



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

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

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

**August 19, 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, Chris Kiely, Andrea Krawiecki, Mary Ann Marino, Steve Molinelli, and Jackie Mulvey as well as staff member Pam Colombie.

Ric Nalette and Kurt Timmeney was absent excused.

**3. APPROVAL OF MINUTES – July 15, 2020:**

**MOTION:** Ms. Hunter, Ms. Mulvey second, to approve the July 15, 2020 Regular Meeting Minutes as amended; unanimously approved.

**4. AGENDA REVIEW:**

Mr. Davenport suggested capping the meeting and possibly scheduling a Special Meeting for what remains as unfinished business.

**MOTION:** Mr. Davenport, Ms. Hunter second, to cap tonight's meeting at 10PM; unanimously approved.

**MOTION:** Mr. Molinelli, Ms. Krawiecki second, to add under *Other Business: Discussion of Ordinance (Approvals of Applications and Contrasting What is Being Installed)*; unanimously approved.

**MOTION:** Ms. Mulvey, Ms. Krawiecki second, to add to the agenda at a future date, the buoys that some Highland Lake residents are installing without approval; unanimously approved.

**5. PUBLIC HEARINGS:**

**A. IWWC#20-22 Applicant: Matt Closson Owner: Blue Lake Properties, LLC Location: 406 East Wakefield Boulevard Proposal: Installation of 8'x40' Cantilever Dock.**

Matt Closson appeared before the Commission regarding this application. Mr. Closson reminded the Commission that they had concerns at the July meeting regarding the location of the dock and how far it extended out into the lake. He noted that he had marked the area on the shore and located a buoy in the water in the location that the dock will extend to. Mr. Closson reported that he had requested Land Surveyor John DiCara to locate on a survey the proposed dock relative to the opposite shore and to depict the dock recently approved at the neighboring property at 444 East Wakefield Boulevard. Mr. Closson reported that the closest point of that dock to the opposite shore was 260' while the closest point to the opposite shore for this proposed dock is 286'.

Noting the angle of the proposed dock, Ms. Marino questioned whether the direct distance was known. Mr. Closson noted that speeds going through the narrows must be below 7MPH and explained that the dock next door was closer than this proposed dock. Ms. Marino questioned if there might be a better spot to locate the dock away from the ledge, thereby being able to reduce the length of the dock. Mr. Closson explained that the littoral boundaries would be encroached. He noted that if a boatlift were to be added to the south at that alternative location, it would be in front of their steps and eliminate their swim area in that spot. He explained

that if they were to add a boatlift to the north side of the dock, it would encroach the littoral boundaries. Additionally, Mr. Closson explained that it was more cost effective to anchor the dock into the ledge.

Mr. Davenport reported that he had been on site to visit and did not foresee a navigational hazard. Ms. Krawiecki noted that she, too, had visited the site and did not think it would be a problem. Ms. Hunter confirmed that she had been to visit the site and agreed. Mr. Molinelli reported visiting the site both from the land and from the lake and opined that there was enough distance between the proposed dock location and the opposite side of the lake.

Staff reported that the legal ad for this application and the following public hearing were published in the Republican American the requisite two times, August 5, 2020 and August 12, 2020. It was also noted that the Certificate(s) of Mail had been submitted serving as evidence that notice had been provided to the abutting property owners.

The hearing was open to the public.

Christine Doyle of 159 Losaw Road, identifying as the realtor in a contract on the sale of this home, spoke in favor of the application, noting that she believes the location of the dock to be appropriate.

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

**B. 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, appeared before the Commission regarding this application.

Staff had previously reported that the legal ad for this application was published in the Republican American the requisite two times, August 5, 2020 and August 12, 2020. It was also noted that the Certificate(s) of Mail had been submitted serving as evidence that notice had been provided to the abutting property owners.

Mr. Smith reminded the Commission that the project included demolition of approximately 10,900 square feet of the existing building laying closest to Spencer Street. He noted this included two stories of classrooms, the kitchen area, and the cafeteria. Mr. Smith reported that the remaining 32,000 square feet, some being from the original construction in 1950 and some being from an addition in 1988, will be renovated. Mr. Smith noted that the parking lot to the east will be abandoned and removed as a single-story 7900 square foot addition will be constructed in its place. He noted that as part of the demolition of the building, the Gilbert Home Brook will be daylighted. The foundation of the building in that area will be reduced to elevation 760. This will allow it to act as an overflow weir so that the larger storm flows, that cannot flow through the sixty-inch culvert under Hinsdale Avenue, will come out at grade and overflow onto Hinsdale Avenue, down Main Street, and go through to the Mad River, according to Mr. Smith.

