



TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

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CLERK'S OFFICE

SEP 21 2010

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

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

The Inland Wetlands Commission met in the P. Francis Hicks Room. Call to order was made by Chairman Chris Waring at 7:02 p.m. The following members answered roll call: Chairman Chris Waring, Chris Kiely, Brian O'Heron, Susan Peacock, Jonathan Reinert, James Rollins, Jr. and Scott Eisenlohr, Wetlands Agent. Ric Nalette and Stephen Molinelli were absent excused and Robert Haburey was absent.

**Item 3. Approval of Minutes**

Motion by J. Rollins to *approve* the minutes of August 18, 2010. Second by B. O'Heron. Vote: All in favor except J. Reinert (abstained) – motion carried.

**Item 4. Agenda Review** – Chairman Waring added Item #6E – Laura Enman at 728 East Wakefield Boulevard – replace existing decayed wood porch support posts with concrete piers and 6 x 6 pressure-treated posts (5 supports); noted a warning letter and flier on a Freedom of Information class were distributed.

**Item 5. Old Business** - none

Chairman Waring suggested moving Item #6A to later in the meeting. Commissioner O'Heron noted he has an engineer here for his application.

*Commissioner O'Heron recused himself to the audience.*

**Item 6. New Business**

**A. Application #IW10-22**

Applicant: Brian O'Heron

Location: 212 West Wakefield Boulevard

Map: 133, Block: 120, Lots: 005A-006A, Zone: HLD

**Proposal: Installation of 8' x 28' Cantilever Dock, 10' x 10' swimfloat, 15' diameter trampoline and 10' X 20' boatlift with 3' walkway**

Richard Calkins, PE of Northeast Consulting, listed the items submitted for this application; explained the proposal; noted the length of the property is 155.51' and following the waterline is 226'; explained the dimensions of structures total a width of 46'; noted the structures are less than 40' from the shoreline; 49' is between the swimfloat and trampoline; proposed dock is non-commercial and will have reflectors; float will not be attached to another structure and will also have reflectors. S. Peacock asked if the cement platform in front of the house was originally a dock. Discussion followed regarding it being a deck, having railings and foundation. Mr. O'Heron said there used to be a peninsula there; was boxed in approximately 1990; if this is approved, will not be putting in 2 piers encased in PVC with a dock. Mr. Calkins noted approval of this dock will negate the 1<sup>st</sup> approved dock. Chairman Waring asked for information on the cantilevered dock. Mr. Calkins explained the construction materials for the dock, boatlift, walkway, trampoline and swimfloat. Chairman Waring asked about the excavation for the concrete footing; verified the i-beams will be bolted into the concrete footing. S. Peacock said it appears to comply with the ordinance; was well-presented. J.

