



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

Held Remotely (Via Zoom)
and was streamed live on YouTube:

<https://www.youtube.com/channel/UCT1ffiBjMTBQM5OEXSgKlqg/videos>

**December 3, 2020 – 7:00PM
Special Meeting Minutes**

1. CALL TO ORDER:

Secretary Russ Davenport called the meeting to order at 7:00PM.

2. ROLL CALL:

Roll call was completed by Mr. Davenport. Present at the meeting in addition to him were: Christine Hunter, Andrea Krawiecki, Mary Ann Marino, Steve Molinelli, Jackie Mulvey, and Kurt Timmeney as well as staff member Pam Colombie.

Ric Nalette was absent.

3. APPROVAL OF MINUTES – November 18, 2020 Regular Meeting:

The approval of the November 18, 2020 Minutes was pushed to the next regular meeting.

4. AGENDA REVIEW:

The Commission agreed to provide feedback to the wetland agent at the end of the meeting on a couple of possible enforcement actions.

5. OLD BUSINESS:

Application IWWC#20-56 was taken ahead of Application IWWC#20-53 to allow for Mr. Closson's engineer to arrive at the meeting for that application.

A. IWWC#20-56 Applicant: Matthew Closson Owner: David Paigo Trust Location: 656 East Wakefield Boulevard Proposal: Install New Cantilever Dock; Install Swim Area; Repoint Wall as Necessary; Install New Shed.

Matthew Closson appeared before the Commission regarding this application. He reminded the Commission that the survey had been updated to include the size of the jet ski lift, the replacement of the second dock with a 3'x12' walkway, and the addition of littoral boundaries. Mr. Closson noted that the detail on the swim area had been provided. The stone wall around the swim area was proposed to match the existing lake wall, according to Mr. Closson.

Mr. Closson confirmed the existing concrete pier will be removed prior to the installation of the cantilever dock. Ms. Mulvey questioned what would be installed in the bottom of the swimming area. Mr. Closson noted that the hope was to rake up some of the existing lakebed and backfill with that. He explained that the lakebed material is currently a mixture of rocks and sand, noting that it is not muddy at all. Mr. Molinelli questioned the length of dock measured from the wall. Mr. Closson indicated it would be 40'.

Ms. Marino questioned whether the walkway comes in and out every year. Mr. Closson confirmed.

Discussion ensued on the swimming area. Mr. Closson confirmed that no equipment would be brought into the lakebed to remove the concrete pier nor to create the swim area. He also confirmed that no stairs will be going into the lakebed. Ms. Marino questioned whether the applicant was amenable to adding a vegetative buffer around the swim area. He noted that his client would likely like to leave some open for access. Ms. Marino questioned the height of the lake wall. Mr. Closson estimated it to be six to eight inches. Ms. Mulvey

questioned the height of the wall in that location. Mr. Closson guessed it to be a depth of two to two and one-half feet during the summer months. He explained that the grade of the swimming area will be sloped.

The commission agreed to modify the location of the silt fence and Mr. Closson agreed to a double row of silt fence to be installed ten feet to the north of the retaining wall.

MOTION: Mr. Davenport, Mr. Molinelli second, to approve Application IWWC#20-56 Applicant: Matthew Closson Owner: David Paigo Trust Location: 656 East Wakefield Boulevard Proposal: Install New Cantilever Dock; Install Swim Area; Repoint Wall as Necessary; Install New Shed, subject to the following standard conditions (1-12) and additional conditions:

