



**TOWN OF WINCHESTER**  
**INLAND WETLANDS & WATERCOURSES COMMISSION**  
**Town of Winchester Town Hall, 338 Main Street**  
**P. Francis Hicks Room – 2nd Floor**  
**May 17, 2017 – 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: Ms. Jackie Mulvey, Mr. Matt Closson (7:25PM), Mr. Chris Kiely, Mr. Russell Davenport, Mr. Steve Molinelli and Town Planner/Wetlands Agent Steve Sadlowski.

Absent excused was Mr. Gene Berlinski. It was noted that Mr. Bob Haburey was absent.

**3. APPROVAL OF MINUTES – APRIL 19, 2017:**

**MOTION:** Mr. Molinelli, Mr. Kiely second, to approve the April 19, 2017 Minutes; unanimously approved.

**4. AGENDA REVIEW:**

No change was made to the agenda.

**5. SHOW CAUSE HEARING:**

**A. Cease and Desist and Restore Order Owner: Sandy Drive Three, LLC Location: 24 & 240 Kingsbury Avenue Map: 113, Block 104A, Lot 137 142.**

Mr. Sadlowski reported that Mr. Davenport had viewed this site. Additionally, Mr. Sadlowski noted that he, too, revisited the site and observed that no other work had been conducted.

Peter D'Addeo appeared before the Commission regarding this matter, explaining his plans and how he intends to restore the area. Mr. D'Addeo explained that Sandy Drive Three, LLC had cut hemlock trees on Perch Rock Trail and had put the wood chips on the company's other lots. Mr. Sadlowski noted that one possibility he had suggested was to possibly create a woodchip berm around the lower, lake side which would function to act as an erosion control. Mr. Sadlowski indicated that these should not be too high and that one (1') foot would be plenty.

Protection of the area was discussed. It was noted that approximately fifteen to twenty hemlock trees were removed and were replaced with several arborvitae trees.

Discussion also occurred regarding a cart path application that had been denied. Possibilities for remediation were discussed. Mr. D'Addeo explained that he seeds the area every year and intends to do so this year. He explained that while twenty arborvitae trees had been planted, he intends to plant twenty more. He also intends to keep them low and not grow very high.

Mr. Nalette reminded Mr. D'Addeo to review his landscaping plans with Town Planner/Wetlands Agent to be sure that a permit is not needed.

**MOTION:** Mr. Kiely, Mr. Molinelli second, to lift the Cease and Desist Order as issued by the Wetlands Agent pending remediation involving reseeding and relocation of the woodchips to a location determined by said Wetlands Agent; Motion passed with Mr. Nalette, Mr. Molinelli, Ms. Mulvey, Mr. Kiely and Mr. Davenport voting aye while Mr. Closson abstained.

**6. OLD BUSINESS:**

**A. IWWC#17-06 Owner Marion and Gary Olson Applicant: Marion and Gary Olson Location: 864 West Wakefield Boulevard Proposal: Replace Existing Walkway and Float with New Standing Aluminum Dock.**

**MOTION:** Mr. Nalette, Ms. Mulvey second, to approve Application IWWC#17-06 Replace Existing Walkway and Float with New Standing Aluminum Dock. 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 May 17, 2017, 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 \$0 will be submitted to the Inland Wetlands Office; unanimously approved.

**B. IWWC#17-07 Owner: Denise and Nicholas M. Mancini, Jr. Applicant: Denise and Nicholas M. Mancini, Jr. Location: 536 Wheelers Point Proposal: Addition of a Kitchen and Garage Dwelling.**

Denise Mancini and Nicholas Mancini appeared before the Commission regarding this application. Mr. Mancini noted that they will be installing sediment erosion controls as part of an addition onto their home at Highland Lake.

Mr. Nalette advised the applicants that prior to beginning work, the bond be submitted and the Wetlands Agent be notified.

**MOTION:** Mr. Closson, Mr. Kiley second, to approve Application #IWC17-07 Addition of a Kitchen and Garage to the Existing Dwelling. 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 May 17, 2017, 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 \$500 will be submitted to the Inland Wetlands Office; unanimously approved.

Matt Closson recused himself at 7:35PM and took a seat at the applicant's table.

**C. IWWC#17-08 Owner: Karen Tiernan Applicant: Matthew Closson Location: 61 East Lake Street Proposal: New 6'x40' Dock and Remove Old 2'x2' Concrete Pier.**

Mr. Closson explained to the Commission that he had submitted an A2 survey of the subject property reflecting the existing dock. He noted that the dock would be moved over about six (6") inches in order to meet the littoral setbacks. He noted that the existing piers would be utilized.

