

**Town of Winchester**  
**INLAND WETLAND & WATERCOURSES COMMISSION**

**May 16th, 2012**

**7:00 PM, P. Francis Hicks Room, 2<sup>nd</sup> Floor, Town Hall**

338 Main Street, Winsted, CT 06098

FILED  
CLERK'S OFFICE

JUN 7 2012

SHEILA S. SEDLACK  
TOWN CLERK OF WINCHESTER  
WINSTED, CONN.

The meeting was called to order by Chairman Chris Waring. The following members answered roll call: Chris Kiely, Meg Delaney (absent excused) Sue Peacock (absent excused), Stephen Molinelli, and James Rollins Jr., Ric Nalette Jr, Jackie Mulvey, Robert Haburey Jr (absent) and Scott Eisenlohr, Inland Wetlands agent

**3. Approval of Minutes 3/21/12 & 4/18/12**

**Motion:** by J. Rollins to approve minutes of 3/21/12, second by C. Kiely, two abstained Jackie Mulvey and Ric Nalette Jr. **Vote:** all in favor-*Motion carries.*

- J. Rollins: page 3, 8<sup>th</sup> bullet, incorrect measurement of width of dock incorrect

**Motion:** by J. Rollins to approve minutes of 4/18/12, second by C. Kiely, two abstained C. Waring and R. Nalette Jr. **Vote:** all in favor-*Motion carries.*

**4. Agenda Review**

- S. Eisenlohr-would like to add agent approval 168 Shore Dr

**5. Old Business**

**A. Application IWC#04-05**

Applicant: Gary D'Angelo

Location: 322 West Wakefield Blvd.

Map: 032, Blk: 118, Lot: 17 & 17A, Zone: HLD

Proposal: Extend completion date of approved retention wall.

- Applicant not present
- S. Molinelli-we were supposed to get some clarification from K. Nelligan in writing?
- S. Eisenlohr-I did not get a re-clarification, the chair person was not at our last meeting and he is going to explain his discussion with K. Nelligan on this issue.
- J. Rollins-we go the same information that as given to us last time
- C. Waring-there is no additional information from the Town Attorney, I wasn't here last month. I would like to take a minute to go through this to see what my opinion is on this. According to the town attorney the fact that there was a gap in this particular approval. The town attorney did not say that it would negate any possibility of extending it. Read for the record Town Attorney's response. The wording could go either way. We can approve the extension because the plan hasn't changed, there has been some additional erosion at the property, and there have been some issues with cleaning out catch basins. If we make him come back and do a new application for this what are the ramifications going to be for us as a commission if there is no changes
- R. Nalette Jar-are changes just to the plan or the site and regulations?

- J. Mulvey-if the site has change will the plan continue to be appropriate?
- R. Nalette Jr-this applicant wanted a driveway and dug into the embankment the wall was an after the fact remediation of erosion that resulted from digging into the embankment. We required the wall because it was a significant amount of erosion.
- J. Rollins-we have addressed the likelihood of that erosion coming down, they contacted an engineer. We were given three choices of walls, small, medium and gigantic. We chose one of them. We told him he needed to do something to remediate the condition.
- S. Molinelli-we have once choice is to approve the extension which would be until 2014?
- S. Eisenlohr-his application would be out there for another 6 years if we approved the extension.
- S. Molinelli-if we did not approve the extension he would have to come before us for a new application or he could not come before us with a new application. He could let this expire and not doing anything which he has done.
- C. Waring-so if we approve there is the possibility of 6.5 years of action or no action being taken. In which case after that there is still a mess there and what are the commission options at that point. Can S. Eisenlohr issue a citation again for excessive sedimentation?
- S. Molinelli-he could issue that now if he wanted.
- C. Waring-so if we don't approve the extension and the application has expired, we would have to have a reasonable good reason but that is also giving him an opportunity to come in with a new application.

**MOTION:** by J. Rollins to **APPROVE Application IWC # 04-05 Gary D'Angelo, Proposal: Extend completion date of approved retention wall.** Map: 032, Blk: 118, Lot(s) 17 & 17A Zone: HLD, second by C. Waring, one opposed S. Molinelli, one abstained E. Nalette Jr. **Vote:** all in favor-*Motion carries.*

Based on oral and written testimony, Conditions 1-12 are standard Inland Wetland Commission Conditions and the following additional conditions:

13. The extension expires on 1-19-14 totaling 9 years.
14. Extension approved must comply with approved letter with conditions dated January 19, 2005.
15. Any modification of this approval and plans will require a permit.

