



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
June 20, 2018 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Ric Nalette called the meeting to order at 7:00PM.

2. ROLL CALL:

Roll call was completed by Mr. Nalette. Present at the meeting in addition to Mr. Nalette were: Russ Davenport, Bob Haburey, Chris Kiely, Steve Molinelli Jackie Mulvey, and Kurt Timmeney as well as Town Planner/Wetlands Agent Steve Sadlowski.

3. APPROVAL OF MINUTES – June 6, 2018:

MOTION: Ms. Mulvey, Mr. Kiely second, to approve the June 6, 2018 Minutes; Motion passed with Mr. Nalette, Ms. Mulvey, Mr. Kiely, Mr. Davenport, Mr. Haburey, and Mr. Timmeney voting aye while Mr. Molinelli abstained.

4. AGENDA REVIEW:

The agenda was modified to add *Election of Officers* under Other Business

5. OLD BUSINESS:

A. IWWC #18-10 Applicant: Borghesi Building & Engineering Owner: Electric Motion Company, Inc. Location: 157 Colebrook River Road Proposal: Expansion of Existing Parking and Construction of Detention Basin.

Rob Blanchette of Borghesi Building & Engineering appeared before the Commission regarding this application. He noted that his client is seeking to expand their existing parking lot. Mr. Blanchette noted that there will be a net zero increase in runoff. He reviewed the site plan depicting the location of the wetland line as well as the existing parking and proposed new parking. No work will be any closer to the wetlands, according to Mr. Blanchette.

Mr. Blanchette noted that the runoff will continue to be treated through a stone swale that gets piped down to a catch basin before draining into the wetlands, at the exact same point as it does now. Mr. Blanchette estimated the increase to impervious surface to be approximately double of what exists currently, although the entire site is likely only 8% impervious.

Mr. Blanchette pointed out the green space that will be exchanged so that the employees continue to have a picnic place.

Mr. Blanchette noted that his client would likely begin work next month and that it should last for about a month to a month and a half.

MOTION: Ms. Mulvey, Mr. Kiely second, to approve Application IWWC#18-10 Location: 157 Colebrook River Road Applicant: Borghesi Building & Engineering Owner: Electric Motion Company, Inc. Proposal: Expansion of Existing Parking and Construction of Detention Basin, based on oral and written testimony.

Conditions 1-12 are standard Inland Wetland Commission Conditions and the following additional conditions determined by the Inland Wetlands Commission.

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 June 20, 2018 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 \$2,000.00 will be submitted to the Inland Wetlands office.

Unanimously approved.

B. IWWC#18-12 Applicant: Matthew Closson Owner: 414 Wakefield LLC Location: 414 East Wakefield Boulevard Proposal: Construct New Single-Family Home.

Matt Closson appeared before the Commission regarding this application. Mr. Closson explained that the architect had calculated lot coverage just above 15%. Subsequently, Licensed Land Surveyor John DiCara reviewed the plans and calculated coverage at 14.1% and has provided a letter to this effect.

Mr. Closson explained that due to the amount of ledge at this location, silt fence will not be an option for erosion control. He noted that Mr. Sadlowski suggested hay bales for that purpose.

It was noted that this application did not include any requests for docks nor boatlifts. Mr. Closson confirmed, noting that his client would need to return with a new application or a modification request at a later date should he seek changes in that regard.

As the Commission pondered the erosion controls, Mr. Closson noted that at the bottom of the site near the water, there was a grassy strip in which silt fence could be installed as an added precaution.

MOTION: Mr. Nalette, Mr. Molinelli second, to approve Application IWWC#18-12 Location: 414 East Wakefield Boulevard Applicant: Matthew Closson Owner: 414 Wakefield LLC Proposal: Construct New Single-Family Home, based on oral and written testimony.

Conditions 1-12 are standard Inland Wetland Commission Conditions and the following additional conditions determined by the Inland Wetlands Commission.

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 June 20, 2018 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 \$1500.00 will be submitted to the Inland Wetlands office.
14. An extra row of silt fence will serve as a back-up for the haybales and will be inspected periodically to prevent failure.

Unanimously approved.

C. IWWC#18-13 Applicant: Town of Winchester Owner: See Project Description for Properties Impacted Location: Torrington Road – Lanson Drive North to Willow Street.

