



**TOWN OF WINCHESTER**  
**INLAND WETLANDS & WATERCOURSES COMMISSION**  
Town of Winchester Town Hall, 338 Main Street  
P. Francis Hicks Room – 2nd Floor  
November 20, 2019 – 7:00PM  
Regular Meeting Minutes

**1. CALL TO ORDER:**

Chairman Ric Nalette called the meeting to order at 7:07PM.

**2. ROLL CALL:**

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

**3. APPROVAL OF MINUTES – October 16, 2019:**

**MOTION:** Ms. Mulvey, Mr. Kiely second, to approve the October 16, 2019 Minutes; Motion passed with Mr. Davenport, Mr. Nalette, Ms. Hunter, Ms. Mulvey, voting aye while Mr. Kiely and Mr. Molinelli abstained.

**4. AGENDA REVIEW:**

The agenda was modified to add Item *B. Highland Lake Data as Submitted by Mayor Candy Perez* under Other Business.

**5. PUBLIC HEARING:**

**A. IWWC#19-3 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.**

**MOTION:** Mr. Nalette, Mr. Kiely second, to open the public hearing for Application IWWC#19-3 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; unanimously approved.

The legal notice for the public hearing was read into the record with it being noted as having run the requisite two times, November 6, 2019 and November 13, 2019, in the Republican American newspaper. It was noted that the certificates of mail, serving as proof that notice of this public hearing had been sent to the abutting property owners, had not been received. As the applicant himself was not present, it was noted that the public hearing would be continued.

Richard Alling of 133 Wahnee Road was permitted to share his comments and concerns as both the applicant’s engineer and soil scientist were present. Noting his concern with pollution entering Park Pond, Mr. Alling distributed packages containing a map that he had overlaid his comments on. He reviewed the sources of water that have flowed into the pond and reviewed the topography of the camp and its surrounding parcels. Mr. Alling presented with historical US Geographic Survey maps dating back to 1944, and field checked in 1946. Mr. Alling requested that the public hearing be kept open and requested that the Commission seek a qualified peer review of the plans and drawings. It was noted that staff would forward a copy of Mr. Alling’s package to the applicant’s engineer, Gary Giordano.

Mr. Nalette advised Mr. Giordano that there were several outstanding issues from the previous meeting that had been requested. He noted that the Commission had requested a certification that all the wetlands on the site have been flagged and a storm water management plan. Referencing an email from Torrington Area Health District Deputy Director Thomas Stansfield regarding the proposed Application for an Addition (B100a Study), Mr. Nalette noted a discrepancy between that application and the one before this commission. The TAHD application noted a third building, Boys Bunk 11, which had not been included for this commission to consider. Mr. Nalette also sought clarification on "contractor units" regarding drainage as indicated on the erosion and sediment control plans. Finally, he noted that the Commission should be provided with proof of certification from TAHD that the septic systems have been installed properly. He noted that several appear to be run very near wetlands. Mr. Molinelli noted that it should be communicated that no work should begin at the site until there are approvals in place from this Commission.

**MOTION:** Mr. Nalette, Mr. Kiely second, to continue the public hearing until the next regular meeting scheduled for December 18, 2019; unanimously approved.

## **6. OLD BUSINESS:**

### **A. IWWC#19-35 Applicant/Owner: John Tiernan and Karen Tiernan Location: 61 East Lake Street Proposal: Drainage System Installation and Dock Repair.**

Rob Michaud of RAM Contracting appeared before the Commission regarding this application. Mr. Michaud reminded the Commission that the application had been referred for an independent engineering review. Staff noted that the applicant's modified plan, prepared in response to the independent engineering review, had been forwarded to the Town's consulting engineer, Todd Parsons of Lenard Engineering. It was noted that Mr. Parsons was satisfied. Staff questioned whether there were any lake wall repairs planned as part of this project. Mr. Michaud indicated that there may be some minor hand work necessary in terms of adding a fast curing mortar between the stones.

