

Town of East Hampton  
**Inland Wetlands and Watercourses Agency**  
**Regular Meeting**  
September 25, 2019 – 6:30 P.M.  
East Hampton Town Hall Meeting Room

**DRAFT MINUTES**

**Present:** Chairman Foran, Vice-Chairman Wilson, Scott Hill, David Boule and W. Dean Kavalkovich

**Absent:** Robert Talbot and Peter Wall

**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) August 28, 2019 Regular Meeting:** Mr. Kavalkovich made a motion to approve the August 28, 2019 minutes as written. The motion was seconded by Vice-Chairman Wilson. **(5-0).**

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

Communications: Mr. DeCarli informed the members of the upcoming 42<sup>nd</sup> annual CACIWC conference and of a notice of violation from DEEP for 49 Oakum Dock Road.

Enforcement: Mr. DeCarli submitted a letter from DEEP regarding 153 Middle Haddam Road stating that they issued a permit for modifications to the existing dock but that if any work is done within the Upland Review Area, they will need an IWWA permit. A cease and desist was issued for filling and excavation at 88 Young Street. Mr. DeCarli stated that he reached out to DEEP for assistance because of the significant wetlands in the area. Mr. DeCarli visited the area (via the neighbor's property) as well as Kevin Zawoy from DEEP and both witnessed activity such as trucks in and out, tracks in the road, construction noise and fill being brought in (13 photos taken by Mr. Zawoy were submitted showing the activity). Paul Allegra was present and apologized for the work that he did without a permit. He explained that he is trying to clean up the property and perhaps add a driveway and hayfields. Chairman Foran explained that he will have to hire a surveyor, an engineer and submit plans and a proposal for how to remedy the situation. Mr. Hill explained the requirements for obtaining a wetlands permit and the responsibilities of the Wetlands Commission. Sharon Allegra (owner of the property) gave verbal approval for Mr. DeCarli and DEEP to access the property. Vice-Chairman Wilson made a motion to keep the cease and desist active until an application for a permit is filed and to continue this until the next meeting. The motion was seconded by Mr. Hill. **(5-0)** Mr. DeCarli reached out to the owner of 152 West High Street to advise them to apply for a wetlands permit because the parking area is within the Upland Review Area. He also reached out to the owners of 48 Pine Brook Road to advise them to get a wetlands permit because the driveway that is in the Upland Review Area was surfaced with millings.

Public Comment: There were no comments.

**5. Agent Approval:** The IWWA Agency unanimously voted at the last meeting to have Vice-Chairman Wilson do an agent approval for the following applications:

- A. Application IW-19-035, DCT, LLC., 86 Spellman Point Rd.,** to install a new patio and walkway from the road to the house within Upland Review Area Map 09A/Block 70/Lot 1.
- B. Application IW-19-040, Kevin Kuhr, 60 Spellman Point Road,** Construction of a retaining wall within the Upland Review Area. Map 09A/Block 70/Lot 11.

**6. Reading of the Legal Notice:** Not required.

**7. Continued Applications:** None.

**8. New Applications:**

- A. IW-19-041, James Marino, 100 Young St.,** demolition of existing house and construction of a new single family home, and associated improvements, partially in the Upland Review Area. Map 21/Block 52/Lot 23A. (Agenda 8A and 8B will be heard at the same time) Joel Fuller, L.S. presented. He explained that there are 2 lots (100 Young St and 8 Carriage Dr. Agenda #8A & 8B) that they are requesting a lot line revision for a better scenario outside the wet area. They would like to construct a house in the front with an access way to another house in the rear. The wetlands were located and the property lines were revised to try to get the 2 lots approved in a drier area.

The existing house will be demolished and the well and tank will be abandoned. Soil testing was done and deemed acceptable for a septic system by Chatham Health and they approved the revised site plan. There is a footing drain for the water and the septic is within the 100' buffer which is on the edge of the reserve area. The reserve area is fairly level to contain the natural boundary to maintain vegetation. The applicant was made aware that the wetlands need to be delineated on the site plan for the Young Street property and that more information is needed as to where the site runoff is going to. Vice-Chairman Wilson made a motion to continue the applications: IW-19-041, James Marino, 100 Young Street, demolition of existing house and construction of a new single family home and associated improvements, partially in the Upland Review Area Map 21/ Block 52/Lot 23A and IW-19-042, James Marino, 8 Carriage Drive, construction of a new single family home and associated improvements, partially in the Upland Review Area Map 21/Block 63B/Lot 23-1 to the next regularly scheduled meeting on October 30, 2019. Chairman Foran stated that any and all demo work needs to cease immediately. Mr. Kavalovich seconded the motion. **(5-0)**

- B. IW-19-042, James Marino, 8 Carriage Dr.,** construction of a new single family home and associated improvements, partially in the Upland Review Area. Map 21/Block 52/Lot 23-1. Application was continued to the next regularly scheduled meeting on October 30, 2019 under Agenda #8A. **(5-0)**

- C. IW-19-043, Town of East Hampton, 60 North Main St.,** construction of water quality bio-swale and parking lot modifications at Sears Park. Map 04A/Block 63B/Lot 20. Mr. DeCarli presented on behalf of Trinkaus Engineering. He explained that this is a project using the 319 grant funds that were granted to the Town for watershed improvements. The following modifications are being proposed for Sears Park: construction of a wet swale along the lower parking lot and pervious pavers toward the boat ramp. The goal is to have the parking area sheet flow into the wet swale. The members voiced some of the concerns they had and provided suggestions for the design for vehicle movement, swale design, rain gardens, diverting the water and accuracy of the map. Mr. Kavalovich made a motion to continue application IW-19-043, Town of East Hampton, 60 North Main St., construction of water quality bio-swale and parking lot modifications at Sears Park Map 04A/Block 63B/Lot 20 to the next regularly scheduled meeting on October 30, 2019. The motion was seconded by Mr. Hill. **(5-0)**

- D. IW-19-044, Dean Brown, 207 Middle Haddam Rd.,** construction of deck and stairs to river

in order to correct an error on a previously issued permit. Map 03/Block 18/Lot 36AA. The applicant was not present so Mr. DeCarli presented on behalf of him. Mr. Brown was granted an Agent Approval 8 years ago to construct steps, a deck and landscape stairs to access the river. (Note: The Duly Authorized Agent who approved the construction 8 years ago is no longer the Authorized Agent and is no longer on Town Staff). The neighbor had her property surveyed and it appears that the work that was done is on the neighbor's property. The application is to remove everything that is on the neighbor's property and to get approval to rebuild it on his property. A site plan was submitted showing the existing conditions and proposed. Mr. Hill made a motion to continue application IW-19-044, Dean Brown, 207 Middle Haddam Rd., construction of deck and stairs to river in order to correct an error on a previously issued permit. Map 03/Block 18/Lot 36AA to the next regularly scheduled meeting on October 30, 2019. Mr. Boule seconded the motion. **(5-0)**

**9. Public Hearing:** None.

**10. New Business:** The following topic was discussed: a public hearing is automatic if a request of 25 signatures is received.

**11. Old Business:** The status of the algae bloom in the lake was discussed.

**12. Public Comments:** None.

**13. Adjournment:** Mr. Hill made a motion to adjourn at 7:32 p.m. , seconded by Mr. Kavalkovich. The vote was unanimous in favor.

Respectfully submitted,

Christine Castonguay  
Recording Clerk