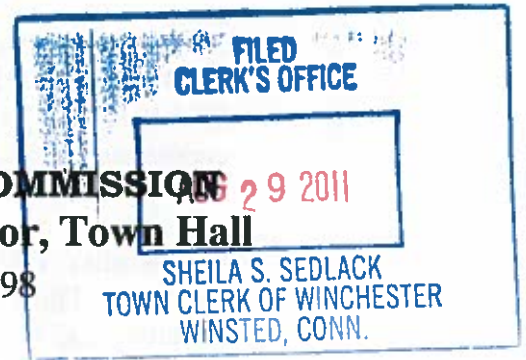


**Town of Winchester**  
**INLAND WETLANDS & WATERCOURSES COMMISSION**

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

338 Main Street, Winsted, CT 06098

**Minutes - August 17, 2011**



The meeting was called to order by Chairman Christopher Waring at 7:04 p.m. The following members answered roll call: Stephen Molinelli, James Rollins Jr, Christopher Kiely, Sue Peacock, Brian O'Heron, , Robert Haburey Jr and Ric Nalette Jr, Scott Eisenlohr, Inland Wetlands Agent and (Jonathan Reinhart absent).

**3. Approval of Minutes 7/20/2011**

**Motion:** by S. Molinelli to approve minutes for 7/20/2011, Seconded by S. Peacock, two abstained R. Nalette Jr, & Robert Haburey Jr. Vote: all in favor-*Motion carries.*

**4. Agenda Review**

- C. Waring-would like to add Item D. Communication & Bills-Jonathan Reinhart.

**5. Old Business**

**A. Application: IWC#11-12**

Applicant: Mark A. Ricci

Location: 738 Lake Drive

Map: 44, Blk: 107, Lot(s) 46, Zone: HLD

Proposal: Install Boat lift with canopy.

- S. Eisenlohr-advised the commission that he would like to table this until next month per applicants request due to a family illness. Applicant was advised that extension will run out next month and that there will be an after the fact fee. Applicant was also informed that the commission could also reject this application which would mean the boat lift would have to come out and he would still have to pay the after the fact fee of \$500.00 prior to IW decision.
- Commission Members-agreed to the after the fact fee and are aware that this boat lift was already in the water months prior to his application.
- J. Rollins-was it addressed that he was doing repair work on the wall with out a permit. He is more than his 50%, decking is over the water, which is 28 feet of his 50 feet of frontage.
- S. Eisenlohr-the wall underneath deck is collapsing and the Jet Ski side has already collapsed into lake bed.
- C. Waring-I think the intent was to have it run along the wall, I didn't see that the wall was collapsing.
- J. Rollins-I will go out and take another look.
- S. Eisenlohr-will send him a letter addressing the after the fact fee and E & S controls in the area of the wall repair.

**Motion:** by R. Nalette Jr table until next months meeting at which extension will end  
Application #11-12 Mark A. Ricci, Proposal: Install Boat Lift with Canopy Map: 44,  
Blk: 107, Lot(s) 46, Zone: HLD , second by J. Rollins Jr. Vote: all in favor-*Motion carries unanimous.*

**B. Application: IWC#11-13**

Applicant: Timothy Zwick

Location: 139 Newfield Road

Map: 42, Blk: 154, Lot(s) 21B3, Zone RU-3

Proposal: To change the location of the proposed driveway.

**Discussion:**

- Timothy Zwick-present.
- C. Waring-a new plan was submitted.
- T. Zwick-the previous plan had a swale along the side which we did away with. Soil and erosion are in place, staging area for excavation fill. S. Hayden has been back and forth with the engineer, there isn't a whole lot of changes.
- S. Peacock-the stone check dams are these 75 feet intervals and how long will the project take?
- T. Zwick-three to four weeks, weather permitting.
- S. Peacock-who will be monitoring the slopes?
- T. Zwick-my engineer and I.
- S. Peacock-what will happen with the stock piling of the fill.
- T. Zwick-it will either be hauled off site or regraded into the site.
- S. Molinelli-has he complied with NWCD.
- S. Eisenlohr-read for the record S. Hayden letter dated 8/10/11, items have been addressed in the motion.
- J. Rollins-who did original site work.
- T. Zwick-J. Considine did original driveway, who is the owner of the other 2 lots.
- C. Waring-read item 14 and item 20 of the conditions.
- S. Molinelli-does applicant agree with those conditions?
- T. Zwick-yes I do agree.
- J. Rollins-E&S controls not on the plan, a couple of bales of hay and silt fence will not be real effective. 2 to 1 slope that should be part of the condition.
- R. Haburey-is the engineer doing the work?
- T. Zwick-yes along with me.
- R. Haburey-I agree with J. Rollins on the E&S and 2 to 1 slope it should be on the plan.
- J. Rollins-I would like to see the detail above that slope and what they are doing and how it will be contained & where it is going to go.
- C. Waring-plan specifically says not a final complete plan, seems like the engineer may know these things that need to be added.
- T. Zwick-not sure if he knows he needed to add, seeing he is doing the work.
- S. Molinelli-if time allows lets get it on the map.
- T. Zwick-the swale above was never addressed.
- B. OHeron-is there something in writing which states what is needed on the plan?
- J. Rollins-we do not have a specific template.
- S. Eisenlohr-he can ask for a 65 day extension.
- Commission agreed on the following:

