



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

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

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

**September 16, 2020 – 7:00PM
Regular 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 Mr. Davenport 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 excused.

3. APPROVAL OF MINUTES – August 19, 2020 Regular Meeting and August 26, 2020 Special Meeting:

The August 19, 2020 Regular Minutes should include the following corrections:

- Under Agenda Review, Mr. Molinelli requested that an item be added under *Other Business* to include *Discussion of Dock and Mooring Ordinance (Section 162)* and *Dissemination of Information to the Public*; and
- Under Agenda Review, Ms. Mulvey requested that an item be added under *Other Business* to include *Discussion on Buoys*;

MOTION: Mr. Davenport; Ms. Mulvey second, to approve the August 19, 2020 Regular Meeting Minutes as amended; unanimously approved.

MOTION: Mr. Davenport, Ms. Hunter second, to approve the August 26, 2020 Special Meeting Minutes; unanimously approved.

4. AGENDA REVIEW:

Mr. Molinelli requested that an agenda item be included under *Other Business* to include *Discussion of Dock and Mooring Ordinance (Section 162)*, *Dissemination of Information to the Public*; and *Discussion on Buoys*;

The consensus of the Commission was that discussion would not begin on an application after 10:45PM.

5. PUBLIC HEARINGS:

A. IWWC#20-23 Applicant: Winchester Public Schools Owner: Town of Winchester Location: 15 Hinsdale Avenue Proposal: Hinsdale School Renovation and New Construction, Including Restoration and Daylighting of the Gilbert Home Brook that Flows in a Culvert Under a Portion of the School.

Professional Engineer Donald W. Smith, Jr., accompanied by Superintendent of Schools Melony Brady-Shanley and Landscape Architect Steve Wynn, appeared before the Commission regarding this application.

Mr. Smith updated the Commission on the modifications that have been made to the plans and drawings since the last meeting.

Mr. Smith reviewed the relocation of the dumpster enclosure, away from the original proposed spot within fifteen feet of the school to the northwest corner of the parking lot. Additionally, a sidewalk and a set of stairs have been added from the proposed new parking lot, leading down to Hinsdale Avenue. Referring to the two proposed playscape areas, Mr. Smith reported that due to budget constraints, the proposed surface has been changed from a rubberized surface to an engineered wood-fiber surface. He explained that as a result of this

modification, there would be a reduction in impervious surface coverage figures. The parking lot changes would result in a further reduction of impervious surface of approximately 1000 square feet.

Mr. Smith reminded the Commission that there had been an independent review sought and one had been completed by Louriero Engineering. He reported that the comments resulting from that independent review had been addressed and that only a few housekeeping matters remained to be updated on the plans after the completion of the land use approvals.

Mr. Smith reported that previously, the 100-year flood elevation of the Gilbert Home Brook was approximately 1.9' above the finished floor elevation of the school but with the improvements and the opening up of the waterway and improvements for overflow, the 100-year flood elevation is now about 11 inches below the finished floor elevation. He noted that the potential for flooding of the school has been significantly reduced as part of this project.

Mr. Davenport questioned whether there were any drainage issues with the proposed surface material change with the two playscapes. Mr. Smith confirmed that there would be an underdrain system with both playscape areas.

Mr. Davenport questioned whether the sides of the box culvert under the section of the building being demolished would be removed. Mr. Smith reported that the base bid provides for bringing the box culvert down to approximately three feet above the existing floor level, noting that approximately one foot of sediment would remain in the bottom of the culvert. He explained the area will slope 2.5:1 or 3:1 from those side walls up to the parking lot on the westerly side and to the building on the easterly side. Mr. Davenport questioned whether any stone would be added on top of the sediment in the stream bed. Mr. Smith explained that the flow area under the existing school building is larger than the brook upstream, so the velocity lessens in that area. He noted that the area already includes sediment, small cobble, and 4"-6" river jack. He noted that the proposal includes putting in some rock weirs that would be able to prevent sediment from flowing over it. Mr. Davenport questioned who would oversee this part of the construction. Mr. Smith indicated that the contract documents included an environmental protection specification which requires the contractor to put together a plan with a step-by-step sequence on execution. Mr. Smith noted that his firm will be reviewing the contractor's proposed plan for sediment ponds and dewatering areas.

