

Town of East Hampton  
**Inland Wetlands and Watercourses Agency**  
**Regular Meeting**  
October 28, 2020 – 6:30 P.M.  
Virtual Meeting

**MINUTES**

**Present:** Chairman Foran, W. Dean Kavalkovich, Tess Lundgren, David Boule, Peter Wall and Vice-Chairman Wilson (arrived 6:35 p.m. during the discussion of Agenda #7A).

**Absent:** Robert Talbot and Scott Hill.

**1. Call to Order:** The meeting was called to order at 6:30 p.m. by Chairman Foran.

**2. Seating of Alternates:** Chairman Foran seated Alternate Tess Lundgren.

**3. Approval of Minutes:**

**A) September 30, 2020 Regular Meeting:** Mr. Kavalkovich made a motion to approve the September 30, 2020 meeting minutes as written. The motion was seconded by Mr. Wall. **Vote: 5-0**

**4. Communications, Enforcement and Public Comment:**

Communications: None.

Enforcement: None.

Public Comment: None.

**5. Agent Approvals:**

**A. IW-20-029: Sean & Sarah Flynn, 15 Peach Farm Rd.,** to complete a previously approved and unfinished 31' x 30' two car garage within the Upland Review Area on the southeast side of property. Map 33/Block 88/Lot 14C-1. Chairman Foran did a site visit and said that the area is flat, the foundation was done 15 years ago and the area will be staked out with hay bales and silt fence therefore he signed off on the Agent Approval for this application.

**6. Reading of the Legal Notice:** Not required.

**7. Continued Applications:**

**A. IW-20-025: Joseph Perko, 501 Moodus Road,** to construct a 20' x 45' 2 story outbuilding within the Upland Review Area. Map 15/Block 28A/Lot 1. The applicant was not present. Chairman Foran stated that at the last meeting the Commission

asked for delineation of the wetlands which are still not on the site plan and the contours are not to scale. Ms. Lundgren added that the Commission asked for building plans as well. Mr. DeCarli said he did a site visit and reported the following: there is a stream channel cut into the ledge with no vegetation or additional wetlands. He submitted photos he had taken at the time of the site visit. He added that the revised plan shows the E&S controls but does not indicate what will be done with the roof water from the gutters. The members agreed that the following items are required from the applicant for the next meeting: delineation of the wetlands, building plans and a contour map with a scale. Chairman Foran made a motion to continue Application IW-20-025 to the next regularly scheduled meeting on November 18, 2020. The motion was seconded by Mr. Wall. **Vote: 6-0**

## **8. New Applications:**

**A. IW-20-026: Steven Phillips, 16 Maplewood Dr.,** to install a 16' x 32' in ground pool within the Upland Review Area. Map 19/Block 39A/Lot 10A-4. Vice-Chairman Wilson recused himself at this time. Mr. Phillips presented. There is a 15x30 AG pool that exists there now that was damaged during the last storm. He would like to replace it with a 16 x 32 IG pool in the same location. The pool company will be in charge of placing hay bales and silt fencing around the construction area and the disposal of excavated soils (off site). He will be adding a fence, a walkway around the pool and a patio on either side (all of which were not depicted on the site plan that was submitted). Mr. Boule made a motion to continue Application IW-20-026 to the next regularly scheduled meeting on November 18, 2020. The motion was seconded by Mr. Kavalkovich. **Vote: 5 - 1 Recusal (Vice-Chairman Wilson).**

**B. IW-20-027: Robert B. Wallace, 4 Lakewood Rd.,** demolition of existing cottage within the Upland Review Area. Map 03A/Block 44/Lot C-67. Mr. Wallace presented. He is looking to remove the existing cottage, the front and rear steps and the asphalt paved driveway. The house does not have a foundation and is at the lowest point of the property. The area will be brought back to grade (10-12") when the house is removed and the driveway will be seeded and graded. There will be hay bales and silt fencing towards Lakewood Road and along the fence on the south side and rear east corner. All the debris from the site will be hauled away and disposed of safely. If the ground is not frozen when the work is done then hay and netting will be put down to prevent any runoff. Vice-Chairman Wilson made a motion to continue Application IW-20-027 to the next regularly scheduled meeting on November 18, 2020. The motion was seconded by Mr. Kavalkovich. **Vote: 6-0**