**B. Application IWC#12-04**

Applicant: Ronald Pinz

Location: 818 East Wakefield Blvd.

Map: 044, Blk: 108, Lot: 075, 077, Zone: HLD

Proposal: Add boat lift

- Applicant not present.
- C. Waring-he did submit additional information for this packet along explanation of the cove method.

- J. Mulvey-I went out and looked at the property and it looks like he is crossing that whole right of way. He has rights and the people who have a right of way also have rights. Just visually it destroys the right of way.
- J. Rollins-it is really tuff to agree what he has drawn on the paper. Appearance is deceiving when you have awful property lines. I tried several approaches to this to see what I thought, I couldn't get a full view of the property because of the beware of dog sign. What I came up I agree with Jackie it just doesn't look appropriate. He handed us some new information for this meeting and he took his baseline was from property corners of the lots which make sense but his property is made up of lots 75,76 and 77 and he only went to the property corner of lot 75. My assumption is that he is in the littoral zone significantly but I don't have a way of proving it and I don't think he has a way of disapproving it.
- C. Waring-in the minutes it was discussed on why he couldn't put it out where his dock is on the other part of his property.
- J. Rollins-the water is very deep there.
- C. Waring-I guess his issue is the boat lift that he already has wouldn't work in that area.
- R. Nalette Jr-the cove method involves drawing a line called a baseline between two points of land on either side of the concavity and then drawing a line perpendicular from the baseline to the boundary between the properties at high water mark. From the baseline to the baseline is the section I have an issue with.
- C. Waring-read definition of littoral boundary and cove method.
- S. Molinelli-he is showing a baseline between lot 73 and 74 to 75 and 76. Then is has a perpendicular line which he is showing it as a right angle which he is calling a cord.
- C. Waring-then he is pulling 10 feet off that for how far he is away from that 10 foot setback.
- S. Molinelli-if we are talking about establishing a littoral boundary then the starting point has to be either end of his property.
- R. Nalette Jr-the property line is what you draw your guidance from. The baseline that you draw your littoral too is geographic.
- S. Eisenlohr-read for the record an extension letter from the applicant for one month.

**Motion:** by R. Nalette Jr to **Table Application IWC#12-04 Applicant: Ronald Pinz, Location: 818 East Wakefield Blvd, Proposal: Add boat lift, pending the presence of Mr. Pinz and to honor his request for extension and to also request an engineered survey/report of the cove, Map: 044, Blk: 108, Lot: 075, 077, Zone: HLD, second by J. Rollins, opposed J. Mulvey. Vote-all in favor-*Motion carries.***

**C. Application IWC#12-05**

Applicant: Rollins Excavating

Location: 208 Perch Rock Trail

Map: 114, Blk: 105A, Lot: 7 & 8, Zone: HLD

Proposal: Replace dock, repair deck, reconstruct patio, relocate driveway, maintain sea wall & six steps, install mooring buoy and boat lift.

- C. Waring-7:08 pm J. Rollins is reezeze himself from the commission to present the application.
- J. Rollins-there has been some subtle changes throughout the process; I drafted a new project narrative that states all the changes that were discussed.