- E&S Controls
- Cross sections check dams/75 foot intervals with reason why and located on the map.
- Complete detail of rip rap, swale adjacent to driveway and show outlet location.
- Update watercourse offset from 50' to 100' on plan.
- Show where intermittent watercourse discharges.
- Label size of rip rap throughout the plan.
- S. Hayden to review plan.

**Motion:** by J. Rollins Jr to **table-grant 65 day extension** until next months meeting for Application #11-13 Timothy Zwick, Proposal: to change the location of the proposed driveway. Map: 42, Blk: 142, Lot(s) 21B3, Zone: RU-3, second by S. Molinelli. Vote: all in favor-*Motion carries unanimous.*

**6. Other Business**

**A. Town of Winchester Ordinance 162**

- C. Waring-would like to add to the current list and would like to see revised list at next months meeting.
- S. Eisenlohr-will consult with K. Nelligan regarding the concerns on how to open just specific sections of the ordinance and not the whole ordinance.
- C. Waring-will pull together some of the items and which sections of the ordinances are affected by the issues discussed.
- The commission would like to address the applicant's requirements and feel it is imperative that the applicant be present for the meetings, which could be addressed in Section 4-Applicant Requirements.
- R. Haburey-raised the issue about the town's liability regarding bubbler's on highland lake.
- B. O'Heron-feels highland lake residents should know what the rules are and get them the information, also make a general rule to have a complete plan.
- S. Molinelli-would like to seek permission to discuss issues with Town Attorney, Kevin Nelligan and try to understand decisions he previously ruled on.

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

- No action

**C. Bylaws Town of Winchester Inland Wetlands Commission amendments/revisions.**

- No action

**7. Agent Determination**

**A. Application: IWC# 11-10**

Applicant: Christopher Perault

Location: 20 – 26 Lovely Street

Map: 115, Blk: 69, Lots(s) 2A, Zone: R-3

Proposal: Minor grading drainage repair with in the upland review area.

**Discussion:**

- S. Eisenlohr-Public Works was not able to go out to the site due to scheduling issues. Requests tabling until next month.
- S. Eisenlohr-there is an intermittent stream behind the house that needs to be addressed prior to above drainage repair.

**Motion:** by J. Rollins Jr to **table** Application #11-10 Christopher Perault  
 Proposal: Minor grading drainage repair with in the upland review area. Map: 115, Blk: 69, Lot(s) 2A, Zone: R-3, second by R. Nalette Jr. Vote: all in favor-*Motion carries unanimous.*

**C. Applicant: Leon Veretto Application IWC #11-16**

Location: 296 Colebrook Rd  
 Map: 009, Blk: 152, Lot(s) 13a  
 Proposal: emergency septic repair

**Discussion:**

- Joseph Green-Robert Green Associates LLC-representing applicant.
- I made some additions to the last plan and I would like to go over them real quick.
- I showed an access road to cross the water course and up to our site.
- Construction entrance
- Anti tracking pad
- Any where along this area that may require stone, if he hits any soft spot he will know to put the gravel down.
- I showed the area of the washed stone crossing and we were going to use some tailings and put that in the stream bed that will allow the water to flow through there and allow us to cross.
- The washed stone will be pushed to the sides when we are complete and will act like the stones in the brook already.
- I showed the clearing limits for septic system.
- In the lower left I added contact information in case there are any emergencies.
- Also I showed a dewatering area. The flow in the brook really is not that much; it is currently about 6 inches.
- Sheet three shows our anti tracking pad, our silt fence, the installation of hay bales if required, and our seed mixtures.
- I posted a construction sequence on how I see this project being done with our anticipated days for work.
- I showed the cross section through the brook, which shows the typical dewatering out of the E&S book.
- There are multiple ways of doing the crossing and hopefully this project will be done in a week.
- S. Eisenlohr-and how many days for the stream line channel crossing.
- J.Green-one to two days.
- Waring-so the goal is to complete all the work in the stream in one to two days.
- J. Green-first day to dig, second day to back fill, read for the record the detailed process.
- J. Green-I will talk to the health department, they had four comments, two were directed towards the owner. His house is a six bedroom house and he down sized to a four. They are going to remove two additional bedrooms. The second comment was there are 3 parcels the

house is owned by the applicant himself and the other two are owned by his wife and they have to be combined.

