



# TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

## *Minutes of the Regular Meeting Inland Wetlands and Watercourses Commission December 15, 2010*

The Inland Wetlands Commission met in the P. Francis Hicks Room. Call to order was made by Chairman Chris Waring at 7:00 p.m. The following members answered roll call: Chairman Chris Waring, Chris Kiely, Ric Nalette, Brian O'Heron, Susan Peacock, James Rollins, Jr. and Scott Eisenlohr, Wetlands Agent. Absent excused: Robert Haburey & Stephen Molinelli. Absent: Jonathan Reinert.

### Item 3. **Approval of Minutes**

Motion by R. Nalette to *approve* the minutes of November 17, 2010. Second by M. Peacock. Vote: All in favor except J. Rollins (abstained) – *motion carried unanimous.*

Item 4. **Agenda Review** – S. Peacock asked to add brief report under Communications & Bills as Item #E Resha Beach clean up and S. Eisenlohr would like to add to the agenda under Communications & Bills as Item #F Approval of 2011 Meeting Schedule and under Agent Determination- Pier Approval

Item 5 **Water Level**-S. Eisenlohr reports

### Item 6 **Old Business**

#### A. **Application # IWC 10-26**

Applicant: Teresa Maloney  
Location: 678-680 E. Wakefield Blvd.  
Map: 38, Blk: 107, Lot(s) 32, Zone: HLD.  
**Proposal: 10' dock extension.**  
Applicant: not present

Motion by R. Nalette to *deny* Application #IWC 10-26, 678-680 East Wakefield Boulevard, proposal: 10' dock extension, application: of Teresa K. Maloney, Map 38, Block 107, Lot 32, Zone HLD. The amendment of the dock extension dated 11/17/2010 is denied because the proposal exceeds Town of Winchester Ordinance 162, Second C. Keiley. Vote: all in favor – *motion carried unanimous.*

#### B. **Application # IWC 10-27**

Applicant: Elizabeth Fitzgerald  
Location: 124 Shore Dr.  
Map: 114, Blk: 105B, Lot(s) 53-54, Zone: HLD.  
**Proposal: Remove rocks from beach.**  
Applicant: not present

Motion by R. Nalette to *approve withdraw letter dated 12/14/2010* Application #IWC 10-27, 124 Shore Dr, proposal: remove rocks from beach, application: Elizabeth Fitzgerlad, Map: 114, Bld: 105B, Lot(s) 53-54, Zone: HLD. Second by J.. Rollins. Vote: all in favor – *motion carried unanimous.*

*The Town of Winchester is an equal opportunity provider, employer and lender.*

C. **Application # IWC 10-28**

Applicant: Neil Jenny

Location: 151 Chapel Rd.

Map: 36, Blk: 154, Lot(s) 41A, Zone: RU-3.

**Proposal: Maintain existing trench by removing eroded material.**

No one present for this application – addressed later in meeting (*see Item #9. Warnings*)

S. Eisenlohr will continue to pursue the above applicant regarding possible violation letter or citation.

**Motion by R. Nalette to *deny as incomplete application*, Application #IWC 10-28, 151 Chapel Rd, proposal: Maintain existing trench by removing eroded material, Map: 36, Blkd: 154, Lot (s) 41A, Zone: RU-3. Second by S. Peacock. Vote: all in favor – *motion carried unanimous*.**

D. **Application # IWC 10-29**

Applicant: Robert Reisenberger

Location: 520 W. Wakefield Blvd.

Map: 38, Blk: 117, Lot(s) 5, Zone: HLD.

**Proposal: Dredge sludge accumulated from 1955 floor and Dry Dam construction.**

Applicant: Represented by Richard Traub, Hemlock Construction

Discussion: Mr. Traub presented to the commission a new drawing with proposed changes. Several questions were brought up from the commission regarding the involvement of DEP and consulting S. Hayden from Northwest Conservation District. Brief discussion followed regarding the history of that cove. J. Rollins noted the burden of proof is on the applicant. R. Nalette asked about having NW Conservation review it. The commission is in full agreement that there should be some plan in place for Highland Lake for this type of application. Recommendation was for the applicant to withdraw his application with full refund. S. Eisenlohr will be in contact with S. Hayden and DEP.