- J. Rollins-reconstruct and modify the driveway-removing payment that is there, making the grades more shallow and wider to accommodate better parking and access to the house.
- J. Rollins-item 2 is to remove the paved walkway down along the side of the house which accesses the walkout basement. That is going to be removed, seeded and made into lawn. The grade will change is such that instead of water running directly to the foundation of the house it will run flat towards the property line. The water is running down into the foundation and causing damage to inside of the house.
- J. Rollins-Item 3 is to add a gutter to that house, which will discharge into the grass area.
- J. Rollins-Item 4 is the existing deck on the back of the house, it is 30 x 10 feet, currently made of wood, the stairs are in bad shape, we are going to either remove or repair that deck, there is going to be some sonotubes needed and then underneath that deck there is an asphalt patio this has a drain right in the center, all the water collects in that drain and runs down into a pipe and discharges directly into the lake. The plan is to remove that asphalt drop the level a little bit so the water can't make it back it through the doorway, slope it so the water that runs off this patio will sheet flow across that 10 feet of lawn and we can eliminate the drain that runs into the lake. We do not know the condition of the foundation drains and we are assuming it discharges into the lake, we will grab that and discharge it to the surface as is typical.
- J. Rollins-the plan for the waterfront is to raise the seawall about 6 inches so it matches the rest of the wall on his property and the neighbor's property.
- J. Rollins-provided to drawings one of the existing condition of waterfront and proposed waterfront. The existing dock is 49.5 feet out into the water x 44 inches wide with a small set of stairs. It is not littoral compliant. The new proposal is when this seawall gets raised, they are going to change that first piece over to an aluminum dock and at that point they will pull it into littoral compliance. The plan is to shorten it from the 49.5 feet back to 44 feet. We are adding a jet ski lift, mooring buoy, redoing the wooden steps which will be replace with aluminum to match the dock, down in the lower corner there are a set of steps made of concrete, lower one needs a little repair but will stay as is. The over all width of the dock is 10 feet, the jet ski lift is 7, the steps are 3/14, the buoy is 1 foot and the other steps are 2.5 feet. That is 23.75 feet with is 47.5%. The mooring buoy at present is not out at beyond the end of the dock that is situated over an existing boulder, which is a navigational hazard. The only issue is that the length is at 44 feet, where 40 feet is what the ordinance calls for as a maximum. The discussion in the last two meetings was because we are making it littoral compliant and we are pulling it back in we have improved it so much that it was my understanding that keeping in long enough to cover the boulder was an acceptable compromise.
- S. Molinelli-you show the littoral boundary at the far right hand side at 10 feet but you don't bring it to the shoreline at 10 feet, it isn't show on the drawing going to the shoreline.
- J. Rollins-You can put a straight edge on it and that is what it is. Yes it is a little deceptive because the wall ends a little bit short where the survey shows the property line.
- R. Nalette Jr-Item 2-you said there is about 10 feet between the walkway and the property line, any defensive measures being taken to prevent water from running into the neighboring property?
- J. Rollins-essentially no because there is no side slope from the house to the property line.
- S. Molinelli-the original drawing doesn't match the dock as you are describing it tonight. The dock says 49.6 feet by 40 inches. This says 49.5 feet by 44 inches.

- J. Rollins-I went from feet and inches to decimal, 40 inch width is the actual width of the walking surface, 44 inches is the actual width of the poles.
- S. Molinelli-the rocks in one picture is clearly in the littoral boundary, on the second picture they are inside the littoral line.
- J. Rollins-on the preliminary drawing this was measuring a straight line off of the dock, on this drawing we actually pulled the measurement off of this corner and this corner so we triangulated it so we know exactly where that point is. The recent drawing is accurate.
- S. Eisenlohr-read for the record Item 4 of dock and mooring ordinance.
- C. Waring-7:37pm J. Rollins returned to commission.

**MOTION:** by R. Nalette Jr to **APPROVE Application IWC #12-05 Rollins Excavating Proposal: replace dock, repair deck, reconstruct patio, relocate driveway, maintain sea wall & six steps, install mooring buoy and boat lift**, Map:114, Blk: 105A, Lot(s) 7 & 8 Zone second by C. Waring, two abstained C. Kiely and S. Molinelli. **Vote:** all in favor-*Motion carries unanimously.*: HLD based on oral and written testimony.

Conditions 1-12 are standard Inland Wetland Commission Conditions and the following additional conditions:

13. Cash erosion and sedimentation bond of \$1000 be submitted to the Inland Wetlands office before construction begins.
14. The plan complies with Ordinance Section 162 and the applicant will conform to all other outstanding items in Section 162.
15. As per plan dimensions date 5/16/12 of the dock, granted acceptance due to compliance with Section 4 c, Item 1 (decreased length), Item 2 & 3 are not applicable, Item 4 brought into compliance with littoral boundary, Item 5&6 are not applicable, and Item 7 is decreased length to address a navigational hazard and Item 8 improves the egress and entrance to neighboring properties.

**D. Application IWC#10-24 MOD**

Applicant: Gail Yaffee & Andrea Garbus

Location: 440 East Wakefield Blvd.

