

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting
May 29, 2019 – 6:30 P.M.
East Hampton Town Hall Meeting Room

DRAFT MINUTES

Present: Chairman Foran, W. Dean Kavalkovich, Robert Talbot, Peter Wall, Scott Hill and Vice-Chairman Josh Wilson (Arrived at 6:32 after Agenda #3A)

Absent: David Boule

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

2. Seating of Alternates: None.

3. Approval of Minutes:

A) April 24, 2019 Regular Meeting: Mr. Talbot made a motion to accept the April 24, 2019 minutes as written. The motion was seconded by Mr. Kavalkovich.

Vote: 5-0. The motion passed.

4. Communications, Enforcement and Public Comment:

Communications: None

Enforcement: None.

Public Comment: None.

5. Agent Approval:

A. Application IW-19-021, Andrzej Piela, 30 Edgerton St., remove existing 10' x 12' deck and replace it with a 16 x 16 deck with 4 additional footings. Work within Upland Review Area. Map 06A/Block 56/Lot 9A. Chairman Foran visited the site and stated that the property is flat and that there will be hay bales and a silt fence put in place during construction.

6. Reading of the Legal Notice: None.

7. Continued Applications:

A. Application IW-19-012, Wesley Jenks, 45 Meeks Pt. Rd., to excavate the foundation to provide waterproofing and to repair existing I-beam within the Upland Review Area. Map 10A/Block 83/Lot 9. Mr. Hill made a motion to postpone the application to the next meeting on June 26, 2019 per the applicants' written request. The motion was seconded by Mr. Wall. **(6-0).**

B. Application IW-19-015, Town of East Hampton, Old Marlborough Drainage Project, Old Marlborough Road. Mr. DeCarli stated that the Engineer for the Conservation Lake Commission recommended the following changes: to pave the leak off and to move the outlet from the drainage pipe uphill closer to O'Neill Lane and to add a splash pad with rip rap. Currently the swale is out letting into pipes that are under driveways, bleeding onto pavement causing potholes, washing out the edge of a road and carrying sand and silt into the wetlands. The goal is to install 2 yard drains and a 160' pipe connecting to 4' sumps that will discharge into the upland review area thereby eliminating silt and sand from entering the wetland area. Mr. Hill made a motion to approve Application IW-19-015, Town of East Hampton, Old Marlborough Drainage Project, Old Marlborough Road using the standard short form for the following reason once the job is complete it will be an improvement to what it is now and with the condition that the splash pad will be removed when complete. Mr. Talbot seconded the motion. **(6-0)**

8. New Applications:

Mr. Hill made a motion to rearrange the new application agenda items as follows: L becomes I, M becomes J, I becomes K, J becomes L and K becomes M. Mr. Talbot seconded the motion. **(6-0)**

A. Application IW-19-014, Michael and Nicole Rall, 76 Spellman Point Rd., to construct a 240 sq. ft. enclosed front porch and a 288 sq. ft. deck within the 200' Upland Review Area. Map 09A/Block 70/Lot 6. Mr. Chuck Sheehan prepared the A-2 survey and presented on behalf of the owners. He stated that the owners received a variance for the proposed work. He explained that the entire lot is within the Upland Review Area due to the lake. The owners would like to construct a 10' x 24' enclosed porch on the west side and a 288 sq. ft. deck on the east side with the runoff going into a detention structure on the west side of the house as well as a drywell and a 24" crushed stone pad under the deck. Mr. Hill made a motion to continue the application to the next regularly scheduled meeting on June 26, 2019. The motion was seconded by Vice-Chairman Wilson. **(6-0)**

B. Application IW-19-018, Meyers Construction, LLC., 13 O'Neill Lane, building a 12' x 12' roof and walls over existing deck. No excavation. Work within URA. Map 10A/Block 83/Lot 25/5. Mr. Bill Murphy explained that the water runoff will go into a rain barrel and that the existing deck has trap rock under it now. Mr. Hill made a motion to allow this application to be an agent approval. The motion was seconded by Vice-Chairman Wilson. **(6-0)**

C. Application IW-19-019, William J. Dennehy & Patricia Daly Banning, Flanders/Daly Rd., to create a 2 lot subdivision (1 buildable lot and 1 forestry lot). Map 26/Block 87/Lot 6. Mr. Dennis Banning presented on behalf of the applicants. He explained that Ms. Banning would like to create a 2 lot subdivision: one will be a buildable lot for Mr. Dennehy and the other will remain forestry. The proposed house will not be in the Upland Review Area but the property will be cut within the 100' Upland Review Area. Mr. Hill made a motion to continue the application to the next regularly scheduled meeting on June 26, 2019. The motion was seconded by Vice-

Chairman Wilson. **(6-0)**

- D. Application IW-19-022, Brian and Rebecca O'Connor, 18 West Lane**, installation of retaining wall to hold up waterfront between hedges and waterline within 200' of upland review area. Map 03A/Block 44B/Lot 24. Mr. Brian O'Connor stated they are losing 1' of soil and 1" of grade behind the hedge on the beach side of the lake. He removed 1 ½' to 2 ½' of the grade behind the hedge and added fabric, 18" deep crushed stone with a face plate, rebar and stakes to make a pressure treated retaining wall without a permit. He proposes 6' rebar and 4.5' lag stakes to hold the wall as well as 2 x 4 pressure treated wood and wood stakes. He also plans to add plants along the water line to retain the soil. Mr. Talbot made a motion to continue the application to the next regularly scheduled meeting on June 26, 2019. The motion was seconded by Vice-Chairman Wilson. **(6-0)**

Vice-Chairman Wilson made a motion to hear agenda items E, F and G as one. The motion was seconded by Mr. Hill. **(6-0)**

- E. Application IW-19-023, Steven Burg, Daly Road**, timber harvesting within 50' of wetlands. Map 33/Block 87/Lot 2. James Halleran from Permatreat Corp. presented. He stated that there are 3 parcels and that the largest parcel (MBL 33/87/2) has wetlands which they will be staying away from because a road exists so there is no need to cross it and there will be no filling either. Vice-Chairman Wilson made a motion to approve all 3 applications (Agenda Items E, F and G) as right of use timber harvesting. Mr. Hill seconded the motion. **(6-0)**

- F. Application IW-19-024, Steven Burg, Daly Road**, timber harvesting within 50' of wetlands. Map 34/Block 88/Lot 3.

- G. Application IW-19-025, Steven Burg, Daly Road**, timber harvesting within 50' of wetlands. Map 34/Block 88/Lot 2.

- H. Application IW-19-029, Daryl Aresco, Wopowog Rd.**, replace existing culvert with an extended one to support a future driveway. Work is within an intermittent stream. Map 21/Block 52/Lot 7. Mr. Aresco explained that he would like to replace the 10' culvert pipe with a 20' pipe to support a future driveway. The location of the proposed house was selected due to the contours of the land and their current use of the existing farmland. He is proposing to raise the road on both sides at the crossing point to bury the utilities for the future home. The Commission members suggested that the applicant provide a soil scientist report and the elevations of the road. Vice-Chairman Wilson made a motion to continue the application to the next regularly scheduled meeting on June 26, 2019 and declared it significant activity thereby requiring a public hearing. Mr. Talbot seconded the motion. **(6-0)**

- I. Application IW-19-030, Dennis Bok, 35 Day Point Road**, modification to previous approval (16-IW-92631), to install a channel drain at the bottom of the driveway and into a dry well – all work within Upland Review Area. Map 10A/Block 83/Lot 39. Mr. Bok stated that he would like to level the backyard because of a 3' wide depression that is there and to add a channel drain at the end of the driveway to catch the water runoff from the driveway. The runoff will go into a drywell. Mr. Kavalkovich made a

motion to table the application then modified his motion to approve it because it will improve the infiltration of water on impervious surfaces. The motion was seconded by Mr. Wall. **(6-0)**

J. Application IW-19-031, Dennis Jenks, 33 Meeks Point Road, to repair a 2' x 4' x 40' retaining wall – 320 sq. ft. in URA. Map 10A/Block 83/Lot 6. Mr. Jenks explained that he has a 4' tall unilock retaining wall that leans 1' considerably and that he wants to reconstruct it and put it back in the same place. There will be no new material coming in, some of the soil will be removed from behind. About 12' away from this wall is a cement wall that will prevent any materials from going into the lake. Mr. Hill made a motion to recommend this application as an agent approval. The motion was seconded by Vice-Chairman Wilson. **(6-0)**

K. Application IW-19-026, Town of East Hampton, Clark Hill Road, installation of a bio retention system, grass swale and overflow pipe 180' from edge of Lake Pocotopaug. Map 03A/Block 45/Lot 2C. Mr. DeCarli explained that this is a project that the engineers are proposing to divert the stormwater runoff off of Clark Hill into a wet retention system at ground level. The water currently runs down Clark Hill and goes into the catch basins on Lake Drive. Vice-Chairman Wilson made a motion to continue the application to the next regularly scheduled meeting on June 26, 2019. The motion was seconded by Mr. Kavalkovich. **(6-0)**

L. Application IW-19-027, Town of East Hampton, Boulder Road, installation of a short wet swale within right of way. Work within 50' of wetlands. Mr. DeCarli explained the potential scope of work: install a short wet swale that runs about 2/3 the length of the road to stop silt from getting into the wetlands and to grade the road. Vice-Chairman Wilson made a motion to continue the application to the next regularly scheduled meeting on June 26, 2019. The motion was seconded by Mr. Kavalkovich. **(6-0)**

M. Application IW-19-028, Town of East Hampton, Mott Hill Road, installation of short wet swale within right of way. Mr. DeCarli explained the scope of work: to redirect the sheet flow off the road to infiltrate it before getting to the catch basin. Vice-Chairman Wilson made a motion to continue the application to the next regularly scheduled meeting on June 26, 2019. The motion was seconded by Mr. Kavalkovich. **(6-0)**

9. Public Hearing: None.

10. New Business: Vice-Chairman Wilson commented that there is clearing being done within the wetlands near Childs Road on Rte. 66.

11. Old Business: None.

12. Public Comment: Mr. Kavalkovich stated that he will not be at the next meeting on June 26th.

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

Respectfully submitted,

Christine Castonguay
Recording Clerk