



TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street
WINSTED, CONNECTICUT 06098

FILED
CLERK'S OFFICE

SEP 24 2009

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

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

The Inland Wetlands Commission met in the P. Francis Hicks Room. Call to order was made by Vice-Chairman Chris Waring at 7:00 p.m. The following members answered roll call: Chris Waring, Robert Haburey, Chris Kiely, Stephen Molinelli, Brian O'Heron, Jonathon Reinert and Scott Eisenlohr, Wetlands Agent. Tim O'Meara was absent excused. James Rollins, Jr. and Ric Nalette were not present.

- Item 3. **Approval of Minutes**
Motion by S. Molinelli to *approve* the minutes of August 19, 2009. Second by C. Kiely. All in favor except R. Haburey – motion carried.
- Item 4. **Agenda Review**
S. Eisenlohr noted Jean O'Connor is on the violations list but has submitted an application; added Griffith Energy, 22 Rowley Street as Item 6L.
- Item 5. **Old Business**
A. **Application #IW09-11, 409 West Wakefield Boulevard**, proposal to remove existing dock and pier installed on Permit #IW02-08 and replace with cantilever designed dock, application of Bruce Work, Map 032, Block 118, Lot 010B, Zone HLD. Mr. Work present. Vice-Chairman Waring reviewed his notes; noted need littoral boundaries staked as well as e&s controls and silt fencing on final design maps submitted to the Inland Wetlands office.

Jim Rollins arrived 7:05 p.m.

S. Eisenlohr verified the work to be done and added the condition of the Wetland Agent inspecting the e&s controls. S. Molinelli asked the distance of the cantilevered dock from the property line; verified no boatlift will go in there. J. Rollins expressed concern regarding the ballast to hold the weight, the integrity of the underlying soils and possible future impact to the Lake. S. Eisenlohr felt the soil is firm enough due to suction. Discussion followed regarding engineering designs, integrity of the underlying soils, preventing problems and having an engineer review the soil to verify need for footing changes. Mr. Work noted there is a resting point on the mortared stone wall. J. Rollins felt it's a potential weak spot; need an engineer certifying the soil. S. Eisenlohr suggested waiting until next month. Discussion followed regarding the drawdown, timelines and making a condition of having a design engineer okay the soils. S. Molinelli felt that could be an on-site determination. B. O'Heron asked how high the wall is. Mr. Work said 5'. Further discussion followed regarding footing depths and having an engineer consider a footing with a deadman along with consultation with the Wetlands Agent. Motion by S. Molinelli to *approve* Application #IW09-11, 409 West Wakefield Boulevard, proposal to remove existing dock and pier installed on permit #IW02-08 and replace with cantilever designed dock, application of Bruce Work, Map 032, Block 118, Lot 010B, 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 \$1,000.00 be submitted to the Inland Wetland Office before construction begins.
14. No construction equipment allowed in the lakebed at any time.

- 15. Excavating in water not allowed.
 - 16. Project to be completed during 6 foot drawdown of Lake.
 - 17. Excess material to be disposed off site.
 - 18. Inland Wetland Agent to inspect E & S controls before construction begins.
 - 19. Engineer and Inland Wetland Agent to review excavation site before concrete is poured.
 - 20. New dock installation location must comply with littoral boundaries.
- Second by B. O'Heron. *Discussion:* Setting the pier on the lakebed, not in the lakebed and staking the littoral boundaries. Vote: all in favor – motion carried unanimous.

- B. Application #IW09-12, 602 West Wakefield Boulevard**, proposal to remove existing wall and replace with new waterfront wall, application of Rosemary Frauenhofer, Map 038, Block 114, Lot 025, Zone HLD. Mr. Frauenhofer present. Vice-Chairman Waring reviewed his notes; expressed concern with grade of property and offered options of lowering or flattening the grade. J. Rollins said can't really flatten the grade; verified the surface will be grass. Mr. Frauenhofer said or shrubs. J. Rollins said that will mitigate any nutrients going into the Lake; asked about requiring an A2 survey; felt can pull ties off of permanent marks. S. Eisenlohr noted that is covered in conditions #14 & #15. S. Molinelli said it would be clearer if it was staked out as directed in condition #15. Discussion followed regarding the Wetland Agent having time to do that and past practice; Commission removed the condition of an as-built required. **Motion by J. Rollins to approve Application #IW09-12, 602 West Wakefield Boulevard, proposal to remove existing wall and replace with new waterfront wall, application of Rosemary Frauenhofer, Map 038, Block 114, Lot 025, 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 \$1,000.00 be submitted to the Inland Wetland Office before construction begins.
- 14. Inland Wetland Agent and 2 Inland Wetland Commission members measure and map location of proposed wall and dock support before any work begins.
- 15. No construction equipment allowed in the lakebed at any time.
- 16. Excavation for concrete to be complete in dry section of lakebed. Excavating in water not allowed.
- 17. Project to be completed during 6' draw down of Lake.
- 18. No additional sand shall be added on the waterside of the wall.
- 19. Inland Wetland Agent approved E & S controls prior to construction.
- 20. All Excess material to be disposed off site.

