



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
February 21, 2018 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Vice Chairman Chris Kiely called the meeting to order at 7:00PM.

2. ROLL CALL:

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

It was noted that Gene Berlinski, Steve Molinelli and Ric Nalette were absent excused.

3. APPROVAL OF MINUTES – January 17, 2018:

MOTION: Mr. Kiely, Ms. Mulvey second, to approve the January 17, 2018 Minutes; Motion passed with Mr. Kiely, Mr. Closson, Mr. Davenport, Ms. Mulvey and Mr. Timmeney voting aye while Mr. Haburey abstained.

4. AGENDA REVIEW:

No changes were made to the agenda.

5. OLD BUSINESS:

A. IWWC #18-02 Applicant/Owner: David and Mary Antoniazzi Location: 104 Shore Drive Proposal: Addition to Existing Home.

David Antoniazzi, accompanied by his attorney Perley Grimes, appeared before the Commission regarding this application. Attorney Grimes reminded the Commission that Mr. Antoniazzi had been unavailable at the prior month's meeting at which time they formally accepted the application. He had shared with Mr. Antoniazzi the questions that had arisen during that initial meeting. Mr. Antoniazzi shared and reviewed with commissioners a ten-page document, addressing those previous inquiries.

With respect to drainage, Mr. Antoniazzi noted that water drains from both sides of the house down off the roof into the deck and into the ground into stone, draining into some gardens in front of the screened-in porch. He referenced pictures in the submitted document, noting that the southeast corner garden extends to the seawall.

With regards to the slope of the lot, Mr. Antoniazzi explained that a slope would be negligible if one exists. He reported that his Land Surveyor John DiCara had agreed with that assessment. Mr. Antoniazzi reported that as water reaches the seawall area, it either is absorbed through the soil or out the weep holes into the lake.

Mr. Kiely questioned whether Mr. Antoniazzi had intended to change the base of the garden near the sea wall, noting that it is currently stone. He indicated that he did not have plans to change this. Mr. Sadlowski referenced the photos on page 6 of the applicant's handout, noting that there did not appear to be any stains on the wall that would be indicative of runoff.

The type of foundation was reviewed and discussed. Mr. Antoniazzi indicated that the proposed addition would be slab on grade. It was noted that no house drawings were included as part of the application. Mr. Antoniazzi confirmed that the spoils from the excavation would be contained within the confines of the silt fence area.

Mr. Sadlowski explained to Mr. Antoniazzi that pervious pavers are a special type of pavers, with gaps left between and no material contained within. It was noted that this will be addressed through the Zoning Board of Appeals, too.

MOTION: Ms. Mulvey, Mr. Davenport second, to approve Application IWWC #18-02 Applicant/Owner: David and Mary Antoniazzi Location: 104 Shore Drive Proposal: Addition to Existing 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 February 21, 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 deficiencies 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 will be submitted to the Inland Wetlands Office;

Motion passed with Mr. Closson, Mr. Kiely, Mr. Davenport, Ms. Mulvey and Mr. Timmeney voting aye while Mr. Haburey abstained.

6. NEW BUSINESS:

As the applicant for Edinburg Properties had not yet arrived, the agenda was modified to take up IWWC #18-04 (Modification of IWWC #17-08) Applicant/Owner Richard and Elizabeth Fitzgerald Location: 124 Shore Drive and IWWC #18-05 Applicant/Owner: Steve Valigorsky Location: 205 West Wakefield Boulevard ahead of IWWC #18-03 Applicant/Owner: Edinburg Properties Location: 302 East Wakefield Boulevard.

Mr. Closson recused himself as a sitting commissioner. He then moved to the applicant's table.

B. IWWC #18-04 (Modification of IWWC #17-08) Applicant/Owner Richard and Elizabeth Fitzgerald Location: 124 Shore Drive Proposal: Removal of 10'x20' Single-Story Structure and Excavate for New Foundation: approximately 20 yards.