**MOTION:** Mr. Kiely, Ms. Hunter second, to approve Application IWWC#19-35 Applicant/Owner: John Tiernan and Karen Tiernan Location: 61 East Lake Street Proposal: Drainage System Installation and Dock Repair, Wall Repair as Presented, based on oral and written testimony and subject to the standard Inland Wetlands and Watercourses Commission 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 November 20, 2019 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.

13. Cash erosion and sedimentation bond of \$1,500 to be submitted to the Inland Wetlands Office prior to the commencement of work

14. Map to be submitted to present details as discussed at this meeting;

*unanimously approved.*

**B. IWWC#19-39 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.**

**MOTION:** Mr. Nalette, Ms. Mulvey second, to continue Application IWWC#19-39; unanimously approved.

## **7. NEW BUSINESS:**

**A. IWWC#19-40 Applicant/Owner: Kenneth Dutil Location: West Wakefield Boulevard  
Proposal: Replace Old Dock with New Dock.**

Kenneth Dutil appeared before the Commission regarding this application. He explained that he was seeking to replace his old dock with a new removeable, aluminum one. Mr. Nalette questioned whether any excavation would be necessary in the lakebed. Mr. Dutil indicated that there would not be. Accordingly, he confirmed that the work would not require waiting for a deep drawdown.

**MOTION:** Ms. Mulvey, Mr. Nalette second, to accept Application IWWC#19-40 Applicant/Owner: Kenneth Dutil Location: West Wakefield Boulevard Proposal: Replace Old Dock with New Dock finding that the proposed activity was not significant; unanimously approved.

**B. IWWC#19-41 Applicant: Jarred Braddock Owner: Kevin R. Haitsch and Christine N. Haitsch  
Location: 103 Laurel Way Proposal: Reconstruct 28'x46' Single-family Residence on Same Footprint.**  
Jarrod Braddock appeared before the Commission regarding this application. He reported that his clients were seeking approval to reconstruct a single family house on their property in the same area where the former house was. Staff reminded the commission that the previous house was demolished. Mr. Braddock noted that the new house would be connected to the existing well and the existing septic system. He explained that the house would be one story and contain three bedrooms. He indicated that there had already been an application submitted to the Torrington Area Health District.

**MOTION:** Mr. Nalette, Mr. Davenport second, to refer Application IWWC#19-41 Applicant: Jarred Braddock Owner: Kevin R. Haitsch and Christine N. Haitsch Location: 103 Laurel Way Proposal: Reconstruct 28'x46' Single-family Residence on Same Footprint for an agent determination; unanimously approved.

**C. IWWC#19-42 (Modification #19-23) Applicant/Owner: 180 Rowley Street, LLC Location: 47 Hurlbut Street Proposal: 8'x10' Deck on New Single Family Residence.**

Professional Engineer Mike Sherman of Laurel Engineering appeared before the Commission regarding this application. He explained that a modification was being sought for the sonotubes for a deck on this new construction of a single-family residence. Mr. Sherman explained that what was being built was a prefabricated home and that the previous plan was for a deck to cantilever. As the applicant/owner had modified the design, approval was necessary for the work within the review area. He noted that the sonotubes would be dug by hand.

**MOTION:** Mr. Davenport, Ms. Hunter second, to approve Application IWWC#19-42 (Modification #19-23) Applicant/Owner: 180 Rowley Street, LLC Location: 47 Hurlbut Street Proposal: 8'x10' Deck on New Single Family Residence subject to the same conditions as included in the approval of Application IWWC #19-23; unanimously approved.

**D. IWWC#19-43 (Modification #18-06) Applicant/Owner: JoAnn Serkey Location: 543 East Wakefield Boulevard Proposal: Proposed Walkway (down/up), Side Deck, Paved Driveway, Discharge for Roof Leaders, Sediment Erosion Control.**

P.E. Mike Sherman of Laurel Engineering, accompanied by his client JoAnn Serkey, appeared before the Commission regarding this application. Mr. Sherman reminded the commission that his client had originally received approval to jack up the existing house and to construct a foundation underneath. He explained that as the project got underway, a few things were not considered. He noted that while concrete steps had been removed from one side of the property, they had been added to the other side. Mr. Sherman noted that a patio area had been removed as well as wooden steps. A deck had been added to that side of the dwelling, too. Mr. Sherman noted that his client's insurance company had advised that the retaining wall behind the dwelling needed to be replaced. The wall that had been there previously has been removed, according to Mr. Sherman.

Referencing the site plan he prepared, Mr. Sherman reviewed for the Commission the work that has already been completed since the time that the construction of the foundation had been reviewed. Mr. Sherman noted that a drainage pipe had been installed with a resulting discharge on the neighboring property. Subsequently a drainage easement between the two owners had been executed, according to Mr. Sherman. Additionally, he noted that the six (6") inch roof leader system and six (6") inch foundation footing drain has already been installed. The Commission was referred to a letter from Department of Public Works Director Jim Rollins regarding this work. The completed work as indicated on the plan reflects the six (6") inch pipes outletting onto East Wakefield Boulevard as opposed to it being located on the applicant's property. Mr. Sherman reported that he had completed calculations noting the yard drains that have been added will collect all the rainwater of a one-inch storm and will discharge it through the area on the southerly area in a perfectly controlled fashion. In the huge storm events, Mr. Sherman explained, the water will flow down on the side of the house as it did previously. He noted that the topography and size of the site are limiting factors.

Mr. Nalette questioned how erosion will be prevented on the northerly side of the dwelling and whether a swale is planned for that area. Mr. Sherman noted that it currently exists as the access for the contractor to finish the work on the retaining wall. He explained it will be restored to how it was before the work began and indicated that the water will flow the way it did. Mr. Sherman opined that the turf establishment in that area will be adequate for any stormwater runoff.

Mr. Nalette questioned whether the proposed retaining wall will be as it was previously. Ms. Serkey noted it would be slightly higher. Mr. Sherman noted that he did not design the wall, but he took the design and integrated it into the plan he prepared.

Mr. Molinelli questioned the depth of the subject property. It was noted to be approximately two hundred feet. Mr. Molinelli questioned whether it was a possibility to utilize the area on the other side of the proposed retaining wall. Mr. Sherman noted that there are large boulders and a steep slope behind the wall. Mr. Sherman noted that a certain amount of the water is going to be caught and is going to drain into the drainage system but the majority of it is going to be flowing under the wall.

Mr. Nalette questioned whether Mr. Sherman would certify that there is no net increase in stormwater from the project. Mr. Sherman confirmed, indicating that he had submitted one to staff. Subsequent to the letter provided, he noted that there has been a modification of the proposed patio to pervious pavers which should function to reduce the coefficient even further.

Mr. Sherman explained that the driveway was also not on the original permit and has since been paved. He also referred to the deck and the accompanying sonotubes.

**MOTION:** Mr. Nalette, Mr. Kiely second, to accept Application IWWC#19-43 Applicant/Owner: JoAnn Serkey Location: 543 East Wakefield Boulevard Proposal: Proposed Walkway, Side Deck, Paved Driveway, Discharge for Roof Leaders, Sediment Erosion Control, Patios, Retaining Wall, and Plunge Pool; unanimously approved.

The Commission took a recess at 8:48PM and reconvened at 8:53PM.

**D. IWWC#19-44 Applicant: Matt Closson Owner: Donald Crossman and Brooke Crossman Location: 122 East Wakefield Boulevard Proposal: Install Four (4) 10" Sonotubes with Bases to Support Proposed Deck Roof.**

Matt Closson, accompanied by his client Donald Crossman, appeared before the Commission regarding this application. He reported that approval is being sought for excavation within the regulated area for four sonotubes. He noted that his clients are planning to construct a roof over their existing deck. In order to support the roof structure, the building official had advised that the sonotubes would need to be enhanced, according to Mr. Closson. He noted that the excavation would be done by hand and that there would no equipment necessary. Mr. Closson indicated that the project may even require only three sonotubes as necessary. Mr. Molinelli questioned whether there will be gutters added to the new roof. Mr. Crossman indicated that he was not sure but was amenable to whatever might be best for the water quality of the lake. Mr. Closson indicated that the closest point from the deck to the water is 44.7 feet. Referencing the photographs included in the staff report, it was noted that the site is relatively flat. Mr. Molinelli questioned whether the applicant had considered installation of an awning rather than a roof. Mr. Crossman noted that the windy conditions have made this an unappealing alternative as he has concerns with one being lifted up and blowing away.