Rollins noted the footing doesn't scale out on the plans. Mr. Calkins gave the dimensions; noted approximately 7' depth and 20' width as a counter-weight; haven't fully developed the design. Chairman Waring said if the application is accepted, will need details on exact excavation for concrete for the final plans. J. Rollins expressed concern regarding the suitability of the underlying soils. Mr. Calkins said if it was for the foundation of the house, it would be important; will design this based on what we have; noted it's a negative weight. J. Rollins said the front could sink. Mr. Calkins said the soils there are typical for the area; will take the weight well when they are dry but they hold together pretty well. J. Rollins asked the condition of the wall. Mr. O'Heron said it's 10 years old and rebar reinforced. Mr. Calkins noted the steel will not touch the existing wall. Chairman Waring verified this is a standard boatlift with an attached walkway. J. Rollins asked the depth of water. Mr. O'Heron said 5' – 8' and then drops off really quick. S. Eisenlohr verified it would be okay if the engineer faxes the details of the excavation. J. Reinert asked if practical consideration/flexibility could be given once excavation begins. J. Rollins said it should be worded to allow some flexibility for unseen things; verified concrete will not come all the way up. Mr. Calkins said stairs are on all 3 sides and also allow for maintenance. J. Rollins said he is concerned there would be another 7' x 20' concrete surface. Mr. Calkins said there would be concrete at the surface level and leave space for 3 stairs; will have end step on concrete instead of dirt. Chairman Waring questioned the dimensions of excavation versus the actual concrete pad. Mr. Calkins said there are 3 stairs with 3 treads each; will narrow this down for next month's meeting. Chairman Waring said don't want this to be a secondary patio. **Motion by J. Rollins to accept Application #IW10-22, 212 West Wakefield Boulevard, proposal for installation of 8' x 28' cantilever dock, 10' x 10' swimfloat, 15' diameter trampoline and 10' X 20' boatlift with 3' walkway, application of Brian O'Heron, Map 133, Block 120, Lots 005A-006A, Zone HLD.** Second by J. Reinert. *Discussion:* Chairman Waring asked if this is a modification of #04-54. Mr. Calkins said that was approved in October 2005. Chairman Waring said either way, pending engineering information. Mr. Calkins said they are asking to modify the original dock approved in 10/2005; the extension later on the agenda is for the house. Chairman Waring noted this is the modification; will wait for engineering and adjust the application number for next month to #04-54. Mr. O'Heron noted Application #04-54 was also extended – has another 5½ years. J. Rollins **amended his motion to read as tabled #04-54 to next month for additional information.** Amendment seconded by J. Reinert. **Vote: all in favor – motion carried unanimous.**

*Commissioner O'Heron rejoined the Commission.*

**B. Application #IW10-23**

Applicant: Mary Ann Marino

Location: 754 Lake Drive

Map: 144, Block: 107, Lot: 57, Zone: HLD

**Proposal: Installation of Waterfront Retaining Wall to Halt Erosion of Property into Lake**

Ms. Marino explained she purchased the property earlier this year; it's an empty lot; described location; said the previous long-time owner had a cottage which is gone now and didn't take care of the wall – part is still there; would like to use it as the base and build on top of it; waterfront is 40'; survey pin is pulled out on one side; wall will be 5' high and the base will be 2' – 3' wide; rocks that fell from the wall will be used but will have to bring more in; will have drainage behind the wall and would like anchor bolts in the center of the wall so can install a pressure-treated, commercially built dock in the springtime; walkway will be 20' from the edge of the property with the floating section 15' from the littoral; will not be a permanent dock but will need a footing; described a possible design for the base. Chairman Waring asked if concrete is wanted under the whole walkway. Ms. Marino said only a small portion; the concrete will be 8' out from the wall and will act as a connecting/hinge area between the 2 pieces of walkway. S. Peacock asked about the buoy. Ms. Marino said she would like it for her sailboat. Chairman Waring asked for options other than concrete in the lakebed. C. Kiely asked the depth of water there. Ms. Marino said pretty low – about 2½' and by 8' out, only

about 4' deep. C. Kiely asked at 40'. Ms. Marino said about 8' deep but 30' is the total length of the walkway. C. Kiely said it could be done on stationary poles; explained a pier is subject to ice damage. Ms. Marino explained her reason for the concrete pier; would like to keep it looking as natural looking as possible. S. Peacock asked what is planned for behind the wall. Ms. Marino said would like grass but with no house, have to find something that doesn't need to be watered. Chairman Waring verified the wall will be mortared together. Ms. Marino said mortared from the back so it looks natural. Chairman Waring asked for the dock structure for next month – where connecting, etc.; encouraged her to talk with Scott. Ms. Marino reiterated doing the dock in the springtime but wall is planned for drawdown; verified the dock can be split from the application. J. Rollins said looking at the regulations regarding the buoy, need to know what you will be using and how it will be anchored; read from the regulations regarding the littorals and the buoy. Discussion followed regarding boat is a Sunfish, possible moving the buoy over or relocating the buoy. S. Peacock suggested concrete on top of the wall to protect from ice damage. J. Rollins asked about the perforated pipe behind the wall. Ms. Marino said it will run the length of the wall with shale rock; will have drainage through the wall; asked if more was needed. S. Eisenlohr explained the proposal and suggested Commissioners look at it. Motion by J. Reinert to **accept Application #IW10-23, 754 Lake Drive, proposal for installation of waterfront retaining wall to halt erosion of property into Lake, application of Mary Ann Marino, Map 144, Block 107, Lot 57, Zone HLD.** Second by S. Peacock. **Vote: all in favor – motion carried unanimous.**