Mr. Smith reported the entire site as 6.2 acres with approximately 38,525 square feet, or .9 of an acre, of regulated inland wetlands including an area on the westerly side of the field along the back of the homes on Williams Street. He noted that the wetlands circle to the north from there with the Gilbert Home Brook flowing down through the site until it reaches a culvert at the corner of the driveway. Mr. Smith reported that the project includes approximately 320 square feet of temporary direct wetlands impacts, along with approximately 46,900 square feet of regulated impact.

He noted that the site is located in a FEMA Flood Zone 'C' which is an area of minimal flooding but noted that the flood flow is the elevation of the Gilbert Home Brook and is tied to the backwater of the Mad River. The proposed project will result in less impervious area, with a decrease of approximately 1000 square feet,

according to Mr. Smith. He reported that there will be three new outlets to the Gilbert Home Brook though. One of the outlets will be to accommodate stormwater management for the ten-space parking lot adjacent to Spencer Street, according to Mr. Smith. He noted that there will be a second outlet to the Gilbert Home Brook off the existing pavement in the back center of the school in order to get the grading to accommodate the larger storm flows. The third new outlet will be added to address the increase in paved area due to the new parking lot. As part of the water quality plans, a hydro separator is proposed and a new outlet to the brook. He noted that the hydro separator is to separate out suspended solids and oil and greases that might be flowing off that parking area and to add water quality improvements before it hits the Gilbert Home Brook.

Mr. Davenport questioned what happens to the pollutants. Mr. Smith explained that it is something similar to a catch basin. Maintenance guidelines and recommendations have been included in these plans. He noted that these had been sent to the Wetlands Office this date and that those serve to define the responsible party, numbers the catch basins, and sets the obligation on the operator of the facility to review the stormwater system regularly and to make improvements as necessary.

With the new parking on Spencer Street, stormwater quality treatment includes the plans for underground galleys for water quality volume so that during a hot summer thunderstorm, the water gets stored in them to either infiltrate or dissipate back into the Gilbert Home Brook, according to Mr. Smith. He noted that the overall impervious surface coverage will be reduced by approximately 1000 square feet with these plans. Mr. Davenport questioned the overall impervious surface currently, noting that he was seeking to understand a percentage. Mr. Smith was unsure precisely of the current impervious surface coverage but estimated it to be a 10% reduction post-construction.

The Gilbert Home Brook still flows through a 30' long box culvert dating back to the 1940s, according to Mr. Smith. The plans include to replace it with a 6'x6', three-sided open-box culvert mimicking existing conditions. He noted that obtaining the necessary easement from an adjoining property owner is currently being undertaken. Mr. Smith noted that while at the last meeting, he had reported that the plans were to remove all of the existing concrete associated with that culvert including the two sidewalls as well as the bottom, there are substantial costs involved. He explained that this was the recommendation from the Department of Energy and Environmental Protection and will be included as a bid alternate. However, the base contract will include leaving a portion of those existing sidewalls in place and leaving the existing concrete bottom in place in that culvert. Mr. Davenport questioned the cost difference between the two. Mr. Smith reported the cost between the two to be estimated at \$300K, as part of the estimated construction cost of \$17.4M.

Mr. Smith reported having submitted this date to the Wetlands Office a Water Pollution Control Plan which will be part of the contract documents. He noted that the engineering is an outline but that an execution plan is expected from the contractor. Mr. Smith reported that the language in the documents requires the final plan to be reviewed by this Commission. He noted that the project is expected to be out to bid before the end of 2020 with construction to begin the first quarter of 2021 pending state approval.

Mr. Davenport questioned the gutters on the building, noting that there were no proposed changes. Mr. Smith explained that they currently drain to a manhole in the patio area which from there ties into a 30" pipe coming from Williams Avenue before discharging into the brook. Mr. Davenport opined that this was an opportunity to improve the water quality that comes off the roof of the building prior to its discharge into the brook. Mr. Smith noted that this could be part of the discussions with the firm providing the third-party review. He explained that stormwater quality improvements were not really a part of this project originally. He noted that the water off the building that passes through the manhole could be changed to a hydrodynamic separator that provides better separation of suspended solids than just a catch basin. He agreed that this could be reviewed. Mr. Smith explained that the 30" storm pipe coming from Williams Avenue was not included in the original scope of the project nor the original intentions of the project. Ms. Brady-Shanley indicated that this piping did not fall within the scope of this project and should be undertaken with the Town of Winchester. Mr. Smith agreed that while

some things might be possible for the water coming off the roof, there is not the subsurface conditions that there would be with a new site.

