



**TOWN OF WINCHESTER**  
**INLAND WETLANDS & WATERCOURSES COMMISSION**  
Town of Winchester Town Hall, 338 Main Street  
P. Francis Hicks Room – 2nd Floor  
June 15, 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. Chris Kiely, Ms. Jackie Mulvey, Ms. Rosemari Roast, Mr. Gene Berlinski, and Town Planner Steve Sadlowski.

Absent excused was Mr. Stephen Molinelli and Mr. Matthew Closson.

**3. APPROVAL OF MINUTES: May 18, 2016**

The May 18, 2016 Minutes should be amended as follows:

Second page, thirty-ninth line, the portion that reads, "...Mr. Kiely voting aye while Mr. Nalette and Ms. Tremblay were opposed and Mr. Closson abstained..." should instead read, "...Mr. Kiely voting aye while Mr. Closson, Mr. Nalette, and Ms. Tremblay abstained..."

**MOTION:** Mr. Berlinski, Mr. Kiely second, to approve the May 18, 2016 Minutes as amended; Motion passed with Mr. Nalette, Ms. Tremblay, Ms. Mulvey, Mr. Haburey and Mr. Berlinski voting aye while Ms. Roast abstained.

**4. AGENDA REVIEW:**

Winsted Trails Letter of Support was added as an agenda item under Other Business as item A. Leave of Absence for Robert Haburey was added to the agenda under Other Business as item B. Also added to the agenda was Application #IWC 16-09 Applicant: Lois Clough Owner: Lois Clough Location: 356 West Wakefield Boulevard Proposal: Dock, Boat Lift, and Buoy.

**5. OLD 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. Ken Hawkins, a partner with The Kenmark Company, appeared before the Commission on behalf of the applicants to describe the proposed project. He provided pictures of the subject property for commissioners to review. He explained that his clients would like to create a level sitting area down by the water. Referencing a 24"x36" plan of the subject property, Mr. Hawkins noted the location of the sea wall, explaining that there are no plans to modify it in any way. He noted that the proposal includes adding 18"x24" landscape boulders on the backside of the existing wall to raise the grade, allowing cut and fill. Pocket planting areas would be created, according to Mr. Hawkins. He pointed out where a level sitting area would be created, too. On the upper hillside, a small sitting wall created from fieldstone would be added. Steps, or an informal walkway comprised of loose pea gravel, were also noted as part of the plan. Mr. Hawkins identified the four trees that his clients would also like to take down. Native type, non-invasive type plants would also be included, Mr. Hawkins explained.

**MOTION:** Mr. Berlinski, Ms. Mulvey second, to approve 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, 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 June 15, 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; Motion passed with Mr. Nalette, Ms. Mulvey, Mr. Berlinski, Mr. Kiely, Ms. Tremblay, and Mr. Haburey voting aye while Ms. Roast abstained.

**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. Sadlowski indicated that he had visited the site and reviewed the eroded area that goes from east to west on the north side of the property. He noted that a picture of this seven to eight (7'-8') foot deep eroded area has been included as part of his Staff Comments provided to Commissioners. He noted that water from the state highway is dumping on the subject property causing the erosion. While the applicant plans to install some riprap to hold it, Mr. Sadlowski opined that there needs to be work done separately at this site.

**MOTION:** Mr. Berlinski, Mr. Kiely second, to approve the amended 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, 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 June 15, 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; Motion passed with Mr. Nalette, Ms. Mulvey, Mr. Berlinski, Mr. Kiely, Ms. Tremblay, and Mr. Haburey voting aye while Ms. Roast abstained.

**6. NEW BUSINESS:**

**A. Application #IWC 16-09 Applicant/Owner: Lois Clough Location: 356 West Wakefield Boulevard**

Ms. Lois Clough addressed the Commission regarding this application explaining that in 2004, she received approval for a boat lift, a ten (10') foot by five (5') foot splash island and one mooring. She explained that she would like to change this approval by leaving the one mooring, and installing a six (6') foot by thirty (30') foot dock and a jet ski lift. Ms. Clough indicated that she has sixty (60') feet of water frontage.

Referring to the drawings, Ms. Mulvey inquired about the deck. Ms. Clough indicated that it is a deck that is attached to the house and that it does not overhang the water.

**MOTION:** Ms. Mulvey, Mr. Nalette second, **to accept Application #IWC 16-08 Applicant/Owner: Lois Clough Location: 356 West Wakefield Boulevard Proposal: ; Motion passed with Mr. Nalette, Ms. Mulvey, Mr. Berlinski, Ms. Roast, Ms. Tremblay, and Mr. Haburey voting aye while Mr. Kiely abstained.**

**7. OTHER BUSINESS:**

**A. Winsted Trails Letter of Support.**

Mr. Nalette explained that the Winsted Trails is seeking a letter of support for a development study. Mr. Berlinski noted that this Board approved this plan some time ago. Mr. Nalette indicated that the project is the same concept. The consensus of the Commission was to support this study.

**B. Leave of Absence for Robert Haburey.**

It was noted that Mr. Haburey was seeking a leave of absence from September, 2016 to January, 2017 as he will be attending classes that will conflict with the meetings during this time span. The consensus of the Commission was to grant Mr. Haburey's request for a leave of absence.

**8. AGENT ACTIONS:**

**A. Determinations.**

Mr. Sadlowski described an Agent Determination that was made regarding 680 East Wakefield Boulevard wherein there was a collapsed pipe that the homeowner wanted to replace and had also sought to put some underdrains in under his deck.

**B. Warnings/Violations.**

No business discussed.

**9. COMMUNICATIONS AND BILLS:**

Brochures regarding the 2016 Municipal Inland Wetlands Agency Comprehensive Training Program sponsored by Department of Energy and Environmental Protection had been distributed. The following commissioners indicated that they would be interested in participating in this training program: Ms. Tremblay, Mr. Kiely, Mr. Nalette, Ms. Mulvey and Ms. Roast.

**MOTION:** Mr. Berlinski, Ms. Mulvey second, **to adjourn at 7:41PM; unanimously approved.**

Respectfully submitted,

Pamela A. Colombie  
Recording Clerk