

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting
June 26, 2019 – 6:30 P.M.
East Hampton Town Hall Meeting Room

DRAFT MINUTES

Present: Chairman Foran, Vice-Chairman Wilson (arrived at 6:33 after Agenda #3), Peter Wall, Robert Talbot and David Boule.

Absent: Scott Hill, W. Dean Kavalkovich

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) May 29, 2019 Regular Meeting: Mr. Talbot made a motion to approve the May 29, 2019 minutes as written. Mr. Wall seconded the motion. **(4-0)**

4. Communications, Enforcement and Public Comment:

Communications: The members were presented with The Habitat quarterly newsletter as well as a letter from the Solitude Lake Management regarding a permit application that was submitted for copper sulfate treatment for Lake Pocotopaug.

Enforcement: None.

Public Comment: There were no comments.

5. Agent Approval:

Chairman Foran stated that at the last meeting, he was directed by the IWWA Agency to do an agent approval for the following applications:

A. 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.

B. 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.

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

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. Jenks explained that the scope of work has changed to removing the existing house and building a new 2 story, 2200sq. ft. home with a 2 car garage. The new home will conform to the current regulations and they have received a variance for the project. The original seawall is located under 2 decks that extend over the waterline. The wall collapsed years ago so he is proposing to remove the broken sections and repairing them with natural boulders to prevent any erosion and there will be no further encroachment on the lake. Chairman Foran pointed out that the seawall detail is not indicated on the site plan and asked Mr. Jenks to have the site plan updated. He went on to explain to Mr. Jenks the requirement for a pre and post survey for the seawall. Mr. Jenks stated that there will be no runoff from the roof because he will have rain gardens (they were not depicted on the site plan) at the northeast/northwest corners of the property as well as the southeast/southwest corners. There will also be a large natural retention area on the property. Vice-Chairman Wilson made a motion to continue the application to the next regularly scheduled meeting on July 31, 2016 and asked the applicant to provide updates in regards to the treatment of the seawall and the placement and sizing of the rain guards to treat runoff from the house. The motion was seconded by Mr. Talbot. **(5-0)**.

B. 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. Rall stated he would like to construct a 12' x 24' rear deck and a 10' x 24' covered front porch. There will be 3 foundations added with 6" of crushed stone. The excavated material will be moved off site. Vice-Chairman Wilson made a motion to approve the application using the standard short form with no specific conditions and for the following reason: the applicant has provided a design that will result in no adverse impact to the lake. Mr. Wall seconded the motion. **(5-0)**

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. Ms. Daly Banning would like to divide the property into 2 lots: one 3 acre buildable lot for her brother and a 62 acre lot that will be forestry. The proposed house and septic for the buildable lot will be outside the upland review area. Vice-Chairman Wilson made a motion to approve the application using the short form with the standard conditions and for the reason that there will be no direct impact to the wetlands. Mr. Talbot seconded the motion. **(5-0)**

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. O'Connor would like to complete the 10' in the corner where the dock extends out. He wants to repair and replace fallen rocks at the shoreline into stone walls to retain the remaining waterfront soil and to prevent further erosion. He would also like to install a wood privacy fence to close off an open area at the end of the hedge

(approximately 60 L.F.) and 2 posts at the opening of the hedges to re-install a trellis and gate. There is no intrusion on the lake and there is 2.5' of eroded bank behind the hedge. Vice-Chairman Wilson made a motion to approve the application using the standard short form with the standard conditions and for the following reasons: there is no adverse effect to the lake and it provides additional erosion control along the shoreline. Mr. Wall seconded the motion. **(5-0)**

E. 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. Steve Trinkaus, P.E. from Trinkaus Engineering, LLC in Southbury, CT. represented the Town. The sewage pump station is located at this property. Mr. Trinkaus explained the proposed work: to add a grass swale at the edge of the road just above the catch basin to catch the water coming down the road before it gets into the drain and to the lake. Because the soils are sandy, an overflow pipe will be installed above the top of the soil. Anything collected goes to the lower basin to improve the water quality by reducing the sedimentation. The basins will be planted 9" above the soil media with upland seed mix making it low maintenance. There will be no erosion once the vegetation is added and established. Vice-Chairman Wilson made a motion to approve the application using the standard short form with the standard conditions and for the following reason: that the proposed activity will improve the water quality to the lake. The motion was seconded by Mr. Wall. **(5-0)**