Mr. Molinelli questioned the guidance coming out of DEEP. Mr. Smith reported that with respect to the U.S. Army Corp. of Engineers, the project would fall within the self-certification program. He reported that with respect to DEEP, their position was that they did not have jurisdiction to permit the work but noted that their Fisheries Department suggested that all of the concrete be removed.

It was noted that an independent engineering firm was reviewing the project.

The hearing was open to the public.

Joseph Infantino of 114 Williams Avenue shared his concerns with the project generally, noting his objection to the costs.

**MOTION:** Mr. Davenport, Ms. Krawiecki second, to continue the public hearing on this application to a Special Meeting on September 2, 2020 at 6:30PM; unanimously approved.

## **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 turned her video off as this application was considered.

Paul Marino appeared before the Commission regarding this application. Mr. Marino noted that the original intention of the project was to raise the sea level by six inches and bring in a sandy mix to raise the grade. He noted that his dock and boatlift system was reviewed during this proposal. He noted that his ten feet of platform at the end of his dock coupled with the ten feet of his boat lift would exceed what the Ordinance permits in that it was more than 50% of his total shore frontage. A letter from Land Surveyor John DiCara was provided confirming Mr. Marino's shore front as 36.3'. Mr. Marino explained that he was able to get a lease agreement with his neighbor for the five foot strip of land that lays between his yard and the retaining wall on that side. With moving the boatlift to the other side of the dock, he will also be able to meet the littoral buffer that is necessary.

Ms. Hunter questioned whether the lease runs with the land or whether it could be terminated. Mr. Marino noted that it does have allowances to let either party escape the terms of the lease. Discussion ensued around a lease versus an easement.

Mr. Davenport requested more formal plans on the work being done to the lawn and the riparian garden. Mr. Marino described the location of the staging area. There was discussion about whether there ought to be engineering plans for the proposed changes to the grading. Mr. Marino described that one side of the property is bordered by a four-foot retaining wall and a stone border would be installed on the other side of the property which he opined would prevent any runoff. He shared a photograph of the five-foot strip of land.

It was noted that Mr. Marino would provide a topography drawing from his surveyor showing the grade and where the material will be added on the site, the location of the silt fence, and more information on the dock and/or boatlift.

**MOTION:** Ms. Hunter, Ms. Mulvey second, to continue 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; Add 30'x3" Pervious Paver Walk to the next regular meeting;

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

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

**C. IWWC#20-20 Applicant/Owner: Beth Papermaster Location: 444 East Wakefield Boulevard Proposal: Repoint Existing Wall, Plug Holes in Boulder Wall, Add Wall to Prevent Erosion, Repair/Replace Lake Stairs, Permit/Register Boatlift, Jetski Lift, and Walkway.**

Beth Papermaster, accompanied by her contractor Bryan Dwyer, appeared before the Commission regarding this application. Ms. Papermaster reviewed the area of lakewall that is to be repointed, noting that she had colored in portions of it to provide clarity to what the work entailed. She explained that the lake wall abutting the lawn will be repaired to stop the water from eroding the lawn. The steps were also part of the request as Ms. Papermaster explained that her contractor would add a step to the top of the existing steps in order to even out the height of them.

Ms. Krawiecki questioned the cost of the project. Later in the meeting, Ms. Krawiecki explained that she had posed this question only so that the bond amount corresponds appropriately to the scope of work. Ms. Papermaster reported she was paying \$3500 for the wall maintenance and an additional \$5500-\$6K for the steps. She pointed out that the stair work may not be undertaken this year.

Mr. Davenport questioned what the composition of the wall will be. Ms. Papermaster reported that it would be stone.

It was noted that the whole length of the wall will be repointed but that no deconstruction/reconstruction is required other than the area near the dock as discussed.

**MOTION:** Mr. Davenport, Ms. Marino second, to approve Application IWWC#20-20 Applicant/Owner: Beth Papermaster Location: 444 East Wakefield Boulevard Proposal: Repoint Existing Wall, Plug Holes in Boulder Wall, Add Wall to Prevent Erosion, Repair/Replace Lake Stairs, Permit/Register Boatlift, Jetski Lift, and 3'Walkway, 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. Dock registration to be submitted to the Wetlands Office;

*unanimously approved.*

The agenda was modified so as to take Application IWWC#20-22 ahead of IWWC#2021.

