



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
February 19, 2020 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Ric Nalette called the meeting to order at 7:02PM.

2. ROLL CALL:

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

Chris Kiely and Steve Molinelli were absent excused.

3. APPROVAL OF MINUTES – January 15, 2020:

MOTION: Ms. Hunter, Ms. Krawiecki second, to approve the January 15, 2020 Minutes; unanimously approved.

4. AGENDA REVIEW:

No changes were made to the agenda.

5. PUBLIC HEARING:

A. IWWC#19-45 Applicant: Matthew Closson Owner: Ken Albino Location: 376 East Wakefield Boulevard Proposal: Install Footings Under House, Install Sonotubes for Proposed Deck, Install New Pervious Paver Patio, Removal of Impervious Areas, Install Stone Walls.

As a request for a continuance had been received, no business was discussed.

B. IWWC#19-48 Applicant: Dave Stricker Owner: Camp Wah-nee in the Berkshires, Inc. Location: 132 Wahnee Road Proposal: Demolish Existing Cottage; Construct New 3779 Square Foot Dwelling; and 38'x38 Addition to Fitness Center; and Replace Boy's Bunk #11.

As a request for a continuance had been received, no business was discussed.

6. OLD BUSINESS:

A. IWWC#19-45 Applicant: Matthew Closson Owner: Ken Albino Location: 376 East Wakefield Boulevard Proposal: Install Footings Under House, Install Sonotubes for Proposed Deck, Install New Pervious Paver Patio, Removal of Impervious Areas, Install Stone Walls.

MOTION: Mr. Nalette, Mrs. Krawiecki second, to continue this application until the next regular meeting scheduled for March 18, 2020; unanimously approved.

B. IWWC#19-48 Applicant: Dave Stricker Owner: Camp Wah-nee in the Berkshires, Inc. Location: 132 Wahnee Road Proposal: Demolish Existing Cottage; Construct New 3779 Square Foot Dwelling; and 38'x38 Addition to Fitness Center; and Replace Boy's Bunk #11.

MOTION: Mr. Nalette, Ms. Hunter second, to continue Application #19-48, pending receipt of the outside review, to March 18, 2020; unanimously approved.

7. NEW BUSINESS:

A. IWWC#20-01 Applicant: Keith Bishop Owner: Keith Bishop and Denise Bishop Location: 312 East Wakefield Boulevard Proposal: Addition of Boat Lift and Floating Dock.

Keith Bishop appeared before the Commission regarding this application. He noted that his proposal includes to add a floating 10'x16' floating dock with 55-gallon drums for flotation and a 10'x4' ramp from the existing deck to the floating dock. He noted that his length of waterfront is 61½'. Staff noted that the property is accessed through the driveway from 348 East Wakefield Boulevard and is near the cove in Second Bay.

Mr. Nalette questioned of what materials the dock would be composed. Mr. Bishop indicated that it would be a pressure treated frame with composite decking. He confirmed that it would be a removable dock and taken out during the winter months.

Ms. Mulvey requested a location survey so as to review the location of the docks of the neighboring properties. Mr. Nalette questioned whether there would be any excavation required for this work. Mr. Bishop confirmed that there would not be any required and reported that he plans to begin construction in May. Mr. Nalette questioned whether the existing deck is completely on land. Mr. Bishop confirmed. Mr. Davenport questioned whether there was currently a dock. Mr. Bishop indicated that there was no dock currently.

Mr. Davenport questioned whether the dock would be attached to the lake wall. Mr. Bishop noted that the ramp would be attached to the existing deck and the float would be attached to the boat lift.

MOTION: Ms. Mulvey, Mr. Davenport second, to accept Application IWWC#20-01 Applicant: Keith Bishop Owner: Keith Bishop and Denise Bishop Location: 312 East Wakefield Boulevard Proposal: Addition of Boat Lift and Floating Dock; unanimously approved.

B. IWWC#20-02 Applicant: Blaine Athorn Owner: Maximum Group, LLC Location: Woodland Avenue Proposal: Clear, Stump, and Grade Property.

Blaine Athorn accompanied by Professional Engineer Ralph Stanton appeared before the Commission regarding this application. Mr. Athorn explained that he was seeking to clear the property across the street from his home. Mr. Nalette noted that the parcel is just over 3.25 acres with roughly one-third of it impacted by the river that runs from the spillways to the Mad River. Mr. Athorn explained that he seeks to smooth most of it to an elevation of 870.

