Town of Winchester
INLAND WETLAND & WATERCOURSES COMMISSION
December 14, 2022 - 7:00 PM
Town of Winchester Town Hall
338 Main Street – 2nd Floor – P. Francis Hicks Room

SPECIAL MEETING MINUTES

1. CALL TO ORDER/ROLL CALL:
Mr. Molinelli called the meeting to order at 7:00 PM. Mr. Molinelli, Ms. Mulvey, Ms. Krawiecki, Mr. Lippincott, Ms. Marino, Ms. Marvin, and Mr. Paganelli were present. Mr. Davenport and Mr. Olivieri were absent excused. Also present was Inland Wetlands Agent Michael Stankov.

2. APPROVAL OF MINUTES – NOVEMBER 16, 2022 REGULAR MEETING:
Mr. Molinelli asked if the minutes for the November 16, 2022 special meeting had been completed, as they were not included in the packet. Mr. Stankov noted that they had been but could not recall if they had been successfully posted. He indicated that he would follow up, ensure the minutes were posted, and provide them in the January packets for approval at that time.

Mr. Molinelli noted that the minutes for the November 16, 2022 regular meeting were a bit less detailed than they had been for previous meetings. Mr. Stankov apologized, noting that he had run out of time to add more detail given the statutory requirement to post minutes within 1 week of a meeting concluding. Mr. Stankov noted that the Town Manager was working to get a recording clerk for the meeting, whose only job would be to take minutes and produce the kind of high-quality, detailed notes that they have become accustomed to.

Mr. Molinelli continued the discussion of the minutes, a discrepancy to be resolved. In the discussion on application IWWC 22-37, pertaining to a dock at 102 Shore Drive, the minutes indicated that Mr. Olivieri abstained from the vote, but it should be noted that he had recused himself from the application as he was a neighbor who spoke in its favor. As such, the vote would have been 7-1, not 7-1-1.

MOTION: Mr. Molinelli, Mr. Paganelli second, to approve the minutes of the November 16, 2022 Regular Meeting, with the aforementioned correction; unanimously approved.

3. AGENDA REVIEW:
No changes were made to the agenda.

4. PUBLIC HEARINGS:
Mr. Stankov reported that the town had not yet received the independent engineering review of the application and the applicant had not yet completed all noticing requirements for the public hearing. As such, the public hearing could not be opened, and should instead be continued and scheduled for the January meeting instead.

MOTION: Ms. Mulvey, Mr. Paganelli second, to continue application IWWC 22-44 to the January 18, 2023 meeting. Unanimously approved.

5. OLD BUSINESS:

MOTION: Mr. Lippincott, Mr. Paganelli second, to continue application IWWC 22-44 to the January 18, 2023 meeting; unanimously approved.

B. IWWC #22-46 (Modification of IWWC#21-15) Owner: Jonathan Yolles and Sara Yolles Applicant: Bryce Zygmont Location: 504 West Wakefield Boulevard Proposal: Repair damaged section of lake wall.
Mr. Bryce Zygmont appeared before the commission regarding the proposed work. Mr. Lippincott indicated that he had been out to examine the site and found the work to be minimal. It was noted that the work would not involve the disturbance of the lakebed or the import of any materials for the wall. It was also noted that crushed
stone backfill would be used to improve drainage behind the wall and reduce the risk of future failure. Mr. Zygmont did not anticipate that the job would take more than 4-5 hours from the time he began work.

MOTION: Mr. Lippincott, Mr. Paganelli second, to approve application IWWC 22-44; unanimously approved.

6. NEW BUSINESS:
A. IWWC #22-47 Owner/Applicant: Josh Paradis Location: Preston Road (Lot 13 of Winchester Ridge Subdivision) Proposal: Construction of a New Single-Family Home.

Mr. Robert Colabella, Senior Project Engineer with Lenard Engineering, appeared before the commission to discuss this application. Mr. Colabella gave some of the background on the application, noting that it was the last undeveloped lot in a 1986 subdivision and that the new owner is seeking to build a house on the lot. As there are no wetlands within 150’ of the property, Mr. Colabella was appearing before the commission only to acquire approval of the sediment and erosion control plan for the lot, as more than ½ acre of land disturbance was required by the work proposed.

Mr. Colabella called out the long switchback driveway that would be required to reach the level ground at the top of the hill on which the house was intended to be placed. He noted that the driveway would be paved and would not exceed 14% grade in any portion.

MOTION: Ms. Marino, Mr. Lippincott second, to accept application IWWC 22-47, finding it not to be a significant activity; unanimously approved.

B. IWWC #22-48 Owner: John R. Forchette and Dana P. Forchette Applicant: Kevin Viering Location: 115 West Road Proposal: 12”-18” Trench for Gas Pipe to Service Future Generator.

