

Town of East Hampton  
**Inland Wetlands and Watercourses Agency**  
**Regular Meeting**  
February 26, 2020 – 6:30 P.M.  
East Hampton Town Hall Meeting Room

**MINUTES**

**Present:** Chairman Foran, Vice-Chairman Wilson, W. Dean Kavalkovich , David Boule, Scott Hill, Peter Wall and Alternate Tess Lundgren.

**Absent:** Robert Talbot

**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 Tess Lundgren

**3. Approval of Minutes:**

**A. January 29, 2020 Regular Meeting:** Vice-Chairman Wilson made a motion to approve the January 29, 2020 meeting minutes as written. The motion was seconded by Mr. Kavalkovich.  
**(7-0)**

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

**Communications:** The members were provided notification of CAWS 2020 Annual meeting on March 13, 2020.

**Enforcement:** None.

**Public Comments:** There were no comments.

**5. Agent Approval:** None.

**6. Reading of the Legal Notice:** Staff read the legal notice into the record.

**7. Continued Applications:**

**A. IW-20-001: Margaret Wilcox, 25 Spellman's Point Road.** Demolition of Existing Home and Construction of New Home in Upland Review Area – Map 9A/ Block 70A/ Lot 21. Richard Megson, P.E. from Megson, Heagle & Friend, LLC. presented. There is an existing home that will be replaced with a new one that will be built in the same general vicinity with a walk out basement to minimize runoff. The existing garage and gazebo will stay. The driveway and walkway will be replaced with permeable blocked pavers to allow infiltration of surface water into underlying soils. Roof runoff will be directed into underground infiltration units for both the new home and existing garage. A roof drain infiltration unit was added adjacent to the garage. The intent is to infiltrate runoff from impervious surfaces to reduce the potential for erosion. The majority of the roof runoff runs toward the street and the runoff in the driveway will be minimized due to the proposed pervious pavers. There is a 50' flat area that abuts the seawall that will have a double roll of sedimentation control along the entire width of the lot to minimize disturbance. The location of the existing pump chamber for the sewer will be preserved. The existing well will be utilized as well. There is no planting plan yet because they do not want any additional disturbance. The applicant

would like to have the foundation backfilled and stabilization procedures in place by September 2020. The driveway work will be done by the spring of 2021. There is a 50' buffer of vegetation that exists. It runs down a 4% slope to a seawall that sits on a full footing. The flat area at the top of the wall is 2.5' above the water's edge. Vice-Chairman Wilson made a motion to approve Application IW-20-001: Margaret Wilcox, 25 Spellman's Point Road, demolition of existing home and construction of new home in the Upland Review Area Map 9A/Block 70A/Lot 21 using the standard short form for the following reasons: there is no direct wetland disturbance, infiltration techniques are in place to protect water quality and there are adequate E&S controls in place to protect the lake and with the following condition that prior to construction, the applicant must provide for approval by Town Staff a demolition and erosion and control plan for removal and construction of the walkway from the proposed silt fence line and terminating at the lake. Mr. Hill seconded the motion. **Vote: 7-0**

**B. IW-20-002: Middlesex Habitat for Humanity of CT, 240 Lake Drive.** Construction of New Single Family Home in Upland Review Area, Map 9A/ Block 75/ Lot 3B. Frank Magnotta, P.E. explained that the existing home was demolished and they are proposing to construct a new Single family home. Construction and disturbance will be outside the 100' Upland Review Area. The only activity that will take place in the Upland Review Area is to extend and trench the existing sanitary sewer lateral and run it up to the house. The application was reviewed by the Conservation Lake Commission and they did not have any recommendations. The Chatham Health District reviewed the application as well and recommended abandoning the existing well. Vice-Chairman Wilson made a motion to approve application IW-20-002: Middlesex Habitat for Humanity of CT, 240 Lake Drive for construction of a new single family home in the Upland Review Area Map 9A/Block 75/Lot 3B using the standard short form for the following reasons: there is no direct disturbance of any wetlands or watercourses and there is adequate E&S Controls in place to protect the wetlands that are on site. There are no special conditions. The motion was seconded by Mr. Wall. **Vote: 7-0**