Second by S. Molinelli. Vote: all in favor – motion carried unanimous.

- C. Application #IW09-13, 29 Wallens Hill Road**, proposal for maintenance to existing pond, application of Audrey Weigold, Map 023, Block 150, Lot 019, Zone RU-2. Vice-Chairman Waring reviewed his notes; asked what process is being used to excavate the pond. Ms. Weigold said will use an excavator and remove material in a dump truck. Vice-Chairman Waring verified a contractor has been hired to do that. J. Rollins asked about lowering the water level. Ms. Weigold said the water level is low now; doing this in October so the contractor may have to pump water out the existing outlet. Brief discussion regarding existing invasive species. R. Haburey noted there is no catch basin for that property causing the problem. Discussion followed regarding how long that's been accumulating. J. Rollins said there's no need for e&s controls. **Motion by B. O'Heron to approve Application #09-13, 29 Wallens Hill Road, proposal for maintenance to existing pond, application of Audrey Weigold, Map 023, Block 150, Lot 019, Zone RU-2, based on oral and written testimony. 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. Excess material to be disposed off site.

Second by J. Rollins. Vote: all in favor – motion carried unanimous.

- D. **Application #IW09-14, 129 West Wakefield Boulevard**, proposal for manual boatlift to be in water, replace existing dock, application of Michael Bergano, Map 113, Block 121, Lot 002A, Zone HLD. Mr. Bergano present. Vice-Chairman Waring verified the activity; noted it seems straight-forward. Discussion followed regarding numbers. **Motion by J. Rollins to approve Application #IW09-14, 129 West Wakefield Boulevard, proposal for manual boatlift to be in water, replace existing dock, application of Michael Bergano, Map 113, Block 121, Lot 002A, 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 be submitted to the Inland Wetland Office before construction begins.**
 14. **Proposed plan complies with Town of Winchester Ordinance Section 162.**
- Second by S. Molinelli. Vote: all in favor – motion carried unanimous.

Item 6. **New Business**

A. **Application #IW09-19**

Applicant: Richard & Annesa Borla

Location: 250 Perch Rock Trail

Map: 113, Blk: 105A, Lot(s) 055B, Zone: HLD

Proposal: Replace or repair sea wall and platform under dock.

Mr. & Mrs. Borla present along with their daughter. Their daughter explained the existing retaining wall on the left side of the dock is tilting into the Lake; water is drawing the soil into the Lake; platform under the dock needs to be replaced; retaining wall on the other side is experiencing erosion as well; noted that side is a 24" or 25" thick poured concrete wall. Vice-Chairman Waring verified the areas of wall on the drawings. The daughter asked to add the entire wall replacement to the permit. Discussion followed regarding dimensions of the existing wall and the proposed wall and only widening the existing staircase. Vice-Chairman Waring verified the concrete platforms are being replaced; asked the dimensions of the current dock since it's not on the plans. Their daughter estimated the walkway to be approximately 4' and the dock to be 8'. J. Rollins verified the pier is 6' X 6'. S. Molinelli noted the ordinance allows 10'. Vice-Chairman Waring said the Commission needs all dimensions, distances, pier sizes, distances from property boundaries, etc. Their daughter noted all the concrete will be removed at the same time instead of in phases. R. Haburey asked the depth of the water. Their daughter said it's approximately 2' and slopes to 4' or so by the end of the dock. Vice-Chairman Waring reiterated the need for new drawings with accurate dimensions. B. O'Heron asked if the applicant could raise the wall. Their daughter said the water is not coming over the wall but through the wall. J. Rollins asked if there is drainage behind the wall. Daughter said there is nothing currently through the wall but there are boulders behind it; mason didn't specify drainage but can request it. J. Rollins said that would make sense for structural integrity; usually a hole is cored through the wall every 10' or so and connected to a perforated pipe wrapped in stone and filter fabric. **Motion by S. Molinelli to accept Application #IW09-19, 250 Perch Rock Trail, proposal to replace sea wall and platform under dock, application of Richard & Annesa Borla, Map 113, Block 105A, Lot 055B, Zone HLD. Second by J. Rollins. Vote: all in favor – motion carried unanimous.**