Mr. Closson identified as the contractor on the job for the proposed work. He reminded the Commission that they had issued a permit last July or August (2017) for a 10'x20' addition. Mr. Closson explained that as the construction unfolded, it was noted that the structure was rotted and deteriorated. He explained that his clients are seeking to tear down, remove what is there, excavate for a proper frost wall utilizing the exact same location and that it would be the exact same shape.

Mr. Closson noted that there is no stockpiling of spoils as they are immediately trucked off site. It was noted that the site had a very gradual, modest slope.

MOTION: Mr. Kiley, Ms. Mulvey second, to approve IWWC #18-04 (Modification of IWWC #17-08) Applicant/Owner: Richard and Elizabeth Fitzgerald Location: 124 Shore Drive Proposal: Removal of 10'X20' Single-Story Structure and Excavate for New Foundation: approximately 20 yards of material;

Motion passed with Mr. Kiely, Ms. Mulvey, Mr. Davenport, Mr. Haburey and Mr. Timmeney voting aye.

Mr. Closson remained at the applicant's table as he noted that he was the contractor on the following application.

C. IWWC #18-05 Applicant/Owner: Steve Valigorsky Location: 205 West Wakefield Boulevard Proposal Renew Expired Wetlands Permit and Construct Previously Approved Boathouse.

The applicant/owner, Steve Valigorsky, accompanied by his wife Gayle joined Mr. Closson. While Mr. Closson indicated that this application was a renewal of an expired wetlands permit, Mr. Sadlowski corrected, noting that it is a new permit application.

Mr. Closson explained that a permit at this location had been received in 2003 and had expired in the last five years. He noted that a previous wetlands permit had included retaining walls with a bond returned by the former wetlands agent in 2011. Mr. Closson reported that the construction of the boat house shall include the pouring of the concrete slab and first-floor framing. He noted that a small amount of excavation will be required in order to construct a ramp to allow getting in and out of the boathouse, estimating the amount of excavation to be less than ten yards of material.

With regards to the timing of construction, Mr. Closson indicated it will begin in Spring, 2018 and completed in Fall, 2018. Mr. Closson referenced an As-Built survey prepared by Land Surveyor John DiCara depicting stone work and walls. He indicated that there had been no change since this 2009 survey. Mr. Closson noted that building drawings have been submitted and that a Special Permit had been issued in January, 2010. He also noted that an email from Town Attorney Kevin Nelligan had been included indicating that the project was good to move forward.

Mr. Haburey questioned whether there was a problem with West Wakefield Boulevard regarding this property. Mr. Closson indicated that his clients had received an easement from the Town.

Mr. Sadlowski cautioned the Commission that the boathouse will be constructed over the water and that they now need to deem whether the activity is significant thereby requiring a public hearing. Mr. Closson reiterated that this is a previously approved permit. Mr. Sadlowski noted that this type of activity would not be permitted during today's time.

Mr. Closson noted that every precaution will be taken to prevent sawdust from spilling into the water and that cutting would occur at the edge of the road. He noted that all the landscaping and stone work is done and that everything is done but for the structure. It was noted that the roof will be metal. Mr. Davenport questioned whether since this project involves building out over the water, if there was some type of floating containment system to address construction waste and debris. Mr. Closson noted that it is no different than building a dock out over the water.

Mr. Sadlowski noted that the downspouts will dump right into the lake unless they're brought back on to the land somehow. Mr. Closson noted that his clients are not proposing gutters on the structure.

MOTION: Ms. Mulvey, Mr. Davenport second, to accept IWWC #18-05 Applicant/Owner: Steve Valigorsky Location: 205 West Wakefield Boulevard Proposal Renew Expired Wetlands Permit and Construct Previously Approved Boathouse;

Motion passed with Mr. Kiely, Ms. Mulvey, Mr. Davenport, Mr. Haburey and Mr. Timmeney voting aye.

Mr. Closson rejoined the Commission, taking his place among the commissioners.

