



TOWN OF WINCHESTER
INLAND WETLANDS & WATERCOURSES COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
August 17, 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: Mr. Robert Haburey, Mr. Chris Kiely, Ms. Jackie Mulvey, Mr. Gene Berlinski, and Town Planner Steve Sadlowski.

Absent excused was Mr. Matt Closson, Mr. Stephen Molinelli, Ms. Rosemari Roast and Ms. Loretta Tremblay.

3. APPROVAL OF MINUTES: July 20, 2016

MOTION: Mr. Berlinski, Ms. Mulvey second, to approve the July 20, 2016 Minutes as amended; unanimously approved.

4. AGENDA REVIEW:

There were no changes to the Agenda.

5. OLD BUSINESS:

A. Application #IWC 16-10 Applicant: Bob and Jennifer Leach Owner: Bob and Jennifer Leach Location: 348 East Wakefield Boulevard.

Bob and Jennifer Leach appeared before the Commission regarding this application, explaining that they are seeking to build an addition onto their home. Ms. Leach then reviewed the planting plan for the proposal. She provided a poster board with a birdseye view of the parcel along with pictures of perennials that are to be included on the site. The poster board had lines from the pictures of proposed plantings drawn to the area on the site where they will be planted. As part of the erosion control plan, Ms. Leach reported that crushed stone will be installed around the foundation. She also noted that along the front of the house will include lupine, turtle head and some switch grass with crushed stone in between them. She explained that the backside of the home will include milkweed as well as a mulch garden with irises.

In response to an inquiry from Mr. Nalette, Mrs. Leach indicated that the iris will be in line with the dripline of the roof. She explained that she had researched possibly doing a raingarden between the home and the lake but that it would require ten (10') feet in between but that there was not enough distance for this.

Mr. Leach reported that fifty (50') feet of silt fence will be installed to provide adequate coverage of both sides of the construction.

MOTION: Ms. Mulvey, Ms. Kiely second, to approve Application #IWC 16-10 - Addition to Update Home – Build an Addition onto an Existing Part of Current Home; Addition will have Essential Updates Needed: Concrete Foundation Replacing Existing Field Stones.

Based on oral and written testimony:

Conditions 1-12 are standard Inland Wetland Commission Conditions and the following additional conditions determined by the Inland Wetlands Commission.

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 August 17, 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 \$500 will be submitted to the Inland Wetlands office; Motion passed with Ms. Mulvey, Mr. Berlinski, Mr. Kiely, and Mr. Haburey voting aye while Mr. Nalette opposed.

B. Application #IWWC 16-11 Applicant: Hendel's, Inc. Owner: Dolinsky Realty Corp. Location: Lot #4, Old New Hartford Road Proposal: Construct Filling Station and Convenience Store on Vacant Lot.

Robert Colabella, PE and Principal of Laurel Engineering accompanied by Mike Sherman, PE and the Applicant's representative John Cushman appeared before the Commission regarding this application.

Mr. Colabella reported that after several exchanges with Northwest Conservation District Executive Director Sean Hayden, revisions were made to the drawings to include Mr. Hayden's suggestions.

Mr. Colabella explained that as part of a separate project, Mr. Hayden had studied the water quality of Morgan Brook and that the subject site contains the headwaters to that brook. Pursuant to Mr. Hayden's suggestion, the applicant has now removed the Vortex unit and will include a sub-surface gravel wetland which shall function to clean 100% of the first inch of stormwater, according to Mr. Colabella.

Mr. Colabella explained that an additional modification of the plans developed through comments received from Department of Public Works Director Jim Rollins regarding the grade of the driveway as well as narrowing the throat of the driveway.

Mr. Colabella explained that a vegetative barrier has been included after receiving comments from Zoning Enforcement Officer Marc Melanson. He explained that while there are already twenty (20') foot trees on site presently, shrubs have been added.

MOTION: Mr. Nalette, Mr. Berlinski second, to approve Application #IWWC 16-11 Applicant: Hendel's, Inc. Owner: Dolinsky Realty Corp. Location: Lot #4, Old New Hartford Road Proposal: Construct Filling Station and Convenience Store on Vacant Lot.

Based on oral and written testimony:

Conditions 1-12 are standard Inland Wetland Commission Conditions and the following additional conditions determined by the Inland Wetlands Commission.

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 August 17, 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 \$3000 will be submitted to the Inland Wetlands office.
14. Approval conditional to Sean Hayden's review of final detail.
15. Sean Hayden of Northwest Conservation District to oversee the construction of the subsurface gravel wetlands with periodic inspection; unanimously approved.

