



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
May 18, 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. Robert Haburey, Mr. Stephen Molinelli, Ms. Jackie Mulvey, Ms. Rosemari Roast, Mr. Matthew Closson, Mr. Gene Berlinski, Mr. Chris Kiely and Town Planner Steve Sadlowski.

Absent was Ms. Rosemari Roast.

3. APPROVAL OF MINUTES: April 20, 2016

MOTION: Mr. Berlinski, Mr. Kiely second, to approve the April 20, 2016; Motion passed with Mr. Nalette, Ms. Tremblay, Ms. Mulvey, Mr. Closson, Mr. Kiely, Mr. Molinelli and Mr. Berlinski voting aye while Mr. Haburey abstained.

4. AGENDA REVIEW.

No changes were made to the agenda.

5. OLD BUSINESS:

A. 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, PE of Lenard Engineering appeared before the Commission regarding this application. Mr. Parsons provided a brief review of the proposal, explaining that the subject property is located to the right of the road leading up to the student parking lot at Gilbert School. He noted that the proposal is to construct a student dormitory and small parking lot. Mr. Parsons reported that the Planning and Zoning Commission have sent the drawings out for an independent engineering review. He explained that the review has been received and that the plans have been revised. Mr. Parsons also noted that WMC Engineers have provided a written response confirming that Lenard Engineering has satisfied all of the concerns identified through the independent review.

MOTION: Mr. Berlinski, Mr. Haburey second, to approve 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, based on oral and written testimony, subject to the following conditions:

1. The permittee shall notify the Inland Wetlands Enforcement Officer immediately upon the commencement of work and upon its completion.

2. If the authorized activity is not completed within five years from the issuance date of May 18, 2016, said activity shall cease and, if not previously revoked or specifically renewed or extended, this permit shall be null and void. Any request to renew or extend the expiration date of a permit should be filed in accordance with the Inland Wetlands Regulations of the Town of Winchester. Expired permits may not be renewed and the Inland Wetlands Commission may require a new application for regulated activities.

3. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. A copy of the permit and plans shall be on site at all times. Any structures,

excavation, fill, obstructions, encroachments, or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension or revocation.

4. This authorization is not transferable without the written consent of the Inland Wetlands Commission.

5. In evaluating this application, the Inland Wetlands Commission has relied on information provided by the applicant. If such information is subsequently proved to be false, incomplete or misleading, this permit may be modified, suspended or revoked and the permittee may be subject to any other remedies or penalties provided by law.

6. The permittee shall employ the best management practices, consistent with the terms and conditions of this permit to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. Permittee will provide a copy of approved plans to contractor which shall stay on site and be available for review or inspection during the duration of work. For information and technical assistance, contact the Wetlands Enforcement Officer. The permittee shall immediately inform the commission of any problems involving the wetlands or watercourses that have developed in the course of, or that are caused by, the authorized work.

7. No equipment or material including without limitation, fill construction materials, or debris, shall be deposited, placed or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.

8. This permit is subject to and does not derogate any rights or powers of the Town of Winchester, conveys no property rights or exclusive privileges, and is subject to all public and private rights, to all applicable federal, state and local laws. In conducting and maintaining any activities authorized herein, the permittee may not cause pollution, impairment, or destruction of the inland wetlands and watercourses of Winchester.

9. If the activity authorized by the inland wetlands permit also involves activity or a project that requires zoning of subdivision approval, special permit, variance, or special exception, no work pursuant to the wetlands permit may begin until such approval is obtained.

10. The permittee shall maintain sediment and erosion controls at the site in such operable conditions as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee shall correct any such deficiencies within 24 hours of said deficiencies being found. The permittee shall maintain such control measures until all areas of disturbed soils at the site are stabilized.

11. The permittee, contractor and/or owner shall conduct all operations at the site in full compliance with this permit, to the extent provided by law, may be held liable for any violations of the terms and conditions of this permit and are responsible for any violation they may have created.