**D. IWWC#20-22 Applicant: Matt Closson Owner: Blue Lake Properties, LLC Location: 406 East Wakefield Boulevard Proposal: Installation of 8'x40' Cantilever Dock.**

**MOTION:** Ms. Hunter, Mr. Molinelli second, to approve Application IWWC#20-22 Applicant: Matt Closson Owner: Blue Lake Properties, LLC Location: 406 East Wakefield Boulevard Proposal: Installation of 8'x40' Cantilever Dock, subject to the standard 1-12 conditions and the following additional condition:

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

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

**E. IWWC#20-21 Applicant: John Milanese Owner: Blue Lake Properties, LLC Location: 406 East Wakefield Boulevard Proposal: To Gain Approval for Permit for Installed 14.9'x7.6' Wooden Platform, 12'x9' Block Patio Near Lake and Irregular Shape Patio 20'x38' Near Residence.**

Christine Doyle, identifying as the applicant's realtor, appeared before the Commission regarding this application initially until Mr. Milanese arrived. Mr. Davenport reported having visited the site and seen the items that were the subject of this application. He noted that he found the items there had been installed safely. Ms. Hunter agreed. Ms. Marino questioned how approval from this Commission might conflict with the

recent variance denial from the Zoning Board of Appeals. Staff noted that the owner still needed to gain an approval from the ZBA but that an approval from this board was not dependent upon that board. Mr. Molinelli questioned what is beneath the platforms. Mr. Milanese reported that there is gravel and slippery stone underneath. Ms. Marino questioned whether the applicant believed that the platform could be affected by the slippery character of the lakewall beneath. Mr. Milanese noted that there is four or five pieces of rebar attaching the platform to land so the platform would not move.

**MOTION:** Mr. Davenport, Ms. Hunter second, to approve Application IWWC#20-21 Applicant: John Milanese Owner: Blue Lake Properties, LLC Location: 406 East Wakefield Boulevard Proposal: To Gain Approval for Permit for Installed 14.9'x7.6' Wooden Platform, 12'x9' Block Patio Near Lake and Irregular Shape Patio 20'x38' Near Residence;

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

**F. 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 it was noted that the public hearing had been continued.

**G. 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.**

Matthew Closson appeared before the Commission regarding this application. Mr. Closson reminded the Commission that an as-built survey had been requested at the last meeting as well as a drawing indicating the area of the erosion controls. He noted that these were not yet available. Ms. Mulvey noted that the Commission had also requested that the area along the shore be depicted on the site plan. Mr. Closson noted that the location for the dock is very obvious from a site visit because there are sandbags in the area, explaining that they had been in that spot for three years.

**MOTION:** Ms. Mulvey, Ms. Hunter second, to continue Application IWWC#20-25 to the next regular meeting; unanimously approved.

**H. IWWC#20-26 Applicant/Owner: Leroy Emmerthal Location: 454 East Wakefield Boulevard Proposal: Repair Existing Lake Wall and Raise Height by 20"; Repair/Replace Existing Concrete/Stone Steps Leading from House to Lake Area with 18'L x 20'W Stone Landing/Patio Area; Repair Existing Mid-Level Retaining Wall; Establish Perimeter Retaining Wall in Upper Level; Install 20'L x 13'W Stone Patio in Upper Level.**

Leroy Emmerthal, accompanied by his contractor Bryan Dwyer, appeared before the Commission regarding this application. Mr. Emmerthal noted that following the last meeting, he had provided the Commission with a narrative summarizing the work that was being done. He noted that a topographical survey had also been provided to the Commission. He explained that there was also an updated survey included reflecting more information on the lakewall as it currently sits.

Mr. Emmerthal reviewed the narrative, explaining that it covers both properties: 454 East Wakefield Boulevard as part of this application and his neighboring parcel that he owns, 500 East Wakefield Boulevard, the subject of the following application. He requested discussion to include both parcels as they are part of one project. The Commission agreed.