Mr. Sadlowski reminded the Commission that the public hearing on this application will be held at the next regular meeting in July.

6. NEW BUSINESS:

As the applicant Edinburgh Properties was not yet present, the Commission modified the agenda, and reviewed Application IWWC#18-15 ahead of IWWC#18-14.

A. IWWC #18-15 Applicant/Owner: Christopher and Kyle Case Location: 233 Smith Hill Road Proposal: Develop Lot for a 3-bedroom House, Garage, Driveway and Septic System.

As there was only minor grading for the driveway occurring on the fringes of the upland review area, the Commission agreed to refer this application to Mr. Sadlowski for an agent determination.

B. IWWC #18-14 Applicant/Owner: Edinburgh Properties Location: 302 East Wakefield Boulevard Proposal: Pressure-Treated Wood 6'x25' Dock.

Peter Kores of Edinburgh Properties appeared before the Commission regarding this application. Mr. Kores indicated that he is actually proposing a 6'x5'x3" dock.

He reviewed the survey included as part of his application, noting that his property along with the lots on both sides of his were prepared according to A2 standards. He noted that the rest of the cove was surveyed to Class D standards.

The commission reviewed the docks on the neighboring properties. Mr. Nalette noted that this application should not be considered based on what exists at those other properties.

Discussion ensued over "the cove method" of establishing littoral boundaries.

Mr. Kores confirmed that this would not be a floating dock but would instead rest on one or two piers.

MOTION: Mr. Kiely, Mr. Molinelli second, to accept Application IWWC#18-14 Applicant/Owner: Edinburgh Properties Location 302 East Wakefield Boulevard Proposal: Pressure-Treated Wood 6'x5'x3' Dock deeming the activity as non-significant;

[Prior to the vote on the preceding motion, the following Motion to Amend was put forth and failed after which commissioners voted on the original motion.]

MOTION TO AMEND: Mr. Molinelli, Mr. Haburey second, to amend the Motion that a public hearing be scheduled due to likely public interest; Motion to Amend fails with Mr. Molinelli, Mr. Haburey and Ms. Mulvey voting aye while Mr. Nalette, Mr. Kiely, Mr. Davenport and Mr. Timmeney opposed.

Motion (to accept application as non-significant) unanimously approved.

C. IWWC #18-16 Applicant/Owner: Charles Morniere Location: 257 Colebrook Road Proposal: Re-Surfacing/Re-Grading of Existing Unpaved Driveway in Close Proximity to Stream.

Mr. Sadlowski noted that this application is a result of a complaint as well as observations made by the Zoning Enforcement Officer. He noted that there is an existing paved driveway as well as a secondary driveway that the applicant is seeking to make wider. Mr. Sadlowski passed around two photographs of the site.

Charles Morniere appeared before the Commission regarding this application. He expressed his regret over the submitted application being incomplete and indicated that he should be able to pay the application fee by the end of the week.

Mr. Sadlowski confirmed that the wetlands are just past the tree line depicted in the photograph. He noted that there is a parking area near a wooden bridge. Mr. Morniere noted that there is no runoff that flows into the nearby stream but instead is all absorbed by the ground. He noted that the property is comprised of 13 acres. Mr. Nalette questioned the estimated impact. Mr. Morniere indicated that there is no impact as the driveway was already there.

Mr. Sadlowski noted that allegedly there had been a bit of driveway. Mr. Nalette noted that more information is needed including dimensions such as how long the proposed cuts will be and how deep they will be. He noted that the Commission would like topography on a map. Mr. Morniere questioned whether a survey is necessary. Mr. Nalette noted that while one is preferred, the Commission recognizes financial concerns being what they are.

Mr. Nalette noted that it is very likely that commissioners will visit the site. He cautioned that there should be no discussion neither with the applicant nor with each other.

Mr. Nalette questioned whether the applicant intends to pave the driveway. Mr. Morniere noted that he intends to install 1¾ inch process.

MOTION: Ms. Mulvey, Mr. Davenport second, to accept Application IWWC #18-16 Applicant/Owner: Charles Morniere Location: 257 Colebrook Road Proposal: Re-Surfacing/Re-Grading of Existing Unpaved Driveway in Close Proximity to Stream, deeming the activity to be non-significant; unanimously approved.

