



TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

FILED
CLERK'S OFFICE
DEC 29 2009
S. EISENLOHR
TOWN CLERK

Minutes of the Regular Meeting Inland Wetlands and Watercourses Commission December 16, 2009

The Inland Wetlands Commission met in the P. Francis Hicks Room. Call to order was made by Chairman Tim O'Meara at 7:03 p.m. The following members answered roll call: Chairman Tim O'Meara, Vice-Chairman Chris Waring, Robert Haburey, Chris Kiely, Stephen Molinelli, Brian O'Heron, James Rollins, Jr., Jonathon Reinert and Scott Eisenlohr, Wetlands Agent. Ric Nalette was absent.

Item 3. **Approval of Minutes**

Motion by J. Rollins to approve the minutes of November 18, 2009. Second by C. Waring. All in favor except T. O'Meara (abstained) – motion carried.

Item 4. **Agenda Review**

Chairman O'Meara added approval of the 2010 Land Use Calendar as item #11E. S. Eisenlohr added item #6C, 222 Perch Rock Trail for Bob Moore.

Item 5. **Old Business**

A. Application #IW09-22, (after-the-fact), 622 East Wakefield Boulevard, proposal for addition of 26' X 15' paver stone patio on lawn along lakeside retaining wall, application of James Scott Fox, Map 038, Block 106, Lot 008, Zone HLD. Mr. Fox present. Chairman O'Meara noted there is a letter from Sean Hayden of Northwest Conservation; distributed pictures of similar after-the-fact approved permits; explained when he was called to look at the property, it was 90% done and then Mr. Fox called Scott; not much time lag. S. Eisenlohr verified Chairman O'Meara had the applicant change the type of sand and that the applicant complied; noted they discussed buffer options. Mr. Fox said he would do the gravel but did not want to rip up the pavers. Vice-Chairman Waring verified Mr. Fox read Mr. Hayden's letter. S. Eisenlohr noted a list of plants was included with the information from NW Conservation. Vice-Chairman Waring read from the letter suggesting a depression to retain, infiltrate with the plants. Chairman O'Meara said they were on site and there was melting; water was going toward the dock but not over the patio. S. Molinelli verified that would be a good indication of the patios performance. R. Haburey felt still have to slow the water down somehow. Vice-Chairman Waring asked for Mr. Fox's thoughts. Mr. Fox said he's willing to put a 6" indentation. Motion by S. Molinelli to approve Application #IW09-22, 622 East Wakefield Boulevard, proposal for addition of 26' X 15' paver stone patio on lawn along lakeside retaining wall, application of James Scott Fox, Map 038, Block 106, Lot 008, Zone HLD. 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 \$500.00 be submitted to the Inland Wetland Office before construction begins.**
- 14. Install depressed buffer garden running the width of the uphill side of the recently installed paver patio per letter dated 12-15-09 by the Northwest Conservation District consisting of 13 pages.**
- 15. Stormwater quality measure to be installed by 6-1-2010 and inspected by the Inland Wetland Agent.**

Second by C. Waring. *Discussion:* Discussion regarding the width of the patio/lawn and disbursement of the water. S. Eisenlohr verified the after-the-fact fee still applies along with the \$500 bond and the application fee. Vote: all in favor except J. Rollins (opposed) & C. Kiely (abstained) - motion carried.

