



Town of Lebanon
INLAND WETLANDS COMMISSION
Regular Meeting

Monday, November 6, 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, Jim Hallene, Dennis Latchum, Dean Gustafson
Members Absent: Jim Bender, Robert Slate, John Drum
Others Present: Philip Chester (Town Planner), Catherine McCall (minutes)

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

a. October 2, 2023 Regular Meeting

Motion made by J. Hallene and seconded by D. Gustafson to approve the October 2, 2023 Regular Meeting minutes. Motion carried unanimously.

b. October 17, 2023 Special Meeting/Site Walk

Motion made by D. Gustafson and seconded by J. Jahoda to approve the October 17, 2023 Special Meeting/Site Walk minutes with the amendment that Dennis Latchum was not present. 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.

D. Gustafson noted that as town hall staff have not received evidence of Notice to Abutters this item should not be heard in Public Meeting.

Motion made by D. Gustafson and seconded by D. Latchum to table the public hearing of IWC-23-23 at this time and to take up the matter later in the meeting if proof of Notice to Abutters is received. Motion carried unanimously.

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. This item to be heard later in meeting once the Public Hearing has been held.

- b. IWC-23-24: Jeremy Ramer, 10 Browning Road, Assessors Map 251, Lot 20. Construct 1,590 SF addition to existing home.

Joseph R. Theroux, Soil Scientist Report dated 10/31/23 was entered into record. Joseph R. Theroux (Soil Scientist), Jonathan Green (Contractor), and Jeremy Ramer homeowner were presented.

Mr. Theroux indicated that he had delineated wetlands around the perimeter of the house. The property had been filled in sometime in the past. The wetlands are of two types – brush and scrub, which was probably forested wetlands at one time, and remaining forested wetlands, where water still flows. The function and value of the forested wetlands is high functioning. He also reviewed the site plan submitted. 512 square feet of wetlands are proposed to be filled with twenty-eight yards of fill. Overall, this will not impact the bulk of the important wetland area. To mitigate impact, it is suggested that silt fencing with hay bales behind it be in place prior to any construction.

Mr. Gustafson asked if anything can be done to lower the direct impact to wetlands. Mr. Theroux noted that they tried to work around the wetlands as much as possible. They do not want to impact the well, septic and existing garage that are currently in the non-wetland area. Mr. Gustafson asked if there was any other way to positively address the problem, such as enhancing current wetland areas. Mr. Theroux does not believe this is feasible.

J. Hallene asked how close the house is from the watercourse, and the answer was forty to fifty feet. The wetlands delineation is directly outside of the filled areas.

J. Jahoda asked if the addition is basically going on existing lawn and was told that some of it is within the brush and scrub area.

C. Bender is concerned with the size of the addition and the impact on the wetlands. He suggests the commission do a site walk. Mr. Gustafson and Mr. Jahoda agree.

Mr. Chester recommended that the Commission should consider a \$1,000.00 review and monitoring fee per the town ordinance for use of the town engineering consultant.

Motion made by C. Bender and seconded by D. Latchum to conduct a site walk on November 18, 2023 at 9:00 a.m. The motion was amended to also require a one-thousand-dollar review and monitoring fee from the property owner. Motion carried unanimously.

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

Chris Casadei presented the timber harvest notification form. Commission members voiced concern with the impact to wetlands and the six (6) stream crossings proposed. Mr. Chester noted that the Commission can regulate stream crossings.

Motion made by D. Gustafson and seconded by D. Latchum to deny IWC-23-25 as an as-of-Right activity. 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.

The Chairman reopened the Public Hearing for IWC-23-23 7:37 p.m. as Mr. Reynolds was able to provide the Commission the abutter's notification document. Property owner John Peters was also present.

The site is located on the north side of Ryan Terrace in the Amston Lake vicinity. The parcel is 0.3 acres in size. Mr. Reynolds passed out an updated site plan and a wetlands delineation report created by Ian Cole, LLC, Soil Scientist dated October 17, 2023.