C. **Application #IW09-21**

Applicant: Peter Hock

Location: 109 Ruggbrook Road

Map: 026, Blk: 153, Lot(s) 117, Zone: RU-3

Proposal: Repair Dam

Tom Foot, President of the Fish and Game Club, asked the Commission to postpone the application. S. Molinelli asked if they were withdrawing the application. Mr. Foot reiterated they

would like to postpone it. Discussion followed regarding the Commission not accepting it tonight and then the clock won't start. HOLD TO NEXT MEETING.

Brief discussion regarding which applicants are present and not present and addressing those present 1st.

J. Application #IW09-26

Applicant: Jean O'Connor

Location: 348 West Wakefield Boulevard

Map: 032, Blk: 119, Lot(s) 7A-8A, Zone: HLD

Proposal: Concrete pad

Ms. O'Connor present. Vice-Chairman Waring noted the Commission just received the information tonight; asked for a few minutes to review it. R. Haburey verified a height of 10'. Ms. O'Connor said the water starts at 5' and falls off quickly; the height is undetermined. S. Eisenlohr gave a brief history of the activity on the property. Brief discussion followed regarding current pads in the Lake, presence of ledge resulted in no excavation as originally requested which led to what currently exists. S. Molinelli verified what is there now works. Vice-Chairman Waring asked about the existing steel posts. S. Molinelli verified the goal is to get approval of what exists so this is no longer in violation. B. O'Heron said there is ledge there; felt it's okay to allow what's there. R. Haburey verified this is visible when the drawdown takes place; suggested taking pictures for the file. Discussion followed regarding the contractors actions with the original application and if the pad is not heaving then leave it since it's probably on ledge. S. Molinelli noted cutting the concrete may destroy the integrity. Discussion followed regarding additional disturbances caused by cutting. Vice-Chairman Waring asked if this is a new application or a modification. S. Eisenlohr said it's a new application. Discussion followed regarding the timeline of the drawdown, necessity of cutting the platform, inconvenience of the size of the platform and the re-bar that was originally there. Ms. O'Connor noted the lakebed has now formed around the platform. S. Molinelli felt the Commission should act on this. Ms. O'Connor asked if this could be approved as a modification of the original application. Discussion followed regarding feasible and prudent alternatives, providing the old file at next month's meeting, timeline for acceptance of the original application and keeping it as a new application. Ms. O'Connor said she would prefer it be a modification. S. Molinelli asked if it would be appropriate to vote on it as a modification and if the dates are not right then the modification is void and it becomes a new application. Ms. O'Connor said if it's on the docket next month, she'll be here. S. Eisenlohr suggested the Commission vote on this as a modification.

Motion by S. Molinelli to approve modification of Permit #05-53 for application of Jean O'Connor, 348 West Wakefield Boulevard, Map 032, Block 119, Lots 7A-8A, Zone HLD.

Second by B. O'Heron. Vote: all in favor – motion carried unanimous.

L. Application #IW09-27

Applicant: Griffith Energy Services, Inc. (dba SCASCO)

Location: 22 Rowley Street

Map: 111, Blk: 070, Lot(s) 025B/026, Zone: CB-2

Proposal: Stabilize area adjacent to retaining wall and install precast concrete T-wall system.

Todd Parsons of Lenard Engineering explained the proposal for the retaining wall; noted the project is regulated by the DEP and a copy of that application has been submitted to various Town commissions; the timeline delay was due to property ownership; work will probably be done next summer pending low-flow conditions. Vice-Chairman Waring asked if any portion of the wall will not be repaired. Mr. Parsons explained the damaged wall will not be repaired; they are building a new wall behind the old wall. R. Haburey asked if conversations have been held with the Naders. Mr. Parsons said no agreement was made with the Naders. R. Haburey verified the Naders have not contacted the Town. J. Rollins noted this only resolves part of the problem. Mr. Parsons said it resolves most of the problem; reduces the earth and hydrostatic pressure on the remaining wall. B. O'Heron agreed this fixes most of the problem. Discussion followed regarding the clean-up operation as a 2nd problem. C. Kiely asked the length of the proposed wall. Mr. Parsons said

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probably 25' or 30'; further collapse is probably unlikely. C. Kiely felt this is 2 different problems. J. Rollins asked about friction between the 2 property owners; asked how close can they get to the adjacent property. Brief discussion followed regarding installation of a coffer dam and possible damage to the existing wall. Mr. Parsons explained borings were done to determine the existing wall and the plan was developed after; noted a similar shoring system was used on Perch Rock Trail. Discussion followed regarding the process used to pump water out. S. Molinelli verified need DEP approval in addition to Town approval. R. Haburey asked how the DEP views rocks in the river. Mr. Parsons said they don't care; originally asked DEP to allow work to be done on an emergency basis and was denied. J. Rollins reiterated this only addresses part of the problem; the adjacent property owner needs to address their property. S. Eisenlohr said now have to send the violation letter to Nader. Vice-Chairman Waring asked the reasons the Naders are unwilling. Mr. Parsons said he doesn't know the whole story. S. Molinelli verified the warning letter will go out. S. Eisenlohr said that or the violation letter; now we know where the actual property lines are. B. O'Heron asked what would happen if the Naders cooperated. Mr. Parsons said the entire wall would be reconstructed; the wall has been there more than 100 years; noted with an approval, work probably won't begin until next summer. C. Kiely asked if e&s controls will be put in place in the meanwhile. Mr. Parsons said cannot do anything without DEP approval; erosion has been very minimal. J. Rollins asked if curbing can be placed above to prevent run-off. Discussion followed regarding any possible controls not having much effect. J. Rollins noted this work is very complex but not a significant activity; asked about the need for a public hearing to gain information from the adjacent property owner. Further discussion followed regarding the timeline of the application, deeming a significant activity, information gained by sending a violation letter to the adjacent property owner and the application being designed to stay away from the adjacent property. B. O'Heron asked if the adjacent property owner is against the application. Mr. Parsons said he has no idea; there was communication between the parties but don't know the extent of it; we were hoping they would sign the original application to repair the wall; that didn't happen. **Motion by J. Rollins to accept #IW09-27, proposal to stabilize area adjacent to retaining wall and install precast concrete T-wall system, 22 Rowley Street, application of Griffin Energy, Map 111, Block 070, Lots 025B/026, Zone CB-2. Second by J. Reinert. Vote: all in favor – motion carried unanimous.**

S. Eisenlohr distributed a letter from Lenard Engineering regarding Gilbert School's retaining wall (Item 9A). R. Haburey asked if there was any movement behind the retaining wall. Mr. Parsons said not that they are aware of. Brief discussion followed regarding distances. S. Molinelli asked if Gilbert should be the applicant. S. Eisenlohr said they probably will be the applicant; their goal is to get an agent approval as a safety measure. Mr. Parsons explained they are trying to improve the situation until through the permitting process. J. Rollins said this wall needs to be addressed. S. Eisenlohr said the wall needs to be engineered. J. Rollins agreed and noted the need to minimize the erosion. Brief discussion followed regarding stream encroachment and DEP involvement. R. Haburey verified this is the only disturbance at this time and asked the existence of other areas of deterioration. Discussion followed regarding other areas, the need for an engineered plan to completely repair this, potential for collapse, the previous engineer and the condition of the existing road. S. Eisenlohr verified he would be allowed to do an agent approval upon receipt of an application.

Discussion took place regarding a number of applicants on tonight's agenda may not have known they were on the agenda.

B. Application #IW09-20

Applicant: Susan Orkisz

Location: 91 East Lake St.

Map: 114, Blk: 124, Lot(s) 10A & B, Zone: HLD

Proposal: Rebuild sea wall, and patios

Applicant not present. Vice-Chairman Waring noted the need for dimensions. Discussion followed regarding what's proposed and what's existing, proposed activities, issues with the overall design concept and the responsibility of the applicant to get all the information in for the meeting next

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month. **Motion by S. Molinelli to accept Application #IW09-20, 91 East Lake Street, proposal to rebuild seawall and patios, application of Susan Orkisz, Map 114, Block 124, Lots 10A & B, Zone HLD.** Second by B. O'Heron. *Discussion:* Applicant needs to be here next month or it will be denied. S. Eisenlohr said he will be contacting the applicants. Additional discussion followed regarding submission of applicable fees. C. Kiely asked if applications are reviewed. S. Eisenlohr said not always due to time constraints. S. Molinelli asked why they are on the agenda if no fees were paid. S. Eisenlohr said it's not the applicant's fault. **Vote: all in favor – motion carried unanimous.**

Discussion followed regarding how applications are currently accepted/processed in the office, guidelines for submitting an application provided to applicants, need for fees to be collected on a timely basis. S. Eisenlohr said he would meet with applicants prior to next month's meeting; explained how he prioritizes his work. S. Molinelli asked if the Commission should just accept the rest of the applications on the agenda. S. Eisenlohr said yes and he'll meet with them. Brief discussion followed regarding the fees paid or not paid, accepting tonight's applications, addressing them at next month's meeting and having 65 days from acceptance to make a decision.

D. Application #IW09-22

Applicant: James Scott Fox

Location: 622 E. Wakefield Blvd.

Map: 038, Blk: 106, Lot(s) 008, Zone: HLD

Proposal: Addition of 26' x 15' paver stone patio on lawn along lakeside retaining wall.

Applicant not present. Vice-Chairman Waring verified this is an after-the-fact permit; asked if there is a buffer area. S. Eisenlohr said he thinks there is a grass strip. Vice-Chairman Waring verified only the patio was done. Discussion followed regarding the process for an after-the-fact application and fees; approve as if it's a new application. **Motion by J. Rollins to accept Application #IW09-22, 622 East Wakefield Boulevard, proposal for addition of 26' x 15' paver stone patio on lawn along lakeside retaining wall.** Second by B. O'Heron. *Discussion:* Whether the Commission would have approved this originally based on the drawings provided; need for more detail on the patio area. **Vote: all in favor – motion carried unanimous.**

E. Application #IW09-23

Applicant: Lynn Brennan

Location: 734 Lake Drive

Map: 038, Blk: 107, Lot(s) 043, Zone: HLD

Proposal: Replace existing dock with new permanent dock.

Applicant not present. Brief discussion regarding this plot plan being identical to the next applicant. Vice-Chairman Waring asked if there's a precedent for allowing steel in the lakebed. S. Eisenlohr said the Commission will have to listen to the presentation and decide. Discussion regarding the distances of the activity from land. Vice-Chairman Waring noted need dimensions from littoral boundaries. B. O'Heron felt that should be provided on every plan. Brief discussion followed regarding having the property lines, distances and littoral boundaries on the checklist of applicants. R. Haburey asked if steel has been done before. S. Eisenlohr said he doesn't think so. Further discussion followed regarding pipes, disturbances by digging, concrete in the Lake, impact on the Lake, need for dimensions and the process to be used for next month's meeting. **Motion by J. Reinert to accept Application #IW09-23, 734 Lake Drive, proposal to replace existing dock with new permanent dock, application of Lynn Brennan, Map 038, Block 107, Lot 043, Zone HLD.** Second by S. Molinelli. **Vote: all in favor – motion carried unanimous.**

F. Application #IW09-24

Applicant: Nicholas M. Mancini, Jr.

Location: 536 Wheeler Point

Map: 038, Blk: 105, Lot(s) 085D, Zone: HLD

Proposal: Place jet ski docks, place swim platform (floating), place boat lift, build new dock, build patio at rear of house.

Applicant not present. Discussion followed regarding allowing double lifts, if there are walkways, water depth and the property shoreline. Vice-Chairman Waring noted the plan doesn't show the patio on the rear of the house; noted it may be outside the regulated area. Discussion followed regarding if a zoning application is needed. **Motion by S. Molinelli to accept Application #IW09-24, 536 Wheeler Point, proposal to place jet ski docks, place swim platform (floating), place boat lift, build new dock, build patio at rear of house, application of Nicholas M. Mancini, Jr., Map 038, Block 105, Lot 085D, Zone HLD.** Second by J. Rollins. Vote: all in favor – motion carried unanimous.

Break called at 9:45 p.m. • Meeting reconvened at 9:50 p.m.

G. Application #IW09-25

Applicant: Patrick Hussey

Location: 752 Lake Dr.

Map: 044, Blk: 107, Lot(s) 55 & 56, Zone: HLD.

Proposal: Remove 4 concrete pillars from lake bed.

Applicant not present. Vice-Chairman Waring reminded Commissioners this is an old violation. S. Eisenlohr reviewed the proposal. J. Rollins gave a brief history on this applicant/application and the activity/history. B. O'Heron asked if this was a matter of weather. J. Rollins felt the piers should be cut off at grade and then place the boatlift on the legs from the manufacturer. B.

O'Heron noted the water is very deep on that side of the Lake. S. Eisenlohr said that may have been the reason for the dimension of the concrete piers. S. Molinelli asked if the ice has impacted the piers. J. Rollins said they are below water level for shallow drawdowns. Discussion followed regarding possibly pulling the activity in toward shore, the need for the littoral boundaries, distance from shore to the pillars and the need for the original application. S. Eisenlohr pointed out the entire waterfront is a deck. C. Kiely asked if a fine was issued. S. Eisenlohr said if the applicant paid a fine, the piers would still have to be removed. Discussion followed regarding the previous Commission having denied this and if the current Commission would have approved it, whether the application does or does not have to be substantially different. **Motion by J. Rollins to accept Application #IW09-25, 752 Lake Drive, proposal to remove 4 concrete pillars from lakebed, application of Patrick Hussey, Map 044, Block 107, Lots 55 & 56, Zone HLD.** Second by S. Molinelli. Vote: all in favor – motion carried unanimous.

H. Application #IW04-07

Applicant: James Fisher

Location: 224 Perch Rock Trail

Map: 113, Blk: 105A, Lot(s) 27, 28 & 29, Zone: HLD

Proposal: Extension on Permit #IW04-07

Applicant not present. Vice-Chairman Waring explained the applicant is within the 5-year period.

J. Rollins felt the request should be automatically granted. **Motion by J. Rollins to approve**

Application #IW04-07, 224 Perch Rock Trail, proposal for extension of permit #IW04-07,

Map 113, Block 105A, Lots 27, 28 & 29, Zone HLD. Second by B. O'Heron. Vote: all in favor – motion carried unanimous.

I. Application #IW07-47

Applicant: Dave Marsh

Location: 536 W. Wakefield Blvd.

Map: 038, Blk: 115, Lot(s) 7 & 8, Zone: HLD.

Proposal: Permit Transfer

Applicant not present. Vice-Chairman Waring verified this was the massive landscaping project. S. Molinelli asked if the work was complicated. S. Eisenlohr said no but the new owner has to

comply with the conditions of approval. Discussion followed regarding the completed and outstanding work. **Motion by S. Molinelli to approve Application #IW07-47, 536 West Wakefield Boulevard, proposal for permit transfer, application of Dave Marsh, Map 038, Block 115, Lots 7 & 8, Zone HLD.** Second by J. Reinert. *Discussion:* Name change from Tuttle to Marsh. **Vote: all in favor – motion carried unanimous.**

Commissioner O’Heron recused himself to the audience.

- K. Application #IW09-18
Applicant: Wakefield LLC (Brian O’Heron)
Location: 212 West Wakefield Blvd.
Map: 133, Blk: 120, Lot(s) 005A-6A, Zone: HLD
Proposal: Bury 500 Gallon propane Tank in the ground to supply house with heat and fuel for back up generator.
J. Rollins asked if this is a modification. S. Eisenlohr said it’s an application but really is a modification. Mr. O’Heron noted it meets engineering requirements. Vice-Chairman Waring verified the distance to the Lake, excavation area, the excavated material will be removed and the activity will take place this winter; asked the depth of the hole. Mr. O’Heron said 5’ or 6’ deep. J. Rollins noted it will probably be a dump truck load; verified the modification is just to add the propane tank and lines to the house. **Motion by J. Rollins to approve modification for Application #IW09-18, 212 West Wakefield Boulevard, proposal to bury 500-gallon propane tank in the ground to supply house with heat and fuel for back-up generator, application of Wakefield LLC, Map 133, Block 120, Lots 005A-6A, Zone HLD.** Second by J. Reinert. **Vote: all in favor – motion carried unanimous.**

Commissioner O’Heron rejoined the Commission.

Item 7. **Other Business** – none

Item 8. **Agent Determinations**

- A. Application #IW09-16
Applicant: Kenneth Pratt
Location: 219 West Wakefield Boulevard
Map: 113, Blk: 120, Lot(s) 13A, Zone: HLD
Proposal: Put topsoil on shorefront where trees are bare-rooted.
S. Eisenlohr explained the roots of various types of trees are exposed. B. O’Heron noted steamboats used to be parked there. S. Eisenlohr added they will use topsoil, seed and hay mulch. J. Rollins said don’t want to kill the trees. S. Eisenlohr said it will take probably 50 or 60 yards of topsoil. C. Kiely verified e&s controls will be used. *Commission supported.*
- B. Application #IW09-17
Applicant: Sheila Reidy
Location: 206 East Wakefield Boulevard
Map: 114, Blk: 105B, Lot(s) 139-140, Zone: HLD
Proposal: Install Fence
S. Eisenlohr explained this is an electric underground fence and a 4’ tall fence to contain a dog. C. Kiely verified the location of the fence. *Commission supported.*

Item 9. **Warnings**

- A. Gilbert School, 200 Williams Avenue – stone retaining wall: addressed earlier
B. Scott Fox, 622 East Wakefield Boulevard – work without permit: addressed earlier
C. Nader: Commission agreed a warning letter should be sent explaining they will be getting a violation before the next meeting. S. Eisenlohr explained the process for a violation procedure.

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Item 10. Violations

- A. Patrick Hussey, 752 Lake Drive, Cease & Desist in place – litigation pending: addressed earlier
- B. Jean O'Connor, 348 West Wakefield Boulevard – permit non-compliance: **Motion** by J. Rollins to remove from the violations list due to approval earlier tonight. Second by B. O'Heron. Vote: all in favor – **motion carried unanimous.**

Item 11. Communications & Bills

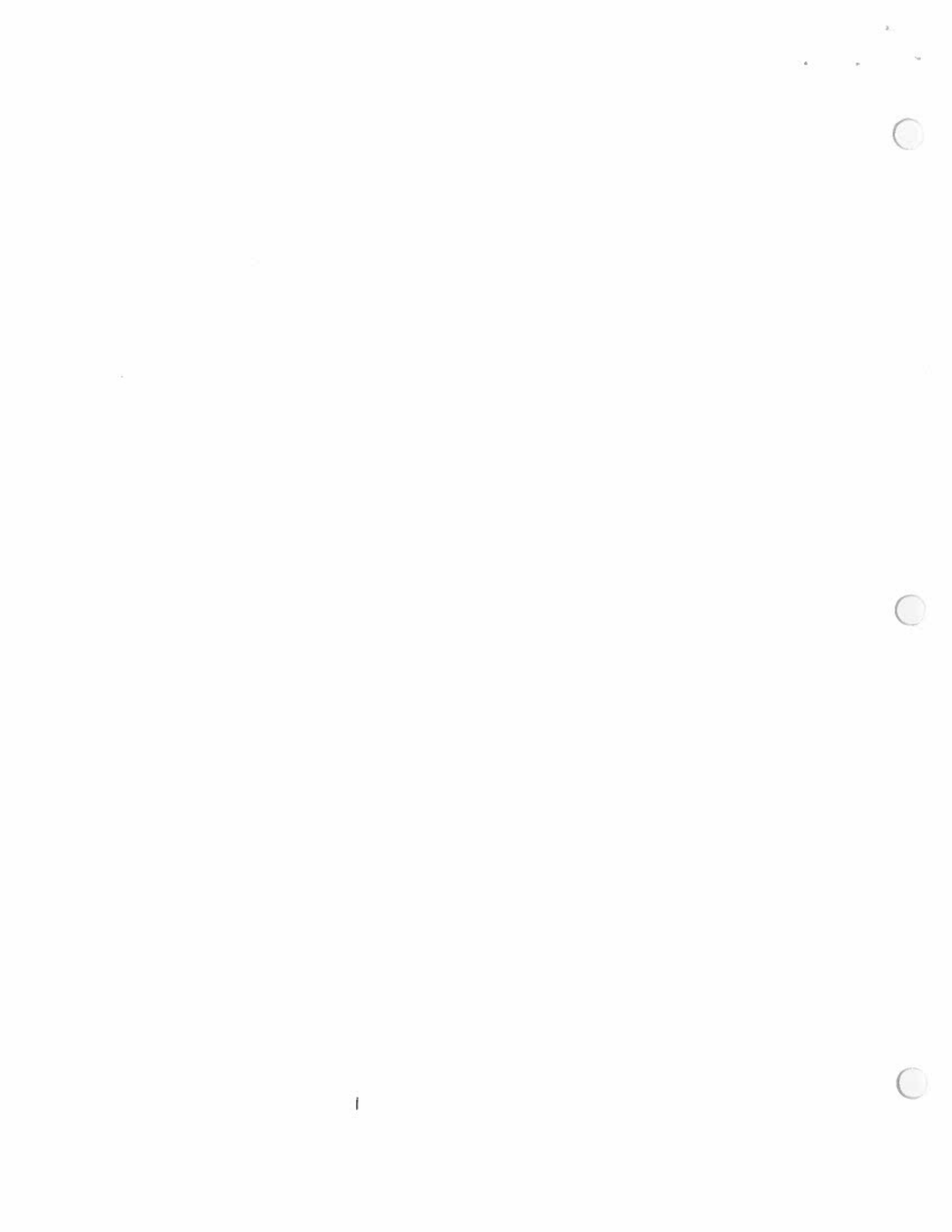
- a. Chairman's report – not present – no action
- b. Letter of appointment for Jonathon Reinert – in packet
- c. Sherri Anderson resignation – in packet
- d. Land Use Academy – Basic Training for Land Use Commission – Fall 2009: class will be held in Torrington on 9/26 – let Scott or Laurie know if you would like to attend.
- e. The Habitat – Vice-Chairman Waring said it was interesting
- f. Inland Wetlands minutes of 8/19/09
- g. Planning and Zoning minutes of 8/24/09
- h. Clerk's hours: **not applicable this month since August minutes were done by Commissioner Nalette**