Mr. Emmerthal reported that both lakewalls will be rebuilt with the height of the lakewalls to increase by two feet. He noted that the work would be undertaken in ten-foot sections at a time. Mr. Emmerthal reported that two sets of steps will be added to the lakewall. He explained that they will recede into his yards. Mr. Emmerthal noted that because the height of the lakewall will be increased by two feet, the area will be

backfilled to bring it to that same height. He estimated the backfilling behind the lakewall to be approximately 60 cubic yards. As a result, the lower existing retaining wall on 454 will not be needed, according to Mr. Emmerthal. He noted that the proposal includes a patio just in front of what he referred to as the "mid-level retaining wall" at 454. Mr. Emmerthal indicated that the mid-level retaining wall will be no higher than thirty-six inches. He noted that a fire-pit will be included on the patio.

A temporary access road will be installed where the stairs leading from the home to the lake are currently, according to Mr. Emmerthal. The three locations to be utilized for storage of materials near the road area was pointed out by Mr. Emmerthal. After the work is completed, Mr. Emmerthal noted the access road will be removed and the stairs will be installed back where they currently are. He explained boulders will be added at the top of the bank and run down the sides of the steps.

Mr. Emmerthal noted that a new 15'x21' pervious patio will be added behind the house under the existing deck. He noted that approximately 15 cubic yards of material will be needed to flatten that area out.

Mr. Emmerthal described the items included on a dock registration form. He noted that these items were included on a separate drawing. Mr. Davenport questioned whether the temporary dock depicted on the site plan was currently installed. Mr. Emmerthal confirmed, explaining that it would have been installed to the concrete jetty but that he thought the jetty had deteriorated to the point that it was unsafe to attach the dock to it. Staff questioned whether the jetty was being replaced. Mr. Emmerthal confirmed, noting that it was there currently and would be rebuilt. Mr. Davenport questioned whether the work on the jetty had been included on the proposal. Mr. Emmerthal explained that he was considering that part of the wall. Ms. Marino questioned the historical practice of the Commission not approving new jetties and the position of this group not to disrupt the lakebed. Mr. Emmerthal noted that it would not be pulled out and indicated that the existing base would be utilized and explained the existing stone would be used to repair the jetty. Mr. Dwyer noted that the work is not that invasive as the base of the jetty is good and his work would be limited to what is existing and would only be adding to it to prevent wave destruction. Ms. Marino questioned what part of the jetty needed to be repaired and whether the lakebed would be disrupted at all. Mr. Dwyer noted that the lakebed would not be disrupted at all, indicating the jetty is sound below the current water line and noting that the work to be done is above the waterline. Mr. Davenport questioned whether the work is to pin to what is currently there. Mr. Dwyer confirmed, explaining that he would raise it with natural stone and then backfilling it accordingly. Mr. Davenport questioned whether there were any photographs. Mr. Emmerthal noted that there are aerial photographs that had been included. The photographs were not recognized as adequate as they were black and white and the jetty was not seen very well.

Ms. Mulvey questioned the number of walls to be constructed at the properties. It was noted that there were the lakewalls and the midlevel wall. The boulders were then discussed. Ms. Mulvey noted the slopes that were at the property. Mr. Dwyer indicated the grades would be less than what currently exists. Mr. Emmerthal explained that the slope between the mid-level wall and the boulders would not be touched at all. Ms. Mulvey questioned the cuts and fills.

Ms. Marino questioned the access roads. Mr. Emmerthal noted that there is one that exists currently on the 500 piece. Mr. Dwyer explained that the boulders that are there already will be used. He noted that a lot of silt fence and haybales will be used so that his crew can get close enough with machinery and wheelbarrow the rest of the work. He noted that the stairs will be constructed on the way out and explained the boulders will be used for soil retention. Ms. Marino questioned how the boulders will function in connection with the access road. Mr. Dwyer noted that they will be used for stabilization as they are accessing the site. He indicated that he would be using a bobcat to go up and down the yard for the work. Mr. Molinelli questioned whether a bobcat could handle the boulders. Mr. Dwyer agreed that an excavator will likely be necessary.

Regarding the proximity of the boulders to the lake, Mr. Dwyer indicated that the boulders would likely be twenty to thirty feet from the lake. Mr. Dwyer indicated that the access road will be comprised of riprap and process gravel which will be repurposed for backfill as it is taken out.

Mr. Molinelli questioned the ledge in that area. Mr. Dwyer agreed, noting that he has not done any excavation but as ledge is encountered, there may be adjustments.

Ms. Marino suggested that any approval of work to the jetty should include a condition that there be no disruption to the lakebed. Ms. Mulvey suggested that the docks, boatlifts, and swim platforms should be included on the site plan.

