Mr. Goulet had explained that most of the issue lay with the owners of 634 East Wakefield Boulevard accessing their site for their permitted work through the accessway at this site. Mr. Molinelli noted being at the site and observing this and suggested that the property at 634 East Wakefield Boulevard be visited and reviewed by Mr. Stankov.

MOTION: Mr. Molinelli, Ms. Krawiecki second, to continue Application IWWC#21-31 Applicant: Gary Goulet Owner: Jonathan Abram Location: 632 East Wakefield Boulevard Proposal: Reset Lower Patio and Steps; Build New Retaining Wall and Raised Lawn Area; Install New Paver Patio; Rebuild Existing Stone Retaining Wall; and Install Stone Steps to the August 18, 2021 regular meeting; *unanimously approved.*

7. NEW BUSINESS:

A. IWWC#21-33 Applicant/Owner: Anthony R. Zacchio and Carol B. Zacchio Location: 114 Shore Drive Proposal: Lawn Sprinkler System Using Lake Water.

Carol and Anthony Zacchio appeared before the Commission regarding this application. Ms. Zacchio presented with a letter from neighbor Michael Simon of 112 Shore Drive dated July 17, 2021, indicating their general support of the proposed improvement. Mr. Stankov reported the Zacchio's had emailed staff regarding a proposed irrigation system. Staff explained that at the time, it was unknown that the system was to be fed with lake water. Mr. Stankov noted that while the excavation for such a system is minimal and the draw of water from the lake is minimal compared to other, it does affect the common lake shared by everyone and could be considered to be a concern for the commission to review. A request was made that the commission

provide guidance as to whether this and other similar proposals should be reviewed by them or should be reviewed by the agent.

Mr. Lippincott opined that an application should be made but that it could be an agent determination. Ms. Mulvey and Ms. Marino agreed.

The consensus of the commission was that irrigations systems are indeed a regulated activity but one that can be handled through an agent determination.

MOTION: Mr. Davenport, second, to accept and approve Application IWWC#21-33 Applicant/Owner: Anthony R. Zacchio and Carol B. Zacchio Location: 114 Shore Drive Proposal: Lawn Sprinkler System Using Lake Water; unanimously approved.

8. AGENT ACTIONS:

A. Determinations.

B. Warnings/Violations.

i. Parcel opposite 215 West Wakefield Boulevard (Preusse).

Mr. Stankov noted that the erosion controls are becoming inadequate while the property owner attempts to sort this out.

ii. 348 East Wakefield Boulevard.

This property has been a subject of a formal enforcement action.

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

It was noted that the Commission will likely be reviewing this at their August meeting.

9. COMMUNICATIONS AND BILLS:

Beaver dams were again discussed. While the town was allowed the go-ahead, the consensus of the Commission was that an application should be made prior to disruption of beaver dams.

10. OTHER BUSINESS:

A. Discussion on Catch Basin Maintenance Schedule.

Mr. Stankov reported having had a conversation with Department of Public Works Director Jim Rollins who had relayed that an attempt is being made to add routine vacuuming of catch basins onto the schedules of Public Works.

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

No report discussed.

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

Ms. Mulvey reported a meeting of the Highland Lake Watershed Association having occurred on Saturday, July 17, 2021, with over 100 attendees. She noted a sign was being installed at the boat launch.

11. ADJOURN:

MOTION: Mr. Davenport, Ms. Mulvey second, to adjourn at 9:50PM; unanimously approved.

Respectfully submitted,
Pamela A. Colombie
Recording Clerk