## **8. New Applications:**

**A. IW-20-005: Paul Catalano, 33 Spellman Point Road,** installation of pervious paver patio and changes to driveway in the Upland Review Area Map 09A/Block 70A/Lot 25. Mr. Catalano presented. He would like to do some landscaping and outdoor improvements in the spring. He would like to remove the stone on the walkway in front of home and replace it with pervious material. The stone that is removed will be relocated to the current driveway using shovels and a tractor. A silt fence will be placed between the patio and the lake. On the driveway side, next to the garage, there is a retaining wall that will be removed while protruding stumps are removed at the property line. The retaining wall will be replaced 11' closer to the property line. The soils that are removed will be used for a rain garden and to cover the drainage pipes that have eroded. The rain garden will be at the bottom of the driveway curve and will be built with a berm and plantings. There is a pipe under the existing gazebo with no evidence of an outlet. The water collects and sits under the gazebo. There was a brief discussion about finding out where the pipe goes and how it's draining to prevent surface water from getting into the lake. Vice-Chairman Wilson made a motion to continue the application to the next regularly scheduled meeting on March 25, 2020. The motion was seconded by Mr. Kavalkovich. **Vote: (7-0)**

## **9. Public Hearing:**

**A. IW-20-003: Stanislaw Oleksenko, 11 Cone Road:** for a four Lot Subdivision, Map 06/ Block 37/ Lot 6A. Frank Magnotta, P.E. presented. The application is for a 4 lot subdivision on 14.7 acres which includes a lot with a home under construction. There is an existing driveway crossing with pipes that they plan to remove and will restore the original channel per the mitigation proposal. At the last meeting, the Commission made several recommendations such as: a mitigation plan for the upper area of the lot, details on the culvert and driveway, analysis of the culvert for a 50 year storm. Mr. Magnotta provided the members with the revised data. A revised wetlands report was provided to the Commission members by

William Jackson, a Soil Scientist with Jackson Environmental, LLC. He discussed and described the type of vegetation that exists, pointed out the continuous watercourse that runs through the site which becomes interrupted and explained why the primary access point is the most feasible. Mr. Magnotta added 2 temporary construction roads to the site plan that will allow access to the other side of the culvert. The roads will be 12' wide, will run with the existing grade and soil will be added to the area and it will be seeded to allow it to blend in to the area. Mr. Magnotta presented the cut and fill plan. Within the regulated area there will be 467 cubic yards of cut and 1723 cubic yards of fill. The outside area will have 4138 cubic yards of cut and 1000 cubic yards of fill. The material will be moved off site. The arch culvert sizing is 124 CFS. The timeline of activity was discussed and the members recommended having a turtle/habitat plan. Analysis was presented regarding access via Old West High St. Mr. Magnotta explained that the road is short and the intersection is dangerous. Chairman Foran asked for public comments at this time. Michael Bloch of 31 Cone Road spoke against Old West High St. being an access point. Seth Kaplan of 234 Old West High St. also spoke against Old West High St. being an access point and re-iterated Mr. Bloch's comments. There were no further comments. The Commission members made the following recommendations for the next meeting: a turtle/habitat management plan, a construction activity timeline, a detailed plan for remediation of the driveway crossing, analysis of a 100 year storm event for the proposed culvert, analysis of Old West High Street as an option for an access point and a detailed plan for remediation of the conservation and wetland areas. Vice-Chairman Wilson made a motion to continue application IW-20-003: Stanislaw Oleksenko, 11 Cone Road for a four lot subdivision Map 06/Block 37/Lot 6A to the next regularly scheduled meeting on March 25, 2020. The motion was seconded by Mr. Hill. **Vote: 7-0**

**10. New Business:**

Presentation by Citrine Solar for a solar field at 46 Skinner Street. Map 20/Block 48C/Lot 17A. Chairman Foran informed the Commission that permitting for this project will be done by the State and not by local authorities. The project is being presented for informational purposes only. The project is for a ground mounted power plant on 8.6 acres on Skinner St. with a total of 14.93 acres of disturbance. The power will be exported through the Eversource line and in return they give a retail discount to the Town. There will be (2) 1 megawatt AC and (1) .975 megawatt AC. The site will be accessed via an existing gravel road (400'). There will be 7000 solar modules with posts with racking on top. There will be 5 storm water management basins added that can manage a 100 year storm event. There are 2 brook crossings on the access drive where culverts will be installed. Wetland and habitat protection guidelines will be in place and a 6' chain link fence will surround the area with wiring on top.

**11. Old Business:** None.

**12. Public Comments:** None.

**13. Adjournment:** Vice-Chairman Wilson made a motion to adjourn at 9:21 p.m., seconded by Mr. Wall. The vote was unanimous in favor.

Respectfully submitted,

Christine Castonguay  
Recording Clerk