

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting
August 28, 2019 – 6:30 P.M.
East Hampton Town Hall Meeting Room

MINUTES

Present: Vice-Chairman Wilson, Peter Wall, Robert Talbot, W. Dean Kavalkovich and David Boule

Absent: Chairman Foran and Scott Hill

1. Call to Order: The meeting was called to order at 6:32 p.m. by Vice-Chairman Wilson.

2. Seating of Alternates: None.

3. Approval of Minutes:

A) July 31, 2019 Regular Meeting: Mr. Boule made a motion to approve the July 31, 2019 minutes as written. The motion was seconded by Mr. Wall. **(5-0)**

4. Communications, Enforcement and Public Comment:

Communications: None.

Enforcement: None.

Public Comment: The members were reminded of an upcoming workshop on September 10th at 6:30 p.m. to discuss the updates to Sec. 3.1 Lake Pocotopaug Protection Zone.

5. Agent Approval: Vice-Chairman Wilson reminded the members that at the last meeting, they voted to have Chairman Foran do an Agent Approval for Application IW-19-034, 31 East High Street, to remove underground tank and to replace it with a new one in the Upland Review Area Map 05A/Block 83/Lot 4. Chairman Foran did the Agent Approval.

6. Reading of the Legal Notice: Not required.

7. Continued Applications:

A. Application IW-19-033, Town of East Hampton, Abbey Road, Emergency replacement of culvert. Mr. DeCarli explained that there were 3 triple 24” pipes with holes in 2 of them that caused a hole in the road. The pipes were replaced and stabilized, rip rap was added and the area was seeded. Mr. DeCarli was on-site every day and said that the runoff was controlled and that the pavement will be repaired soon. Vice-Chairman Wilson made a motion to approve Application IW-19-033, Town of East Hampton, Abbey Road, Emergency replacement of culvert using the short form with the standard conditions and to stabilize the road before winter. Mr. Boule seconded the motion. **(5-0)**

8. New Applications:

A. Application IW-19-035, DCT, LLC., 86 Spellman Point Rd., to install a new patio and walkway from the road to the house within Upland Review

Area. Map 09A/Block 70/Lot 1. Tom Dorsey from DCT Landscape presented. He explained that he wants to remove and replace the walkway to the driveway. There is blue stone now which will be removed by hand and removed off site, some of the top soil will be removed off site and some will be saved. The walkway is between the back porch and the garage. The new walkway will be made of pavers and stone dust, it will be compacted and the area. The members agreed unanimously to an Agent Approval for Application IW-19-035, DCT, LLC., 86 Spellman Point Rd., to install a new patio and walkway from the road to the house within Upland Review Area. Map 09A/Block 70/Lot 1. **(5-0)**

- B. Application IW-19-036, Peter Lesmerises, Conwood Foresters, Inc., Sexton Hill Rd.,** Timber Harvesting of over-mature trees within the Upland Review Area Map 14/Block 31A/Lot 3. Vice-Chairman Wilson explained that this application includes Agenda #8B and 8C because there are 3 lots in total that all are continuous. Peter Lesmerises from Conwood Foresters, Inc. presented. He explained that the 85 acres of timberland is a total of all 3 lots. There are trees that have died due to gypsy moths, drought and defoliation. They have marked the trees that will be harvested are marked. There are 4 crossings, 2 over a culvert and 2 near an intermittent stream and brook. They will be using a bridge and mats to access the areas. The properties are part of the Forest Legacy Program, therefore the State of CT will be overseeing the properties/harvesting. Vice-Chairman Wilson inquired about the access routes being able to withhold the weight of the equipment and vehicles. Mr. Lesmerises stated that he is waiting for a certificate confirming that. Vice-Chairman Wilson deemed the Applications as: "As of Right Determination" because it meets the definition of an Agricultural Right of Way (Applications: IW-19-036, IW-19-037 and IW-19-038). Mr. Wall seconded the motion. **(5-0)**
- C. Application IW-19-037, Peter Lesmerises, Conwood Foresters, Inc., Sexton Hill Rd.,** Timber Harvesting of over-mature trees within the Upland Review Area. Map 14/Block 31A/Lot 3B. This application was approved under Agenda #8B. **(5-0)**
- D. Application IW-19-038, Peter Lesmerises, Conwood Foresters, Inc., Sexton Hill Rd.,** Timber Harvesting of over-mature trees within the Upland Review Area. Map 14/Block 29/Lot 3. This application was approved under Agenda #8B. **(5-0)**
- E. Application IW-19-039, Scotland Hardwoods, LLC/Rod Burgess, Abbey Road Ext.,** Timber Harvesting of 31.6 acres all within the Upland Review Area. Map 6/Block 5/Lot 2017. Mr. Burgess presented. There is 1 main yarding area that is 70' beyond Mine Brook. Access to the area will be via Stagecoach Run. The area is currently flagged and the hours of operation will be Monday through Saturday from 8 a.m. to 6 p.m. starting in the fall. There will be portable bridges and brush mats used to protect the area. Mr. Boule made a motion to deem Application IW-19-039, Scotland Hardwoods, LLC/Rod Burgess, Abbey Road Ext., Timber Harvesting of 31.6 acres all within the Upland Review Area Map 6/Block 5/Lot 2017 as an "As of Right Use". The motion was seconded by Mr. Wall. **(5-0)**
- F. Application IW-19-040, Kevin Kuhr, 60 Spellman Point Road,** Construction of retaining wall within the Upland Review Area. Map 09A/Block 70/Lot 11. Mr. Kuhr presented. He would like to add a retaining wall: approximately 6' tall and 36' long that will be 14' back from the garage and the area will be leveled up to the wall. It will be approximately 140' from the lake. He will be digging and placing footings for a future porch. He will also have propane tanks and a condenser unit in the area. There is silt fencing there now that will remain during the proposed activity. Mr. DeCarli explained to Mr. Kuhr that he will need to apply for a building and zoning permit if he is above 3' at grade for the wall. The members agreed unanimously to do an Agent Approval for Application IW-19-040, Kevin

Kuhr, 60 Spellman Point Road, Construction of retaining wall within the Upland Review Area Map 09A/ Block 70/ Lot 11. A plan depicting a cross section of the construction of the wall must be filed with this application. **(5-0)**

9. Public Hearing: None

10. New Business: Mr. Wall informed the members of some possible activity on Old Marlborough Road and voiced his concerns about the potential impact on the detention pond behind Paul & Sandi's.

Mr. Kavalkovich said he was in Haddam (the area across from the boat launch) and saw some clearing being done along the Salmon River and stated that from where he was, he did not see any E&S controls.

11. Old Business: Vice-Chairman Wilson inquired about the possible activity across from Childs Road. Mr. DeCarli stated that he has seen it and saw gravel that was dumped there and will follow up on it.

12. Public Comments: None

13. Adjournment: Vice-Chairman Wilson made a motion to adjourn at 7:13 p.m. The motion was seconded by Mr. Wall. **(5-0)**

Respectfully submitted,

Christine Castonguay
Recording Clerk