Mr. Nalette questioned what Mr. Athorn's plans were after the site was cleared. He questioned what plans there were to stabilize the property. Mr. Nalette also questioned how the changes in hydrology would be handled with the removal of all of the trees. Mr. Athorn sought to clarify the proposal, explaining that it does not include cutting every single tree on the property. He signaled that he would leave a fifteen to twenty foot buffer between the existing property at 43 Woodland Avenue. Mr. Athorn noted that the property is not a dense forest but is instead comprised of smaller trees. Mr. Stanton reported that most of the trees are younger than seventy years old.

Addressing the question of stabilizing the soil, Mr. Stanton explained that he would likely be using Filtrex filter sock east of the stream and depending on how easy it is to install, silt fence or Filtrex filter sock on the rest. Mr. Stanton explained that his client intends to break up the rock on the site by utilizing a crusher.

Mr. Stanton noted that the area on the site at an elevation of 878 would not be touched as it would function as a block to the spillway. The basic soil type is Paxton, which is usually two to three feet to the hard pan soil, according to Mr. Stanton. Mr. Stanton noted that the stream has eroded a section that is very steep. Mr. Davenport questioned whether there is continuous water or if it just flows depending on the time of the year. Mr. Stanton noted that it is always weeping there.

Referencing the West Lake Street side of the property, Mr. Stanton noted that it was encumbered by a flood control easement. He reported reviewing the soils at that location, noting that it has been filled over there and explained that it has a lot of invasive plants in that area. Mr. Stanton reported that area is not wetlands. He noted that there are no wetlands along the stream boundary.

Mr. Davenport questioned the amount of scraping and flattening. Mr. Stanton opined that most of the scraping and flattening will be a result of surface stone removal except for two small areas. Mr. Davenport shared his concern that projects unfold into larger scopes. Mr. Stanton reported that he was retained to determine soil type and to provide an erosion control for the work. Mr. Athorn confirmed that besides a crusher, a bulldozer and an excavator would be necessary for the stump removal and grading work. Mr. Nalette requested a more extensive narrative and phasing plan for the proposed work. He noted that the limits of clearing should be delineated on the plans. Mr. Nalette also requested more information as to what the property is going to look like once completed in terms of whether grass is going to be planted or just the wood chips left. Ms. Krawiecki questioned the size of the boulders that will be removed. Mr. Stanton reported that most of the stones he observed were between three and eight feet.

Mr. Nalette also requested that the plans reflect what will remain as forested after the project is complete. He questioned the long-term plans for the property noting that if future planned development beyond this proposed clearing and stabilizing is included as part of this application, it would relieve the applicant from returning for a modification. Mr. Athorn reported that he plans to hydroseed the property after the clearing. He explained that it would be nice to have lake views from a building that might occupy the area along West Lake Street. As far as use, Mr. Athorn indicated that he was not certain what the use would be but explained that it would not be a hydroelectric plant. He said he thought he may relocate his office to this spot. Explaining that he plans to eventually live in the home he owns at 269 West Lake Street which he reported had been in his family for several generations, Mr. Athorn explained that he has plans to sell his office building in Portland, Connecticut and migrate back to this town with his office constructed at this location. Mr. Athorn noted that he is aware of the uses that are permitted in the Highland Lake Business District.

Mr. Stanton confirmed that a staging area would be added to the plans. He also agreed to update the location of the tracking pad for the construction entrance after having conferred with Department of Public Works Director Jim Rollins. Mr. Athorn noted that Mr. Rollins had requested the tracking pad to be widened to twenty (20') feet and widened further to twenty-five (25') feet where it accesses Woodland Avenue. Mr. Stanton also agreed to have the boundary lines staked with flags.

Mr. Nalette requested an independent, third-party review to consider the impact of removing trees and stumps to the wetlands and watercourses. Drainage calculations should also be submitted for the record, according to Mr. Nalette.

MOTION: Mr. Nalette, Ms. Mulvey second, to accept Application IWWC#20-02 Applicant: Blaine Athorn Owner: Maximum Group, LLC Location: Woodland Avenue Proposal: Clear, Stump, and Grade Property and having determined the proposed activity as significant impact, to schedule a public hearing for March 18, 2020 and to have the application sent out for a third-party review; unanimously approved.