Mr. Reynolds then presented an alternate site plan which proposed no wetland impact. This plan pushes the house toward the back of the site and extends the driveway. He also distributed a summary of both plans' activity in wetlands and the upland review area.

J. Jahoda asked if the town engineer had had an opportunity to review the plans and was told he had not reviewed the documents distributed tonight. J. Jahoda is concerned with how this impacts homeowners downstream from the activity.

Mr. Chester noted that the driveway alone is larger than the impervious surface limit permitted on the site. Mr. Reynolds noted that what is shown in the new plan shows the maximum possible impact. He also stated that the proposed runoff area will handle expected water.

Frank Hoisl, President of Amston Lake District Association asked if there was a definition of an impervious driveway. He noted that the Association is concerned with lake health and what happens with water that comes off a house and driveway. In this case 1,300 square feet of impervious surface is being introduced which might impact the surrounding area. He provided documentation on a rain garden plan that would assist in managing water and requests all water runoffs be managed on the property itself.

Jim Gutowski, 39 Ryan Terrace noted that today there is water sitting on the property.

Al Fichtel, Board member on the Amston Lake District Association is wondering about the plans for construction with ledge on the property. Mr. Reynolds doesn't expect blasting but there may be drilling or ripping of ledge.

Mr. Chester asked where test pits were done on the updated plan. Mr. Reynolds said the test pits back from the proposed house and that he would show them on the plans.

D. Gustafson asked for an explanation of how the property drains today. Mr. Reynolds explained that it drains from the rear to the front toward Ryan Terrace. There is an area of ponding on the land itself. There is piping that goes to the south along Ryan Terrace toward Deepwood Drive. Under the proposed plan that would remain the same. However, there would be an underground stormwater infiltration area installed so that water runoff would not increase.

D. Latchum asked if it was known why water ponds on the property. The Soil Scientist report covers this – the existence of Ryan Terrace interrupts the natural flow of water away from the lot.

Mr. Chester asked how has the recent driveway addition and removal of trees impacted the drainage and ponding on the lot. Mr. Reynolds doesn't believe either has been of importance.

Frank Hoisl asked if the house would have gutters and was told it would, with water being directed to the infiltration units.

Al Fichtel commends the work of Mr. Reynolds and the property owner.

D. Gustafson noted some changes necessary to the updated plan which Mr. Reynolds will take care of. He also said there are a couple of updates needed in the Soil Scientist Report.

Jim Gutowsky, 39 Ryan Terrace asked if there will still be ponding which eventually flows into his driveway. Mr. Reynolds indicated that the proposed changes will not correct that issue; to do so would impact the wetlands which are not proposed.

Al Fichtel noted that recent changes to the driveway have in-fact caused drainage impact and would like to see drainage installed.

Mr. Chester would like Mr. Handfield, Yantic River Consultants, to have an opportunity to review the new documents.

Motion made by D. Gustafson and seconded by D. Latchum for a continuation of the Public Hearing to December 4, 2023 to allow more time for appropriate review of documents and revisions to plan. Motion carried unanimously.

The public meeting ended at 8:40 pm.

Motion to add IWC-23-26 to the agenda made by D. Gustafson and seconded by C. Bender under New Business as item ‘a’. Motion carried unanimously.

V. NEW BUSINESS

- a. IWC-23-26: Chris Casadei LLC (applicant), Patricia Browning and Justine Lapenna (owners), Cook Hill Road, Map 210, Lot 15. Selective Timber Harvest.

The Commission discussed requiring an engineer monitoring fee with the applicant to be imposed at time of approval next month.

- b. 2024 Regular Meeting Schedule

Motion made by D. Gustafson and seconded by J. Hallene to accept the proposed 2024 Inland Wetland Commission regular meeting schedule to be held at 7:00 pm in the Lebanon Town Hall Downstairs Conference Room. Motion carried unanimously.

VI. TOWN PLANNER REPORT

VII. CORRESPONDENCE

VIII. ADJOURNMENT

Motion made by D. Gustafson and seconded by C. Bender to adjourn the meeting at 8:46 pm. Motion carried unanimously.

Respectfully Submitted,
Catherine McCall, Secretary