



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
March 20, 2019 – 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, Chris Kiely, Jackie Mulvey, Steve Molinelli and Kurt Timmeny as well as staff member, Land Use Assistant Pam Colombie.

It was noted that Christine Hunter was absent excused, and Bob Haburey was absent.

3. APPROVAL OF MINUTES – February 20, 2019:

MOTION: Mr. Kiely, Ms. Mulvey second, to approve the February 20, 2019 Minutes; Motion approved with Mr. Nalette, Mr. Davenport, Mr. Kiely, Ms. Mulvey and Mr. Timmeny voting aye while Mr. Molinelli abstained.

4. AGENDA REVIEW:

No changes were made to the agenda.

5. PUBLIC HEARINGS:

None.

6. OLD BUSINESS:

A. IWWC#19-03 Applicant/Owner: Kevin Steck Location: 356 East Wakefield Boulevard Proposal: Repair/Maintenance of Existing Stone Retaining Wall; Repair Broken Base in Same Footprint.

It was noted that Mr. Steck was still awaiting his survey and has therefore requested a continuance.

MOTION: Mr. Nalette, Mr. Kiely second, to continue Application IWWC#19-03 pursuant to the request of the applicants; unanimously approved.

7. NEW BUSINESS:

A. IWWC#19-04 Applicant/Owner: Richard Synnott and Elizabeth Synnott Location: 736 Lake Drive Proposal: Demolition of Existing Dwelling/Detached Garage; Build New Dwelling with Attached Garage.

Project Engineer Tom Grimaldi of R.R. Hiltbrand, accompanied by Richard Synnott and Elizabeth Synnott, appeared before the Commission regarding this application. Mr. Grimaldi reported that the site currently contains an existing dwelling and detached garage. His clients are proposing to demolish those and build a new home with an attached garage. Mr. Grimaldi explained that the proposal will result in a more conforming site with a reduction in impervious surface. He reviewed the site plan showing the erosion sedimentation control plan, which included the grading. He explained that there will be a reduction in the impervious surface through the removal of the detached garage and a reduction in the crushed stone driveway area. Mr. Grimaldi reported that the plans include directing the water from the driveway through a vegetative waterway leading to a raingarden. He noted that the grades will be matched to the back so there will be no fill near the lake.

Construction fencing and an eighteen (18") inch diameter sediment log will function to protect the lake during the build, according to Mr. Grimaldi. He reviewed the raingarden, noting that it does include a filter media in it and distributed a hand-out containing a cross-section of the pond. The profile included the surface water. Mr. Grimaldi noted that the plans included the non-invasive plant species that will be included in the rain garden.

Mr. Grimaldi noted that the basement will be a walk-out requiring very little fill to be brought on site. He noted that the impervious surface will be reduced by 2%. Mr. Nalette questioned whether the driveway will be paved. Mr. Synnott indicated that he and his wife had not yet decided. Mr. Grimaldi noted that the plans already include it as crushed stone, or impervious, explaining that the impervious surface coverage will not increase.

Mr. Grimaldi noted that the pump chamber will be located in the swale area. He indicated that his office has worked closely with Marty Cormier of Winsted Water Works. Mr. Molinelli questioned the location of the well. Mr. Grimaldi noted that the sewer lines will not be moved. Mr. Nalette questioned the roof drainage. Mr. Grimaldi noted that the right-hand side will sheet flow toward the raingarden and the left-hand side of the house will flow into wide, shallow swales. Mr. Grimaldi confirmed that the driveway will be pitched to have the water run to the raingarden, too.

Mr. Kiely questioned the location of storage for the spoils during demolition. Mr. Grimaldi noted that the stockpile area will be furthest away from the lake as possible, explaining that his clients also own the lot across the street which can serve as a holding area if needed.

Mr. Grimaldi noted the lake frontage as 55.52 feet. With regards to when construction would begin, Mr. Synnott noted that it would likely start in September.

Mr. Kiely questioned the roof height of the existing building and that of the proposed building. Mr. Grimaldi confirmed that he would provide both of those at the next meeting. Mr. Nalette also requested a detail on the off-site de-watering process of the spoils.

MOTION: Mr. Kiely, Mr. Molinelli second, to accept Application IWWC#19-04 Applicant/Owner: Richard Synnott and Elizabeth Synnott Location: 736 Lake Drive Proposal: Demolition of Existing Dwelling/Detached Garage; Build New Dwelling with Attached Garage, deeming the activity as not significant; unanimously approved.

Pursuant to the request of the applicant's engineer, the agenda was modified to move *Application IWWC#19-05* to be discussed during the Violations portion of the agenda.

B. IWWC#19-06 Applicant: George Chapin Owner: George N. Chapin and Caren A. Chapin Location: 116 Sucker Brook Road Proposal: Repair Existing Subsurface Sewage Disposal System within Upland Review Area.

Professional Engineer Todd Parsons of Lenard Engineering appeared before the Commission regarding this application. Mr. Nalette noted that Mr. Parsons had been seeking an agent determination on this application. He noted that the Torrington Area Health District had already approved the design and as it was reviewed with Mr. Parsons, there really is no other location feasible for the repair of the septic system.

Mr. Parsons reviewed the details of the site, noting that it is a .93 acre parcel with an existing four bedroom house that was constructed in 1969. He explained that the house is currently for sale and that a potential buyer had contracted a professional septic company to complete an inspection during a very wet fall season. A determination was made that the system was a failure at that time, according to Mr. Parsons.

Reviewing the site, Mr. Parsons explained that the front property was a developed lawn and that the rear of the parcel was a mature wooded area with wetlands in that area. Mr. Parsons noted that there is no outward sign of failure with the system but indicated that it does need repair. He noted that there had been soil testing done.

Mr. Parsons reported that the front yard was ruled out due to the well radius and explained the area on the other side of the wetlands was ruled out due to shallow ground water.

The consensus of the Commission was that this work would be approved as an agent determination after having been reviewed at this meeting.

C. IWWC#19-07 Applicant: Matthew Closson Owner: Karen Tiernan Location: 61 East Lake Street Proposal: Repair Existing Stone Retaining Wall. Relocate Footing Drain Discharge and Regrade and Reseed Backyard as Necessary.

Matt Closson appeared before the Commission regarding this application. Mr. Closson explained that the work will include repointing, by hand, the existing three (3') foot high stone wall. He noted that his clients also have a footing drain issue, explaining that it may have been crushed at some point. Mr. Closson noted that a permit is being sought to excavate the rear yard, fix the drain, and discharge it into the lake. Mr. Davenport questioned the point of discharge. Mr. Closson noted that you wouldn't want it to discharge ten feet from the dwelling and then flow over the lawn.

Mr. Closson agreed that his clients would be amenable to a rip rap pad at the discharge point. Mr. Davenport questioned whether a detail might be provided at the next meeting. Mr. Closson agreed that he would prepare a detail on the discharge point with some calculations. He also agreed to calculate the estimated area of disturbance. With respect to an inquiry regarding the pitch of the site from the house to the lake, Mr. Closson confirmed he would provide more information on the elevation change. He noted the elevation to be approximately six to seven feet from the house to the water, over a distance of ninety to one hundred feet. Mr. Nalette requested exact elevations at the next meeting.

The applicant was agreeable to removing the term "Rebuild" from his proposal.

MOTION: Mr. Kiely, Mr. Molinelli second, to accept Application IWWC#19-07 Applicant: Matthew Closson Owner: Karen Tiernan Location: 61 East Lake Street Proposal: Repair Existing Stone Retaining Wall. Relocate Footing Drain Discharge and Regrade and Reseed Backyard as Necessary, deeming the proposed activity as not-significant; unanimously approved.

D. IWWC#19-05 Applicant/Owner: Margaret Zilolkowski Location: 344 East Wakefield Boulevard Proposal: Rear Deck and Patio to Allow for Handicap Access to Rear Yard and Lake. SHOW CAUSE HEARING: Owner: Margaret Zilolkowski Cease and Desist and Restore Order Location: 344 East Wakefield Boulevard Map: 032 Block: 105G Lot: 347-348 Violation: Excavation within Upland Review Area; Activity without IWWC Permits.

The activity cited in this Cease and Desist and Restore Order has been included in Application IWWC#19-05.

Staff described the events leading up to the applicant being cited for the installation of stone in a previously grassy area of the front lawn. Professional Engineer Mike Sherman of Laurel Engineering appeared before the Commission regarding this application. He explained that he has been retained primarily for the proposed work in the rear yard.