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B. **Application #IW09-37, 349 West Wakefield Boulevard**, proposal to enlarge existing dock to 320 s.f., application of Ronald Bilodeau, Map 032, Block 119, Lots 128A & B, Zone HLD. Mr. Bilodeau present. S. Eisenlohr expressed concern the dock would extend further than the neighbor to the left; noted the right side is okay. Mr. Bilodeau said he's inside the cove; added he's allowed 40' from the shoreline. J. Rollins said unless it's a navigational hazard; noted coverage is at 34%. **Motion by J. Rollins to approve Application #IW09-37, 349 West Wakefield Boulevard, proposal to enlarge existing dock to 320 s.f., application of Ronald Bilodeau, Map 032, Block 119, Lots 128A & B, Zone HLD. 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 \$0.00 be submitted to the Inland Wetland Office before construction begins.**
14. **No construction equipment allowed in lakebed at any time.**
15. **Excavating in water not allowed.**
16. **Update dock registration before work begins and submit at least 3 photos.**
17. **Registration/authorization form for "Docks, buoys, swim floats, walkways and boatlifts authorized" be submitted to the Inland Wetland Office before being installed.**
18. **Project to be completed during 6 foot drawdown of lake.**
19. **No additional sand shall be added.**

Second by C. Waring. *Discussion:* regarding the lack of need for IW agent and 2 commission members to measure and map the location of the activity. **Vote: all in favor - motion carried unanimous.**

C. **Application #IW09-38, 147 Torrington Road**, proposal to expand parking, planting plan and site improvements, application of Coplex North, LLC, owner: Plaatsdale North, LLC, Map 39, Block 158, Lots 054A & 054B, Zone IB-1. Todd Parsons of Lenard Engineering present. J. Rollins said initially he was upset with the work that was done but after reviewing the areas of disturbance, nothing significant was affected; has no issues. Vice-Chairman Waring verified this is referring to the center area and front area. J. Rollins noted there's not much better use for the gravel areas. Chairman O'Meara asked if the Commission wants to ensure the gravel area stays gravel. Vice-Chairman Waring said it's not a bad idea for the front area. J. Rollins suggested saying if they want to pave, they have to come back to the Commission. R. Haburey asked about the plantings between the gravel parking lot and the water. Mr. Parsons said they will leave what's there and let it grow to height of 2' – 3'; noted it will be dense. Chairman O'Meara asked about the creation of wetlands. J. Rollins said that will take place over time. S. Eisenlohr asked about the use of wetlands plantings. Mr. Parsons said using a wetlands mix by the bottom of the pond; noted it will be done in the springtime. Chairman O'Meara asked about Army Corp and DEP approvals. Mr. Parsons said he advised his clients to do that. Chairman O'Meara asked if that will change anything. Mr. Parsons explained they could impose changes/conditions; if those affect regulated activity, the applicant would have to come back to the Commission but the agencies will send a report. J. Rollins verified there would be a modification. S. Eisenlohr explained he didn't prepare a motion form but suggested the Commission bounce the plan off Sean Hayden; asked why the wetlands were so far off. Mr. Parsons explained the soil scientist said it was due to the time of the original soil study; noted he was out there recently after a heavy rain and where the gravel stops, there is no erosion. J. Rollins said it is pretty flat. Brief discussion regarding the planting plan and possibly putting up a fence. **Motion by J. Rollins to approve Application # IW09-38, 147 Torrington Road, proposal to expand parking, planting plan and site improvements, application of Coplex North, LLC, owner: Plaatsdale North, LLC, Map 39, Block 158, Lots 054A & 054B, Zone IB-1. 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 \$1,000.00 be submitted to the Inland Wetland Office before construction begins.**
14. **Bus parking not to be paved without Inland Wetlands Commission approval.**
15. **Move plantings along edge of bus parking to prevent migration of gravel material.**
16. **Planting plan to be completed by 6/1/10 and inspected by the Inland Wetlands Agent.**

Second by C. Waring. *Discussion:* Chairman O'Meara verified the after-the-fact fee was paid. S. Molinelli asked if the plantings should be more specific in the bus parking area. Mr. Parsons noted the activity of plantings on the plans; offered to use more shade trees. Vice-Chairman Waring suggested a short visual barrier. S. Eisenlohr verified a planting deadline of 6/1/10. Vote: all in favor except T. O'Meara (abstained) - **motion carried.**