**C. Application #IW10-24**

Applicant: Gail Yaffee & Andrea Garbus

Location: 440 East Wakefield Boulevard

Map: 32, Block: 105, Lot: 079, Zone: HLD

**Proposal: Replace Current Dock with Permanent Cantilevered Dock**

Mr. Yaffee, representing the applicants (both present), explained there have been many docks over the years; current dock is not stable with the amount of traffic; proposing a cantilevered dock 8' x 30' and 20" off the water; noted Ron Bilodeau, the person doing the dock, has a similar dock; this will be the same dock material. Chairman Waring noted the current dock has no footing; asked if the buoy will be removed. Mr. Yaffee said probably. Chairman Waring asked how deep the 3' x 8' concrete area will be. Mr. Yaffee said 3' – 4'; currently have a pad that's 2' x 3'; noted the new dock will be level with the top of the wall. Chairman Waring asked if the wall will be lower. Mr. Yaffee said there is a cut-out in it now. S. Eisenlohr said the cut-out was done in preparation for the cantilevered deck. Mr. Yaffee said it was done for the existing dock. Chairman Waring asked what the current wall material is. Mr. Yaffee said stone; will inspect it during drawdown. Chairman Waring noted this concrete pad is significantly smaller than earlier; verified it will be adequate. J. Rollins verified a stamped plan will be required by Marc Melanson; asked do we need to require it. S. Eisenlohr said sometimes he does. J. Rollins felt it should be engineered. S. Eisenlohr said he hasn't checked to see how the Bilodeau dock is holding up. Brief discussion regarding what material is used for Bilodeau's dock. Mr. Yaffee said his decking will be composite material. Chairman Waring asked Scott to check with Marc Melanson to see if this should be an engineered/stamped plan; explained his reasons. J. Rollins said that way we'll also know what's going in. Chairman Waring verified not applying for an extra swimfloat, just the 8' x 30'. Motion by J. Rollins to **accept Application #IW10-24, 440 East Wakefield Boulevard, proposal to replace current dock with permanent cantilevered dock, application of Gail Yaffee & Andrea Garbus, Map 32, Block 105, Lot 079, Zone HLD.** Second by C. Kiely. **Vote: all in favor – motion carried unanimous.**

*Commissioner O'Heron recused himself to the audience.*

**D. Application #IW05-47**

Applicant: Applicant: Brian O'Heron

Location: 212 West Wakefield Boulevard

Map: 133, Block: 120, Lots: 005A-006A, Zone: HLD

Proposal: 5-year Extension to 6/21/2016

Chairman Waring noted the letter in the packet requesting a 5-year extension. Motion by S. Peacock to *approve* 5-year extension on Application #IW05-47, 212 West Wakefield Boulevard, for Wakefield LLC, Map 113, Block 120, Lots 005, 005A & 006A, Zone HLD with the following conditions:

1. The 5-year extension expires on 6/21/2016, totaling 10 years.
  2. Extension approved must comply with approved letter with conditions dated June 21, 2006.
  3. Any modifications of the June 16, 2006 approval and plans will require a permit.
- Second by J. Rollins. Vote: all in favor – motion carried unanimous.