**C. IW-20-028: Bryson Hyte, 202 Lake Drive,** to install an 18'x37'x29' pool and to relocate and rebuild an existing retaining wall within the Upland Review Area. Map 09A/Block 70B/Lot 17A. Mr. Hyte presented. The existing retaining wall will be moved 60-65' forward along the west side. It will be backfilled to dig for the pool and will have the same grade as the current wall. There is an existing rain garden that receives water from leaders from the house and garage. The raingarden will have to be relocated and the piping for the leaders will have to be rerouted around the pool. The rock swale on the southern part of the property has been graded so that water can flow towards the rain garden. The stone from the retaining wall may be used as a wall for the pool (lakeside) or they may use an engineered stone. There will be

approximately 4' of material brought to the site and they will be digging 4' for the deep end of the pool. Mr. Wall stated that he would like to see engineered stone used for the reconstruction of the stone wall particularly because of its vicinity to the lake. Mr. Kavalkovich commented that there are 2 wetland delineations that differ and he would like to see that resolved. The applicant offered to create an overlay of the previous and existing delineation on one plan. Vice-Chairman Wilson made a motion to continue Application IW-20-028 to the next regularly scheduled meeting on November 18, 2020. The motion was seconded by Mr. Kavalkovich. **Vote: 6-0**

**D. IW-20-030: Kevin Herrick, 49 Bay Rd.,** to restore existing stone wall by lake and install a new pervious paver patio and seat wall. Map 09A/Block 70/Lot 33. Mr. Herrick will be building his home at this property. The terraces on site will slow the rainwater down and the roof runoff will go into a dry well on the northeast side of the home. The driveway will be gravel and pervious pavers will be used by the lake. He explained that the seawall has eroded therefore he would like to rebuild it. He explained that he could line up the grade with his neighbors and placing all the existing boulders in the water to help diffuse the wave action against the sea wall. There will be no pipes in the lake. The second proposal is to rebuild using pervious pavers. Silt fence will be put up against the seawall to dig out the earth. The patio will be made up of pervious pavers. Additional information was requested for the next meeting: explanation of how the water will be infiltrated from impervious surfaces, a survey that depicts the wetlands vicinity to the seawall and an explanation of what will be done with the runoff water if the decking is not comprised of pervious material. Vice-Chairman Wilson made a motion to continue Application IW-20-030 to the next regularly scheduled meeting on November 18, 2020 with a suggestion that the applicant decide which wall design he wants to pursue. The motion was seconded by Mr. Boule. **Vote: 6-0**

**E. IW-20-031: Tony Flannery, 101 Main St.,** clear brush, trees and stumps. Add gravel and top with millings. Remove UG fuel tank. Install a wash bay for the existing recycling yard operation. Work is within the upland review area. Map 06A/Block 57/Lot 2. Mr. Flannery stated that he purchased the property to store vehicle parts for shipping. There is a warehouse that exists and they will be adding a wash bay for trucks and equipment. An oil separator will be installed according to the Regulations. The property is overgrown and needs to be cleared. There is gravel that exists in the parking lot and will remain gravel. Gravel and millings will be added to the parking spots and the overhang of the wash bay. On the south side of the property is a berm area that is paved all the way back to the concrete bridge which he plans to recoat with existing millings. The shipping and receiving area that exists now will be used for storage of items they plan to sell and ship. Behind the building to the east there are 2 existing culverts that go over the bridge and a water way with rocks. The entire area is overgrown and covered with gravel. He will add slotted fencing on the north side of the east corner and on the south side. Although he cleared the overgrowth up to the brook, he left a 4' buffer and large trees. The site plan he has is from 1983 and does not depict the sewer line or the tanks. Chairman Foran expressed his concern about a wash bay being so close to the existing wetlands and the potential for hazardous debris from the wash bay getting into the wetlands. Mr. Flannery explained that there will be a separating system that will capture any potential debris. Vice-Chairman Wilson stated that the applicant needs to submit additional information: a refined scope of

work explaining what will be done, how the wetlands will be protected, what will be seeded or planted, an explanation of how runoff from paved areas will be handled as well as storm water runoff during and after construction. Mr. Kavalkovich suggested a site walk. The members and the applicant agreed to a site visit on Saturday November 14<sup>th</sup> at 8 a.m. Mr. Kavalkovich made a motion to continue Application IW-20-031 to the next regularly scheduled meeting on November 18<sup>th</sup>. The motion was seconded by Vice-Chairman Wilson. **Vote: 6-0**

**9. Public Hearing:** None.

**10. New Business:** Mr. Wall asked the Commission members to consider requiring material to be added to the rocks for stone wall proposals so that it is not just stone on top of stone.

**11. Old Business:** None.

**12. Public Comment:** None.

**13. Adjournment:** Vice-Chairman Wilson made a motion to adjourn at 8:18 p.m., seconded by Mr. Wall. The motion was unanimous in favor.

Respectfully submitted,

Christine Castonguay  
Recording Clerk