



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
April 20, 2016 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Ric Nalette called the meeting to order at 7:00PM.

2. ROLL CALL:

Roll call was completed by Mr. Nalette. Present at the meeting in addition to Mr. Nalette were: Ms. Loretta Tremblay, Mr. Stephen Molinelli, Ms. Jackie Mulvey, Ms. Rosemari Roast, Mr. Matthew Closson, Mr. Gene Berlinski, Mr. Chris Kiely.

Absent was Robert Haburey.

3. APPROVAL OF MINUTES: March 16, 2016

The March 16, 2016 Minutes should be amended as follows:

Rosemari Roast was listed as absent whereas she should have been listed as absent excused.

MOTION: Mr. Berlinski, Mr. Kiely second, **to approve the March 16, 2016 Minutes as amended; Motion passed with Mr. Nalette, Ms. Tremblay, Ms. Mulvey, Mr. Closson, Mr. Kiely, and Mr. Berlinski voting aye while Mr. Molinelli and Ms. Roast abstained.**

4. AGENDA REVIEW.

No changes were made to the agenda.

5. OLD BUSINESS:

A. Application #IWC 16-03 Applicant: Jeffrey Lippincott Owner: Jeffrey and Anne Lippincott Location: 402 East Wakefield Boulevard Proposal: Grade shoreline; Install retaining wall, two docks, and boat lift.

Mr. Jeffrey Lippincott appeared before the Commission regarding this application. He reminded the Commission that at the last meeting, it was requested that he provide a topographic map of his property. He then distributed copies of a survey that he noted he had only received that afternoon. He apologized for the clarity but noted that the drawing did reflect the existing elevations, noting that the house is about seven (7') feet above from where the top of the wall is going to be. He noted that the plan is to level the area above the retaining wall and to level the area below the retaining wall, and that his plans will be dependent upon what type of ledge he encounters. Mr. Lippincott reviewed his plans to level out the property by removing stumps and to flatten it out as much as he can.

Mr. Nalette noted that several commissioners visited the site earlier in the day prior to this meeting. He explained that one of the issues of concern was the idea of the proposed wall matching the neighbor's wall on the water edge would mean that it would be three to four (3'-4') feet from the existing shore line which would essentially result in the taking of three to four (3'-4') feet of lake.

Ms. Mulvey questioned the thickness of the blocks that would be utilized as part of the proposed wall. Mr. Lippincott noted that they were fifty-four (54") inches deep, eighteen (18") inches high, and forty-six (46") inches wide.

Mr. Nalette cautioned the Commission against participating with the application should any of the members be employed by the applicant or have done free consulting work for the applicant. He noted that it would be a conflict of interest if these circumstances exist and requested that if there is such a case, that person should recuse himself or herself from the considerations.

Ms. Mulvey questioned how thick the wall would be. Mr. Lippincott approached Ms. Mulvey, and from last month's packet, retrieved literature depicting an example of the stones he would be using. Ms. Mulvey questioned whether Mr. Lippincott intends to dig out the shoreline to construct this wall. He confirmed. Mr. Molinelli noted that this would involve removing the tree stumps that are presently part of the shoreline and questioned what would be done with the other trees that are still there. Mr. Lippincott explained that they would likely need to come out, too, in order to get an excavator in there. Mr. Molinelli questioned the time of the year that the applicant is seeking to do this work. Mr. Lippincott responded that it would be at the draw down in the fall. In response to an inquiry from Mr. Molinelli regarding steps, Mr. Lippincott indicated that he would like to install steps from this block material, too.

It was noted that a copy of an email dated April 20, 2016 to Mr. Nalette from **Mike DeClement of 378 East Wakefield Boulevard** characterized by Mr. Nalette as a concerned citizen expressing unease with this application as presented had been distributed to all commissioners for their review.

Mr. Molinelli suggested that the commission visit the site with the applicant's engineer so that there is no misunderstanding regarding what the applicant is seeking to do versus what gets approved by this Board. Mr. Nalette explained that the Commission has in the past requested applicants to lay out their proposal through the use of stakes and strings. He explained that when a straight line is put over a curvy line, some of the lake is lost and some is gained. Mr. Nalette noted that tradition is that applicants usually give back twice as much as they take in this regard.

Mr. Nalette questioned whether the proposed boat dock will be overhanging water. Mr. Lippincott confirmed. Mr. Nalette explained that if a dock overhangs water, it has to be calculated as part of total dock coverage. Mr. Molinelli questioned whether the top dock is 316 square feet in total and the smaller dock is 160 square feet in total. Mr. Lippincott agreed. Mr. Molinelli sought more information regarding the pylons for the dock.

Mr. Nalette explained that he is not in a position to approve the application without some additional information regarding the location of the wall, noting that seeing the stake and string layout would be of particular help. He also noted that additional information regarding the grading of the site would be helpful, too. The wetlands agent is often allowed to make determinations if it is a small deviation or change from the application put forth but noted that it is difficult for the Commission to make approvals when there is a great deal of uncertainty over such a significant portion of the property, according to Mr. Nalette. Inquiry was made by Mr. Lippincott as to whether the Commission is okay with the grading, and the pulling of the stumps out explaining that silt fence will be installed eight (8') feet from the water. He noted that he would like to get it stabilized for the summer in order to have some type of lawn, even if it means waiting on the terrace wall.

Mr. Lippincott reminded the commission that he is seeking permission to put three Sonotubes about one hundred (100') feet away from the lake and would like to install them immediately. Mr. Berlinski noted that this is almost out of the regulated area anyway.