*Commissioner O'Heron rejoined the Commission.*

**E. Application #IW10-25**

Applicant: Laura Enman

Location: 728 East Wakefield Boulevard

Map: 38, Block: 112, Lot: 14, Zone: HLD

Proposal: Replace Existing Decayed Wood Porch Support Posts with Concrete Piers and 6 x 6 Pressure-Treated Posts (5 Supports)

Applicant not present. S. Eisenlohr said the decaying part is over-hanging the water; they would like to do work during the drawdown; not sure what's existing; they have to do the work by hand. Chairman Waring asked if it's wider at the base. S. Eisenlohr said it looks like it's 30"; noted it's pretty mucky there. Chairman Waring verified it will have sonnatubes on top. S. Peacock asked how late applications can come in before a meeting. S. Eisenlohr said with a situation like this, try to get it right in. S. Peacock felt it's setting a precedent. Chairman Waring noted it may be due to last month's decision regarding the drawdown. Brief discussion followed regarding the added pressure of last minute applications. S. Peacock noted it is deep water there. Discussion followed regarding if this work can be done during this drawdown. Chairman Waring noted need the number of supports. J. Rollins said also need depth of current supports. Chairman Waring said need to know how the supports will be removed. Motion by S. Peacock to *accept* Application #IW10-25, 728 East Wakefield Boulevard, proposal to replace existing decayed wood porch support posts with concrete piers and 6 x 6 pressure-treated posts (5 supports), application of Laura Enman, Map 38, Block 112, Lot 14, Zone HLD. Second by B. O'Heron. Vote: all in favor – motion carried unanimous.

- Item 7. **Other Business** – S. Eisenlohr said will work on these over the winter months.
- A. Town of Winchester Section 162
  - B. Town of Winchester Inland Wetlands Regulations Possible Amendments/Revisions
  - C. By-laws Town of Winchester Inland Wetlands Commission Amendments/Revisions

*Recess called at 8:20 p.m. • Meeting reconvened at 8:25 p.m.*

Item 8. **Agent Determinations**

- A. Leroy Emmerthal, 454 East Wakefield Boulevard – 2 decks: S. Eisenlohr read the narrative into the record. *Commission supported.*

Item 9. **Warnings**

- A. Neil Jenny, 151 Chapel Road – Pending Inland Wetlands Application: Chairman Waring noted the warning letter was distributed earlier. S. Eisenlohr explained the location and detailed the situation; noted the neighbor doesn't want the discharge. Discussion followed regarding this being a regulated area. Chairman Waring asked if Mr. Jenny has submitted an application. S.

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Eisenlohr said no; noted the work is all done but not stabilized; will leave it on the agenda for next month. J. Rollins asked if it could be maintenance or not. Chairman Waring noted will have more information next month.

**Item 10. Violations – none**

Commissioner Rollins noted just past where the ski jump used to be, someone is building a wall uphill from a catch basin; need to have erosion and sedimentation controls. S. Eisenlohr said Public Works already reported that. C. Kiely verified erosion and sedimentation controls will be put up as there's supposed to be hard rain tomorrow.

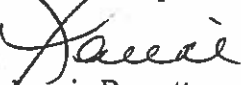
**Item 11. Communications & Bills**

- a. Chairman's report: nothing to report
- b. Ric Nalette – Salt-Calcium at Highland Lake: R. Nalette not present. Chairman Waring said they do have a plan and have discussed it with Jim Rotondo. S. Eisenlohr said members of Public Works recently attended a seminar on salt alternatives; will get information to the Board for next month.
- c. State of Connecticut Freedom of Information 10/14/2010: For anyone interested in attending.
- d. Clerk's hours: **Motion** by C. Waring to pay 2.25 hours to the clerk for the minutes of 7/21/10. Second by J. Rollins. **Vote: all in favor – motion carried unanimous.**
- e. LID Sub-committee: J. Rollins said the sub-committee met with Milone & McBroom on Monday, 9/13; following many of the things this committee applies – best management practices for a site, control storm water, alternative designs; trying to implement recommendations with the zoning regulations; wetlands friendly and moving forward.

**Item 12. Adjournment**

**Motion** by C. Waring to adjourn at 8:34 p.m. Second by J. Rollins. **Vote: all in favor – motion carried unanimous.**

Minutes respectfully submitted,

  
Laurie Bessette  
Minutes Secretary

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