A. IWWC #18-03 Applicant/Owner: Edinburgh Properties Location: 302 East Wakefield Boulevard Proposal: Pressure Treated Wood 6'x25' Dock.

Peter Kores appeared before the Commission on behalf of the applicant/owner, Edinburgh Properties.

It was noted that this site includes 26' of water frontage and is located in the cove. The Commission discussed the method by which the littoral boundary lines are determined, noting that they had traditionally relied upon the "cove method". Mr. Kores noted that he currently moors his boat at this location. Mr. Kiely questioned whether Mr. Kores had met with his neighbors to discuss this proposal. He indicated that he had not.

The consensus of the Commission was that the applicant would need to contact a surveyor in order to present with a survey that depicts the littoral boundaries. They also thought that there should be some discussions had with the neighbors to come up with an agreement. It was noted that a public hearing would be required.

Mr. Closson questioned whether this dock would be a floating dock or a stationary dock. Mr. Kores indicated that it would be a stationary dock supported with 6"x6" wood piers sitting on the lake bed.

MOTION: Mr. Kiely, Mr. Closson second, to accept Application IWWC#18-03 Applicant/Owner: Edinburgh Properties Location: 302 East Wakefield Boulevard Proposal: Pressure Treated Wood 6'x25' Dock and schedule a public hearing for their next regular meeting scheduled for March 21, 2018, pursuant to the Wetlands Regulations; unanimously approved.

8. AGENT ACTIONS:

A. Determinations.

None.

B. Warnings/Violations.

None.

9. COMMUNICATIONS AND BILLS:

None.

10. OTHER BUSINESS:

A. DPW Director Jim Rollins to Discuss Road Surface Treatments/ Catch Basin Cleanouts.

Department of Public Works Director Jim Rollins appeared before the Commission to address the Commission's concerns with the product(s) his department uses during the winter around Highland Lake. Mr. Rollins had also been invited to speak about catch basin cleanouts.

Mr. Rollins noted that the product the Town generally uses is basically rock salt in that it is 98% rock salt with a coating of magnesium chloride or calcium chloride along with a food-grade dye allowing crews to see the salt as it distributed. Mr. Rollins reviewed the research into the various options available for road surface treatments, explaining the rationale behind the product currently being used. He noted that sand is used only during an ice storm and that it has not been used since he has been in his capacity as DPW Director.

With regards to the snow that gets removed from Main Street, Mr. Rollins reported that it gets relocated to the DPW site on Rowley Street where it melts eventually flowing into the Still River. He noted that this is the preferred practice of the Department of Energy and Environmental Protection. Mr. Haburey questioned whether the spillway up at Highland Lake gets salted. Mr. Rollins noted that he believed it did.

Mr. Rollins spoke about the technological improvements that get made with equipment such as the ability to calibrate the spreaders and the resulting positive effects to the wetlands as a result.

With respect to catch basins, Mr. Kiely advised Mr. Rollins that four commissioners have agreed to volunteer to help in identifying those basins that should rank among the highest in terms of priority for cleaning and/or repair. Mr. Kiely

explained that the Subcommittee is currently in need of maps of these catch basins. Mr. Sadlowski noted that he is working on getting those to the subcommittee.

Mr. Rollins explained that the recommendation for best practice for catch basin cleanings is twice a year but that the Town's current schedule affords these cleanings every two to three years. He noted that the DPW budgets \$20K for an independent contractor to do the catch basin clean-outs as well as another independent contractor for \$20K for street sweepings. Mr. Rollins reported that the Town is reviewing going out to bid for basin repairs and repair basin tops. He noted that there are 1500 catch basins.

Mr. Rollins reviewed how the subcommittee can aid the Town in prioritizing the catch basin work including helping to identify the worst ones in need of the most repair. He noted that help can also be used in terms of determining where the responsibility of the Town falls in terms of where its responsibility begins and ends, in terms of whether they can go on a property to undertake repairs.

11. ADJOURN:

MOTION: Mr. Kiely, Mr. Davenport second, to adjourn at 9:04PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk