

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting

April 26, 2023 – 6:30 P.M.
East Hampton Town Hall Meeting Room

MINUTES

Present: Chairman Joshua Wilson, Vice-Chairman Dean Kavalkovich, David Boule and Peter Wall.

Absent: Scott Hill

1. Call to Order: The meeting was called to order at 6:39 p.m. by Chairman Wilson.

2. Seating of Alternates: None.

3. Approval of Minutes:

A) March 29, 2023 Meeting: Vice-Chairman Kavalkovich made a motion to approve the March 29, 2023 minutes as written. The motion was seconded by Mr. Wall. **Vote: 4-0**

4. Communications, Enforcement and Public Comment:

Communications: None.

Enforcement: None.

Public Comment: None.

5. Agent Approval:

A. Application IW:23-007: Lantern Electrical LLC, 33 Oakum Dock, to construct a 500SF Deck in upland review area. Map 02/ Block 9A/ Lot Q-2. Mr. DeCarli noted agent approval was issued for project.

6. Reading of the Legal Notice: None.

7. Continued Applications:

A. Application IW:23-005: Michal Bakaj, 37 South Main, 22 Lot Residential Open Space Subdivision, which includes 8 proposed building lots within the Upland Review Area. Map 20/ Block 51/ Lot 27. Mark Reynolds, Professional Engineer explained Mr. Snarski, a soil and wetlands scientist visited the site and briefly discussed his written

report. Mr. Reynolds explained proposed plans do not have direct impact to wetlands. Mr. Reynolds referred Commission Members to Mr. Snarski's written report for distances from wetlands to proposed activity. Vice-Chairman Kavalkovich asked details of retention pond. Mr. Reynolds talked about proposal for mitigation of increased runoff and stormwater control. Chairman Wilson asked what type of seed mix and Mr. Reynolds briefly discussed seeding. Vice-Chairman Kavalkovich asked Mr. DeCarli if there were guidelines for vernal pools. Mr. DeCarli and Chairman Wilson replied they did not believe there is anything specific in their regulations. Mr. Reynolds further discussed area of vernal pool. Vice-Chairman Kavalkovich asked if there are stipulations for open space designation markers. Mr. DeCarli replied PZC typically requires it and briefly discussed marking area. Chairman Wilson asked if proposed access area to retention basin will have a fence and Mr. Reynolds confirmed a chain style fence will be installed and discussed possible easement. Commission Members briefly discussed activity around vernal pool. Mr. Reynolds briefly discussed abutting parcels. Chairman Wilson discussed distance of vernal pool and signage around conservation area. Commission Members further discussed signage for conservation area. Mr. Boule asked if it is considered an open space subdivision. Mr. DeCarli replied no it was initially an open space subdivision but is zoned HOD. Commission Members discussed a public hearing and Mr. Reynolds noted PZC will hold a public hearing for application. Vice-Chairman Kavalkovich discussed wetland report by soil scientist. Mr. DeCarli explained the subdivision was designed as an open space subdivision but is not and Mr. Reynolds further noted differences. Chairman Wilson asked if Town Engineer reviewed plans. Mr. DeCarli replied a report will be submitted to PZC. Mr. Reynolds noted proposed plans meet storm water quality guidelines by DEEP's manual and discussed site layout. Vice-Chairman Kavalkovich asked for third party monitoring for construction and E&S. Mr. Reynolds explained the storm water discharge permit by DEEP. Chairman Wilson explained DEEP'S permit and their requirements. Commission Members discussed the monitoring report. Chairman Wilson asked if there is proposed roof leaders. Mr. Reynolds discussed roof leaders and footing drains. Commission Members discussed roof leaders and drainage. Vice-Chairman Kavalkovich made a motion approve Application IW:23-005: Michal Bakaj, 37 South Main, 22 Lot Residential Open Space Subdivision, which includes 8 proposed building lots within the Upland Review Area. Map 20/ Block 51/ Lot 27 using the standard short form additional conditions: signage is to be installed along the conservation areas prior to clearing, copies of all monitoring reports created as part of the DEEP stormwater discharge permit are to be submitted to the IWWA, roof leaders from housing units should be directed to discharge on the property they are associated with and not into the stormwater system associated with the streets, to the extent practical. For the following reasons: the density of housing construction minimizes encroachment of the wetlands and report from soil scientist determination that there is no significant impact on function and quality of wetlands. The motion was seconded by Mr. Wall. **Vote: 4-0**