6. NEW BUSINESS:

A. Application #IWC 16-14 Applicant: Solitude Lake Management, Inc. Owner: Town of Winchester Location: Winchester Lake Proposal: Hydro-raking of floating leaf plants and floating islands in Winchester Lake.

Mr. Dominic Meringolo appeared before the Commission on behalf of the applicant. He reminded the Commission that his company had been before the Commission two years ago for the program's initial effort that included hydro-raking, the removal of dense water lily growth and floating islands. Mr. Meringolo explained that the Applicant is seeking to continue this work in different areas of this lake, in attempts to maintain an open water habitat in many of the cove areas which would otherwise undergo succession. He explained that maintenance of the open water habitat will serve to protect the fisheries habitat and prevent degradation of the water quality.

Mr. Meringolo reminded the Commission that his company will be utilizing a short floating hydro-rake, which he described as a backhoe on a pontoon barge, powered by mechanical kata wheels so that there is no gasoline or motor prop in the water. He explained that the machines will be launched into the lake from the state boat ramp.

Mr. Meringolo reported that about ten acres of this two hundred, forty-seven-acre lake were completed as part of this long-term management program to maintain the lake and that his company intends to complete about six to eight acres this year.

Mr. Nalette questioned what happens with the material that is dredged out of the lake. Mr. Meringolo explained that the material compacts down to about 10% of the volume removed after it dries out and is relocated to a field nearby.

Mr. Meringolo reported that his company would like to start the work after Labor Day, once the Special Use Permit is secured from the Department of Energy and Environmental Protection.

MOTION: Mr. Nalette, Mr. Kiely second, **to consider the work proposed in Application #IWC 16-14 Solitude Lake Management, Inc. to continue the Hydro-raking of floating leaf plants and floating islands in Winchester Lake as an extension of the work permitted in 2014; unanimously approved.**

B. Application #IWC 16-15 Applicant: Steven Ritchie Owner: Steven and Elizabeth Ritchie Location: 544 West Wakefield Boulevard Proposal: To cut and remove portion of bulkhead along water edge, construct stone steps and wading area leaving a small amount of lower wall to prevent erosion of earth in cutout area floating wheels.

Mr. Steven Ritchie appeared before the Commission regarding this application. He explained that he is seeking to cut out a portion of the bulkhead to allow access into the water for his elderly mother and in-laws. Mr. Ritchie noted that he only recently learned that prior to 2005, there was an access area like this that had existed on this site.

Mr. Ritchie reported that he is also seeking to move the dock because of a failing wall. Mr. Ritchie showed photos that were on his cell phone depicting what the area once looked like. Mr. Nalette explained that the Commission will be seeking clearer dimensions on the drawing, including the distance of the dock to the lateral boundary, at the next regular meeting.

Mr. Ritchie indicated that the work will be done by hand and that the cutting of the wall would be done during the lake drawdown.

MOTION: Ms. Mulvey, Mr. Berlinski second, **to accept Application #IWC 16-15 Applicant: Steven Ritchie Owner: Steven and Elizabeth Ritchie Location: 544 West Wakefield Boulevard Proposal: To cut and remove portion of bulkhead along water edge, construct stone steps and wading area leaving a small amount of lower wall to prevent erosion of earth in cutout area floating wheels deeming it as non-significant activity; unanimously approved.**

7. OTHER BUSINESS:

None.

8. AGENT ACTIONS:

A. Determinations.

None.

B. Warnings/Violations.

Mr. Sadlowski reported that he had sent a letter out regarding issues surrounding the installation of silt fence on 417 West Wakefield Boulevard as well as a letter addressing erosion control issues on 174 Wallens Street.

Mr. Nalette questioned the progress of the remediation work on Tarringford Street as part of Application IWC#15-19. Mr. Sadlowski indicated that there has been some completed and that some remains. He reported that there has not been much earth work done recently at this location. Mr. Berlinski questioned whether a bond has been received on this application. Mr. Sadlowski confirmed.

9. COMMUNICATIONS AND BILLS:

Copies of two articles that Mayor Candy Perez thought might be of interest to the Commission were distributed: "No Bantam Lake Ski Show" from the Republican American newspaper August 12, 2016 edition as well as "New Tool Hailed as a Game Changer for Predicting Floods, Informing Water-Related Decisions" from the National Oceanic and Atmospheric Administration August 16, 2016 webpage.

Mr. Sadlowski reminded Commissioners that a revised copy of the proposed new Zoning Regulations had been distributed. He briefly reviewed some of the changes.

MOTION: Mr. Berlinski, Mr. Haburey second, **to adjourn at 8:20PM; unanimously approved.**

Respectfully submitted,

Pamela A. Colombie
Recording Clerk