



Town of Lebanon
INLAND WETLANDS COMMISSION
Regular Meeting

Monday, December 4, 2023
7:00 p.m.

Lebanon Town Hall, 579 Exeter Road
Downstairs Conference Room

MINUTES

Members Present: James McCaw (Chairman), Carl Bender, John Drum, Jim Jahoda, Dean Gustafson, John Drum
Members Absent: Jim Hallene, Dennis Latchum, Robert Slate, Jim Bender
Others Present: Philip Chester (Town Planner), Catherine McCall (minutes)

I. CALL TO ORDER

The meeting was called to order by Chairman James McCaw at 7:00 pm.

II. APPROVAL OF MINUTES

a. November 6, 2023 Regular Meeting

Motion made by Mr. Gustafson and seconded by Mr. Jahoda to approve the minutes of the November 6, 2023 Regular Meeting. Motion carried unanimously.

III. PUBLIC HEARING

a. IWC-23-23: John M. Peters Jr., 49 Ryan Terrace, Assessors Map 103, Lot 29. Grading, filling, and drainage to construct single family residence. (Public Hearing continued from November 6, 2023.)

Mark Reynolds, Reynolds Engineering presented. Mr. Peters was present. Mr. Reynolds outlined the three main changes that were made to the plan based on the 11/21/23 letter from Yantic River Consulting as follows:

- i. Errors in the soil scientist report were corrected, and an updated document was submitted.
- ii. Ensure there is no increase in water runoff. Mr. Reynolds came up with a storm water retention design in the form of a rain garden to which all roof leaders will run.
- iii. Grading and driveway considerations. The plan has shifted the driveway to the right from where it was originally resulting in no need to do grading in wetlands area. Mr. Reynolds presented grading details and reviewed the plan.

Mr. Jahoda asked if there was ledge under the rain garden. Mr. Reynolds said there was at about 32 inches, but the rain garden will not require excavation as it will have a 2-foot to the south.

Frank Hoisl, President Amston Lake District Association said that he appreciates the work that was done and hopes the town engineer can review the new plan prior to the Commission making a final decision.

Jim Gutowski, 39 Ryan Terrace, asked if the rain garden would have standing water. Mr. Reynolds said yes during and directly after a rain event but believes it will drain quickly. Mr. Gutowski said that since the start of this project there has been water sitting on the property, and he is concerned it will continue.

Mr. Chester asked if the driveway expansion will cause additional runoff. Mr. Reynolds explained that the net runoff from site will not increase as what currently runs off the roof will no longer be an issue due to the rain garden.

Mr. Gustafson recommends that the Public Hearing be continued to January 8, 2024 to give the town engineer time to review the updated plan, and for the Commission to receive his summary report.

Mr. Reynolds noted that they need to do a couple of test pits to determine more information on the ledge for the new house. The Commission does not have an issue with that activity.

IV. OLD BUSINESS

- a. IWC-23-23: John M. Peters Jr., 49 Ryan Terrace, Assessors Map 103, Lot 29. Grading, filling, and drainage to construct single family residence. No discussion.
- b. IWC-23-24: Jeremy Ramer, 10 Browning Road, Assessors Map 251, Lot 20. Construct 1,590 SF addition to existing home.

Two members of the Commission and the town engineer walked the site. Mr. Handfield noted that a portion of the house will be very near the wetlands. There are stumps on the property that are of concern, as removing them would affect wetlands. Another issue is the amount of fill that would be required in one area of the foundation. The Commission and the homeowner discussed possible solutions and the site plan entitled "Alternative Option No Fill in Wetlands" dated 10/18/23 was found acceptable.

Motion made by Mr. Bender and seconded by Mr. Gustafson to approve the revised site plan for IWC-23-24 with the following conditions:

- 1. All stumps shall remain.**
- 2. The town engineer shall inspect upon silt fencing installation prior to construction, during construction, and prior to issuance of Certificate of Occupancy.**

Motion carried unanimously.

- c. IWC-23-25: Chris Casadei LLC (applicant), Patricia Browning & Justine Lapenna (owners), Cook Hill Road, Map 210, Lot 15. Selective timber harvest with stream crossings.

Chris Casadai presented.

Motion made by Mr. Gustafson and seconded by Mr. Jahoda to approve IWC-23-25 on the condition that a one-thousand-dollar (\$1,000.00) monitoring fee is received by the town for the purpose of Town Engineer inspections. Motion carried unanimously.

V. NEW BUSINESS

- a. Show Cause Hearing/Notice of Violation. Helen K. Neumann (Tanner Evans), 122 Oliver Road, Assessors Map 228, Lot 36.

The 11/27/23 Notice of Violation and Cease and Desist Order was read by the Chairman. Tanner Evans, 122 Oliver Road, and James Sipperley, certified Soil Scientist and environmental resource specialist spoke in representation of the owner. Mr. Sipperley noted that construction has been conducted on the property within wetlands and the regulated area, including installation of culverts over perennial and intermittent streams. Mr. Sipperley will delineate existing and disturbed wetlands and create a remediation plan. He recommended that the Commission visit the site and stated that all work on the site has stopped.

The Commission scheduled a site walk for Saturday, December 16, 2023 at 9:00 a.m.

Motion made by Mr. Gustafson and seconded by Mr. Bender to keep the Cease-and-Desist Order in effect. Motion carried unanimously.

- b. IWC-23-28: Jim Combs (applicant), Margaret Pechar & Mary Tinetti (owner), 430 Deepwood Drive, Assessors Map 105, Lot 193. Addition to single-family dwelling.

Margaret Pechar was present and advised the Commission of the plan to add a small addition to the front of the house.

Mr. Chester will inspect the property and if he is satisfied, the consensus of the Commission is that he can sign off on the buffer permit.

- c. IWC-23-29: Brandon F. Avery, 1221 Horiska Road, Assessors Map 274, Lot 5.001. Construction of single-family dwelling.

Jason Reynolds, Reynolds Engineering Services outlined the site and where the house would be located. There will be no direct impact to wetlands, though there will be activity in the buffer area. The driveway will be paved.

Mr. Bender noted that with the slope of the property there will be water runoff to the road that should be considered.

The consensus of the Commission is that Mr. Chester can sign off on the buffer permit.

VI. TOWN PLANNER REPORT

IWC-BUF-23-22: Thomas Ratelle, 166 Deepwood Drive, Assessor Map 103, Lot 63. Mr. Chester noted that after the issuance of the buffer permit, he and the Town Engineer met with the applicant who had discovered building rot and decided to replace the house in its existing location and size. It was the consensus of the Commission that this was a minor modification to the original permit, with a requirement that a revised site plan be submitted for town review that shows the proposed new house and peak elevation data, and that the 8-foot nonconforming side-yard setback be staked in the field.

VII. CORRESPONDENCE

VIII. ADJOURNMENT

Motion made by Mr. Gustafson and seconded by Mr. Bender to adjourn the meeting at 8:40 pm. Motion carried unanimously.

Minutes respectfully submitted,
Catherine McCall, Recording Secretary