Map: 032, Blk: 105, Lot: 079, Zone: HLD

Proposal: Change #10-24 from a permanent cantilevered dock to a Seasonal Dock with legs and boatlift.

- Applicant not present-letter submitted from Stewart Yaffee.
- C. Waring-read letter for the record.
- J. Rollins-do we know if this is the only thing on this waterfront?
- S. Eisenlohr-an updated drawing was provided.
- J. Rollins-I know there is a buoy out there that isn't shown.
- C. Waring-last month in the minutes, basically what is being done is legs in the lake bed and the dock will be going in where the other one was. This is 6 feet with a 4 foot extension so we are going out four feet to the right, which makes it full 10 feet wide and four to the right.
- J. Mulvey-there is no measurement for the boatlift.
- C. Kiely-it is 108 inches wide x 13 feet long.
- S. Molinelli-according to his application he doesn't show anything else on the property.

- C. Kiely-I have been out there many times there is no buoy and nothing else on the waterfront.

**MOTION:** by J. Rollins to **APPROVE Application IWC #10-24 Yaffee & Garbus**  
**Proposal: Modification- change from a permanent cantilevered dock to a Seasonal Dock**  
 with legs and boatlift. Map: 032, Blk: 105, Lot(s) 07 9 Zone: HLD, second by J. Mulvey, one  
 abstention C. Kiely. **Vote-all in favor-Motion carries.**

Based on oral and written testimony Conditions 1-12 are standard Inland Wetland Commission  
 Conditions and the following additional conditions:

13. Original conditions apply to this modification.

**E. Application IWC 12-07**

Applicant: Laura A. Kramer

Location: 407 W. Wakefield Blvd.

Map: 032, Blk: 118, Lot: 11 & 12 Zone: HLD

Proposal: Addition to an existing dock- removable, to cover a large rock  
 that damages boat when water is low.

- Applicant Laura Kramer present. Provided new narrative and an area photograph. The existing dock will have a 10 x 10 float, dock is attached to the concrete wall by a hinge. The jet ski that was in question was pointed out which has been there ever since we have bought the property
- C. Waring-this is well within the 50% rule.
- J. Rollins-the new dock will be a similar construction?
- L. Kramer-yes.
- C. Waring-will the dock portion be the same length?
- L. Kramer-the dock will be same length with the additional 10 x10 float.
- S. Molinelli-what is the overall length and width including the float?
- L. Kramer-19 for the dock 10 for the float.
- S. Molinelli-is the total aggregate width 13 of the dock?
- J. Rollins-that is correct, there is 3 feet for the jet ski lift and 10 feet for the dock.
- S. Molinelli-that should be change to 13 feet aggregate of the waterfront otherwise we could end up with a 13 foot dock.
- C. Waring-noted that total aggregate is waterfront not the dock.

**MOTION:** by J. Rollins to **APPROVE Application #12-07 Laura Ann Kramer**  
**Proposal: addition to an existing dock,** Map: 032, Blk: 118, Lot(s) 11 & 12 Zone: HLD,  
 second by C. Kiely, one abstention C. Waring-**Vote: all in favor-Motion carries.**

Based on oral and written testimony.

Conditions 1-12 are standard Inland Wetland Commission Conditions and the following  
 additional conditions,

13. Cash erosion and sedimentation bond of \$-0-be submitted to the Inland Wetlands office  
 before construction begins.

14. The plan complies with Ordinance Section 162 and the applicant will conform to all other  
 outstanding items in Section 162.

**F. Application: IWC#12-26**  
Applicant: Town of Winchester  
Location: Highland Lake  
Proposal: Proposed 5 year lake drawdown schedule