**MOTION:** Ms. Mulvey, Mr. Kiely second, to accept Application IWWC#19-44 Applicant: Matt Closson Owner: Donald Crossman and Brooke Crossman Location: 122 East Wakefield Boulevard Proposal: Install Four (4) 10" Sonotubes with Bases to Support Proposed Deck Roof, finding that the proposed activity is not a significant impact; unanimously approved.

**F. IWWC#19-45 Applicant: Matt Closson Owner: Kevin Albino Location: 346 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.**

Matt Closson appeared before the Commission regarding this application. Mr. Closson reviewed the site plan and discussed the proposed improvements. He noted that it appears that footings are necessary under the

existing house as the architect has noted that it is unclear whether there are any on the westerly side of the home. These are necessary to provide structural support to the dwelling, according to Mr. Closson.

Mr. Closson noted that the application includes sonotubes for the proposed deck as indicated in the color red on the submitted survey. He noted that his clients are also seeking a proposed roof over the existing deck, which will require additional sonotubes for structural support for that roof. Mr. Closson clarified that all of the decking will be covered.

Additionally, Mr. Closson noted the areas depicted in the color green on the survey, in two areas down by the water, that will be converted to pervious pavers. Noting that the survey depicts one proposed new vegetative area along the lake front, an additional one is proposed on the other side of the larger proposed new patio area, according to Mr. Closson. The width of those vegetative buffers are being proposed at three (3') feet, according to Mr. Closson.

Regarding the proposed new retaining walls, Mr. Closson noted that the finished elevation of the stone walls will be at elevation 886'. He indicated that there would be a very small amount of excavation for those walls which will be approximately 30". Mr. Closson reported that the second patio will be at an elevation of about six feet higher than the bottom area, a distance of twelve (12') feet from the bottom patio.

Mr. Closson clarified that the brick walkways shown on the plans as being removed will actually be replaced with pervious pavers.

Mr. Davenport shared his concerns over whether this project included any improvements to the drainage at this location, noting the absence of any type of rain gardens.

Mr. Nalette noted receipt of a letter from neighbors Jen Perga and Michael DeClement of 378 East Wakefield Boulevard regarding their concerns with the project and its impact on Highland Lake.

**MOTION:** Mr. Nalette, Mr. Molinelli second, to accept Application #19-45 Applicant: Matt Closson Owner: Kevin Albino Location: 346 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, and finding the activity to be significant, to schedule a public hearing for December 18, 2019; unanimously approved.

Ms. Perga indicated her intent to file as an environmental intervenor in the previous application.

## **8. AGENT ACTIONS:**

### **A. Determinations.**

None.

### **B. Warnings/Violations.**

#### **i. SHOW CAUSE HEARINGS:**

None.

## **9. COMMUNICATIONS:**

None.

## **10. Other Business.**

### **A. Discussion of Catch Basin Maintenance Schedule.**

No business discussed.

**B. Highland Lake Data as Submitted by Mayor Candy Perez.**

The Commission reviewed a table containing readings from Highland Lake from three different depths of First Bay, Second Bay, and Third Bay from April through August. It contained information on the total nitrogen and total phosphorus. Mayor Candy Perez noted that the Highland Lake Watershed Association collects the water samples. It was noted that the numbers on both of these are trending up.

Mr. Davenport questioned whether there was an increase in construction currently and pondered whether this might be contributing to the upward tick in the readings. Ms. Perez opined that the change may be attributable to multiple factors including additional construction at the lake, the warming of the waters, and the fertilizers used on properties. Mr. Molinelli noted that lack of maintenance on the storm drains at the lake may be contributing. Mr. Davenport noted that it may help to focus on 'best practices' more.

**11. ADJOURN:**

**MOTION:** Mr. Nalette, Mr. Kiely second, to adjourn at 9:50PM; unanimously approved.

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