1. The permittee shall notify the Inland Wetlands Enforcement Officer immediately upon the commencement of work and upon its completion.
2. If the authorized activity is not completed within five years from the issuance date of December 3, 2020 said activity shall cease and, if not previously revoked or specifically renewed or extended, this permit shall be null and void. Any request to renew or extend the expiration date of a permit should be filed in accordance with the Inland Wetlands Regulations of the Town of Winchester. Expired permits may not be renewed and the Inland Wetlands Commission may require a new application for regulated activities.
3. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. A copy of the permit and plans shall be on site at all times. Any structures, excavation, fill, obstructions, encroachments, or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension or revocation.
4. This authorization is not transferable without the written consent of the Inland Wetlands Commission.
5. In evaluating this application, the Inland Wetlands Commission has relied on information provided by the applicant. If such information is subsequently proved to be false, incomplete, or misleading, this permit may be modified, suspended, or revoked and the permittee may be subject to any other remedies or penalties provided by law.
6. The permittee shall employ the best management practices, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. Permittee will provide a copy of approved plans to contractor which shall stay on site and be available for review or inspection during the duration of work. For information and technical assistance, contact the Wetlands Enforcement Officer. The permittee shall immediately inform the Commission of any problems involving the wetlands or watercourses that have developed in the course of, or that are caused by, the authorized work.
7. No equipment or material including without limitation, fill construction materials, or debris, shall be deposited, placed or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.
8. This permit is subject to and does not derogate any rights or powers of the Town of Winchester, conveys no property rights or exclusive privileges, and is subject to all public and private rights to all applicable federal, state and local laws. In conducting and maintaining any activities authorized herein, the permittee may not cause pollution, impairment, or destruction of the inland wetlands and watercourses of Winchester.
9. If the activity authorized by the inland wetlands permit also involves activity or a project that requires zoning of subdivision approval, special permit, variance, or special exception, no work pursuant to the wetlands permit may begin until such approval is obtained.
10. The permittee shall maintain sediment and erosion controls at the site in such operable conditions as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee shall correct any such deficiencies within 24 hours of said deficiency being found. The permittee shall maintain such control measures until all areas of disturbed soils at the site are stabilized.
11. The permittee, contractor and/or owner shall conduct all operations at the site in full compliance with this permit, to the extent provided by law, may be held liable for any violations of the terms and conditions of this permit and are responsible for any violation they may have created.

12. Wetland flagging to stay in place during the construction process. Missing flags to be replaced upon the Wetland Agent's request if required for inspection or enforcement. Dock registration to be submitted to the Wetlands Office;
13. Cash erosion and sedimentation bond totaling \$3000 to be submitted to the Inland Wetlands Office prior to the commencement of work.
14. A double row of silt fence to cover the larger work areas, from the southernmost property boundary to ten feet north of the staircase area.
15. Extend the vegetative buffer along the sides of the swimming area;
Motion passed with Mr. Davenport, Ms. Hunter, Ms. Krawiecki, Ms. Marino, Mr. Molinelli, and Mr. Timmeney voting in favor while Ms. Mulvey was opposed.

B. IWWC#20-53 Applicant: Matthew Closson Owner: Gerald Crispino and Robin Crispino Location: 851 East Wakefield Boulevard Proposal: Construct New Single-Family Home as per Plot Plan and Drawings.

Matt Closson, accompanied by Professional Engineer Michael Sherman of Laurel Engineering, appeared before the Commission regarding this application. Mr. Sherman reviewed the site design, noting that the plans have been revised, including changes to the proposed grades of the driveway as there had been staff concerns regarding water flowing from it and causing ice in the road. Mr. Sherman reported the road as having a very good cross slope and good gutters, opining that the site development will not cause any icing problems. He noted the good pitch on the road will cause any water coming off the driveway to flow towards the catch basin. He noted that the impact of development will be mitigated through the installation of five 4'x4' leaching galleys, sized to accept the total volume of the ground water recharge for the watershed draining to the site from the hill to the south. Mr. Sherman explained the roof leaders will be hooked into the five galleys which are designed to take that water quality volume. He noted that a ground water drain will be hooked into a catch basin. He explained that the catch basin attaches to another catch basin directly across the road that then drains directly into the lake.

In response to comments received from Department of Public Works Director Jim Rollins, the plans were modified to extend the construction access to 50'. The total regulated activity for the construction will be 151 square feet, according to Mr. Sherman.

Mr. Sherman reminded the Commission that the roof leaders and stormwater will be treated into infiltrators, noting that at least a quarter inch of rain will be infiltrated back into the ground. What cannot be infiltrated into the ground will discharge into the pipe, Mr. Sherman explained. He noted that the stormwater maintenance plan details the checking of the catch basin at least once per year.

Mr. Molinelli questioned whether there would likely be blasting. Mr. Closson indicated that he doubted that any would be necessary.

MOTION: Mr. Davenport, Ms. Marino second, to approve Application IWWC#20-53 Applicant: Matthew Closson Owner: Gerald Crispino and Robin Crispino Location: 851 East Wakefield Boulevard Proposal: Construct New Single-Family Home as per Plot Plan and Drawings, subject to the following standard conditions (1-12) and additional conditions:

13. Cash erosion and sedimentation bond totaling \$1500 to be submitted to the Inland Wetlands Office prior to the commencement of work.
14. Owner to submit detail on piping going into Town catch basin;

unanimously approved.