B. Application IW:24-006: James Marino, 65 West High St., Construction of a new residential duplex and associated improvements in upland review area. Map 19/ Block 46/ Lot14. Mark Reynolds, Professional Engineer explained they applied for a variance with zoning board of appeals. Mr. Wall made a motion to continue Application IW:24-006: James Marino, 65 West High St., Construction of a new residential duplex and associated improvements in upland review area. Map 19/ Block 46/ Lot14 to the next regularly scheduled meeting May 31, 2023. The motion was seconded by Vice-Chairman Kavalkovich. *Vote: 4-0*

8. New Applications:

A. Application IW-23-008: 86 Spellman LLC, 86 Spellman Point Rd., Construction of Single-Family Home in Upland Review Area. Map 09A/ Block 70/ Lot 1.A. Jason Reynolds, Reynolds Engineering Services, explained proposed plans for single family home, a paver driveway and walkway, stormwater infiltration system, and noted erosion and sediment control plan. Mr. Reynolds noted a variance was granted for setbacks. Vice-Chairman Kavalkovich asked for confirmation that proposed plans are to demolish existing home and rebuild and Mr. Reynolds confirmed. Vice-Chairman Kavalkovich asked if impervious surface increased and Mr. Reynolds replied there is slight reduction to impervious surface. Gunnar Anderson, owner of 86 Spellman Point Road, noted there is currently an asphalt driveway that will be removed and replaced with pavers. Eric Anderson, noted the proposed house will be further away from the lake and plans to remove overhang of roof. Mr. Boule asked if there is a landscaping plan and Mr. Anderson explained there will be grass and pavers. Mr. Reynolds explained there is not a landscaping plan but can provide one. Vice-Chairman Kavalkovich asked if there is proposed sea wall work and Mr. Anderson replied no. Mr. DeCarli discussed zoning regulations require a planting buffer. Chairman Wilson asked what the storm water capacity is for proposed system. Mr. Reynolds replied about ¼" as there is not enough space and noted a similar design a few houses down. Chairman Wilson explained the need to capture 1" of water runoff. Mr. Reynolds replied he not sure if that is feasible at the site. Commission Members discussed water run off measures and need to capture 1" of water runoff. Mr. DeCarli noted well location and distance requirements. Vice-Chairman Kavalkovich made a motion to continue Application IW-23-008: 86 Spellman LLC, 86 Spellman Point Rd., Construction of Single-Family Home in Upland Review Area. Map 09A/ Block 70/ Lot 1.A to the next regularly scheduled meeting May 31, 2023. The motion was seconded by Mr. Wall. *Vote: 4-0*

B. Application IW-23-009: Scott Sanicki, 102 Quiet Woods Rd., Install 3' x 3' x 3' concrete footing and electrical trench for future waterwheel. Map 14/ Block 32/ Lot 3A. Scott Sanicki, property owner of 102 Quiet Woods Rd. explained he has deed rights to use Pocotopaug Creek and discussed plans for future waterwheel. Mr. Sanicki explained

