



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
October 16, 2019 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Ric Nalette called the meeting to order at 7:05PM.

2. ROLL CALL:

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

3. APPROVAL OF MINUTES – September 18, 2019:

MOTION: Ms. Hunter, Mr. Timmeney second, to approve the September 18, 2019 Minutes; unanimously approved.

4. AGENDA REVIEW:

Discussion of the Highland Lake Data Summary was added to the agenda under Other Business.

5. PUBLIC HEARING:

None.

6. OLD BUSINESS:

A. IWWC#19-32 Applicant/Owner: Andrew Champagne and Lynn Carter Location: 342 East Wakefield Boulevard Proposal: Demolition of Existing House and Construction of New Single-Family Residence.

Andrew Champagne and Lynn Carter appeared before the Commission regarding this application. It was noted that a letter detailing their plant choices had been submitted as had a construction sequence. Mr. Champagne noted that the fence that is reflected on the drawings is actually going to be a gate. Mr. Champagne reported that the wetlands consultant to the town had questioned the drywells included in his plan. He noted that he was amenable to suggestions from the Commission. Mr. Nalette opined that the applicant was following the recommendations of the manufacturer, whose engineers, he noted, had likely completed many studies on how many they need and how much water they can handle. He was not inclined to need an engineering analysis.

MOTION: Ms. Mulvey, Ms. Hunter second, to approve Application IWWC#19-32 Applicant/Owner: Andrew Champagne and Lynn Carter Location: 342 East Wakefield Boulevard Proposal: Demolition of Existing House and Construction of New Single-Family Residence, 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 October 16, 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 \$1,200 to be submitted to the Inland Wetlands Office prior to the commencement of work;

unanimously approved.

B. IWWC#19-33 Applicant/Owner: Rob J. Leach and Jennifer A. Leach Location: 348 East Wakefield Boulevard Proposal: Remove Single Jetski Lift and Add Double Jetski Lift.

Rob Leach appeared before the Commission regarding this application. Mr. Leach reminded the Commission that they had requested dimensions. He noted that he had provided them with measurements at this meeting. Pursuant to the request at the previous meeting, Mr. Leach noted that he had relocated the jet ski lift further up so as to be within the littoral boundaries.

MOTION: Ms. Hunter, Ms. Krawiecki second, to approve Application IWWC#19-33 Applicant/Owner: Rob J. Leach and Jennifer A. Leach Location: 348 East Wakefield Boulevard Proposal: Remove Single Jetski Lift and Add Double Jetski Lift based on oral and written testimony and subject to the standard Inland Wetlands and Watercourses Commission twelve conditions;

unanimously approved.

C. IWWC#19-34 Applicant/Owner: Gary Koplar Location: East Wakefield Boulevard Proposal: Add One Boatlift.

Gary Koplar appeared before the Commission regarding this application. He explained that he was looking to register his existing dock and a boatlift. Mr. Nalette noted that while there was question at last month's meeting about whether the existing dock complies with the Dock and Mooring Ordinance, he did not see a problem with the application that would preclude the commission from approving. Mr. Nalette questioned whether the dock rests on the ground. Mr. Koplar confirmed.

MOTION: Ms. Mulvey, Ms. Krawiecki second, to approve Application IWWC#19-34 Applicant/Owner: Gary Koplar Location: East Wakefield Boulevard Proposal: Add One Boatlift based on oral and written testimony and subject to the standard Inland Wetlands and Watercourses Commission twelve conditions;
unanimously approved.

D. 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. He noted that he had received word that the review was completed and noted that his own engineer was able to revise their drawings in response to comments from Lenard Engineering. He distributed the revised plan to commissioners.

MOTION: Mr. Nalette, Ms. Krawiecki second, to continue Application IWWC#19-35 Applicant/Owner: John Tiernan and Karen Tiernan Location: 61 East Lake Street Proposal: Drainage System Installation and Dock Repair to the next regular meeting; unanimously approved.

E. IWWC#19-36 Applicant: Dr. David M. Brady Owner: Stacey J. Brady Location: 424 East Wakefield Boulevard Proposal: New Dock, Swim Platform, Boatlift, Jetski Lift, and Float.

Dr. David Brady appeared before the Commission regarding this application. He confirmed that the dock is a floating dock.

MOTION: Ms. Hunter, Ms. Mulvey second, to approve Application IWWC#19-36 Applicant: Dr. David M. Brady Owner: Stacey J. Brady Location: 424 East Wakefield Boulevard Proposal: New Dock, Swim Platform, Boatlift, Jetski Lift, and Float based on oral and written testimony and subject to the standard Inland Wetlands and Watercourses Commission twelve conditions;
unanimously approved.

F. IWWC#19-37 Applicant: Bernard Witte Owner: Bernard Witte and Diana Witte Location: 849 East Wakefield Boulevard Proposal: Replace Existing Stairs from Road to Lake Front with Decorative Cement Block Stairs; Scrape (Shape) Slope and Bark Mulch.

Ben Witte appeared before the Commission regarding this application. He reminded the Commission that he was seeking to replace the existing wooden stairs to the lake with cement block steps. Mr. Witte reminded the Commission that he will be reducing the impervious surface coverage. With respect to staging, materials will be located at his property across the street from the lake.

MOTION: Ms. Krawiecki, Ms. Hunter second, to approve Application IWWC#19-37 Applicant: Bernard Witte Owner: Bernard Witte and Diana Witte Location: 849 East Wakefield Boulevard Proposal: Replace Existing Stairs from Road to Lake Front with Decorative Cement Block Stairs; Scrape (Shape) Slope and Bark Mulch, based on oral and written testimony and subject to the standard Inland Wetlands and Watercourses Commission twelve conditions and the following additional conditions:
13. Cash erosion and sedimentation bond of \$250 to be submitted to the Inland Wetlands Office prior to the commencement of work;
unanimously approved.

7. NEW BUSINESS:

A. IWWC#19-38 Applicant: Gregory Delaney Owner: James Davies Location: 341 West Wakefield Boulevard Proposal: Install Electric Service on Lakeside.

Greg Delaney appeared before the Commission regarding this application. He explained that he was an electrician and the owner was his client who had recently purchased the property. Mr. Delaney noted that his client was seeking to have electricity at his waterfront. The home is on the other side of the road. Mr. Delaney explained that he would need to trench conduit to an electrical service meter. Mr. Nalette questioned if the electricity was for the future construction of a house on that waterfront. Mr. Delaney indicated that it was not. Mr. Nalette questioned what the timeline was for the project. Mr. Delaney confirmed that the work could likely be done in one day.

MOTION: Mr. Nalette, Ms. Hunter second, to refer Application IWWC#19-38 Applicant: Gregory Delaney Owner: James Davies Location: 341 West Wakefield Boulevard Proposal: Install Electric Service on Lakeside to the Wetlands agent for an agent approval; 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.

Dave Stricker, accompanied by Bruce Leone of BES Building of Canton, appeared before the Commission regarding this application. Mr. Stricker distributed a construction sequence plan. It was noted that the application had included the title page from the site plan set, depicting the entire +40 acre 1930s camp at a scale of 1"=80' as well as Sheet 7, which includes the house/cabin (Building 1) and Sheet 8, which includes the fitness center (Building 44). The commission had also been provided with a copy of the email from staff to Mr. Stricker detailing what the Commission may request for additional information as well as a copy of a communication from a neighbor, Richard Alling, requesting a public hearing on the matter.

Mr. Stricker explained that he is proposing replacement of the original cabin on its current location. He noted it would be brought forward ten (10') feet for the patio area. He noted that the current fitness center is not large enough, so he is seeking to expand that too.

Mr. Nalette noted that there was no proposed elevation drawing for the fitness center or location for the addition. It was unclear whether the addition would be added to the north, west, south, or east of the building. Mr. Nalette questioned the footprint of the cottage and where the changes would occur. Mr. Leone noted that the footprint of the current building is 56.3' x 37.6'. It was noted that the site plan depicted the longest length of the existing house to be 43.8'.

There was some question about whether the entire site had been flagged for wetlands. It was noted that the area closest to the house had been flagged. Mr. Nalette noted that there were no erosion and sediment controls depicted. Mr. Nalette questioned whether the wetlands had been flagged near the fitness center. He noted that he would like a report from the soil scientist and the engineer that all wetlands have been flagged.

Mr. Nalette noted that any proposed deck off the house, including the dimensions, needs to be reflected on the drawings, too.