12. Wetland flagging to stay in place during the construction process. Missing flags to be replaced upon the Wetland Agent's request if required for inspection or enforcement.

13. Cash erosion and sedimentation bond of \$2,000 will be submitted to the Inland Wetlands office; unanimously approved.

B. Application #IWC 16-03 Applicant: Jeffrey Lippincott Owner: Jeffrey and Anne Lippincott Location: 402 East Wakefield Boulevard Proposal: Grade shorefront; 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, there was concern regarding the exact location of the retaining wall. Mr. Lippincott presented a drawing to address this concern, and also noted that the previous stairs protruding into the lake have now been eliminated completely. Mr. Sadlowski reiterated from last meeting that if any commissioner is working for this applicant or will be working for this applicant, he/she should recuse themselves from the discussion and vote. Mr. Lippincott noted that stakes had been installed on the property, allowing commissioners the opportunity to review the location of the wall. He also noted that he would like to install a dock and a boat lift this summer.

MOTION: Ms. Mulvey, Mr. Berlinski second, **to approve the amended application #IWC 16-03 Applicant: Jeffrey Lippincott Owner: Jeffrey and Anne Lippincott Location: 402 East Wakefield Boulevard Proposal: Grade shorefront; Install retaining wall, one temporary forty (40') foot by four (4') foot dock and associated boat lift to be installed no more than one season during construction, based on oral and written testimony, subject to the following conditions:**

1. The permittee shall notify the Inland Wetlands Enforcement Officer immediately upon the commencement of work and upon its completion.

2. If the authorized activity is not completed within five years from the issuance date of May 18, 2016, said activity shall cease and, if not previously revoked or specifically renewed or extended, this permit shall be null and void. Any request to renew or extend the expiration date of a permit should be filed in accordance with the

Inland Wetlands Regulations of the Town of Winchester. Expired permits may not be renewed and the Inland Wetlands Commission may require a new application for regulated activities.

- 3. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. A copy of the permit and plans shall be on site at all times. Any structures, excavation, fill, obstructions, encroachments, or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension or revocation.**
- 4. This authorization is not transferable without the written consent of the Inland Wetlands Commission.**
- 5. In evaluating this application, the Inland Wetlands Commission has relied on information provided by the applicant. If such information is subsequently proved to be false, incomplete or misleading, this permit may be modified, suspended or revoked and the permittee may be subject to any other remedies or penalties provided by law.**
- 6. The permittee shall employ the best management practices, consistent with the terms and conditions of this permit to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. Permittee will provide a copy of approved plans to contractor which shall stay on site and be available for review or inspection during the duration of work. For information and technical assistance, contact the Wetlands Enforcement Officer. The permittee shall immediately inform the commission of any problems involving the wetlands or watercourses that have developed in the course of, or that are caused by, the authorized work.**
- 7. No equipment or material including without limitation, fill construction materials, or debris, shall be deposited, placed or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.**
- 8. This permit is subject to and does not derogate any rights or powers of the Town of Winchester, conveys no property rights or exclusive privileges, and is subject to all public and private rights, to all applicable federal, state and local laws. In conducting and maintaining any activities authorized herein, the permittee may not cause pollution, impairment, or destruction of the inland wetlands and watercourses of Winchester.**
- 9. If the activity authorized by the inland wetlands permit also involves activity or a project that requires zoning of subdivision approval, special permit, variance, or special exception, no work pursuant to the wetlands permit may begin until such approval is obtained.**
- 10. The permittee shall maintain sediment and erosion controls at the site in such operable conditions as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee shall correct any such deficiencies within 24 hours of said deficiencies being found. The permittee shall maintain such control measures until all areas of disturbed soils at the site are stabilized.**
- 11. The permittee, contractor and/or owner shall conduct all operations at the site in full compliance with this permit, to the extent provided by law, may be held liable for any violations of the terms and conditions of this permit and are responsible for any violation they may have created.**
- 12. Wetland flagging to stay in place during the construction process. Missing flags to be replaced upon the Wetland Agent's request if required for inspection or enforcement.**
- 13. Cash erosion and sedimentation bond of \$1,000 will be submitted to the Inland Wetlands office.**
- 14. Construction of wall not to begin until drawdown.**
- 15. Temporary dock and associated boat lift to be removed upon construction of wall; Motion passed with Ms. Mulvey, Mr. Berlinski, Mr. Haburey, Mr. Molinelli, and Mr. Kiely voting aye while Mr. Nalette and Ms. Tremblay were opposed and Mr. Closson abstained.**