C. IWWC#20-57 Applicant: Mark Beecher Owner: Robert J. Birney and Patricia L. Birney Trustees, The Robert J. and Patricia Birney Trust Location: 408 East Wakefield Boulevard Proposal: Second Floor Addition Over Existing Single-Story, Single Residence; Add Parking and Walkway.

Professional Engineer Dennis McMorrow of Berkshire Engineering, accompanied by Architect Michael Boe and contractor Mark Beecher, appeared before the Commission regarding this application. Mr. Boe reminded the Commission that the existing single-story structure on land is being demolished and the new structure will be rebuilt in the same footprint with a slab on grade foundation. He shared photographs of the existing conditions. Mr. Beecher confirmed that his clients will be connecting to town sewer.

Ms. Marino questioned what the parking area and walkway would be made from. Mr. McMorrow explained that the parking area will be process gravel but may be paved later one and the walkway would be pervious pavers. Ms. Mulvey questioned the note on the plans regarding the removal of the foundation. Mr. Beecher explained that it was remnants of an old garage. With regards to removal of trees on the site, Mr. McMorrow indicated three will be removed, with the closest one being 110' from the lake.

MOTION: Mr. Davenport, Mr. Timmeney second, to approve Application IWWC#20-57 Applicant: Mark Beecher Owner: Robert J. Birney and Patricia L. Birney Trustees, The Robert J. and Patricia Birney Trust Location: 408 East Wakefield Boulevard Proposal: Partially Demolish Existing Single-Story Residence and Rebuild with Two Story Single Family Residence; Add Parking and Walkway, subject to the standard (1-12) conditions and additional conditions:

13. Cash erosion and sedimentation bond totaling \$1500 to be submitted to the Inland Wetlands Office prior to the commencement of work.

D. IWWC#20-58 Applicant/Owner: Shawn Stanziale Location: 504 East Wakefield Boulevard Proposal: Renovate Cottage to Add Second Floor Living.

Shawn Stanziale appeared before the Commission regarding this application. He explained that he was looking to add a second floor to both his residence as well as his detached garage. Referring to the plans, Mr. Stanziale reported that his coverage will reduce from 38% to 32.9%. Mr. Stanziale explained that the proposed improvements were depicted in the color green on the plans. He noted that he also was seeking to add a trampoline in the water, relocate the driveway, add a patio, and replace the decks.

Ms. Marino questioned the size difference between the existing and proposed driveway. Mr. Stanziale noted that the new driveway is a decrease in size, explaining that it will be reduced from 3,600 to 2,933 square feet. Mr. Stanziale confirmed that the current driveway is paved as will the new driveway be paved. Ms. Marino questioned whether the garage currently had water and power. Mr. Stanziale noted it currently had power.

Mr. Davenport noted the plans lacked details on drainage, particularly with the proposed new driveway. Mr. Molinelli questioned what was planned for the waterfront. Mr. Stanziale explained that the only proposed change for the waterfront was the addition of a trampoline. Ms. Marino noted the existing dock encroached into the littoral boundaries. Ms. Marino requested that dimensions be added to the plans for the items in the water. She also requested that the construction access be included on an updated set of plans.

Mr. Davenport questioned whether there were any proposed grade changes for the new sidewalk. Ms. Marino questioned whether the foundation would be adequate for the second floor(s). Mr. Davenport noted that it was a matter for the Building Department. Mr. Molinelli requested more information on how the littoral boundaries were presented, noting that they were likely based on the cove method.

Mr. Stanziale noted that he would likely engage an engineer to address questions shared.

MOTION: Mr. Molinelli, Mr. Davenport second, to accept Application IWWC#20-58 Applicant/Owner: Shawn Stanziale Location: 504 East Wakefield Boulevard Proposal: Renovate Cottage to Add Second Floor Living, and as there may be public interest, to schedule a public hearing for December 16, 2020; Motion passed with

Mr. Davenport, Ms. Hunter, Ms. Krawiecki, Ms. Marino, Mr. Molinelli and Ms. Mulvey being in favor while Mr. Timmeney abstained.

E. IWWC#20-59 Applicant: Arthur L. Soucy and Kate C. Soucy Owner: Soucy Management Trust Location: 222 Perch Rock Trail Proposal: Remove Existing Bulkhead and Replace with Engineered Block Construction Wall; Relocate Stairs from Protruding into Lake to Protruding into Yard.