- Clare Stevens present.
- C. Waring-do we have an application?
- S. Molinelli-we asked last month for the application and the motion from the Board of Selectmen meeting.
- S. Eisenlohr-made copies of application.
- C. Stevens-the final schedule is date February 12, 2012.
- C. Waring-read for the record the proposed five year schedule:
  - 2012-2013-3 foot draw
  - 2013-2014-experimental 4 foot draw
  - 2014-2015-6 to 8 foot draw
  - 2015-2016-3 foot draw
  - 2016-2017-3 foot draw
- J. Rollins-are you 100% certain that this is the schedule the Board of Selectmen voted on?
- C. Stevens-yes it is.
- S. Molinelli-how will the public be notified?
- C. Stevens-in the past notification has been in the paper, I don't believe that there is any provision on how far in advanced it has to be done. As a courtesy the Town has done this and I usually have to call the newspaper to have this done. I do generally do some follow up to make sure residents are notified. Another way is through the Watershed news letter. It has been posted at the boat launch. I think the biggest problem is the property owners that live in the shallow end of the lake being notified so they can get there equipment out.
- S. Molinelli-on of these draw downs is October 1<sup>st</sup> which is extremely early.
- C. Stevens-it is two weeks earlier than we have ever done before and that is to accommodate not having the bog situation in the coves.
- S. Molinelli-I understand the rational, I am concerned about the information getting out to everybody so that somebody's boat is not up on a lift without any at water underneath it.
- C. Stevens-seeing this is a function of the town it should be this body or selectmen that should be doing it. I have not been instructed to take that role.
- J. Rollins-we can certainly make that a condition of approval. We can identify a responsible party for adequate notification process for scheduled/emergency schedule draw downs.
- C. Waring-I think the responsible party is the town.
- J. Rollins-I think the responsibility should lie with the person that opens the valve which is Public Works.
- S. Eisenlohr-I will send them a certified letter with the conditions of this application
- S. Molinelli-I am referring to last month's meeting and I suggested that you staple the motions that the selectmen voted on to the application so that we know that it has been approved. Your response was I will gather the information and the application will be completed. I would like the motion,

the vote of the selectmen attached to also be one of the conditions. So that in the future there won't be any confusion as we have had in the past.

- J. Rollins-should we post a sign at the end of the lake? We have discussed this before. That way we have that location for an emergency draw down as well.

**MOTION:** by R. Nalette Jr to **APPROVE Application #12-26. Proposal: 5 year water level policy starting November 1, 2012 through April 15, 2017**, second by J. Rollins.  
**Vote:** all in favor-*Motion carries unanimously.*

1. The permittee shall notify the Scott Eisenlohr Inland Wetlands Enforcement Officer @ 738-6980 immediately upon the commencement of work and upon its completion or Notice of Violation will be issued.
2. Attached is the Board of Selectmen approval and certified letter of approval for the file.
3. The Town of Winchester (Public Works Director/IWC Agent) shall be responsible for a timely (prior to Labor Day with a second notice prior to October 1<sup>st</sup> each year) public notification including but not limited to legal notice in local papers and signage where appropriate of scheduled draw down as per five year draw down schedule.

**G. Application IWC#12-25**

Applicant: Sherwood Dawson

Location: 535 W. Wakefield Blvd.

Map: 038, Blk: 115, Lot: 7 Zone: HLD

Proposal: Construct single family house on an existing lot.

- George Cotter present representing applicant. The proposed swale we would like to straighten it out along the property line and create a rip rap swale which is indicated on plan. There are three foundation walls that will start on grade in the area of the back and then there will be an 8 foot wall, fill will be placed around it so that it matches the slope. What we have done is put a 3.5 foot wall in the back to give it some flat yard behind it. We are proposing to put an additional rip rap swale and run into a catch basin behind the wall and pipe it across to the relocated rip rap channel. All the water that comes from these will go to the presently existing pipe. This allows for discharge of the adjoining property into the swale and using the catch basin over the driveway will collect water runoff from the proposed driveway.
- J. Rollins-the proposed rip rap swale is sized appropriately for all the water coming down, the term existing swale that is a water course, I have seen white water coming down there. It really carries a lot of water.
- C. Cotter-the commission could call it an intermittent water course.
- J. Rollins-my point is that a lot of water comes down that. I am assuming is that the pipe going into the catch basin is handling it. As long as that water is contained that is good. How is next door going to affect this, has that water been taken into account?
- G. Cotter-everything that came off that hill came down to the swale that is presently on the site and into the pipe and across the road.
- J. Rollins-so the change in impervious surface won't change at all.
- G. Cotter-no.
- J. Rollins-are there plans to vegetate what is there?