Mr. Stankov spoke about this application briefly explaining it will constitute a minimal disturbance in the upland review area, with a 2’ wide, 2’ deep, and 5’ long trench being dug to run power lines to a generator. Mr. Stankov noted that he believed that an Agent Determination on this project would be appropriate, and also noted that he would be taking care of future projects of this scope directly through Agent Determination going forward if the commission did not object.

MOTION: Ms. Marino, Ms. Krawiecki second, to accept application IWWC 22-48 and refer to agent determination; unanimously approved.

C. Jurisdictional Ruling for the Removal of a Beaver Dam at 189 Rowley Street.

Mr. Stankov spoke on this subject on behalf of the town. Beavers have recently made a dam in the Still River, just downstream of the Public Works building located at 189 Rowley Street, according to Mr. Stankov. He reported that the dam had caused water levels to rise behind it, and that it posed a risk to the Public Works garage. In the interest of not suffering from damage, the Town was seeking to trap the beavers and remove the dam, Mr. Stankov explained. He further noted that no permits were required from the State of Connecticut Department of Energy and Environmental Protection (DEEP) as it was currently beaver trapping season. He reported that he had spoken with Darcy Winther, of DEEP’s Office of Wetlands Management, who had advised that the removal of a beaver dam did not need a wetlands application and could instead be approved via Jurisdictional Determination, with this commission finding that the work was a non-regulated use and confirming that it fell under Section 4.2a of the Town of Winchester Inland Wetlands Regulations.

MOTION: Mr. Molinelli, Mr. Paganelli second, to find the removal of the beaver dam downstream of 189 Rowley Street to be a non-regulated activity, and to authorize the Town of Winchester to remove the dam, provided that all work was done in such a way as to not disturb the natural and indigenous character of the Still River or to deposit or remove significant amounts of material from the watercourse; unanimously approved.

7. AGENT ACTIONS:
   A. Determinations.

Mr. Stankov reported that he had completed the Agent Determination for 25 East Lake Street.
B. Warnings
   No discussion.

C. Violations.
   i. North Main Street (18.1 acre parcel located behind 493 North Main Street).
      Mr. Stankov indicated that there had been several individuals who are looking to buy the parcel and reported that the case was moving towards a resolution with an agreement being worked on whereby the owner would fully seed and stabilize the land to prevent further erosion.
   ii. 308 East Wakefield Boulevard.
      Mr. Stankov noted that he had moved this matter to the town attorney, and was in contact with the property owner, who was looking for a new engineer.
   iii. 713 East Wakefield Boulevard.
      Mr. Stankov noted that he had heard nothing from this property owner, and that he would be moving the matter to the town attorney.
   iv. 182 Shore Drive.
      Mr. Stankov noted that this violation can be considered resolved.
   v. East Wakefield Boulevard (MBL 032/105G/327) (Koplar).
      Mr. Stankov explained that his further inspections of the lot revealed that the dock had been fully replaced except for the parts that directly touched the lake bed. The commission discussed the matter and agreed to consider this matter resolved, but agreed that going forward, they would like to see an application for any dock reconstruction that involves replacement or alteration of the dock' superstructure and supports, even if this work does not directly impact the lakebed or cause changes in the shape of the structure.
   vi. 257 Colebrook Road.
      Mr. Stankov reported that the property owner had acquired a survey and was preparing the application but had a sickness in the family and was unable to submit the application for this month’s meeting.
   vii. 203 West Wakefield Boulevard.
      Mr. Stankov reported that he was in contact with the new owners, who had agreed to remove the problematic sections of the dock when they moved into the area full time in the spring of 2023.
   viii. 102 Groppo Drive.
      Mr. Stankov reported that the property remained stable.
   ix. 139 West Wakefield Boulevard.
      Mr. Stankov reported that he was waiting for a response to his second letter to the property owner, in which the changes to the ordinance had been clarified and the explanation of why the activity was a violation made more explicit.

9. Communications and Bills.
   No discussion.

10. OTHER BUSINESS:
    A. Report from Department of Public Works Liaisons – Russ Davenport and Jeff Lippincott.
       No business discussed.
       No business discussed.
    C. Formal Adoption of Revised IWC Regulations per General Code Recommendations.
       Mr. Stankov noted that the Town has been working to update its regulations to be complaint with state statute, and is now in the phase where the IWWC must adopt these changes formally. In order to adopt these new regulations, a public hearing would need to be scheduled. Mr. Stankov noted that the commission should read the proposed regulation changes included in their packets before the next meeting, and come prepared to set a public hearing in February in order to move the adoption process along.

11. ADJOURN:
    The meeting adjourned at 7:59PM.

Respectfully submitted,
Pam Colombie, Land Use Assistant
(From the hand-written notes of Wetlands Agent Michael Stankov)