



**TOWN OF WINCHESTER**  
**INLAND WETLANDS & WATERCOURSES COMMISSION**  
Town of Winchester Town Hall, 338 Main Street  
P. Francis Hicks Room – 2nd Floor  
October 19, 2016 – 7:00PM  
Regular Meeting Minutes

**1. CALL TO ORDER:**

Chairman Ric Nalette called the meeting to order at 7:02PM.

**2. ROLL CALL:**

Roll call was completed by Mr. Nalette. Present at the meeting in addition to Mr. Nalette were: Mr. Stephen Molinelli, Ms. Loretta Tremblay, Mr. Matt Closson, Mr. Chris Kiely, Mr. Gene Berlinski, and Town Planner Steve Sadlowski.

Absent excused was Mr. Robert Haburey, Ms. Jackie Mulvey, and Ms. Rosemari Roast.

Mr. Nalette reported that Ms. Roast will be submitting her resignation from this Commission due to time constraints imposed by increased demands of her business.

**3. APPROVAL OF MINUTES: September 21, 2016**

**MOTION:** Mr. Berlinski, Mr. Kiely second, to approve the September 21, 2016 Minutes as amended; **Motion passed with Mr. Nalette, Mr. Berlinski, Mr. Kiely, Mr. Closson, and Ms. Tremblay voting aye while Mr. Molinelli abstained.**

**4. AGENDA REVIEW:**

There were no changes to the Agenda.

**5. OLD BUSINESS:**

**A. Application #IWC16-17 Applicant: Bruce and Diane Benedetto Owner: Edward and Heather Dzielak/Bruce and Diane Benedetto Location: 362 West Wakefield Boulevard/364 West Wakefield Boulevard Proposal: To Repair Retaining Walls and Steps Down to Highland Lake.**

Both Bruce and Diane Benedetto were present regarding this application. Mr. Nalette reminded commissioners that this application's proposed activity had been deemed non-significant at last month's meeting. Mr. Berlinski questioned the length of the disturbance that will likely occur. Mr. Benedetto indicated that it is not more than thirty (30') feet.

**MOTION:** Mr. Berlinski, Mr. Kiely second, to approve Application #IWC16-17 Applicant: Bruce and Diane Benedetto Owner: Edward and Heather Dzielak/Bruce and Diane Benedetto Location: 362 West Wakefield Boulevard/364 West Wakefield Boulevard Proposal: To Repair Retaining Walls and Steps Down to Highland Lake

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.
14. Approval includes shed as shown on drawings; **Motion passed with Mr. Nalette, Mr. Berlinski, Mr. Kiely, Mr. Closson, and Ms. Tremblay voting aye while Mr. Molinelli abstained.**

## **6. NEW BUSINESS:**

None.

## **7. OTHER BUSINESS:**

### **A. Discuss 2017 Proposed Meeting Schedule.**

**MOTION:** Mr. Nalette, Mr. Berlinski second, to approve the 2017 proposed meeting schedule; unanimously approved.

**8. AGENT ACTIONS:**

**A. Determinations.**

**i. Application: #IWC 16-18 Applicant: Nieves Home Improvements, LLC Owner: Thomas Callahan Location: 353-354 West Wakefield Boulevard Proposal: Remove Existing Concrete Deck and Build New Deck Using Pressure Treated Lumber.**

Mr. Sadlowski explained that this application was presented to repair concrete dangerous steps that had become dangerous.

**ii. Application: #IWWC 16-19 Applicant: Goulet Masonry Owner: John Cracco Location: 42 East Wakefield Boulevard Proposal: Tree Removal – Area Regrade – Patio Reset; Seawall Repair (Seal Coat 6' Area of Top/Concrete Cap).**

Mr. Sadlowski reported that this was a small project necessitating a small repair of the seawall, the removal of a couple of pine trees and some minor regrading. He explained that it will be done with a mini-excavator and then this area will be reseeded.

Mr. Nalette polled commissioners to gather a consensus for a general approval of these determinations. No objection was made.

**B. Warnings/Violations.**

Mr. Sadlowski reported that a recent routine inspection of the Tarringford Street property holding a wetlands permit issued to Scott Bachand revealed that a pond was being dug out. He noted that he will be sending a Cease and Desist Order to be sure that no action is taken with the pond on the other side of the road. Mr. Sadlowski explained that if an application had been submitted, it likely would have been an exempt activity, as this property was proposed to be a Christmas tree farm. If it had come in under this, and the Commission had deemed it as needed, this may very well have been permitted, Mr. Sadlowski explained.

It was agreed that a Show Cause Hearing would be scheduled for October 26, 2016 at 7:00PM.

Additionally, Mr. Sadlowski reported that he notified the U.S. Army Corp. of Engineers on this matter.

**9. COMMUNICATIONS AND BILLS:**

Mr. Sadlowski reported that the proposed wetland fee schedule will be reviewed once the regulations are complete. Mr. Nalette indicated that he would like to increase the after-the-fact charges levied to as much as possible.

**MOTION:** Mr. Berlinski, Ms. Tremblay second, to adjourn at 7:24PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Clerk**