It should be noted that in discussion of the aforementioned application and subsequent conditional approval, the applicant had verbally agreed to amend the application to remove the permanent dock from consideration. It was also noted that Mr. Lippincott should finalize his dock plans and return for consideration of said final dock plans, with no additional fees to be levied.

6. NEW BUSINESS:

A. Application #IWC 16-06 Applicant: Christopher Weed Owner: Margery P. Weed and Christopher C. Weed Location: 406A East Wakefield Boulevard Proposal: Remove four trees; cut and fill to create level area for terrace at lakeside; placement of landscape boulder; planting of trees, shrubs and lawn.

Mr. Sadlowski explained that the applicant is seeking to regrade the shore front, noting that the sea side wall is already there. He also noted that the applicant is looking to install a patio and walkway, too. While commissioners had copies of the application and plans, Mr. Nalette noted that neither the applicant nor a representative were present. Questions for the applicant or his duly authorized representative would need to be reserved until next month's meeting according to Mr. Nalette.

MOTION: Mr. Berlinski, Ms. Mulvey second, **to accept Application #IWC 16-06 Applicant: Christopher Weed Owner: Margery P. Weed and Christopher C. Weed Location: 406A East Wakefield Boulevard Proposal: Remove four trees; cut and fill to create level area for terrace at lakeside; placement of landscape boulder; planting of trees, shrubs and lawn; unanimously approved.**

B. Application #IWC 16-07 Applicant: Donald Lapointe Owner: Town of Winchester Location: Groppo Drive & Route 20 Proposal: Site Plan showing site improvements and building construction.

Mr. Donald Lapointe was present to review this application. He noted that on March 21, 2016, Soil Scientist Tom Pietras tested the site for wetlands and watercourses. A copy of this report was provided to each commissioner. Mr. Lapointe noted that the plans provided reflect what he characterized as the only way to use the property, explaining that there is a significant grade difference, thirty-eight (38') feet, from Route 20 and Groppo Drive. He noted that his proposal includes cutting into the bank, utilizing a 3:1 slope on the uphill side, coming off Route 20, leveling off an area. Mr. Lapointe reported that the proposed building will be sixty (60') feet by ninety (90') feet, with parking in the front. He showed the area that will be part of the drainage plan.

MOTION: Mr. Nalette, Ms. Mulvey second, **to accept Application #IWC 16-07 Applicant: Donald Lapointe Owner: Town of Winchester Location: Groppo Drive & Route 20 Proposal: Site Plan showing site improvements and building construction; unanimously approved.**

7. OTHER BUSINESS:

None.

8. AGENT ACTIONS:

A. Determinations.

No business discussed.

B. Warnings/Violations.

No business discussed.

9. COMMUNICATIONS AND BILLS:

Mr. Sadlowski distributed brochures regarding the 2016 Municipal Inland Wetlands Agency Comprehensive Training Program sponsored by Department of Energy and Environmental Protection. Ms. Tremblay indicated that she would like to be registered for the program.

MOTION: Mr. Berlinski, Mr. Closson second, **to adjourn at 8:12PM; unanimously approved.**

Respectfully submitted,

Pamela A. Colombie
Recording Clerk