

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting
March 25, 2020 – 6:30 P.M.
Virtual Meeting

MINUTES

Present: Chairman Foran, Vice-Chairman Wilson, W. Dean Kavalkovich , Peter Wall (signed in to the Virtual meeting at 6:38 p.m.) and Alternate Tess Lundgren.

Absent: Robert Talbot, Scott Hill and David Boule

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. February 26, 2020 Regular Meeting: Vice-Chairman Wilson made a motion to approve the February 26, 2020 meeting minutes as written. The motion was seconded by Ms. Lundgren

Vote: 4-0

4. Communications, Enforcement and Public Comment:

Communications: A letter was received from Attorney Jess Langer on behalf of Citrine Solar regarding filing a petition with the CT Siting Council for a Certificate of Environmental Compatibility for the proposed solar project on Skinner Street.

Enforcement: None.

Public Comments: There were no comments.

5. Agent Approval: None.

6. Reading of the Legal Notice: Not required.

7. Continued 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 recapped the proposal he gave at the last meeting: to add a pervious paver patio to the rear, widen the turn at the top of the driveway, remove stumps and to add a rain garden on the downside of the driveway to catch the runoff that goes to the house foundation. There were questions at the last meeting about a drain pipe that goes down into a yard drain. He explained that the gutters go to the solid pipe and that there is a corrugated pipe that goes down to a drain around the foundation base then filters into a yard drain then collects under the gazebo. There is one pipe that is discharged and buried towards the lake but does not discharge into the lake it is buried in the ground under the gazebo (amended site plans were presented at the same time to indicate what Mr. Catalano was explaining). Mr. DeCarli visited the site and provided the following observation: he suspects that when the driveway was done, they connected the down spouts, removed the yard drain and put the down spouts into the drain that runs to the yard drain by the gazebo. The

perforated footing drain is also draining into the yard drain. The water collects in the yard drain and pools under the gazebo. The outlet to the lake is buried in the soil or a dry well but was unable to confirm. The pipe is approximately 15' to 18' from the lakefront. Mr. DeCarli presented photos he had taken during his site visit. Mr. Catalano commented that for aesthetic purposes, he would like to cover the pipe that is visible from the yard and the home. He also explained that he is not tying into the drains only adding pervious paver under the patio and taking soil from the driveway and covering the exposed pipe. Vice-Chairman Wilson made a motion to approve the application using the standard short form for the following reason: the intent to make improvements to the site will not result in any degradation to the lake or adjacent wetlands. Ms. Lundgren seconded the motion. **Vote: 5-0**

Chairman Foran commented that Agenda Items 10A and 10B should be 8A and 8B. He proceeded to Agenda Item 9A at this time.

8. New Applications: Under agenda 10A and 10B.

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. He presented 4 revised drawings with cross section detail of the removal and restoration of the existing crossing of the brook behind the house on lot #6, the conservation easement is marked on the revised drawings (2.03 acres that contain wetlands and upland areas), details regarding the protection of the box turtles during construction and when protective measures would be initiated and he added a complete construction timetable to the drawings. He stated that the heavier construction can be done in the timeframe that DEEP recommends for the preservation of the box turtles. There have been no changes to the design or layout that was previously presented. The Chatham Health District has approved the septic systems for all of the lots. He explained that he altered the proposed small detention basins on each of the lots as recommended and that if the septic systems are moved with the new owners then they will have to retest and obtain approval from the Chatham Health District. He is removing the crossing in the northeast corner. The natural channel will be removed and rip rap will be put down with top soil and seed on top with the goal being natural sedimentation. There was a lengthy discussion about the lack of harmonization of the construction sequence and the turtle plan recommendations by DEEP. The information that was submitted by Bill Jackson (Soil Scientist) contradicted the DEEP's recommendations and the construction timetable. Mr. Magnotta explained that they can adjust the construction sequence by using long segments of E&S controls and staggering them. He added that the silt fence will be in earlier in the project. Mr. Kavalkovich responded by telling Mr. Magnotta to be sure that is indicated on the plan. Chairman Foran asked for any public comments at this time. There were no public comments. Vice-Chairman Wilson made a motion to close the public hearing for Application IW-20-003: Stanislaw Oleksenko, 11 Cone Road, for a four Lot Subdivision, Map 06/Block 37/Lot 6A. The motion was seconded by Mr. Kavalkovich. **Vote: 5-0** Vice-Chairman Wilson made a motion to approve the application using the standard short form with the following conditions: the applicant to submit a revised sequence of construction that is consistent with the CT DEEP guidance for eastern box turtles and that the applicant submit a bond to the Town to the satisfaction of Town Staff. **Vote: 5-0.** (Chairman Foran made a comment that a cash bond was recommended for E&S measures per the report submitted by Anchor Engineering). The motion was seconded by Mr. Wall. **Vote: 5-0**

10. New Business:

- A. IW-20-006: Town of East Hampton, 7 Sears Place.** Installation of LID Drainage Swale, Map 04A/ Block 63/ Lot 1. Steve Trinkaus, Town Engineer presented. The owner of 12 Sears Place stated he was open to an easement on his property to put in a bio-swale to

convey the water from Sears Place to the lake. Currently, it comes off the end of Sears Place, runs down a narrow paved swale to a bank at the top of the beach and has eroded a ditch at the waters edge. The swale was designed for 12 Sears Place but the owner asked that it be relocated to the opposite side of the property line which is owned by the Association. The Association agreed to placing it on the north side of their southern property line (plans were presented to indicate where the swale is being proposed). There is an oak tree that will have to be removed approximately $\frac{3}{4}$ of the way to the end of Sears Place. At the end of the road there is a curved, paved gutter where the water collects. The proposed swale will be 3' wide and 6" deep and will take 2-3 days to construct. The end of the swale will be at the lakes edge and will collect everything at Sears Place. Mr. DeCarli informed the members that the property is not 7 Sears Place but Map 04A/Block 63/Lot 1 on Sears Place and the correction will be made on the agenda for the next meeting. Mr. Kavalkovich made a motion to continue Application IW-20-006: Town of East Hampton, 7 Sears Place for the installation of LID Drainage Swale, Map 04A/ Block 63/ Lot 1 to the next regularly scheduled meeting on April 29, 2020. The motion was seconded by Vice-Chairman Wilson.