Mr. Emmerthal reviewed the retaining wall at the 500 parcel, noting that approximately 40 cubic yards will be added to a 36" retaining wall. He noted that the retaining wall would stop shy two feet of either side of the boundary lines.

Staff requested top and bottom elevations of the proposed retaining walls. Staff questioned whether the boulders would be placed on top of the ground or whether they would be buried. Mr. Dwyer confirmed that the boulders will be buried, to help support everything and would function as retaining walls.

Prior to the conclusion of the discussion of Applications IWWC#20-26 and IWWC#20-27, the Commission agreed to hold a Special Meeting on Wednesday, August 26, 2020 at 6:30PM for only items that had been carried as *New Business*. Staff reminded the Commission that an application in response to the Cease and Desist issued at 116 Sucker Brook Road had been filed after the close of business on Tuesday, August 18<sup>th</sup> and questioned whether that should be included on the agenda of the proposed Special Meeting. The consensus of the Commission was that it should wait until the regular meeting of September 16, 2020.

**MOTION:** Ms. Krawiecki, Ms. Hunter second, to continue the *New Business* of August 19<sup>th</sup> to a Special Meeting for August 26, 2020 at 6:30PM; *unanimously approved*.

Regarding what information the Commission would like provided for the following meeting, they indicated that they would like side profile views of the existing jetty, the position and measurements of the docks and boatlifts overlaid onto the site plan, the location of the haybales, a drawing of the proposed work to the jetty, and the plan to include the temporary location of the boulders during the construction process. Additionally, there was interest in the material used for the access roads and a request for the construction sequence. Should the construction sequence not include the other retaining wall work this year, the commission indicated that they would like an erosion plan for the time in between. Ms. Mulvey noted that the proposal should include all of the planned work.

**MOTION:** Ms. Marino, Mr. Davenport second, to continue Application IWWC#20-26 and IWWC#20-27 to a Special Meeting on Wednesday, August 26, 2020 at 6:30PM; *unanimously approved*.

**I. IWWC#20-27 Applicant/Owner: Leroy Emmerthal Location: 500 East Wakefield Boulevard  
Proposal: Repair Existing Lake Wall.**

This application was reviewed and considered as part of the discussion of Application IWWC#20-26.

**7. NEW BUSINESS:**

**A. 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; Add Boatlift, Double Jetski Lift and 13' Trampoline; Register 3 Existing Docks.**

No business was discussed as the application was continued to a Special Meeting scheduled for August 26, 2020 at 6:30PM.

**B. IWWC#20-30 Applicant: Gary Paganelli and Beverly Paganelli Owner: Beverly Paganelli Revocable Trust Location: 538 Wheelers Point Proposal: Replace Existing Deck with Patio; Add Boatlift and Double Jetski Lift.**

No business was discussed as the application was continued to a Special Meeting scheduled for August 26, 2020 at 6:30PM.

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

No business was discussed as the application was continued to a Special Meeting scheduled for August 26, 2020 at 6:30PM.

**D. 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 the application was continued to a Special Meeting scheduled for August 26, 2020 at 6:30PM.

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

No business was discussed as the application was continued to a Special Meeting scheduled for August 26, 2020 at 6:30PM.

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

No business was discussed as the application was continued to a Special Meeting scheduled for August 26, 2020 at 6:30PM.

**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.**

Earlier in the meeting, staff reported having received an application via email after 4PM the day prior.

**9. COMMUNICATIONS AND BILLS:**

No business was discussed.

**10. OTHER BUSINESS:**

**A. Discussion on Catch Basin Maintenance Schedule.**

An email from Project Manager Bart Clark was shared wherein he reported that delivery on a new road sweeper to the Department of Public Works had been pushed back.

**B. Election of Officers.**

An email from Chairman Ric Nalette was shared wherein he communicated that he would not be seeking another term as this commission's chairman.

**C. Other Business: Discussion of Ordinance (Approvals of Applications and Contrasting What is Being Installed).**

Discussion occurred regarding enforcement and seeking extra help to survey the shorefront properties in terms of what people have in the water and compare against what the Town recognizes as having been permitted. It was agreed that Ms. Marino would draft a communication from this Commission to the Board of Selectmen in this regard. Mr. Molinelli suggested a Special Meeting where no applications are considered in order to allow for more discussion in this regard.

**11. ADJOURN:**

**MOTION:** Ms. Kraweicki, Ms. Hunter second, to adjourn at 10:48PM; unanimously approved.

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