Mr. Closson explained that the new dock was originally going to cover two other existing piers but upon further discovery, realize that they will not be covered. He noted that the owners would like permission to remove these, too, in addition to the one already presented. In response to Mr. Nalette's inquiry about how these three blocks would be removed, Mr.

Closson explained that the plan is to bring a small excavator down, chain them, and drag them out. He noted that no machines would be in the water. Mr. Molinelli questioned whether the home owner is aware that she will be unable to install a boatlift. Mr. Closson confirmed.

**MOTION:** Mr. Molinelli, Mr. Kiely second, to approve Application #17-08 New 6'x40' Dock and Remove Old 2'x2' Concrete Pier. 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 May 17, 2017, 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; Motion passed with Ms. Mulvey, Mr. Kiely, Mr. Nalette, Mr. Davenport, and Mr. Molinelli voting aye.

Mr. Nalette advised Mr. Closson that prior to beginning work, he should notify the Wetlands Agent.

Mr. Closson rejoined the Commission at 7:42PM.

**D. IWWC#17-09 Owner: Town of Winchester Applicant: Town of Winchester Location: West Wakefield Boulevard Proposal: Install Boat Lift Besides Dock for Police Use.**

Mr. Sadlowski explained that John DiCara, LS, did not think he had anything beyond what the Town already had. However, he noted that he was able to locate the file from the original approval. Mr. Sadlowski explained that the other dock near the town's dock is actually located on town-owned property and was installed by virtue of an easement.

**MOTION:** Mr. Davenport, Ms. Mulvey second, to approve Application #17-09 Install Boat Lift Besides Dock for Police Use. 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 May 17, 2017, 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. Install Lift on north side of existing dock. If this is not possible, dock should be moved northerly, accordingly, to assure proper separation from the dock itself; unanimously approved.

**E. IWWC#17-10 Owner: Eric Richard Applicant: Eric Richard Location: 71 East Lake Street Proposal: Return Crumbling Cement Ramp Into Lake to Its Original State.**

**MOTION:** Mr. Kiely, Mr. Nalette second, to approve Application IWWC#17-10 Return Crumbling Cement Ramp Into Lake to Its Original State. 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 May 17, 2017, 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 \$ will be submitted to the Inland Wetlands Office; unanimously approved.

**F. IWWC#17-11 Owner: John and Valerie Lochner Applicant: John and Valerie Lochner Location: 539 Wheelers Point Proposal: To Install a Boat Ski Lift, a Jet Ski Lift and a Buoy**

Mr. Kiely explained that he was recusing himself from this application, noting his business relationship with the applicants.

Mr. Nalette noted that the Commission had received a correspondence from the applicants, which appeared to have addressed the Commission's questions. Mr. Nalette explained that as the applicants have 220 feet of water frontage, more items could be allowed. It was noted that the applicants were not seeking two boat lifts but instead one 8'x8.5' Boat lift off the existing 200 square foot dock, a mooring, a 6'x8' swim float, a 4'x40' aluminum dock, and a 6'x9' double PWC lift. It was explained that only three boats can be in the water at one time. The Commission determined that the second dock cannot exceed thirty (30') feet.

**MOTION:** Ms. Mulvey, Mr. Nalette second, to approve Application IWWC#17-11 To Install One 8'x8.5' Boat Lift Next to the Existing Dock, One 4'x30' Free Standing Aluminum Dock Along the South Side of the Property, One 6'x9' double

PWC lift along the South Side of the Property, One 6'x8' Swim Float along the South Side of the Property, and One Mooring Ball Along the South Side of the Property. 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 May 17, 2017, 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 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 \$0 will be submitted to the Inland Wetlands Office.
14. Dimension of Free Standing Aluminum Dock shall be no more than 30' as per the Regulations Notation for secondary docks; Motion passed with Mr. Nalette, Ms. Mulvey, Mr. Closson, Mr. Molinelli, and Mr. Davenport voting aye while Mr. Kiely abstained.