D. IWWC#18-17 Applicant/Owner: Jeffrey J. Loureiro Location: 212 Perch Rock Trail Proposal: Reconstruct Existing House on Existing Foundation.

Jeff Loureiro appeared before the Commission regarding this application. He noted that as he was working with an architect to remodel this home, a determination was made that it made more sense to take down the wood frame of the dwelling and rebuild on the existing foundation. Mr. Loureiro explained that the existing structure has roof drainage tied into the lake but that the proposal includes the roof drain to a rain garden on the east side of the property. He noted that the surface runoff from Perch Rock Trail will also go into the rain garden.

Mr. Nalette questioned the distance of the proposed underground propane tank to the lake. Mr. Sadlowski noted that it appeared to be approximately 80' from the concrete wall.

Mr. Loureiro confirmed that he was not changing the dimensions of his driveway.

MOTION: Mr. Kiely, Mr. Nalette second, to accept Application IWWC#18-17 Applicant/Owner: Jeffrey J. Loureiro Location: 212 Perch Rock Trail Proposal: Reconstruct Existing House on Existing Foundation, deeming the proposed activity to be non-significant; unanimously approved.

7. AGENT ACTIONS:

A. Determinations.

None.

B. Warnings/Violations.

i. 112 Shore Drive.

Mr. Sadlowski confirmed that an Order had been send to the property owner on the date of this meeting.

ii. 304 East Wakefield Boulevard.

Mr. Sadlowski confirmed that an Order had been send to the property owner on the date of this meeting.

iii. 348 East Wakefield Boulevard.

Mr. Sadlowski confirmed that an Order had been send to the property owner on the date of this meeting.

iv. Tarringford Street.

Mr. Sadlowski reminded commissioners that a Show Cause hearing had been set for the last regular meeting. He noted that the owner in Texas had not appeared because he had only received notice of it the day following that meeting. Mr. Sadlowski explained that the meeting will need to be reordered. However, he explained that he visited the site the next day with the permittee, Scott Bachand, for an hour or two and noted that the location of the new gravel pit is not in wetlands. Mr. Sadlowski noted that it is very confusing and that he thought that it was a wetlands violation but that Mr. Bachand had shown him where it was not.

Mr. Sadlowski opined that the major wetlands impacts that he had originally believed there to be are actually not there. He noted that only the trench flowing out to the wetlands is a violation.

Mr. Sadlowski noted that Mr. Bachand has to appear before the Planning and Zoning Commission with an application for the gravel pit and that it will likely include the outlet for the pond. He noted that the drainage ditch will be part of that and therefore recommended waiting another month for an application before this board, too.

Mr. Sadlowski passed around photographs of the site. Mr. Molinelli questioned when the photographs were taken. Mr. Sadlowski indicated they were taken thirty days ago.

Mr. Sadlowski believed that the water is running down off the hill from the neighboring property, likely as a result of the ruts from the motorcycles at that location.

It was the consensus of the commission to follow the advice as presented by the wetlands agent.

v. 2 East Lake Street.

Mr. Sadlowski reported that he has determined that there is no impact from a wetlands perspective.

vi. 827 East Wakefield Boulevard.

Mr. Sadlowski noted that this is a very steep lot that was undergoing some excavating just prior to a very heavy rain storm. The rain caused some washout into the road. He noted that the work was outside of the Commission's review area. Mr. Sadlowski noted that since the original storm, the property owner had created some drainage ditches and swales. The property owner was also supposed to install sod but has not yet done so. He noted that he would follow up with him on that.

Mr. Nalette questioned whether this remediation was going to require an application. Mr. Sadlowski indicated that it would not as the work was out the 100' review area.

8. COMMUNICATIONS AND BILLS:

None.

9. OTHER BUSINESS:

A. Election of Officers.

Mr. Nalette noted that he would like to continue as Chairman. Mr. Davenport confirmed that he would like to continue as Secretary. Mr. Kiely confirmed that he would like to continue as Vice Chairman.

MOTION: Mr. Nalette, Ms. Mulvey second, to elect the current officers of the Board to their respective positions; Motion passed with Mr. Nalette, Ms. Mulvey, Mr. Kiely, Mr. Davenport, Mr. Haburey and Mr. Timmeney voting aye while Mr. Molinelli abstained.

10. ADJOURN:

MOTION: Mr. Nalette, Mr. Kiely second, to adjourn at 8:45PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk