

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
REGULAR MEETING OF WEDNESDAY, FEBRUARY 26, 2020**

1. CALL TO ORDER:

By: Woolf

Time: 6:59 p.m.

Place: Town Hall Annex

2. ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Martin Briggs		X
	Patricia Laramee	X	
	Lori Mathieu		X
	Sam Norman, Treasurer	X	
	Thomas Woolf, Vice Chairman	X	
ALTERNATE MEMBERS:	Open		X
	Mike Powers	X	
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Emily Perko, Wetlands Agent	X	

3. AUDIENCE OF CITIZENS:

No one wished to speak.

4. OLD BUSINESS:

None

5. NEW BUSINESS:

A. 90 Hemlock Lane – Addition and detached garage

Application #2020-03W; applicant Scott Shroyer. The plans show the proposed activity. Another sheet shows a septic system that has been completed recently. The silt fence for the septic system remains in place.

Scott Shroyer was present. The proposed activity is for a garage and breezeway addition including a small bump out. All activity will take place away from the lake. The existing house will be demolished and a new one built on the existing foundation. This is a block foundation with a concrete footing. A new foundation will be poured for the garage, breezeway, and bump out. Excavation the perimeter of the building will be needed to pour the new foundation sections. Some silt fence will be added near one of the corners.

Penney stated the activity is within 150' of the Lake and, therefore, does not fit into the minimal impact criteria. Nothing is going closer to the lake than is presently there. The plan keeps the disturbance toward the lake to a minimum. The paved driveway that shoots right down from the road will be removed. Penney added the lot coverage is under 15% that is allowed under zoning without the need for a ZBA variance. The proposal includes the addition of a rain garden near the garage. The rain garden of 583 sq. feet will mitigate the lot coverage down to 10% lot coverage per regulations. The applicant needs to capture and treat 400 gallons of storm water. Penney informed the Mr. Shroyer if a deck may be added in the future it would be wise and less costly to show the placement on the plan for this application. Shroyer has no intention of adding a deck.

Penney will formalize his comments; this application will be on the agenda for the March meeting.

B. 323 Woodland Road - Repair retaining wall

Application #2020-04W; applicant Suzanne Choate was present.

Penney informed the IWA that Ms. Choate is the new candidate as Alternate of the IWA.

Suzanne Choate stated the existing stone wall does not have drains behind it. It is constructed of large boulders. Groundwater leaks underneath the wall and creates rills in the sand. The plan is to fix this so it drains water away from the wall and not through the wall. Choate also wants to straighten out the wall instead of having the bump out. This means the wall is pulled back from the lake somewhat. It would create a 40' straight wall to line up with the granite stairs using some of the existing materials. Some flatter stones will be used with the bigger boulders being removed. There will be some digging needed to install the drain and a machine used to move some of the boulders. Matt Cordner will be doing the work.

Penney indicated the IWA would be accepting the application for the March meeting. There will be activity in the wetlands. This area is developed and used as waterfront property. Activity will be outside of the high-water level of the Lake. Choate may want to use silt fence or straw wattle. Any extra soil will be removed from the property. Penney asked if the applicant will be regrading, reclaiming, or adding beach sand? Choate replied sand may be needed to be added where the wall is being pulled back. Mr. Cordner could use a York rake to reclaim any sand. This information should be added to the application – the information about the removal of excess material and supplemental sand added, as needed. This should

not be much more than 200' sq. feet.

Norman mentioned the IWA has had past issues when people are asking to add sand. If possible, he would like to see sand reclaimed to be consistent. Introducing more sand has been causing issues with the lake. Penney stated this is an area that has already been sanded.

This application will be on the March meeting.

6. DISCUSSION ITEMS:

A. 138 Snake Hill Road – Archery Club

Perko informed the IWA this is the location of the KofC spot. Bill Hall is looking for this activity as an as-of-right use for an archery range. Hall will need to add one little stream crossing footbridge. The site plan is attached. The two bridges shown are existing. The additional crossing will have a footbridge of the same style being substantially smaller at 8' than the existing bridges. The building is existing. Hall will have archery ranges inside and outside.

Norman asked why this is an as-of-right use? Perko replied that hiking and footpaths are recreational uses of a property. Penney added this equates to the Boy Scouts putting walking trails on some parks in Town. The regulated activity for the IWA is the installation of the footpath and bridge.

Bill Hall was present. There will be no real tree cutting; rather it will be the clearing of grapevines and bayberry with a tree branch or two being taken down to clear the shooting lanes. The cluster of shown targets is basically open space other than pricklers. Hall informed the IWA that from an insurance standpoint the only sport safer than archery is billiards.

Woolf asked for confirmation from the applicant that there will never be shooting towards the road. Hall replied this is correct. Perko added there is one house abutting the property, but that it is not really nearby the range. Hall pointed out that there is a gap between stations three and four going off in different directions; this is the one and only area that points at a house. By the standards that must be followed it would still be in the safe zone. Perko said there is a considerable amount of invasives and she cannot see anything getting past these.

Motion: The Coventry Inland Wetlands Agency deems this activity to be of minimal impact and an as-of-right use.

By: Norman

Seconded: Laramee

Voting:

For: Woolf, Norman, Laramee

Against: None

Abstain: None

B. 300 Cedar Swamp Road – Potential subdivision

Andrew Bushnell was present. He distributed full size plans. The owner of the property is Jeff Nodden. Hytone Farm owns the large corn field abutting this property. There is one existing house on the property. John Ianni, Soil Scientist, identified three areas of wetlands. The proposal is to divide the property into three lots. The existing house would be 2.3 acres in size. The existing driveway and tennis court will be removed. The driveway would be replaced with a common one for lots one and two. A semi-circular driveway would service the existing house. The tennis court is in part of the regulated area. The driveway would partially be in the regulated area so Bushnell sees this as a trade-off. The back lot would be 1.8 acres in size. The third lot of 3.03 acres is proposed with the house being turned perpendicular to the road to keep the house, driveway, well, and septic system out of the regulated area. There would be a disturbance of about 30' for grading around the house. A conservation easement is proposed as mitigation. Also proposed is the easement be delineated with a split rail fence. The septic system would have be a pumped system into the back area to keep it out of the regulated area. The Eastern Highlands Health District has been spoken to about the soils and the locations.

Norman asked Staff why this is a discussion item? Penney stated this is a unique proposal for the creation of three lots that is, for the most part, an open field currently. There is a field that is mowed and maintained. There are wetlands complexes to the north and south. Grading will be required in the upland review area. Staff felt it would be good to bring this to the IWC to get feedback. Penney likes the inclusion of the conservation easement and its delineation with the proposed split rail fence. Perhaps the owner will allow that area to be naturalized with native plantings.

Norman stated the owner will have the right to maintain the area as a field. Bushnell replied there may be a couple of gates installed in the fence in a couple of spots for access. Powers knows the owner can enjoy the area under conservation easement.

Penney would like to know the functions of the soils. Mr. Bushnell replied that John Ianni will present to answer this type of question. This area is flat with not a lot of surface water movement. Does the water overflow from one pond to the other? Bushnell does not see how they are connected. Penney stated there may be pockets that are connective in some way. Did John Ianni check off the property with the upland review area of lot two? Bushnell replied the cornfield comes right up to the back of the property and it has all be disturbed. Lot three is already a disturbed field. The applicant should be looking at ways to mitigate the storm water. An access easement is needed around the common driveway. Powers feels the rain water running off the driveway will go to either one of the wetlands. Norman wonders why a common driveway is proposed rather than using the existing driveway. Bushnell replied the main reason is to keep it on one lot and for the safety and aesthetics to not having the common driveway on top of the house. Penney asked the applicant to consider hybridizing the common driveway between the existing one and the proposed one. Perhaps adding curvature near the existing house with less impact to the wetlands. Bushnell did say the septic needs to get wiggled around to accommodate a reserve area. The back part of the overhang on the existing house may be removed. Penney informed the applicant and agent should consider the common driveway, include a report on the wetlands, how storm water from the proposed houses and gravel driveway will be mitigated. Penney is a fan of delineating the easement area and having a barrier between the two wetlands for lot three.

The owner is not selling the property. He has three sons and is hoping they live nearby. He

will be pursuing a family subdivision.

Bushnell informed the IWA storm water treatment will be in shallow rain gardens because of the high ground water in this area. Although these may not be necessary since the grass may be able to handle sheet flow. Penney suggested if there is any interest in having a deck on one of the homes it would be prudent to show this on the application plan. Penney feels that lot two minus the common driveway looks good; look at what can be changed for lot three.

C. 152 Cheney Lane – Driveway feasibility variance

Steve Penny, Attorney, was present.

Penney stated the ZEO asked Staff and IWA to review this plan about the feasibility of proposing a driveway on the property. Mrs. Lynch owns two residential structures on the property. This situation does not meet zoning so this is considered existing non-conforming property. It is being discussed on how to best subdivide the property. As such, the rear lot is required to demonstrate the feasibility of each lot having its own driveway. Frontage is on Main Street. Mrs. Lynch owns Cheney Lane as a private way; the other residences have an easement on the road. One of the lots uses Cheney Lane crossing through a lot of wetlands. Attorney Penny feels the feasible and prudent alternative is to use Cheney Lane.

Penny had conversations with Staff and the Town Attorney. He felt it was sensible to go to the ZBA for a variance and then come to IWA. The IWA is in agreement that it is best not to put a driveway in when Cheney Lane is already available. Attorney Penny stated the cottage has been here since 1928 and it is the farthest one down Cheney Lane. There will be an improvement with the addition of a lot line so there is one primary structure on each lot. This will get rid of the non-conformity. The lane will be widened out to give snowplows garbage trucks, and firetrucks to ability to turn around rather than back out or back in. Zoning trumps wetlands. The applicants need to show feasible access. The IWA wants to tell ZBA that it is not feasible for the green line shown on the plan. The existing Cheney Lane is the feasible alternative.

The IWA members read the letter dated February 4, 2020 and concurs with the opinion of Penney and Perko that Cheney Lane is the feasible and prudent alternative.

7. ADOPTION OF MINUTES:

A. January 22, 2020

Postponed until the next meeting.

8. CORRESPONDENCE:

Perko reported on a minimal impact modification of application #2019-20WA; 694 Brigham Tavern Road. The applicant decided to reduce the size of the garage moving it farther away from the regulated area.

304 Dunn Road owner has been working with Staff for a couple of years to put a 20' x 24' garage about 50' from a wetlands. This was grandfathered into the older minimal impact standards. The shed is going to be located at the end of the driveway.

Perko spoke to the Town Attorney about the error in the regulations mentioning Lower Bolton Lake when it should be Upper Bolton Lake. The attorney's opinion is this is not a minor change; it will be a regulation change and requires a public hearing. Penney added unless something comes to the IWA close to Upper Bolton Lake this will be on the list of regulations that require editing

9. ADJOURNMENT:

Norman moved to adjourn the meeting at 8:13 p.m.

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, IWA Clerk

PLEASE NOTE: The minutes are not official until approved by the Inland Wetland Agency at the next Agency meeting. Please see the next Agency meeting minutes for approval or changes to these minutes.