**Motion by R. Nalette to *approve withdraw of application with complete refund* Application #IWC 10-29, 520 W. Wakefield Blvd, proposal: dredge sludge accumulated from 1955 Floor and Dry Dam Construction. Second by J. Rollins. Vote: all in favor – *motion carried unanimous***

E. **Application #IWC 10-31**

Applicant: Bernard L. Spence

Location: 612 East Wakefield Boulevard

Map 113, Block 106, Lot 4, Zone HLD.

**Proposal: 154' Gravel Driveway from East Wakefield Boulevard to Rear of Cottage**

Applicant: Mr. Spence Present

Discussion: Mr. Spence explained he would like to put in a permanent straight driveway 154' from the road to the back of the cottage. ; 45 yards of fill will be used in the area of the driveway at the road and to allow a turn around by the cottage; 8" of gravel and berms to allow for drainage. S. Peacock noted the property is wooded and sloping and question the drainage and what would prevent this from going into the lake. Mr. Spence said berms would take care of the drainage. S. Eisenlohr verified the cottage is not used in the winter. B. O'heron and J. Rollins discussed Public Works driveway ordinances and felt that this application should be reviewed with J. Rotondo from Public Works. The commission also request having S. Eisenlohr send the plans to S. Hayden,

Northwest Conservation District for his review. S. Eisenlohr will forward this information to the both of them.

**Motion by S. Peacock to table Application #IWC 10-31, 612 East Wakefield Boulevard, proposal for 154' gravel driveway from East Wakefield Boulevard to rear of cottage, application of Bernard L. Spence, Map 113, Block 106, Lot 4, Zone HLD. Second by R. Nalette. Vote: all in favor – motion carried unanimous.**

**F.**

**Application # IWC 10-32**

**Applicant:** Gary & Beverly Paganelli

**Location:** 538 Wheeler Point

**Map:** 38, Blk: 105, Lot(s) 85, Zone: HLD.

**Proposal:** Rebuild front wall with stone.

**Applicant:** Represented by Jeff Hock, Outdoor Artistry

**Discussion:** Mr. Hock explained the proposed extension and removal of wood wall making one continuous stone wall. Mr. Hock said the stone will be dry-set on process gravel and use stone dust or sand. Chairman Waring verified will be rebuilding the wall parallel to the property line and will wall stop at existing garage. J. Rollins questioned the drainage, J. Hock wasn't sure if existing wall has drainage, indicated it would be just surface water and wouldn't affect the structure and the grade would be flush with the wall.

**Motion by S. Peacock to approve, 85, Application #IWC 10-32, 438 Wheelers Point, proposal to rebuild front wall with stone, application of Gary & Beverly Paganelli, Map 38, Block 105, Lot Zone HLD. Second by R. Nalette. Vote: all in favor – motion carried unanimous.**

**The authorized activity is based on oral and written testimony and is subject to standard conditions #1 – 12 and the following additional conditions:**

- 13. Cash Erosion and Sedimentation Bond of \$1000.00 be submitted to the Inland Wetland Office before construction begins.**
- 14. A-2 Survey is required.**
- 15. As Built is required (if a problem with neighbors, determined by Wetland Agent)**
- 16. Excess material to be disposed 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. 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 runoff.**

**G.**

**Application #IW05-24 (Modification)**

**Applicant:** Scott Reed

**Location:** 23 Griswold Lane

**Map:** 25, Block: 153, Lots: 127-128, Zone: RU-3

**Proposal:** Modification

**Applicant not present.**

S. Eisenlohr did get a verbal ok from S. Hayden, however suggests getting approval from the neighboring association, explained he authorized a few trees to be removed but the applicant wants to take out a lot more; the applicant was told to submit a landscaping plan; S. Peacock read minutes from the previous owner regarding this application owner by Mike Carlson. **Motion by R.**

*The Town of Winchester is an equal opportunity provider, employer and lender.*

**Nalette to table Application #IWC 5-24, 23 Griswold Lane, pending further review and approval from neighboring association, application of Scott Reed, Map 25, Block 153, Lots 127-128, Zone HLD. Second by J. Rollins. Vote: all in favor – motion carried unanimous.**