In response to Mr. Lippincott's question regarding the tree work, Mr. Nalette noted that cutting trees is a property owner's right, explaining that the Commission cannot tell a property owner that he cannot cut trees but that the Commission can prohibit stumping and clearcutting in a regulated area. Mr. Nalette explained that the wetlands agent can make that determination in the field and that the applicant ought to contact and consult with the Commission's agent, Steve Sadlowski.

MOTION: Mr. Berlinski, Mr. Kiely second, **to table the application #IWC 16-03, 402 East Wakefield Boulevard until the next meeting, at which time the Commission can have more information on the actual location of the wall; Motion passed with Mr. Nalette, Ms. Mulvey, Mr. Molinelli, Mr. Berlinski, Mr. Kiely, Ms. Tremblay, and Ms. Roast voting aye while Mr. Closson abstained.**

6. NEW BUSINESS:

A. Application #IWC Application #IWC 16-05 Applicant: W.L. Gilbert Trust Corporation Owner: W.L. Gilbert Trust Corporation Location: 180-190 Williams Avenue Proposal: Construct Student Dormitory.

Todd Parsons, P.E. of Lenard Engineering appeared before the commission on this application and noted that W.L. Gilbert Trust Corporation Trustee David Sartirana was also present. Mr. Parsons explained that the subject property is located on the road leading up to the student parking lot. He noted that the parcel is .92 acres, partially in an R3 Zone and partially in an R1 zone. Mr. Parsons also reported that there are no wetlands on the property. He noted that a stream exists across the driveway and that some of the property is within the one hundred (100') foot regulated area. He

noted that this site had four houses on it for many years up until the Trust opted to take them down. Referencing the set of drawings he had prepared, Mr. Parsons noted that most of the site is an open grassy area and that the area shaded dark green depicts a wooded area. He noted that all typical utilities are already present, including water, sewer, gas lines as well as telephone and cable through overhead lines.

Mr. Parsons explained that the applicant proposes to build a dormitory building in two phases, with the first phase being one wing with fourteen double occupancy rooms and two houseparent apartments and the second phase to include twelve double occupancy rooms and another two houseparent apartments. He noted that the applicant is seeking approval for both phases, although the timing of the phases is uncertain with the possibility of both phases being executed at once should the bids come in at a price allowing the Trust to do so.

Mr. Parsons explained that the plans include a parking lot for ten parking spaces including one handicapped spot. He noted that these boarding students will not have cars so the parking lot is really for houseparents and the allowance for a couple for visitors, noting that the proximity to the student parking lot allows for overflow. Mr. Parsons reported that the current amount of impervious surface is .1 acres, and that with the proposed dormitory, the amount of impervious surface would be .3 acres. Mr. Parsons noted that the 290-acre watershed used for design purposes is the culvert that goes under Williams Street, so it is a very small portion. He explained that a detailed analysis was undertaken and a determination was made that a storm water detention is not warranted. Instead, focus was given to storm water treatment with a small series of proposed rain gardens that will take all the roof drainage, according to Mr. Parsons. He explained that the parking lot will include having runoff flow through a stormceptor. He noted the location of a small patio built of permeable pavers.

Mr. Parsons reported that several initiatives have been included to reduce the impact of storm water as identified through the landscaping plan. He noted that there will be a buffer of trees between the proposed dormitory and the one neighbor that has property not owned by the Trust. Mr. Parsons explained that the Plans follow the Town's requirements for the plantings which require a certain number of deciduous trees and a certain number of coniferous trees. He pointed out on the drawings the locations of the arborvitae trees, the red maple trees, the dogwood trees and some shrubbery. Mr. Parsons explained that the rain gardens are going to have a mix of different plants, including black and red chokeberries, common button bush, holly and witch hazel, all plants recommended by Non-Profit Education for Municipal Officials (NEMO) for rain gardens. Mr. Parsons noted that the total disturbance is 1.2 acres with .5 acres falling within the Commission's regulated area. Mr. Parsons then reviewed the Erosion Control Plan.

MOTION: Mr. Berlinski, Mr. Nalette second, **to accept Application #IWC Application #IWC 16-05 Applicant: W.L. Gilbert Trust Corporation Owner: W.L. Gilbert Trust Corporation, 180-190 Williams Avenue, Construct Student Dormitory; unanimously approved.**

7. OTHER BUSINESS:

A. Election of Officers.

MOTION: Mr. Kiely, Mr. Berlinski second, **to open the election of officers;**

MOTION: Mr. Berlinski, Ms. Mulvey second, **to continue with the officers as they stand, with Mr. Nalette as Chairman, Mr. Berlinski as Vice-Chairman, and Ms. Tremblay as Secretary;**

MOTION: Mr. Molinelli, Mr. Berlinski second, **to close nominations; Motions passed with Ms. Mulvey, Mr. Molinelli, Mr. Berlinski, Mr. Kiely, Ms. Tremblay, Ms. Roast, and Mr. Closson voting aye while Mr. Nalette abstained.**

8. AGENT ACTIONS:

A. Determinations.

No business discussed.

B. Warnings/Violations.

No business discussed.

9. COMMUNICATIONS AND BILLS:

No other communication discussed beyond noting the email received from Mr. DeClement. Mr. Nalette reported that as chairman, he receives five to six pieces of mail regarding every application, with some from the recording clerk/land use assistant, some from Mr. Sadlowski, some from the applicants themselves, and some from concerned citizens. He noted that it has consistently been his policy to never respond to the latter ones and to direct them to Mr. Sadlowski. Mr. Nalette noted that he did respond to this email, acknowledging that he would share it with the Commission.

It was the consensus of the Commission that the recording clerk continue to be paid for taking Minutes.

MOTION: Mr. Berlinski, Mr. Nalette second, **to adjourn at 8:18PM; unanimously approved.**

Respectfully submitted,

Pamela A. Colombie
Recording Clerk