

INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

JUNE 26, 2023 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. Meeting called to order at 6:30pm.
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- 3 2. Roll Call & Seating of Alternates. Present: Larry Burcroff, Peter Neely, John Landon, Sally
4 Spillane, Maria Grace, Vivian Garfein (Alternate), Russ Conklin (Alternate), John Harney,
5 (Alternate), Abby Conroy (Land Use Director), Miles Todaro, (Land Use Technical Specialist) and
6 Georgia Petry (Recording Secretary). Absent: Steve Belter and Cary Ullman. V. Garfein was
7 appointed Voting Alternate for S. Belter and R. Conklin was appointed Voting Alternate for C.
8 Ullman.
9
- 10 3. **Approval of Agenda. So Moved** by P. Neely, seconded by S. Spillane and unanimously
11 **Approved.**
12
- 13 4. **Approval of Minutes of June 12, 2023.** A. Conroy noted that Temporary Certificates of
14 Occupancy had been issued for 32 and 140 South Shore Road. A **Motion to Approve the**
15 **Minutes of June 12, 2023, as amended**, was made by J. Landon, seconded by S. Spillane and
16 unanimously **Approved.**
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- 18 5. Public Comment – None
19
- 20 6. 2023-IW-008 / Bendit (Allied Engineering – Johannesen) / 101 Taconic Road / New Single-Family
21 Dwelling and Associated Site Improvements / Map 19 / Lot 11 / DOR: 05/08/0223
22 Observations from the Site Visit: L. Burcroff indicated that there is not enough information yet.
23 A. Conroy noted that there were not enough markers on the site; R. Conklin had a difficult time
24 finding the markers. The entrance is a question; it is cleared, but not substantial as entry is over
25 another person’s driveway. A. Conroy indicated that Extension had been Granted. A **Motion to**
26 **Table Application 2023-IW-008 to July 10, 2023** was made by S. Spillane, seconded by P. Neely
27 and unanimously **Approved.**
28
- 29 7. 2023-IW-010 / McGrath / 143 & 181 Housatonic Road / Dredging a pond filled with silt / Map 16
30 / Lot 01 / DOR: 06/12/2023
31 Additional information is needed from the applicant. L. Burcroff asked that it be left on the
32 agenda until the July 10, 2023 meeting. There was no decision and no vote was taken.
33

34 8. 2023-IW-011 / 129 WHR LLC (Parsons/Great Falls Construction, LLC) / 129 Washinee Heights
35 Road / Spreading lakebed material along 0.3 acres of shoreline and planting with sedges and
36 wildflowers / Map 58 / Lot 16 / DOR: 06/12/2023
37 Todd Parsons and Bob Stair represented the application. R. Conklin recused himself from the
38 discussion, as he was part of the original 3-year permit application. J. Harney replaced R.
39 Conklin as Voting Alternate. A. Conroy noted that they had walked through the flagged area on
40 the site visit, June 24, 2023; M. Grace took pictures. S. Spillane expressed her concern that the
41 original application had the spoils being removed and that this application would set a
42 precedent for others wanting to leave the spoils; V. Garfein also expressed that concern. Mr.
43 Stair responded that the client would not hydro-rake again by this method, because of the
44 proposed plantings; he indicated that he uses a different approach to removing spoils in his own
45 business. A. Conroy noted that approximately 4,500 sq. ft. (1 acre) would be impacted by the
46 proposed buffer area, according to the client, and that no fertilizers would be used. V. Garfein
47 asked if there was an analysis of the spoils; Mr. Parsons answered that the results of the soils
48 test were included in the application to be used for the recommended plantings. He pointed
49 out that the plan shows 570' of shoreline, but the client would like to extend the buffer along
50 the entire length, about 900 linear feet total; he asked for Agent Determination or it will come in
51 as a separate application. S. Spillane asked if the spoils would cover the existing path; Mr.
52 Parsons answered yes, partially; Mr. Stair indicated that the client wants to make the buffer
53 wider, which would include the entire woodchip path. S. Spillane commented on the use of
54 landscape cloth and to find another solution. She asked again about setting a precedent; V.
55 Garfein commented that yes, it would set a precedent. Mr. Parsons asked that this application
56 be reviewed on its merits and commented on the desirability of the sedge buffer. J. Harney and
57 P. Neely agreed it is better than lawn. V. Garfein expressed concerns about this particular
58 application, including the proposed plantings, the density of plantings and what measures of
59 success will be in place. A. Conroy pointed out that this is the first year the applicant is working
60 with this hydro-raking company; Mr. Stair indicated that he had hydro-raked the property about
61 4 years ago and removed the spoils then. S. Spillane asked if New England Native Plants had
62 seen the soil for their recommendations and wants a soil sample sent to them for the details,
63 especially about the texture; Mr. Stair will contact them. Mr. Parsons would like to change to a
64 silt fence along the lake edge and extend the buffer area further back; S. Spillane agreed. V.
65 Garfein wants to see the plan to include the total area shown and other specific details; Mr.
66 Stair indicated that the additional area is separate and would be a separate application. The silt
67 fence will stay in place until the seeds germinate, possibly next spring. Conditions of Approval
68 were discussed including: revisions to the plans showing 40' instead of 25'; silt fence, not sock,
69 stays in until inspected; contacting NE Native Plants regarding the soils; leaving the spoils in
70 place contingent on the planting plan, as presented; confirmation in writing that this application
71 is separate from the 3-year permit previously issued; A. Conroy will inspect when the erosion
72 control gets installed; Bob Stair will give A. Conroy a monthly update. **A Motion to Approve**
73 **Application 2023-IW-011, With All of the Conditions Discussed**, was made by J. Landon,
74 seconded by P. Neely and **Approved**, with one abstention (R. Conklin).

75 Regulation Rewrite Discussion
76 Regarding the draft, A. Conroy has a meeting scheduled with Janet Brooks. The Bylaws
77 should also be revisited. A. Conroy is still working on the handbook; P. Neely has looked at
78 the commentary. The format will be done later. A. Conroy suggested that more definitions
79 on Regulated Activity are needed.
80
81 **Adjournment. So Moved** by S. Spillane, seconded by P. Neely and unanimously **Approved**.
82 The meeting adjourned at 7:32pm.