**Item 7. New Business**

**A. Application #IWC 10-33**

Applicant: Scotland Hardwoods LLC c/o Rod Burgess  
Location: Mundry, Camp Wahnee and Blue Street  
Map 41, 42 Block 157, Lot (s) 19, 14B  
Proposal: Selective Timber Harvest  
Location: 23 Griswold Lane

Brief discussion S. Eisenlohr reported the copy of the plan was approved as permitted user for selective harvesting. Applicant has harvested timber in the past. **Motion by R. Nalette to approve as permitted use, Application #IWC 10-33, Mundry, Camp Wahnee and Blue Street, Map 41, Block 157, Lot (s) 19, 14B, Second by S. Peacock. Vote: all in favor – motion carried unanimous.**

**Other Business**

- A. Town of Winchester Section 162 – none.
- B. Town of Winchester Inland Wetlands Regulations Possible Amendments/Revisions – nothing new
- C. By-laws Town of Winchester Inland Wetlands Commission Amendments/Revisions: S. Eisenlohr said he has not heard anything from Attorney Nelligan yet.
- D. 58 Holmes Drive/51 Morgan Drive  
Brief discussion, pending further review with Torrington Area Health, remove from agenda until information is received.
- E. Resha Beach  
Discussion regarding Resha Beach clean-up. Chairman Waring reports the project went very well. It was a very cold day and would like to thank Nick Mancini and excavator operator Anthony Carfiro along with Mayor Candy Perez, Selectmen Lisa Smith, Wetlands Agent Scott Eisenlohr, Robert Haburey, Dick Labich for being present that day. Both C. Waring and C. Kiely went by on Sunday and commented “what a great job”.

**Item 8. Agent Determinations –**

**A. Application # IWC 10-34**

Applicant: Steve Sedlack  
Location: 103 Indian Meadow Dr.  
Map: 004, Blk: 152, Lot(s) 012 x 10, Zone: RU-2.  
**Proposal: Drainage improvements.**  
Applicant: Not Present, J. Rollins provide commission with proposed plans

Pursuant to Section 12 of the Regulations, the Town of Winchester Inland Wetlands Commission gives notice that its Agent has approved the following proposed activities

**B. Application # IWC 10-35**

Applicant: Robert Raboin & Beth Lachance

*The Town of Winchester is an equal opportunity provider, employer and lender.*

Location: 204 Perch Rock Trail

Map: 114, Blk: 105A, Lot(s) 003-004, Zone: HLD.

**Proposal: Extend original deck 2 feet. Rebuild 2<sup>nd</sup> floor dormer.**

Applicant: Not represent, S. Eisenlohr, agent determination for two sauna tubes 48' from the lake.

Pursuant to Section 12 of the Regulations, the Town of Winchester Inland Wetlands Commission gives notice that its Agent has approved the following proposed activities

Item 9. **Warnings**

A. Neil Jenny, 151 Chapel Road: **Motion** by R. Nalette to *table* Application #10-28, 151 Chapel Road, pending further information from the applicant, application of Neil Jenny, Map 36, Block 154, Lot 41A, Zone RU-3. Second by S. Peacock. **Vote:** all in favor – *motion carried unanimous.*

Item 10. **Violations** – none

Item 11. **Communications & Bills**

- a. Chairman's Report: Chairman Waring reports Resha Beach project went well
- b. Ric Nalette – Salt-Calcium at Highland Lake: Discussion followed regarding using just salt at the Lake, R. Nalette advised commission that he has not spoken with director of Public Works as of yet.
- c. 2010 Municipal IWC Training – Segment 3: 2010 training complete-remove from agenda.
- d. 2011 Schedule-**Motion** by R. Nalette to **approve 2011 meeting schedule with the following change, change meeting scheduled for December 21, 2011 to December 14, 2011 pending availability**, Second J. Rollins, **Vote:** all in favor-*motion carried unanimous.*
- e. Clerk's hours: **Motion** by R. Nalette to **pay 4.5 hours to the clerk for the minutes of 11/17/10.** second by J. Rollins. **Vote:** all in favor – **motion carried unanimous.**

Item 12. **Adjournment**

**Motion** by R. Nalette to **adjourn at 9:30 p.m.** Second by J Rollins. **Vote:** all in favor – **motion carried unanimous.**

Minutes respectfully submitted,

Rhonda Roy  
Minutes Secretary

“Please note due to technical difficulty with recorder minutes for the 12/15/2010 did not record.”