Mr. Smith reminded the Commission that the US Army Corp. of Engineers have communicated that the project falls under their general permit process and self-verification and that the State of Connecticut Department of Energy and Environmental Protection communicated that the project did not meet their threshold due to the minimum extent of the impact.

The Commission reviewed the architect's artistic rendering of the overlook down to the water after the building is removed. Mr. Smith noted that plans have been provided for the maintenance of the area. Mr. Wynn reviewed the plans for plantings adjacent to the stream, noting that the slopes will include a conservation mix type grass as the ground cover along with a series of small trees. He noted that the area will be maintained with a weed whacker once per year. Mr. Wynn noted that inkberry plants and Armstrong Maple trees and October Glory Maple trees were included in the design. He explained the trees will provide some shade, functioning to keep the temperature of the stream down. Mr. Smith reported the knotweed that will be removed along with twelve inches of soil in an effort to control that. Mr. Davenport questioned whether there was some type of maintenance plan for the landscape. Ms. Brady-Shanley reported a routine maintenance plan will be laid out for the schools by the landscape architect for the district to be able to implement.

Mr. Timmeney questioned the distance between the dumpster location and the brook. Mr. Smith reported that there was approximately fifteen feet between the back edge of the dumpster and the delineated edge of the wetlands.

Staff read aloud a reply from Professional Engineer Tristan Wallace of Louriero Engineers, who had provided the independent review, indicating he was satisfied with the responses provided by Mr. Smith.

The hearing was open to the public.

Ms. Brady-Shanley shared her appreciation of the thorough review that the Commission has conducted.

David Carter of 143 Mountain Road, having previously identified as the building committee vice chairman, concurred with the superintendent's remarks.

Discussion followed regarding whether it was appropriate to close the public hearing at this point. The consensus of the Commission was to include the application on the agenda for the special meeting scheduled for the following week in order to allow more time for Mr. Smith to complete the revisions to the plans and for Mr. Wallace to confirm that the comments have been incorporated into the final plans.

MOTION: Mr. Davenport, Ms. Hunter second, to continue the public hearing to a special meeting scheduled for September 23, 2020; unanimously approved.

B. IWWC#20-32 Applicant/Owner: Mark Mandell and Merrill Mandell Location: 410 East Wakefield Boulevard Proposal: Install 18" Goose Barrier Fence Along Top of Existing Sea Wall; Modify Existing Boat Ramp to Create a 12'x12' Seating Area with Steps Using Existing Stone.

The application was continued to a public hearing at a special meeting scheduled for October 7, 2020 at 7PM via ZOOM.

6. OLD BUSINESS:

A. IWWC#20-06 Applicant/Owner: Paul J. Marino Location: 680 East Wakefield Boulevard Proposal: Add 6" Granite Top to Lake Wall; Add Riparian Garden Along Lake Wall; Add 30 Cubic Yards of Fine Sandy Loam to Yard and Lay Sod; Add 30'x3" Pervious Paver Walk.

Ms. Marino recused herself from this application and stepped away from her video as this application was considered.

Paul Marino appeared before the Commission regarding this application. Mr. Marino reviewed the updated plan as prepared by Land Surveyor John DiCara. Mr. Marino noted the proposed pervious walkway to the north of the home. He noted that the specs on the engineered paver product had been submitted and explained that they will be installed according to the manufacturer's recommendations. Mr. Marino reminded the Commission that the proposal includes raising the seawall up by six inches by adding a granite top. Additionally, thirty cubic yards of sandy topsoil will be added to the lawn area to allow for better drainage and alleviate the chronic wet conditions of the lawn. Mr. Marino noted that a .05 grade will result between the house and the lakefront. He noted the locations of the soil stockpile and the silt fence and haybales during the construction. Mr. Marino noted that a granite return will be added, explaining that it will only be six inches high and will fade into the property.

Mr. Marino indicated that the proposal includes relocating the boatlift to the opposite side of the dock, noting that the dock will fall within the littoral boundary. He reminded the Commission that he had entered into a lease agreement for the five foot strip of land adjacent to his property thereby affording him the necessary width of the property and falling below the 50% restriction of lakefront coverage for his dock and boatlift.