Item 6. **New Business**

A. Application #IW09-39

Applicant: Paul Lapointe

Location: 290 Colebrook Road

Map: 9, Blk: 152, Lot: 20AAA, Zone: RU-2

Proposal: Construct single-family home on pre-existing building lot

Don Lapointe, representing the applicant, explained this is an existing lot of record; submitted a new engineered plan; noted it's still in the hands of TAHD; this is a 2-bedroom home due to the limited area; wetlands in front are man-made from Route 183 with no intention of diverting it; building envelope is 32 X 16; neither house nor septic touch wetlands. Chairman O'Meara verified grading is within 75'. Vice-Chairman Waring what the wetlands material in the back is. Mr. Lapointe said it's on the plans plus on the report from the soil scientist (submitted copies to the Commission); detailed specific material in specific area. Brief discussion followed on activity on adjacent properties. Chairman O'Meara noted the footing outlets. Mr. Lapointe said he would like to pave the driveway with a turn-around. C. Kiely verified the loam stockpiles are for storage. Mr. Lapointe referenced the sequence of construction details. Vice-Chairman Waring noted the need for an acceptable soil and erosion plan. Mr. Lapointe said it's already included with the plans. Brief discussion followed regarding the silt fencing. Vice-Chairman Waring said it's a pretty flat area. **Motion by C. Waring to accept Application #IW09-39, 290 Colebrook Road, proposal to construct single-family home on pre-existing building lot, application of Paul Lapointe, Map 9, Block 152, Lots 20AAA, Zone RU-2. Second by T. O'Meara. Vote: all in favor – motion carried unanimous.**

B. Application #IW4-54

Held until after next application

Applicant: Wakefield LLC

Location: 212 West Wakefield Boulevard

Map: 113, Blk: 120, Lots: 005A & 6A, Zone: HLD

Proposal: 5-year extension of Permit #IW4-54

C. Application #IW09-40

Applicant: Bob Moore

Location: 222 Perch Rock Trail

Map: 113, Blk: 105A, Lots: 25 & 26, Zone: HLD

Proposal: to enlarge existing dock, water trampoline or floating dock, rebuild & replace seawall
Mr. Moore explained he has 107' of waterfront with an existing boatlift, jetski lift and floating dock; would like to expand the dock; noted there is currently a concrete pier pushed over from the ice; want to shift it so it's parallel with the wall instead of perpendicular. Vice-Chairman Waring verified it's not imbedded. R. Haburey asked if it appears to be snapped at the bottom. Mr. Moore explained the previous owner had tried to straighten it. R. Haburey asked how far from the wall it is. Mr. Moore said 14'; not adding anything just swinging it over; the wooden dock was cribbed to it. Vice-Chairman Waring expressed concern the weight of the steel might cause a problem. Mr. Moore said he might use a bubbler like at the Peacock property. Chairman O'Meara asked if will be excavating at all or just resting on top of the lakebed. Mr. Moore said he would like to sink it since it's already in 4 or 5" but will go with whatever the Commission suggests. Vice-Chairman Waring said that would give it stability but the Commission discourages excavation but if it was going to happen would suggest more than it is now. R. Haburey said it may just slide anyway. Vice-Chairman Waring suggested removing the concrete and driving pyles 4'+ into the lakebed. Discussion followed regarding recent approval of driving pyles into the Lake by Mancini. Mr. Moore said he will speak with Mr. Mancini. Chairman O'Meara verified he is moving the existing steps. Mr. Moore said they are on ties but can swing them

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in; not doing the seawall this year but the permit is good for 5 years; looking at a new blocking system (information included in the packet). Chairman O'Meara verified the float is 17' in diameter. Mr. Moore noted the mooring ball is already there; will be tweaking the dock and seawall in the future. Vice-Chairman Waring verified the maximum dimension for the float. S. Eisenlohr said 15'. Discussion followed regarding the damage done by muskrats. **Motion by C. Waring to accept Application #IW09-40, 222 Perch Rock Trail, proposal to enlarge existing dock, water trampoline or floating dock, rebuild & replace seawall, Map 113 Block 105A, Lots 25 & 26, Zone HLD.** Second by B. O'Heron. Vote: all in favor – motion carried unanimous.