## **6. NEW BUSINESS:**

**A. IWWC#17-12 Owner: JAMORI, LLC Applicant: ERM Consulting & Engineering, Inc. Location: 170 Lake Street Proposal: To Excavate Petroleum and Metal-impacted soil from three locations on the property. Total volume to be excavated is approximately 150 cubic yards. Excavated areas to be filled with certified clean fill and existing site materials as appropriate.**

Robert Drake, Senior Project Manager of ERM Consulting & Engineering, Inc., appeared before the Commission regarding this application. Mr. Drake explained that they are seeking to clean up the former Union Pin factory which had been initially remediated back in the early 2000s. He reminded the Commission that the work was part of a motel application that was ultimately denied and the remediation work left uncompleted. The total volume to be excavated is

actually 450 cubic yards located in four areas rather than three as indicated, according to Mr. Drake. He explained that Area C, the most northerly, is the only area where there are concerns for washing into a waterway. Mr. Drake indicated that there is a sedimentation plan for this. He noted that most of the soil being remediated is actually in the basement of the building.

Mr. Nalette noted that the Commission would be seeking a narrative that matches the drawing.

**MOTION:** Ms. Mulvey, Mr. Molinelli second, to accept Application IWWC#17-12 Owner: JAMORI, LLC Applicant: ERM Consulting & Engineering, Inc. Location: 170 Lake Street Proposal: To Excavate Petroleum and Metal-impacted soil from three locations on the property. Total volume to be excavated is approximately 150 cubic yards. Excavated areas to be filled with certified clean fill and existing site materials as appropriate, deeming the proposed activity as insignificant; unanimously approved.

## **7. OTHER BUSINESS:**

### **A. Election of Officers.**

**MOTION:** Ms. Mulvey, Mr. Closson second, to appoint Mr. Nalette for the position of Chairman; Motion passed with Ms. Mulvey, Mr. Closson, Mr. Davenport, Mr. Kiely, and Mr. Molinelli voting aye while Mr. Nalette abstained.

#### **(Prior to the vote on the preceding motion, a second motion occurred)**

**MOTION:** Mr. Molinelli, Ms. Mulvey second, to close nominations; unanimously approved.

**MOTION:** Mr. Nalette, Ms. Mulvey second, to appoint Mr. Kiely for the position of Vice Chairman; Motion passed with Ms. Mulvey, Mr. Closson, Mr. Davenport, Mr. Molinelli and Mr. Nalette voting aye while Mr. Kiely abstained.

#### **(Prior to the vote on the preceding motion, a second motion occurred)**

**MOTION:** Mr. Molinelli, Ms. Mulvey second, to close nominations; unanimously approved.

**MOTION:** Mr. Nalette, Mr. Kiely second, to appoint Mr. Davenport for the position of Secretary; Motion passed with Ms. Mulvey, Mr. Closson, Mr. Kiely, Mr. Molinelli and Mr. Nalette voting aye while Mr. Davenport abstained.

#### **(Prior to the vote on the preceding motion, a second motion occurred)**

**MOTION:** Mr. Molinelli, Ms. Mulvey second, to close nominations; unanimously approved.

### **B. Dock and Mooring Ordinance.**

Mr. Nalette indicated that he is fairly happy with the Dock and Mooring Ordinance in its present form but that the Commission is awaiting confirmation from the town's attorney that the proposed changes will accomplish what is intended. Specifically, Mr. Nalette wanted to make sure that the Ordinance would prevent someone from renting vacant property to someone who is then able to moor boats. The Commission noted that a subcommittee had met a couple of years ago to revise this ordinance for that purpose and that the revisions were sent to Attorney Kevin Nelligan who then reviewed the document for legal language. Mr. Nalette noted that they have yet been able to get Attorney Nelligan to come to a meeting to confirm to the Commission that the proposed revisions will accomplish their goals.

The Commission discussed the impetus behind the proposed changes.

### **C. Proposed Bubbler Ordinance.**

Mr. Sadlowski reported that he is trying to have Sean Hayden come to a meeting to discuss this proposed ordinance.

## **8. AGENT ACTIONS:**

### **A. Determinations.**

None.

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

Mr. Sadlowski reported that he had referred a failing septic system on Moore Avenue to the Torrington Area Health Department. He also noted a situation on Laurel Way that he had addressed between one neighbor complaining about another neighbor dumping materials near wetlands. Mr. Sadlowski explained that in reviewing the matter, it was determined that both neighbors appeared to be dumping things and had conversations with both.

**9. COMMUNICATIONS AND BILLS:**

Mr. Molinelli reported that he had concerns with the flushing of fire hydrants occurring near Highland Lake. Mr. Sadlowski indicated that he would consult with Department of Public Works Director Jim Rollins regarding this matter.

**10. ADJOURN:**

**MOTION:** Mr. Nalette, Mr. Kiely second, **to adjourn at 8:51PM; unanimously approved.**

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