Staff reported that the town's legal counsel, Attorney Kevin Nelligan, had confirmed that an approval could be issued by this Commission based on the lease agreement provided that a condition of approval included recording the lease on the Land Records.

It was noted that the landscaping portion of the proposal could be approved at this meeting with the dock and lift portion to be included at a future meeting after a public hearing.

Mr. Marino reviewed the proposed plants that he intended to include in a new riparian garden.

MOTION: Ms. Hunter, Mr. Molinelli second, to approve Application IWWC#20-06 Applicant/Owner: Paul J. Marino Location: 680 East Wakefield Boulevard Proposal: Add 6" Granite Top to Lake Wall; Add Riparian Garden Along Lake Wall; Add 30 Cubic Yards of Fine Sandy Loam to Yard and Lay Sod; and Add 30'x3" Pervious Paver Walk, 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 August 19, 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 \$1500 to be submitted to the Inland Wetlands Office prior to the commencement of work,
and to schedule a public hearing for a special meeting on October 7, 2020 at 7PM for a Dock, Swim Platform, and Boatlift;

Motion passed with Mr. Davenport, Ms. Hunter, Ms. Krawiecki, and Mr. Molinelli voting aye while Ms. Mulvey and Mr. Timmeney abstained.

B. IWWC#20-18 Applicant/Owner: Joseph Charles Location: 109 Mundry Road Proposal: Septic and Well Approval.

Staff reported having no contact with the applicant since the last meeting.

MOTION: Mr. Davenport, Ms. Hunter second, to continue Application IWWC#20-18 to the next regular meeting scheduled for October 21, 2020; *unanimously approved.*

C. IWWC#20-23 Applicant: Winchester Public Schools Owner: Town of Winchester Location: 15 Hinsdale Avenue Proposal: Hinsdale School Renovation and New Construction, Including Restoration and Daylighting of the Gilbert Home Brook that Flows in a Culvert Under a Portion of the School.

No business discussed as the public hearing remained open and the matter was continued to a special meeting for September 23, 2020.

D. IWWC#20-25 Applicant: Matthew Closson Owner: John Flaherty and Colleen Burke Location: 608 East Wakefield Boulevard Proposal: Install New 8'x40' Cantilever Dock in Same Location as Previous Dock.

Staff reported a request from the applicant to continue the application.

MOTION: Mr. Davenport, Ms. Mulvey second, to continue Application IWWC#20-25 to a special meeting scheduled for October 7, 2020 at 7PM via ZOOM; *unanimously approved.*

E. IWWC#20-26 Applicant/Owner: Leroy Emmerthal Location: 454 East Wakefield Boulevard Proposal: Reconstruct Existing Lake Wall and Raise Height by 20"; Repair Jetty; Permit Dock; Add Boat Lift, Double Jetski Lift, 10'x10' Swimfloat, and Bouy; and Add Two Sets of Steps Receding into Lawn.

Mr. Molinelli and Ms. Mulvey recused themselves from this application and stepped away from their videos as this application was considered.

The following application on the abutting property, relating to the same applicant/owner, was discussed, and reviewed simultaneously with this one. Roy Emmerthal, accompanied by his contractor Bryan Dwyer, appeared before the Commission regarding this application. Mr. Emmerthal reported that the scope of the proposal has been reduced since the last time his applications were discussed. He explained that he had scrapped the additional interior retaining walls, the patios, and the reconstruction of the steps on the property. He indicated that the proposal had been reduced to reconstruction of the lake wall, adding the sets of steps from the lake to the property, and the registrations for the docks. Mr. Emmerthal reported that access to the lake will be from the southern side of 454 East Wakefield Boulevard, explaining that it is the existing access path.

Staff questioned the plans for the concrete area that currently abuts the lake's edge. Mr. Emmerthal noted that Mr. Dwyer will mark off the area with stone from the site to outline the patio that currently exists and return at a later date after an engineer has been retained to amend the proposal. He noted that the area will be replaced with a fieldstone type patio, confirming that it will be the same dimensions as depicted by the surveyor on the plan. Regarding the pump house, Mr. Emmerthal confirmed that it will remain and will only be temporarily raised. Mr. Dwyer reported that it may not sustain the work and may have to be rebuilt to the same

specifications. Staff cautioned that the shed is a zoning matter and there should be a separate discussion in that regard.

MOTION: Mr. Davenport, Ms. Krawiecki second, to approve Application IWWC#20-26 Applicant/Owner: Leroy Emmerthal Location: 454 East Wakefield Boulevard Proposal: Reconstruct Existing Lake Wall and Raise Height by 24"; Repair Jetty; Permit Dock; Add Boat Lift, Double Jetski Lift, 10'x10' Swimfloat, and Bouy; and Add Two Sets of Steps Receding into Lawn, Replacement of Patio at northwesterly side of the property subject to the standard 1-12 conditions;

13. Cash erosion and sedimentation bond totaling \$2500 to be submitted to the Inland Wetlands Office prior to the commencement of work.

14. Approval is based on plan prepared by Clark Land Surveying, LLC entitled, "Improvement Location Survey 454 and 500 East Wakefield Boulevard Prepared for Roy Emmerthal" dated August 12, 2020 and revised through 09-08-2020.

16. As-built of lakewall to be submitted prior to return of bond;

Motion passed with Mr. Davenport, Ms. Hunter, Ms. Krawiecki, Ms. Marino, and Mr. Timmeney in favor.

F. IWWC#20-27 Applicant/Owner: Leroy Emmerthal Location: 500 East Wakefield Boulevard Proposal: Repair Existing Lake Wall and Raise Height; Add One Set of Steps into Yard.

Mr. Molinelli and Ms. Mulvey recused themselves from this application and stepped away from their videos as this application was considered.

MOTION: Ms. Hunter, Mr. Davenport second, to approve Application IWWC#20-27 Applicant/Owner: Leroy Emmerthal Location: 500 East Wakefield Boulevard Proposal: Reconstruct Existing Lake Wall and Raise Height by 24"; Permit/Register Dock and Boat Lift and Add One Set of Steps Receding into Lawn, Replacement of Patio at northwesterly side of the property subject to the standard 1-12 conditions;

13. Cash erosion and sedimentation bond totaling \$500 to be submitted to the Inland Wetlands Office prior to the commencement of work.

14. Approval is based on plan prepared by Clark Land Surveying, LLC entitled, "Improvement Location Survey 454 and 500 East Wakefield Boulevard Prepared for Roy Emmerthal" dated August 12, 2020 and revised through 09-08-2020.

16. As-built of lakewall to be submitted prior to return of bond;

Motion passed with Mr. Davenport, Ms. Hunter, Ms. Krawiecki, Ms. Marino, and Mr. Timmeney in favor.

G. IWWC#20-29 Applicant: Gary Paganelli and Beverly Paganelli Owner: Beverly Paganelli Revocable Trust Location: 856 East Wakefield Boulevard Proposal: Repair Two Sections of Lake Wall; Replace Third Dock with Wading Area; Add Boatlift, Double Jetski Lift and Trampoline; Register 2 Docks; and Add Shed.

Gary Paganelli appeared before the Commission regarding this application. Mr. Paganelli reminded the Commission that two sections of the lake wall will be repaired by hand-stacking the stone. Additionally, a dock and associated pier will be removed from the lake and an area of the property will be modified to allow the wall to recede into the property to create a wading area. Mr. Molinelli questioned the pier that was being removed. Mr. Paganelli explained that they were manhole risers filled with concrete and he intended to drop it and roll it back to shore in order to remove it. He noted that the pier is five feet in diameter and likely eight feet high. Mr. Paganelli noted the excavator will only be at the edge of the lake for this pier removal. Mr. Davenport questioned the distance from shore that the pier was located. Mr. Paganelli indicated it to be about fifteen feet out in the water. He noted that when the lake's water is down, a cable will be dropped, allowing the pier to be pulled and rolled towards the shore. Ms. Hunter questioned whether it will be broken up in the lakebed. Mr. Paganelli indicated that it would not be but may need to be broken up after it is on the property. Ms. Marino questioned whether the dock will be replaced. Mr. Paganelli indicated that it will not. Mr. Davenport questioned what the plan was for the lakebed for the spot where the pier had rested. Mr. Paganelli noted that the pier is not likely down more than two and one-half feet, indicating that he intends to leave the lakebed

exactly in its current form once the pier is gone and will not be backfilling. Mr. Molinelli questioned whether the work will be completed during the deep drawdown. Mr. Paganelli confirmed.

MOTION: Mr. Davenport, Mr. Molinelli second, to approve Application IWWC#20-29 Applicant: Gary Paganelli and Beverly Paganelli Owner: Beverly Paganelli Revocable Trust Location: 856 East Wakefield Boulevard Proposal: Repair Two Sections of Lake Wall; Replace Third Dock with Wading Area; Add Boatlift, Double Jetski Lift and Trampoline; Register 2 Docks; and Add Shed subject to the standard 1-12 conditions; 13. Cash erosion and sedimentation bond totaling \$2000 to be submitted to the Inland Wetlands Office prior to the commencement of work;

unanimously approved.

H. IWWC#20-30 Applicant: Gary Paganelli and Beverly Paganelli Owner: 538 Wheelers Point, LLC Location: 538 Wheelers Point Proposal: Replace Existing Deck with Patio; Add Double Jetski Lift.

Gary Paganelli appeared before the Commission regarding this application. He explained that while the plans reflect a "proposed" boatlift, one was already approved and registered. He reminded the Commission that the proposal included a request for a jetski lift, registration for both docks, and to reregister the existing trampoline. Additionally, Mr. Paganelli explained that the existing deck was removed, and the proposal included a pervious patio in its spot. He noted that the location of the trampoline had been submitted to the Commission.

Ms. Marino questioned the proposed materials for the patio. Mr. Paganelli explained that the base will include 2" stone and a dust to a blue stone pervious patio.

MOTION: Mr. Davenport, Ms. Mulvey second, to approve Application IWWC#20-30 Applicant: Gary Paganelli and Beverly Paganelli Owner: 538 Wheelers Point, LLC Location: 538 Wheelers Point Proposal: Replace Existing Deck with Patio; Boatlift, Add Double Jetski Lift, Trampoline, and Two Docks, subject to the standard 1-12 conditions; 13. Cash erosion and sedimentation bond totaling \$1500 to be submitted to the Inland Wetlands Office prior to the commencement of work;

unanimously approved.

The Commission recessed at 9:11PM and reconvened at 9:16PM.

I. IWWC#20-31 Applicant: Peter D'Addeo Owner: Sandy Drive Three Location: 240 Perch Rock Trail Proposal: Install Permeable Pavers for Parking Area.

Staff reported a request for a continuance from the applicant's attorney.

MOTION: Ms. Marino, Ms. Hunter second, to continue Application IWWC#20-31 to the October 21, 2020 regular meeting;

unanimously approved.

J. IWWC#20-32 Applicant/Owner: Mark Mandell and Merrill Mandell Location: 410 East Wakefield Boulevard Proposal: Install 18" Goose Barrier Fence Along Top of Existing Sea Wall; Modify Existing Boat Ramp to Create a 12'x12' Seating Area with Steps Using Existing Stone.

No business was discussed as it was noted that the public hearing for this matter had been scheduled for a special meeting on October 7, 2020.

K. IWWC#20-33 Applicant/Owner: Lynette McCarthy Location: 134 Shore Drive Proposal: Knock Down and Rebuild Cottage.

Professional Engineer Rob Colabella, accompanied by his client Lynette McCarthy, appeared before the Commission regarding this application. Mr. Colabella reminded the Commission that the proposal was to knock down the existing structure and rebuild a new cottage. He noted that the new structure will be in the same footprint as the existing cottage and will be slightly smaller.

Mr. Colabella indicated that at the last meeting, when asked whether there were any plans to do anything with the lake wall, the proposal was at that time to repoint the wall and to fix what was there. Mr. Colabella reported visiting the site the day after the last meeting to confirm that no equipment would be necessary for the repairs. He noted that pictures of the existing conditions had been included on the updated plans submitted. After having visited the site and reviewing the lakewall, Mr. Colabella reported that no machines will be necessary to complete the repairs.

When reviewing the added work, in terms of the lake wall repair/rebuild, Ms. Mulvey questioned the length of the existing dock. Mr. Colabella reported that there were no proposed changes to the dock. Ms. McCarthy maintained that the dock has been there forever and that they have repaired it over the years. Ms. Marino questioned which part of the dock is removed in the winter. Ms. McCarthy noted that the larger section on the end and the ramp are taken out each winter.

Mr. Davenport questioned when the work would begin. Ms. McCarthy confirmed the demolition work would be done this year.

Ms. Marino questioned whether there would be any drains installed behind the wall. Mr. Colabella confirmed that filter fabric would be installed in that area so that silt does not seep through the hole. He noted that the lake wall is very short in height. Ms. Hunter questioned whether there would be anything done to the steps leading from the yard into the lake. Mr. Colabella noted that there was only one stair and it would be repaired/replaced.

Mr. Timmeney questioned whether a vegetative buffer garden was proposed for the area between the yard and the lake. Ms. McCarthy agreed to add a buffer garden along the lakes edge. It was noted that the Commission has been encouraging residents to add riparian gardens with native plantings as recommended in the 2004 Connecticut Stormwater Quality Manual.

MOTION: Mr. Davenport, Ms. Mulvey second, to approve Application IWWC#20-33 Applicant/Owner: Lynette McCarthy Location: 134 Shore Drive Proposal: Knock Down and Rebuild Cottage; Repair Existing Seawall, subject to the standard 1-12 conditions along with the following condition:

13. Cash erosion and sedimentation bond totaling \$2000 to be submitted to the Inland Wetlands Office prior to the commencement of work.
14. Applicant to install filter fabric behind any repair areas of the seawall.
15. Install a two-foot vegetation buffer along lake wall;

unanimously approved.

L. IWWC#20-34 Applicant/Owner: David M. Wilson Location: 622 Wakefield Boulevard Proposal: Repairs to Lake Stone Wall and Pier.

David Wilson appeared before the Commission regarding this application. He reminded them that he was seeking to repair his lake wall as parts of it are leaning into the lake with some sections only needing repointing and the stones replaced. Mr. Wilson noted that he had significant sink holes. Additionally, Mr. Wilson explained he was proposing to fix the pier that holds the stationary part of the dock system, noting that it has sunk about eight inches. Mr. Wilson indicated the dock will be jacked up and the stonework under the dock would be repaired.

Staff noted the open 2009 permit which required a buffer garden be installed between the yard and the new patio which had been approved after-the-fact. What exists currently is crushed stone between the yard and the patio. The Commission discussed whether to uphold the conditions of the 2009 permit. Noting that while it was a problem that he inherited after his purchase of the property, Mr. Wilson communicated his willingness to install the buffer garden.

Ms. Marino questioned the repair to the pier, specifically whether there was an engineer involved and what the potential disruption to the lakebed would be. Mr. Wilson indicated that his mason was unable to provide many

details because the water level is up and cannot make out the extent of the damage. He noted that the mason retained is familiar with the property as he has made lake wall repairs at this property over the years. Ms. Mulvey questioned whether the pier was comprised of both stones and cement. Mr. Wilson confirmed. The amount of dock area on the site was reviewed. It was noted that the survey was from 1994. Mr. Wilson reported the fixed portion of the dock to be 36' long x 10' wide with a floating 4'-5' walkway with an 8' platform. There were also walk-outs, too, that Mr. Wilson explained were part of a welded frame on very large i-beams.

Discussion ensued regarding whether the repairs can be permitted according to the *Dock and Mooring Ordinance* and whether the system should be brought into compliance.

Mr. Wilson confirmed that all the work would be done by hand.

It was agreed that staff should seek a legal opinion regarding the approval of this commission to structures in the water that do not conform to the *Dock and Mooring Ordinance*. The Commission also remarked on their intention to visit the site.