F. 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. Trinkaus, P.E. presented. Boulder Road is a dirt road and the soils are sandy so the proposed activity is to add clay wetland soil to create a wet bottom system. There is a cross culvert 300' up from North Main Street with a pipe under the road with a swale where water drains into the wetland boundary. A swale will be installed and will run 300'. The road will be regraded and a cross slope will run west to east so that the water can sheet off into the swale. A 2' wide grass filter strip will be added with erosion controls along the east side and although the work is within 50' of the wetlands, there will be no direct impact to the wetlands. Vice-Chairman Wilson made a motion to approve the application using the standard short form with the standard conditions and for the following reason: the proposed activity will improve the water quality to the lake and to the wetlands. Mr. Boule seconded the motion. **(5-0)**

G. Application IW-19-028, Town of East Hampton, Mott Hill Road, installation of short wet swale within right of way. Mr. Trinkaus, P.E. presented. There is a section of the right of way where the soils are not suitable for infiltration therefore, they designed a shorter wet swale that will come off the edge of the road and overflow into the existing catch basin. Two check dams will be added 10' apart to get better water quality and there will not be any vegetation or trees removed to add the dams. Mr. Talbot suggested narrowing the swale as you approach the catch basin. Vice-

Chairman Wilson made a motion to approve the application using the standard short form with the standard conditions and for the following reason: the proposed activity will improve the water quality to the lake and to the wetlands. Mr. Talbot seconded the motion. **(5-0)**

8. New Applications:

A. Application IW-19-032, Limb-It-Less Logging, LLC., 6 Collie Brook Rd., select Timber Harvest and partial Ash salvage harvest done in stages now through the fall of 2020. Map 20/Block 55/Lot 36. Andrew Clark from Limb-It-Less Logging, LLC. presented. There is a significant concentration of ash trees that are infected so they are proposing to remove the ash trees and to thin out the oak forest to improve their health. The last harvest was approximately 25 years ago and the owner wants it done again to prevent erosion issues. There are 2 perennial streams on the property but they only need to cross one which they will do by using a 25' long, 12' wide bridge thereby preventing any disturbance to the wetlands. They propose doing this activity in stages due to the unpredictable weather. Once a section is complete they will grade, seed and add water bars. Vice-Chairman Wilson made a motion to determine the activity as a right of use that does not require a permit. The motion was seconded by Mr. Boule. **(5-0)**

9. Public Hearing:

A. 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 presented a drainage summary report from LBM Engineering, LLC. and a wetland report to the members per their request at the last meeting. The total area of impacted wetlands would be approximately 720 sq. ft. Chairman Foran opened up the public hearing at this time. There were no comments. Vice-Chairman Wilson made a motion to close the public hearing. **(5-0)**. Vice-Chairman Wilson made a motion to approve the application using the standard short form with the standard conditions and to add a condition: Town Staff to inspect at the end of the project to ensure that there is no further disturbance to the wetlands or beyond the erosion or sedimentation controls and if there is, that it be restored to its original condition. The application is approved because the applicant has shown that there will be a minimal amount of disturbance to the wetlands. The motion was seconded by Mr. Wall. **(5-0)**

10. New Business: Election of Officers – Mr. Talbot made a motion to re-elect Jeff Foran as Chairman and to re-elect Josh Wilson as Vice-Chairman. The motion was seconded by Mr. Boule. **(5-0)**

11. Old Business: At the last meeting, Vice-Chairman Wilson inquired about possible filling activity across from Childs Road. Mr. DeCarli said he misunderstood the activity in question so when he drove by he did not look for filling activity but that he will look into it. Mr. Talbot asked if the construction entrance at the new police department will be re-done. Chairman Foran provided an update.

12. Public Comments: None

13. Adjournment: Vice-Chairman Wilson made a motion to adjourn at 7:37 p.m., seconded by Mr. Talbot. **(5-0)**

Respectfully submitted,

Christine Castonguay
Recording Clerk