Vote: 5-0

- B. Modification to Permit IW-19-043 -Modifications to Sears Park**, 60 North Main, Map 04A/Block 63B/ Lot 20. Steve Trinkaus, Town Engineer presented. The proposed area is the recreation area at Sears Park. There is a boat parking area that has 2 parking spaces for cars and a $\frac{1}{2}$ T area for a boat ramp that will have PVAC pavers with large spikes and pea gravel so the water can infiltrate. Soil testing was done and the results showed that the water will be able to infiltrate. The rest of the parking area will be standard pavers. On the eastern edge of the parking lot, the bio-swale will be moved up to save the arborvitaes and there will be 5' on each side of the arborvitaes so that the grass can be maintained. Water will be infiltrated before it gets to the lake. There is a small bio-retention system that exists in the tennis court area but not large enough therefore the rain garden will be enlarged and a curtain drain will be added to the tennis and basketball areas to treat all of the runoff. The upper parking lot is currently covered with stone dust which is easily erodible therefore they are proposing mixing the stone dust with $\frac{3}{4}$ " processed stone which will be graded for a more compact area and to direct the water to the northeast corner. There is an eroded ditch in the handicap area so a second bio-retention system will be installed there to handle the water. A grass swale will be added to a low point near the gated area. A PVC pipe from the concession building to the rain garden will be added as well as a gutter system from the northwest corner of the building to an underground Cultec system. The low berm that exists there now will be extended in length to a bio-retention cell. There will be 2 PVC caps installed at grade to collect water and drain by natural contours to the lake. A paved walk space will be added to the handicap parking area thereby making the handicap area fully ADA compliant. Mr. Kavalkovich made a motion to continue the application to the next regularly scheduled meeting then withdrew his motion. Vice-Chairman Wilson made a motion to approve the modification keeping the conditions of the existing short form approval and for the following reason: the engineer and the Town have shown willingness to improve previous methods of improving water quality by using bio-retention and low impact design methods to protect the lake. The motion was seconded by Mr. Kavalkovich.

Vote: 5-0.

Mr. Trinkaus informed the Commission that this project will be presented at an International Conference in July.

- C. Discussion of upcoming Lake Aeration Project** – Mr. DeCarli explained that the Town Council approved aeration compressor units to be installed on the lake edge (locations not yet determined) and is asking the Inland Wetlands and Watercourse Agency to review the specifications and to possibly allow an Agent Approval when the locations are set. The units will be in a 14' x 14' fenced in area (6' high fence). The underground electrical connections

will be from pole to trench to boxes. The airlines will be dropped to the bottom of the lake and will sit on concrete blocks. There will not be a lot of digging and the concrete blocks will be 16" in diameter and anchored to the ground. DEEP states that there will be no disturbance and no trenching. David Cox, Town Manager explained that once the unit is in the lake it stays in place with gravity. The units are designed to be resistant to damage and are heavy enough to stay in place. The provider is responsible for managing any issues. Trench air lines meet the water edge below the water line and that E&S measures would be required.

There will be 57 Aeration devices between 2 compressor units and the feed lines are 2" lines that are bundled together, will self sink and are not anchored. He went on to add that the goal is to have this project up and running by Memorial Day. A brief discussion followed regarding which jurisdiction this would fall under: DEEP or IWWA for an As-of-Right Town Regulated Use. Mr. DeCarli stated that he would follow up with DEEP to verify. Vice-Chairman Wilson stated that he was comfortable with approving any work from the upland area up to the boundary of the wetland line and went on to make a motion to allow an Agent Approval for the compressor locations and any activity in the Upland Review Area in an effort to expedite the project. Mr. Kavalkovich seconded the motion. **Vote: 5-0**

At this time, Matt Walsh Director of Public Works presented 2 repaving activities that will be taking place in the lake area and do not require a permit. The presentation is just an FYI. The first project is on Lake Drive:

The catch basin tops will be replaced beginning on Clark Hill to the inner section of Mott Hill. There is a small area to the west of Lakewood Road where they will be repairing a curtain drain to catch the runoff that comes off the hill and creates icy conditions. The contractor will mill and re-pave the top 2" of pavement. To protect the area while the millings and pavement are being added, silt sacks will be placed in the catch basins in the area and wood will be on top of the basins. The projected completion date is late April and no later than Memorial Day.

The second project is on Meeks Point:

They will be adding 2" of milling overlay and installing catch basins at the intersection of Bryant, Meeks Point and Stevenson. There are 2 areas at that intersection where puddles form so they will be installing drainage at that intersection and tie it into an existing drainage system. They will do some re-grading near lots #207 up to #205 to get a better flow of water to eliminate the puddling. E&S controls will be in place. The projected completion date is the same as Lake Drive.

11. Old Business: None.

12. Public Comments: None.

13. Adjournment: Vice-Chairman Wilson made a motion to adjourn at 8:37 p.m., seconded by Ms. Lundgren.

Respectfully submitted,

Christine Castonguay
Recording Clerk