- G. Cotter-yes the slope will be grassed and behind it. It is an improvement to the erosion conditions that are there.
- J. Rollins-the proposed retaining wall you have in the backyard you have that at 3.5 feet high. If you can make that less than 3 feet you wouldn't need to get an engineered plan for it.
- G. Cotter-I think it is 4. I will check into it.
- R. Nalette Jr-the swale in the northwest corner of the house that you just added on, did this swale original connect to the southern swale.
- G. Cotter-yes

**MOTION:** by C. Waring to **APPROVE Application # 12-25 Sherwood Dawson, Proposal: Construct single family house on an existing lot per plan.** Map: 038, Blk: 115, Lot(s) 7, Zone: HLD; second by J. Rollins, 3 abstention are R. Nalette Jr., C. Waring and J. Mulvey. **Vote:** all in favor-*Motion carries.* based on oral and written testimony.

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

13. Cash erosion and sedimentation control bond of \$2,000 be submitted to the Inland Wetland Office before construction begins.
14. Verification in writing to the Inland Wetland Office that iron survey pins have not been altered after completion of the construction project. If altered, pins to be reset by Licensed Professional Land surveyor and provide the Inland Wetland Office a letter verifying pins have been property reinstalled.
15. Use native plantings, prior to installation Inland Wetland Agent to review plan.
16. Inland Wetland Agent approves E & S controls prior to construction.
17. Excess material to be disposed off site.
18. Stumps are not to be buried on site and are to be legally disposed of off site.
19. Owners and contractors will be making daily site inspections during the upcoming rains and will monitor whether or not additional measures will be required as well as providing maintenance of the existing soils and erosion control measures. Owners and contractors will implement additional soils stabilization and erosion control measures above and beyond those indicated on the drawings, in response to the heavy rains and associated

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### New Business

**A. Application IWC 12-27**  
 Applicant: Melinda B. Shafer  
 Location: 246 Perch Rock Trail  
 Map: 113, Blk: 105A, Lot: 53 & 54 Zone: HLD  
 Proposal: Put in a boat lift and access dock

- Applicant not present
- C. Waring-it shows the existing dock and sun deck on the left hand side of the property with no change to that. The new information is a boat lift and an access dock. They have it listed as 16 feet long by 3 feet wide.
- J. Mulvey-how wide is the property?
- C. Waring-the property is 67 feet wide. They are saying they have 27.5 feet total which would actually be 28.5, which is under the 50%.
- J. Mulvey-how far out does the walk and sun deck go? Wouldn't it affect the total.

- C. Waring-the length into the water doesn't make a difference, we take the total aggregate width and make sure that is under the 50%.
- J. Rollins-this property does have a float on the shore, like an 8 foot float, which might be ready to go out at some point. There drawing shows part of the dock and sun deck at 11.5 feet wide and I think it is wider. I marked it as 13 feet. Is that dimension accurate and does that float intend to go into the water or is the boatlift taking its space.
- J. Rollins-it would put them at 44.8 % with the 4 foot walkway versus the 3 foot as long as that float doesn't go in the water. The float is sitting on shore.
- C. Waring-we need clarification of this.
- R. Nalette Jr-when we wrote into the ordinance that you could have a walkway so you could access your boatlift, it felt to me that our intention was that you would put something on your dock to your boatlift that you could access your boatlift. It seems to me what is happening is that people are installing mini docks and calling them walkways.
- J. Rollins-we have tried to find a way around that.
- C. Waring-I would like to get the measurements of the existing dock and S. Eisenlohr if you could ask them to re-measure it and to submit any changes via a new drawing and find out about the float and what the walkway is made of.

**Motion:** by J. Rollins to **Accept Application IWC 12-27, Applicant: Melinda B. Shafer, Proposal: Put in a boat lift and access dock, Location: 246 Perch Rock Trail, Map: 113, Blk: 105A, Lot: 53 & 54 Zone: HLD,** second by C. Waring, opposed R. Nalette Jr. **Vote-all in favor-Motion carries.**

**B. Application IWC 12-28**

Applicant: Matthew Closson

Location: 722 Lake Drive

Map: 038, Blk: 035, Lot: 107 Zone: HLD

Proposal: Demo house, new foundation, rebuild existing seawall & pier, install boatlift, and drill new well.

- Applicant not present.
- J. Rollins-this doesn't show and pre construction and post construction grading contours and is there any erosion controls.
- C. Waring-is the new foundation going to be in the exact location.
- J. Rollins-where is the driving way going and what is the slope, the coverage and how much of it is going to change.
- C. Waring-would like to see full plans which includes all proposals of the application.