Mr. Nalette explained that the Commission will need the entire site flagged for wetlands and those flags to be depicted on the maps, the maps to include the exact dimensions of the proposed buildings upon completion, and the maps to include erosion and sediment controls. He noted that the plans should also include how the water runoff is going to be dealt with, staging, and phasing. The consensus of the Commission was that a different color for the proposed improvements would be helpful.

Mr. Nalette referenced the letter from the neighbor, Richard Alling, wherein he requested a public hearing for this application. As Mr. Alling was present, Mr. Nalette granted him permission to address the Commission regarding this application. Mr. Alling noted that he had a topography map for the site that he would like the Commission to review. Mr. Alling reported that there has been a progression of advancement on the wetlands on the westerly corner of this property, as depicted by the US Geographic survey over a forty to fifty-year period. He noted the parking lot is in this area. Additionally, Mr. Alling noted that he had concerns with the maps not showing the wetlands out-letting to adjacent properties. He shared his concern with the trench carrying the wetlands onto the neighboring properties from the camp property that flows into Park Pond. Mr. Alling also remarked about the smell of sewage from the camp during August.

Staff questioned what the Commission may be seeking in terms of drainage analysis.

The Commission reviewed Sheet 2 of the set of drawings as prepared by Land Surveyor Gary Giordano.

Mr. Stricker agreed to obtain from his engineer certification that there are no wetlands within the review area of Building #44. Additionally, Mr. Nalette noted that Mr. Stricker would provide existing and proposed conditions for the two buildings.

Ms. Mulvey also requested details on the excavation for the foundations, including the amount needed to be removed, measured in cubic yards. The limits of disturbance should also be included on the drawings. How the runoff from the buildings will be handled and the location of the footing drains should be included on the drawings, according to Mr. Nalette. Erosion controls should be included, too. Mr. Leone noted that the existing building currently has gutters and the plan includes having them drain in the same location as they currently do. It was noted that this should be reflected on the drawings.

MOTION: Mr. Nalette, Mr. Timmeney second, to accept Application #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 conditional to receipt of information previously identified in discussion and to schedule a public hearing for the next regular meeting on November 20, 2019; unanimously approved.

C. IWWC#19-40 Applicant: Carl Michaud Owner: Jennifer Ghiazza Location: 254 Perch Rock Trail Proposal: Dock Repair; Deck Dock Removal.

Carl Michaud appeared before the Commission regarding this application. He explained that his clients are seeking to remove the current 12'x18' deck dock and to replace the decking on the walk that leads to the raft. He explained that the float at the end of the dock would be shifted to the left so as to align it to the walk. Mr. Michaud confirmed that the dock would be an 'L' rather than a 'T'.

MOTION: Mr. Nalette, Ms. Krawiecki second, to refer Application IWWC#19-40 Applicant: Carl Michaud Owner: Jennifer Ghiazza Location: 254 Perch Rock Trail Proposal: Dock Repair; Deck Dock Removal for an agent approval; unanimously approved.

8. AGENT ACTIONS:

A. Determinations.

None.

B. Warnings/Violations.

i. SHOW CAUSE HEARINGS:

None.

Mr. Nalette reminded staff about observed apparent sand washing out on a current permit for Torrington Road and his request that staff reach out to the permittee. She assured him that this conversation would take place prior to the next regular meeting.

9. COMMUNICATIONS:

None.

10. Other Business.

A. Discussion of Catch Basin Maintenance Schedule.

No business discussed.

B. Review 2020 Regular Meeting Schedule.

MOTION: Mr. Nalette, Ms. Krawiecki second, to approve the 2020 Regular Meeting Schedule as presented; unanimously approved.

C. Discussion of the Highland Lake Data Summary.

Mr. Nalette referred commissioners to a recent report prepared by Limnologist George Knocklein at the request of the Highland Lake Watershed Association. He reported that he and Mr. Davenport had attended Mayor Candy Perez's kick-off meeting of the recently formed Highland Lake Preservation Committee. He noted that Mr. Knocklein had noted "a disturbing trend" with water quality. Mr. Nalette reported a diatom bloom that occurred over the summer that may or may not have been a result of a period of very heavy rainfall, the breach at Sucker Brook dam, and/or high levels of nutrients in the lake. He noted that those gathered for that HLPC meeting were encouraged by this Commission's trend toward encouraging more vegetative buffers between lawns and the water at Highland Lake.

11. ADJOURN:

MOTION: Mr. Nalette, Ms. Krawiecki second, to adjourn at 9:25PM; unanimously approved.

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