Arthur Soucy appeared before the Commission regarding this application. He explained that the scope of the project has been changed since the application was first submitted. Mr. Soucy noted that the wall will not be replaced. He explained that only a twenty-foot section on the east end of the lakewall is in disrepair. Mr. Soucy indicated that only that section will be repoured. Mr. Molinelli questioned whether a deep drawdown was necessary for the work. Mr. Soucy explained that it was not, but he would like to have the work completed this year. He noted that the stairs may need some repointing on the top step but not much work is planned for it. Silt fence was discussed with Mr. Soucy indicating that the job would like take three to four days.

MOTION: Ms. Mulvey, Ms. Hunter second, having found it as not significant activity, to accept and approve Application IWWC#20-59 Applicant: Arthur L. Soucy and Kate C. Soucy Owner: Soucy Management Trust Location: 222 Perch Rock Trail Proposal: Repour up to twenty feet of concrete lake wall either by hand or poured and repoint top step, subject to the standard (1-12) conditions and additional conditions:

13. Cash erosion and sedimentation bond totaling \$500 to be submitted to the Inland Wetlands Office prior to the commencement of work.
14. Silt fence to be installed in front of work areas;

unanimously approved.

F. IWWC#20-60 Applicant/Owner: Paul Bauknecht and Claire Bauknecht Location: 152 Shore Drive Proposal: Jetski Lift/Drive-on – walk-out.

Claire Bauknecht appeared before the Commission regarding this application. She explained that she was seeking to add a 5'x12' jetski lift, located outside of the ten-foot littoral boundary. Mr. Davenport questioned whether it was attached to the wall or floating. Ms. Bauknecht noted that it would be a floating lift. Mr. Davenport questioned the walkway adjacent to the jetski lift. It was noted that walk-outs are limited to a width of three feet. Ms. Marino noted that the plan indicated 58.32' of shore frontage and noted that with the walkout, it would exceed the 50% coverage rule. Ms. Bauknecht indicated that she would forgo the walkway. Mr. Molinelli questioned the type of disturbance that might occur with installing the jetski lift. Ms. Bauknecht indicated that there would be none as it would be attached to the wall.

MOTION: Mr. Davenport, Ms. Mulvey second, to accept and approve Application IWWC#20-60 Applicant/Owner: Paul Bauknecht and Claire Bauknecht Location: 152 Shore Drive Proposal: 5'x12' Jetski Lift subject to the standard (1-12) conditions; unanimously approved.

G. IWWC#20-61 Applicant/Owner: Kyle Davis-Fulton Location: 634 East Wakefield Boulevard Proposal: Repair/Rebuild Lake Wall – Remove Concrete Cap, Form and Repair Concrete Cap; Remove Existing Stucco, Rebuild Several Areas of Wall; Repair and Complete Staircase into Water. Remove Existing Dock.

Kyle Davis-Fulton, accompanied by Professional Engineer Joe Green, appeared before the Commission regarding this application. Mr. Green indicated that the proposal included general maintenance to the wall and the removal of the existing pier. He noted the dock would be replaced with a floatable dock. All of the materials that will be needed for the proposed work will be dropped in her driveway and with a wheelbarrow will be brought down to the lake. She noted that there would be no machinery, explaining that there would be no access for it due to the small size of her property. Mr. Green confirmed that the pier would be removed from the lakebed. Ms. Davis-Fulton noted the new dock would be a cantilever dock. Inquiry was made to the length of "rebuild" for the lakebed. Mr. Green indicated that the work was not a rebuild but instead was maintenance of the wall. Staff questioned whether any stones were being restacked. Mr. Green indicated that there was not and that the work on the wall was only recapping.

Mr. Davenport noted that the Commission would like a complete scope of work including what areas of the wall are going to be repointed and how the concrete piers are going to be removed.

MOTION: Mr. Davenport, Ms. Mulvey second, to accept Application IWWC#20-61 Applicant/Owner: Kyle Davis-Fulton Location: 634 East Wakefield Boulevard Proposal: Repair Lake Wall; Removal, Form, and Repair of Concrete Cap on Lake Wall; Repair Staircase into Water; Remove Existing Dock; Install Cantilever Dock finding the proposed activity as not significant; unanimously approved.

Brief discussion occurred where the Commission had an opportunity to advise the wetlands agent on whether to pursue enforcement activity on the breaking up of rocks on 542 East Wakefield Boulevard and excavating the small piece of land opposite 215 West Wakefield Boulevard. Additionally, a new bluestone walkway and patio installed at 614 East Wakefield Boulevard was discussed.

6. ADJOURN:

MOTION: Mr. Davenport, Ms. Krawiecki second, to adjourn at 10:30PM; unanimously approved.

Respectfully submitted,
Pamela A. Colombie
Recording Clerk