Federal Energy Regulatory Commission has jurisdiction over proposed plans and discussed their requirements. Mr. Sanicki asked Commission Members to conduct a site walk of the property. Mr. Sanicki explained proposed plans for water wheel. Mr. Sanicki briefly discussed process for approvals required from the State for this project. Vice-Chairman Kavalkovich asked if the Commission had jurisdiction over project. Mr. DeCarli explained the Commission has jurisdiction over concrete base and trench for electrical as it is in the upland review area. Mr. DeCarli explained comments from the Commission and site walk are required from the Town for his permit for the Federal Government. Vice-Chairman Kavalkovich asked if a site walk was required for other parties involved. Mr. Sanicki replied no and he could have noticed site walk in local newspaper. Commission Members briefly discussed jurisdiction and site walk. Mr. Wall asked if proposed electrical needed to be trenched. Mr. Sanicki replied it did not need to be trenched. Mr. Wall asked if concrete base will be poured and Mr. Sanicki believes he will pour it and noted site conditions as the reason. Vice-Chairman Kavalkovich asked for topography map, location of electrical trench, location of block, and wheel location relative to rocks there. Chairman Wilson asked what the minimum depth required to function. Mr. Sanicki explained the proposed wheel design. Chairman Wilson additionally asked for E&S control plan and construction details. Vice-Chairman Kavalkovich asked if Mr. Sanicki could provide calculations for environmental impacts. Mr. Sanicki discussed potential power outputs. Mr. Sanicki further discussed requirements for permit. Commission Members discussed requirements. Mr. Wall made a motion to continue the Application IW-23-009: Scott Sanicki, 102 Quiet Woods Rd., Install 3' x 3' x 3' concrete footing and electrical trench for future waterwheel. Map 14/ Block 32/ Lot 3A to the next regularly scheduled meeting May 31, 2023 and scheduled a site walk for May 9, 2023 at 5:00pm at the project location 102 Quiet Woods Road. The motion was seconded by Vice-Chairman Kavalkovich. ***Vote: 4-0***

C. Application IW-23-010: Tucker Minor, Lake Dr., Construction of Single Family Home and associated improvements in the Upland Review Area. Map 09A/ Block 70B/ Lot 14. Tucker and Victoria Minor, Lake Drive discussed proposed plan to build a garage with living space above. Dan Vill, Engineer with Zuvic Inc., presented proposed plans. Mr. Vill discussed wetlands soils, proposed planting beds, and proposed drainage system to capture water runoff. Mr. Vill discussed minimal impacts to 100ft upland review area. Mr. Vill noted sewer connection plans and erosion and control measures. Mr. Hill noted there is a wooded buffer between the property and the lake. Vice-Chairman Kavalkovich asked for clarification for upland review area. Mr. Vill explained the entire project is in upland review area. Chairman Wilson asked if the wetlands were delineated. Mr. Vill replied the wetland information is from USGA soil survey and the soil line is the same in town wetlands map. Mr. Vill briefly discussed submitted drainage report. Commission Members discussed wetlands delineation. Mr. Vill and Ms. Minor discussed wetlands on property. Mr. Vill provided 1998 survey with flagged wetlands. Commission

Members discussed having a soil scientist confirm wetlands on the site where proposed activity will take place. Mr. Vill noted minimal grading required. Chairman Wilson asked if there is a proposed basement or slab on grade and Mr. Minor replied slab. Mr. DeCarli referred Commission Members to submitted plans for dimensions. Chairman Wilson made a motion to continue application IW-23-010: Tucker Minor, Lake Dr., Construction of Single Family Home and associated improvements in the Upland Review Area. Map 09A/ Block 70B/ Lot 14 to the next regularly scheduled meeting May 31, 2023. The motion was seconded by Mr. Wall. **Vote: 4-0**

9. Public Hearings: None.

10. New Business: Mr. Wall asked what activity was taking place at lot in cobalt before DaVinci pizza. Mr. DeCarli replied it will be a horse-riding area and briefly discussed activity.

11. Old Business: None.

12. Public Comments: None.

13. Adjournment: Mr. Boule made a motion to adjourn at 8:09p.m., the motion was Seconded by Mr. Wall. The motion was unanimous in favor.

Respectfully submitted,



Cheryl Guiliano, Recording Clerk