Item 12. Adjournment

Motion by S. Molinelli to adjourn at 10:26 p.m. Second by J Rollins. Vote: all in favor – **motion carried unanimous.**

Minutes respectfully submitted,

Laurie Bessette
Minutes Secretary



EWWC 9/16/09

Call to order Chris W 7:00

Question to appr min of 8/19 Stue

and Chris K

~~Bob~~ Bob Hab opposed

Scott Clarified Jean O'Connor is on violations but

- put application in for approval
- added Griffin Energy as item 6L

After item 6B discussion took place re: how applications are currently accepted/processed in office; guidelines for submitting an application provided to applicants, need for fees to be collected on a timely basis. Scott said he would meet w/applicants prior to next month's meeting; explained how he prioritizes his work.

Stue asked if Commission should accept the rest of the applications on the agenda. Scott said yes & will meet w/them.

~~Stue~~ Brief disc followed re: fees paid or not paid, accepting tonight's applications, addressing them next month & having 65 days from acceptance to make decision.

Next was 6D

Break called after 6F 9:45 reconvene 9:50

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8A - Scott said roots are exposed to various types of trees

Brian noted steamboats used to be parked there

Scott said topsoil, seed & hay mulch

Jim - don't want to kill trees

Scott prob SD-led yds of topsoil

Chris W verified EIS controls w/b used

Commms supported

8B Underground elec fence & 4' tall fence
to contain dog

Chris W verified where fencing w/b

Commms supported

9 a/b

addressed earlier

C- Steve ~~verified~~ ^{Companies said should send warning letter} violation letter that will be

getting a violation by next mtg - ^{sooner than} later - please

Scott expl process for violation procedure

10 a

10 b

Jim motion to remove ← violation list
due to applv earlier tonight

Brian

unanimous

11 D - if anyone interested get in touch w/ Scott or Laurie

E - Chris W said it was interesting

Motion to adj: 10:26 Steve Kim

The first part of the paper is devoted to a general discussion of the problem. It is shown that the problem is well-posed in the sense of Hadamard. The second part is devoted to the construction of the solution. The third part is devoted to the study of the properties of the solution.

The fourth part is devoted to the study of the stability of the solution. It is shown that the solution is stable in the sense of Liapunov. The fifth part is devoted to the study of the asymptotic behavior of the solution. It is shown that the solution tends to zero as $t \rightarrow \infty$.

The sixth part is devoted to the study of the dependence of the solution on the initial data. It is shown that the solution depends continuously on the initial data. The seventh part is devoted to the study of the dependence of the solution on the parameters of the problem. It is shown that the solution depends continuously on the parameters.

The eighth part is devoted to the study of the dependence of the solution on the boundary data. It is shown that the solution depends continuously on the boundary data.