Commissioner O'Heron recused himself to the audience.

Application #IW4-54

Applicant: Wakefield LLC

Location: 212 West Wakefield Boulevard

Map: 113, Blk: 120, Lots: 005A & 6A, Zone: HLD

Proposal: 5-year extension of Permit #IW4-54

Vice-Chairman Waring noted this was approved 10/19/05. Mr. O'Heron said he is not changing anything. R. Haburey asked the reasons for not finishing the work. Mr. O'Heron said he needs a deep drawdown plus want to consider other options as new techniques are available; may be a better way all the way around. Chairman O'Meara verified the size of the piers. **Motion by C. Waring to approve 5-year extension for Application #IW04-54.** Second by R. Haburey. Vote: all in favor – motion carried unanimous.

Commissioner O'Heron rejoined the meeting.

Item 7. **Other Business** - none

Item 8. **Agent Determinations** – none

Item 9. **Warnings**

A. Scott Fox, 622 East Wakefield Boulevard – work without a permit: addressed earlier – **Motion by C. Waring to remove from warnings.** Second by S. Molinelli. Vote: all in favor – motion carried unanimous.

Item 10. **Violations**

A. Cole-River Transportation/Plaatsdale Realty LLC – Cease & Restore Order at 147 Torrington Road – addressed earlier– **Motion by C. Waring to remove from violations.** Second by B. O'Heron. Vote: all in favor – motion carried unanimous.

Item 11. **Communications & Bills**

- a. Chairman's report: Chairman O'Meara explained he recently met with Sean Hayden of the NW Conservation District regarding the Fox application; noted it's good reading material.
- b. Inland Wetlands Meeting Minutes of 11-18-09
- c. Zoning Board of Appeals Minutes of 11-17-09
- d. Clerk's hours: **Motion by T. O'Meara to pay 3.5 hours to the clerk for the minutes of 11/18/09.** Second by S. Molinelli. Vote: all in favor – motion carried unanimous.
- e. 2010 Meeting Schedule: **Motion by J. Reinert to Accept the 2010 Meeting Schedule.** Second by S. Molinelli. Vote: all in favor – motion carried unanimous.

Item 12. **Adjournment**

Motion by C. Waring to adjourn at 8:15 p.m. Second by T. O'Meara. Vote: all in favor – motion carried unanimous.

Minutes respectfully submitted,


Laurie Bessette
Minutes Secretary

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UWUC 12-14-09

Call to order 7:03 Omeara

App Jim
Chris W Jim abst

Add IIE land use - Tim
Scott: 6C 222 Perch Rock Trail - Bob Moore

9 Chris W motion to remove
Steve and } unanimous

10 Chris W motion to remove
Brian } unanimous

11 A - Jim - recently met w/ Seth Hayden re: fox applic - good reading material
his idea of a good buffer is highly rooted plantings

B
C
D Jim
Steve } unanimous
E Jim
Steve to accept } unanimous

Motion to adj Chris
8:15 Tim } unanimous

TOWN OF WINCHESTER
INLAND WETLAND COMMISSION
2010 Meeting Schedule

P. Francis Hicks Room, Town Hall
338 Main Street, Winsted, CT 06098
7:00 p.m.

Applications due by 2 p.m. on respective due dates

<u>MONTH</u>	<u>DUE DATE</u>	<u>MEETING</u>
JANUARY	29-Dec	20
FEBRUARY	26-Jan	17
MARCH	23-Feb	17
APRIL	30-Mar	21
MAY	27-Apr	19
JUNE	25-May	16
JULY	29-Jun	21
AUGUST	27-Jul	18
SEPTEMBER	24-Aug	15
OCTOBER	28-Sep	20
NOVEMBER	26-Oct	17
DECEMBER	23-Nov	15

*Any questions, call Scott Eisenlohr, Wetland Agent
Phone:738-6980*