**Motion:** by S. Molinelli to **Accept Application IWC 12-28, Applicant: Matthew Closson, Proposal: Demo house, new foundation, rebuild existing seawall & pier, install boatlift, and drill new well, Location: 722 Lake Drive, Map: 038, Blk: 035, Lot: 107 Zone: HLD,** second C.Waring. **Vote: all in favor-Motion carries unanimously.**

**7.**

**Other Business**

**A. Town of Winchester Ordinance 162**

- Ad Hoc committee create member list?

- J. Rollins-I think we should postpone until we solve the littoral issue.
- Update Adhoc Committee-remove list.
- IWWC Subcommittee Guidelines – Dock & Mooring Ordinance – Sec 162

**B. Town of Winchester Inland Wetlands Regulations - possible amendments/revisions.**

**8. Agent Determination**

**A. IWC#12-29-John & Janet Aresta-168 Shore Dr-Proposal-addition-demolition of original addition in front of cottage**

- S. Eisenlohr-application for building permit was submitted in 9/1/2011. The building official signed this and started the work already.
- S. Eisenlohr-the foundation is in.
- J. Mulvey-so they have an illegal permit?
- S. Eisenlohr-they don't have a wetland permit.
- J. Rollins-the applicant had what he believed a signed permit and when the building inspector went for a footing inspection he noticed it wasn't signed by wetlands.
- S. Eisenlohr-M. Melanson wouldn't do a footing inspection until I went to look at it. M. Melanson signed off on it because it was suspended in the air and it needed to get a foundation under it.
- J. Rollins-if it hasn't been cleaned up I think we should put a cease and desist on it right now.
- S. Molinelli-what is cleaning it up because I walked by it the end of last week, the right side of the property was a pile of dirt and rocks.
- J. Rollins-we told them they needed a silt fence along the side. If they haven't complied with the erosion control stop them right now.
- S. Eisenlohr-I have collect a check from them already because of the mess for the application and a \$1,000 bond.
- S. Molinelli-give them until Monday to remediate it and if it isn't done by them give them a cease and desist.
- J. Rollins-the majority of the work is on the road side and I am pretty sure we would have given him an agent determination.
- S. Molinelli-maybe a permit but not an agent determination.
- J. Rollins-there would have been certain things we would have demanded, erosion control, footing drain.
- C. Waring-can we table this until S. Eisenlohr has approved any clean up and checked on the erosion control measures that they have put in.
- S. Eisenlohr-so you want me to tell them that the site has to come into compliance before I can approve the permit.
- J. Rollins-we should certainly review a development plan for this.
- S. Eisenlohr-I think it just went before ZBA and what you see is what they submitted.

- J. Rollins-we need to have an accurate plan on what is going on.
- S. Molinelli-I think the agent determination was give to him to be able to stabilize the site, it ends there. Now everything else has to take place and follow up through us.
- J. Rollins-we will need a detailed application for next month.
- S. Eisenlohr-I will make sure the E&S controls are in place and get the details for the project for next month's meeting.

**Motion:** by J. Rollins to Accept Application IWC#12-29-Applicant John & Janet Aresta-168 Shore Dr, Proposal: addition-demolition of original addition in front of cottage, second by C. Waring. **Vote:** all in favor-*Motion carries unanimously.*

9. Warnings

A. Gilbert School-collapsing wall-200 Williams Ave report from LEI

- C. Waring-I noticed in last month's minutes that J. Rollins thought there was further movement in the wall.
- S. Eisenlohr-I think I have some pictures in my file. I will make pictures and get them to you or call Lenard and have them email them to me. (J. Rollins)

10. Violations

11. Communications & Bills

A. Chairman Report

- C. Waring-new habitat was provided.

B. Clerks Hours

**Motion:** by J. Rollins to pay clerk for minutes, second by S. Molinelli. **Vote:** all in favor-*Motion carries unanimously.*

C. Election of officers

- S. Eisenlohr-I will add to agenda for next month.

12. Adjournment

**Motion:** by C. Waring to adjourn at 10:26 pm, second by J. Rollins. **Vote:** all in favor-*Motion carries unanimously.*

Respectfully Submitted,

Rhonda Roy  
Minutes Secretary