MOTION: Mr. Davenport, Ms. Marino second, to continue Application IWWC#20-34 to the October 7, 2020 Special Meeting;

Motion approved with Mr. Davenport, Ms. Hunter, Ms. Krawiecki, Ms. Marino, Mr. Molinelli, and Ms. Mulvey voting aye while Mr. Timmeney was opposed.

7. NEW BUSINESS:

A. IWWC#20-35 Applicant/Owner: Robert Kelly and Pamela Kelly Location: 116 Sucker Brook Road Proposal: Excavating within a Wetlands and Upland Review Area.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

B. IWWC#20-36 Applicant/Owner: Town of Winchester Location: West Wakefield Boulevard over Sucker Brook Proposal: Rehabilitate Existing Twine 72" CMPs by Lining with 60" HDPE Pipes.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

C. IWWC#20-37 (Modification of IWWC#19-20) Applicant/Owner: Alan Needham Location: 714 West East Wakefield Boulevard Proposal: Transfer Dock Registration; Reconfigure Dock System.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

D. IWWC#20-38 Applicant/Owner: Gerald Mackie Location: West East Wakefield Boulevard (Across the Street from 613 West Wakefield Boulevard) Proposal: Remove Concrete Pier and Replace Portion of Damaged Sewall Behind it if Necessary; Permit Existing Dock.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

E. IWWC#20-39 Applicant: Dena Samele Owner: Marjorie Pascual Irrevocable Trust Location: 640 East Wakefield Boulevard Proposal: Repair/Replace Lake Wall; Register Dock, Swim Platform, and Jetski Lift.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

F. IWWC#20-40 Applicant/Owner: Michael A. Gutowski Location: 610 West Wakefield Boulevard Proposal: Remove and Replace Sea Wall; Remove and Replace Interior Retaining Wall; Replace and Relocate Dock; Reset Boatlift.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

G. IWWC#20-41 Applicant/Owner: Lynn Holdner and Hank Holdner Location: 758 East Wakefield Boulevard Proposal: Repair and Relocate Pier; Register Dock.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

H. IWWC#20-42 Applicant: Don LaPointe Owner: Robert K. Bates, Jr. and Tracey Bates Location: 428 East Wakefield Boulevard Proposal: Repair Top 2'-3' of Lake Wall; Remove Jet Ski Launch; Remove Lake Front Stone Patio and Replace with Lawn; Repair Lake Steps Leading into Water; Remove and Replace Two Steps of Concrete/Stone Steps; Extend Lower Block Retaining Wall; Add Shed.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

I. IWWC#20-43 Applicant/Owner: George Mackiewicz Location: 332 East Wakefield Boulevard Proposal: Remove and Replace Sea Wall and Dock Superstructure.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

J. IWWC#20-44 Applicant: Bryan Dwyer Owner: Sylvia Gambria Location: 812 East Wakefield Boulevard Proposal: Replace Lake Wall.

No business was discussed as the application was continued to a Special Meeting scheduled for September 23, 2020 at 7:00PM.

8. AGENT ACTIONS:

A. Determinations.

None.

B. Warnings/Violations.

i. SHOW CAUSE HEARINGS:

1. Owner: Robert Kelly and Pamela Kelly Cease and Desist Order Location: 116 Sucker Brook Road Map: 032 Block: 153 Lot: 033 Violation: Excavating within a Wetlands and Upland Review Area.

An application had been submitted on this matter and it would be taken up at the September 23, 2020 special meeting.

9. COMMUNICATIONS AND BILLS:

No business was discussed.

10. OTHER BUSINESS:

A. Discussion on Catch Basin Maintenance Schedule.

No business discussed.

B. Election of Officers.

No business discussed.

C. Discussion of Ordinance (Approvals of Applications and Contrasting What is Being Installed).

Foam mats were discussed. Ms. Mulvey questioned whether the Commission should be permitting these.

D. Discussion of Dock and Mooring Ordinance (Section 162).

No business discussed.

E. Dissemination of Information to the Public.

No business discussed.

F. Discussion on Buoys.

No business discussed.

11. ADJOURN:

MOTION: Mr. Davenport, Ms. Hunter second, to adjourn at 10:55PM; unanimously approved.

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