- J. Rollins-the dewatering, I was up there today and that water was a full 20 feet wide, 6 inches deep, that is a crazy amount of water to be pumping.
- J. Green-I know, S. Eisenlohr had indicated that there will be a pre-construction meeting. I know I listed the days that I would like to see the work done, if I go there and say I don't think the work should be done because of the flow, it won't get done.
- J. Rollins-the area where the pond is, can the dewatering be done up there, so you don't have to excavate a big hole.
- J. Green-the closer the better.
- J. Rollins-there is no detail of how that water coming out of the pump is going to be managed, is it going to discharge into the rocks that are there?
- J. Green-it is essentially going to be discharged in that area.
- J. Green-the draft motion does indicate a pre-construction meeting.

**Motion:** by J. Rollins to Approve Application IWC#11-16 Leon Veretto, Location: 296 Colebrook Rd, Map: 009, Blk: 152, Lot(s), 13A, 13F and 13H,, Zone: RU-2  
Proposal: emergency septic repair, second by S. Peacock. **Vote-all in favor-Motion carries unanimous**, 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 \$2,000 be submitted to the Inland Wetland Office before construction begins.
14. Inland Wetland Agent approves E&S controls prior to construction.
15. Excess material to be disposed off site.
16. Stumps are not to be buried on site and are to be legally disposed of off site.
17. 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. Owner 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 run off.
18. A copy of the Torrington Area Health District approval to be submitted for the Wetland file.
19. Prior to construction the engineer will schedule pre-construction meeting with the contractor, Inland Wetland Agent and the Conservation District. The meeting will commence on site and the group will review the sequence of construction, measures used to protect the stream, identify any sensitive areas relating to wetlands, final stabilization methods and ensure all work activities will avoid potential impacts.

8.

### Warnings

A. Mr. Neil Jenny, 151 Chapel Road – Pending Inland Wetland Application, citation issued.

- S. Eisenlohr-provided a letter from Town Attorney Kevin Nelligan dated July 19, 2011 which indicates that the Town has no role in this dispute between the two neighbors and that it appeared that the activity by Mr. Jenny falls under permitted uses under Section 4.10 of the regulations.

- S. Eisenlohr-will see that Mr. Jenny and Mr. Chatfield receive a copy of this letter.

**Motion:** by J. Rollins to Remove 151 Chapel Rd warning from the agenda, second by R. Nalette Jr, **Vote:** all in favor-*Motion carries unanimous.*

9. Violations

A. Mr. & Mrs. Joseph Muscolino, 546 W. Wakefield Blvd.

- S. Eisenlohr-I never saw the sand or stone put into the lake bed and right know it is hard to tell, possibly when we have a draw down we might be able to tell then.
- S. Eisenlohr-I check the plans and their project has been completed
- J. Rollins-I think we need to review the application, to see if was vegetated properly.
- S. Eisenlohr-will follow-up with application next meeting.

10. Communications & Bills

A. Chairman Report-

- The Habitat handed out.
- C. Waring-I have a Tatro's Pond Approval, is this from you S. Eisenlohr.
- S. Eisenlohr-yes, I would like to put this on next month's agenda, and I am hoping to send it to the grant committee as a shovel ready project.
- S. Eisenlohr-Attached is copy of a Timber Harvest application that DEP uses for permitted use, for logging, which is currently going on along the West Side or Route 44.

B. IWC Grant/Steap Committee –

- J. Rollins-there was a quorum; however meeting was about Small Cities Grants.
- J. Rollins-no issues addressed regarding Steap. Some discussion regarding grant writer.
- B. O'Heron-thought a grant writer was included in this budget. Adhoc Committee has used Larry Wagner.

C. Clerks Hours

**Motion:** by R. Nalette Jr to pay clerk 5 hours for minutes 7/20/11, second by J. Rollins, **Vote:** all in favor-*Motion carries unanimous.*

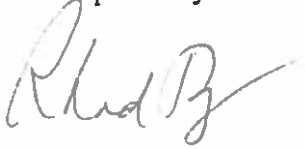
D. Jonathan Reinhart-resignation

- C. Waring-read for the record the resignation of Jonathan Reinhart dated 8/17/2011.

E. Adjournment

**Motion:** by R. Nalette Jr to adjourn at 9:30, second by S. Peacock. **Vote:** all in favor-*Motion carries unanimous.*

Respectfully Submitted,



Rhonda Roy  
Minutes Secretary

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REPORT ON THE PROGRESS OF THE WORK

During the year 1958, the work of the Commission has been carried out in accordance with the programme of work approved by the Council of Ministers in 1957.

The Commission has held several meetings during the year.

The Commission has also held several meetings with the Council of Ministers, in order to discuss the progress of the work and to report on the results of the Commission's activities.

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