Mr. Sherman reviewed a drawing of the site overlaying an older survey. He explained that he had only recently been retained but confirmed that a survey had been contracted and was in process. With respect to the newly stoned area, Mr. Sherman explained that he had visited the site and noted that the front area is one to two inch washed crushed stone. As it stands right now, Mr. Sherman opined that it is better than grass in terms of being pervious. He noted the areas that he did test holes which revealed areas of two inches, three inches, six inches and two inches. Mr. Sherman noted that his preliminary calculations reveal that if there were three inches of stones in that area, it would hold the water quality volume. He noted that this is not considering the slope.

Mr. Sherman noted that the Town's Zoning Regulations consider crushed stone impervious and he would not disagree with that perspective if this stoned area were to become a parking area. Mr. Sherman reported having asked Chester Zilolkowski, the father of the owner of the property, about the goal behind the stone. Mr. Zilolkowski was seeking to avoid mowing as he is handicapped.

Mr. Sherman explained that the Zilolkowski would like to build a deck and a handicapped ramp. Ms. Zilolkowski explained that both she and her father are handicapped. She noted that she did not believe the steps in the back of the home would meet the Building Code as there is an 8½" drop from the rear door, with the following two steps being 6", and the bottom step being 10". She noted that there were no railings either when they purchased it. Ms. Zilolkowski reported that a temporary wheelchair ramp has been installed.

Ms. Zilolkowski distributed copies of a communication from her contractor, James Doyle, explaining how the work unfolded prior to receiving a permit from the Commission. She also submitted a note from her physician to confirm her handicap.

Mr. Nalette referenced the work that was done by this contractor as part of this first project, noting the property that had the vegetation removed along the inlet is not owned by Ms. Zilolkowski. She noted that it was only supposed to be cut back and not cut all the way down. It was another miscommunication, according to Ms. Zilolkowski. She noted that the vegetation was not completely removed and will likely grow back.

Mr. Nalette explained that a remediation plan will be necessary.

Mr. Molinelli questioned whether a filter fabric had been installed under the stone. Mr. Sherman indicated that there had not but confirmed that the top soil had been stripped.

Mr. Sherman explained that the proposed ramp has to be longer to meet the Building Code. He explained that a patio is also proposed which would be comprised of pervious pavers. He noted that his clients would also like to replace the remaining grass with washed sand for the same reason as the front property, to avoid mowing grass.

Ms. Mulvey questioned the sand. Ms. Zilolkowski noted that she is not proposing sand for that location but instead to create a walkway from the patio to the lake steps and allow the grass to remain.

The littoral boundary at this property was questioned, with Mr. Sherman inquiring whether a boat could be moored along the lake wall on the side of the property.

Mr. Nalette noted that a complete survey including topography should be included for the next regular meeting as well as more information on what surface materials are being proposed for the site.

MOTION: Mr. Nalette, Ms. Mulvey second, to accept Application IWWC#19-05 Applicant/Owner: Margaret Zilolkowski Location: 344 East Wakefield Boulevard Proposal: Rear Deck and Patio to Allow for Handicap Access to Rear Yard and Lake, and Front Yard Landscaping deeming the proposed activity as not significant and to continue the Show Cause Hearing on this parcel; Motion passed with Mr. Nalette, Mr. Davenport, Mr. Molinelli, Ms. Mulvey, and Mr. Timmeney as voting aye while Mr. Kiely was opposed.

8. AGENT ACTIONS:

A. Determinations.

None.

B. Warnings/Violations.

Owner: Michael Goncalves and Desiree A. Goncalves Cease and Desist and Restore Order Location: 346 East Wakefield Boulevard Map: 032 Block: 105G Lot: 343-346 Violation: Excavation within Wetlands/Upland Review Area; Activity without IWWC Permits.

It was noted that this Order needs to be served by a marshal.

9. COMMUNICATIONS:

Copies of a communication from the Department of Energy and Environmental Protection regarding the application of pesticides at Winchester Club Pond was noted as having been provided to commissioners.

10. Other Business.

Rob Michaud of RAM Contracting appeared before the Commission regarding some necessary repair work of steps at 866 West Wakefield Boulevard. He noted that he also would like to stabilize the railings at these steps. He confirmed that it would involve only repairing and repointing. The consensus of the Commission was that no application was necessary for this work.

11. ADJOURN:

MOTION: Mr. Nalette, Mr. Kiely second, to adjourn at 8:59PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**