C. IWWC#20-03 Applicant/Owner: East Coast Assistance Dogs (ECAD) Location: 149 Newfield Road Proposal: Site Plan Modification – All Activities Associated with the Site Plan that are not Regulated Activities.

East Coast Assistance Dogs Co-Founder and Executive Director Dale Picard, accompanied by his own service dog, Attorney Peter Herbst and Professional Engineer Jason Dismukes, appeared before the Commission regarding this application. Attorney Herbst explained that his client was seeking a determination that the proposal were not regulated activities and for approval for the soil erosion and sediment control plan.

Mr. Dismukes submitted a soil report dated October 12, 2005 from Soil Scientist William Jackson. Mr. Dismukes explained that he sent this current plan reflecting wetland boundary that had been formerly delineated. Mr. Dismukes submitted copies of an email correspondence in which Mr. Smith confirming the boundary reflected on the current plans is consistent with the wetland boundaries as located in 2005.

Mr. Dismukes also distributed copies of the 2016 site plan as approved by the Planning and Zoning Commission. He reviewed the current conditions of the site comparing with them the proposed improvements. He noted that the stormwater from the existing 8900 square foot building currently is collected and sent down to the bioretention basin/level spreader. He explained that the water finds its way down the hill eventually finding its way through the regulated area. Mr. Dismukes reported that the current proposal is to construct a 5000 square foot building with associated parking. He noted that a true water quality basin is part of this current plan to take the stormwater from the proposed building as well as the water from the existing building and bring it to a vegetative water quality basin. Mr. Dismukes explained that a pervious paved parking area will be included in front of the building and the handicapped parking spaces. He reported that each of the water quality basins will retain a 100-year storm.

Mr. Nalette questioned whether there was a maintenance plan included on the basins. Mr. Dismukes noted that they only need to be mowed every couple of years. He noted that the one basin nearest the parking lot may need to be cleaned. He noted that the basins are meant to get tall like a meadow. Mr. Davenport questioned whether Mr. Dismukes inspects the installation to ensure that it is built to specifications. It was noted that this could be a condition of approval.

Mr. Dismukes reviewed the soil erosion and sediment control plan. He noted that he called out silt fence and hay bales around the area of disturbance around the downhill size during construction. Silt fences were also included on all slopes that are being created until they're stabilized, according to Mr. Dismukes. He noted that the plans include grass lined swales, check dams, and protection of stockpiles.

In response to an inquiry from Mr. Nalette, Mr. Picard indicated that he would like to commence construction as soon as the conditions are dry enough so as to not cause an erosion problem.

Mr. Dismukes requested to Skype in at the next meeting. The Commission opted to schedule a Special Meeting on March 4, 2020 at 7PM in the P. Francis Hicks Room of Town Hall.

MOTION: Mr. Nalette, Mrs. Krawiecki second, to accept IWWC#20-03 Applicant/Owner: East Coast Assistance Dogs (ECAD) Location: 149 Newfield Road Proposal: Site Plan Modification – All Activities Associated with the Site Plan that are not Regulated Activities for discussion at a Special Meeting in the third floor conference room on Wednesday, March 4, 2020 at 7PM; unanimously approved.

8. AGENT ACTIONS:

A. Determinations.

None.

B. Warnings/Violations.

i. SHOW CAUSE HEARINGS:

None.

9. COMMUNICATIONS:

Mr. Nalette reviewed the staff report provided for the meeting which included photographs from earlier in the afternoon of 542 East Wakefield Boulevard. He noted that there was evidence of dewatering into a large plastic barrel. Mr. Nalette reminded the Commission that this dewatering was not permitted. He noted that the owners had been previously advised that so long as they were following what had been approved, there was

no reason to appear before this board. However, should their plans deviate from what was approved, a modification was necessary, according to Mr. Nalette. Discussion ensued.

The email from staff to the applicant's consultant Karl Nielson dated January 24, 2020 was read into the record.

The consensus of the Commission was that staff send a letter to the property owner a request to stabilize the sight and install the silt fence properly and to remove the evidence of dewatering to prevent any misunderstanding that they are working outside their permit while they are determining their course of action.

10. Other Business.

A. Discussion on Catch Basin Maintenance Schedule.

No business was discussed.

11. ADJOURN:

MOTION: Ms. Mulvey, Mr. Timmeney second, to adjourn at 9:35PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**