

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

**DRAFT MINUTES**

**Present:** Chairman Foran, W. Dean Kavalkovich, David Boule, Peter Wall, Tess Lundgren, Nico Guerrero and Vice-Chairman Wilson.

**Absent:** Robert Talbot and Scott Hill

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

**2. Seating of Alternates:** Tess Lundgren was seated at this time.

**3. Approval of Minutes:**

**A) November 18, 2020 Regular Meeting** – Mr. Wall made a motion to approve the November 18, 2020 minutes as written. The motion was seconded by Mr. Boule.

**Vote: 6-0**

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

Communications:

Nico Guerrero was welcomed as a newly appointed Alternate.

Enforcement:

Mr. DeCarli will discuss under Agenda item: New Business.

Public Comment: None.

**5. Agent Approvals:** None.

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

**7. Continued Applications:**

**A. IW-20-033: Joseph Ploszay, 39 Blue Heron,** to construct a 676 sq. ft. IG pool within the Upland Review Area. Map 24/Block 64/Lot 20-16. Mr. Ploszay presented. He is proposing a pool off the patio which will be 82' from the wetlands. He presented a revised plan of the patio which will be 62' from the wetlands with 2' of stone and silt fencing. Vice-Chairman Wilson made a motion to approve Application IW-20-033 using the standard short form for the following reason: the applicant has made an effort to minimize any impacts to the Upland Review Area. The motion was seconded by Mr. Wall. **Vote: 6-0**

## 8. New Applications:

- A. IW-20-034: John Uliano, 29 Pocotopaug Dr.,** To construct a pool and 2 retaining walls within the Upland Review Area. Map 25/Block 64/Lot 20A-1. Mr. Uliano presented. He is proposing an inground pool and 2 retaining walls. There is a slight elevation of 2-3' on the property so he will be using the excavated material as a fill to level the property. The pool will be 120' from the upland review area and the walls are 80'. Mr. DeCarli reminded the members that this property is within the watershed therefore the upland review area is 200'. One wall will be 2-3' high made of natural stone that will serve more as a border than a wall and will help level the property. The second wall will be a unilock wall that will be 4' high and taper to zero. The existing pervious pavers will be extended. Mr. Wall spoke about the dirt against the natural stone wall and suggested that the applicant consider permeability and preventing loose soil from eroding. Mr. Kavalkovich made a motion to continue Application IW-20-034 to the next regularly scheduled meeting on January 27, 2021. The motion was seconded by Vice-Chairman Wilson. *Vote: 6-0*
- B. IW-20-035: Edgewater Hill Enterprises, LLC., East High St., to construct Salt Pond Apartments (40 units); a phase of the Edgewater Hills Master Plan. Map 10A/Block 85/Lot5C.** Attorney Heller presented. This application is for Phase 4 of the Master Plan that was presented in 2012. The project is consistent with the 2012 Master Plan. It is for 40 apartment units in 5 buildings. There is 2200 sq. ft. of wetlands in the center of the project site. The elimination of the wetlands was contemplated by the Master Plan that was submitted in 2012. The report submitted by LandTech Consultant indicates no surface interconnection between that wetlands and the significant wetlands which is located to the east. They are proposing to rough in the south easterly portion of what will be Edgewater Circle in future phases of the Development so the applicant can access the site with track machinery during site development. There will be a 12' wide temporary crossing on the northeasterly side that will be comprised of standard timber mats placed on grade with a gravel base suitable to support the heavy equipment and will remain for the duration of construction. The original plan was for 4 buildings, a 5<sup>th</sup> one was added due to the loss of land due to the new Town Hall. There is no impact to the footprint with the added building. The project will have a closed drainage system and there will be significant site grading to create a development pad. The closed drainage system will collect stormwater in catch basins submitted through a culvert from those catch basins to stormwater quality storm bays and discharged to stormwater detention basins itself then released at a controlled rate so there is no increase of runoff during a storm event. There will be a cut on the southwesterly portion of the site that will be retained by 2 retaining walls and fill on the northeasterly side that will be retained with a wall as well. The walls will serve as erosion and sedimentation controls throughout the project along with a wood chip berm. The project will be developed in 2 phases. There will be temporary sedimentation basins and permanent storm water basins located at different sites of the project. The stormwater treatment system is being modified to incorporate different features to ensure high quality stormwater discharge. Vice-Chairman Wilson asked the applicant to prepare for the next meeting a complete map of all construction to date with proposed as well to visualize the extent of activity in the Upland Review Area of the wetlands. Mr. Boule made a motion to continue Application IW-20-035 to the next regularly scheduled

meeting on January 27, 2021. The motion was seconded by Vice-Chairman Wilson.

**Vote: 6-0**

- C. IW-20-036: Connecticut Contractors Group, LLC., Daniel Street, Subdivision. Map 13/Block 51/Lot 1.** Mark Reynolds, P.E. presented. The proposed parcel is a 14.5 acre parcel with frontage on Daniel Street and Rte. 196. The topography shows elevated areas in the rear and the front. There is a 36" culvert on Daniel Street that controls the runoff and a culvert on Rte. 196 that receives the flow. The first area of Upland Review is on the southerly portion with frontage along Daniel Street and is the most reasonable access to the property. The other Upland Review Area is in the rear but access is a bit more difficult therefore they are proposing a crossing. The project is for a 4- lot subdivision with the first cut indicated on the plan. The proposed house and septic locations are out of the Upland Review Areas and comply with the subdivision regulations. Soil testing has been done at several sites and meet with the Health Department requirements. They are proposing an elliptical culvert at the wetland crossing. The brook has a ledge bottom so they are proposing a 48" pipe that will be set close to the ledge with 6' high fill and proper bedding in an effort to match the flow rate with Daniel Street with the least amount of fill as possible. The total amount of fill will be 300 CY in a 240 sq. ft. wetland area and construction will be during low flow. The 16' driveway will be constructed with vertical barriers for vehicles with shoulders on the sides. Vice-Chairman Wilson made a motion to continue Application IW-20-036 to the next regularly scheduled meeting on January 27, 2021. The motion was seconded by Mr. Boule. **Vote: 6-0**
- D. IW-20-039: Donald Ballsieper, Navajo Trail,** New home construction within the Upland Review Area. Map 09A/Block 74/Lot 167. Russell Waldo, Land Surveyor with Waldo and Associates presented. There are no wetlands on site or adjacent but there is a small stream from the east that empties into the street basin on Navajo Trail. The owner is proposing a new 550 sq. ft. home that complies with the bulk standards with a well to the south of the house and connection to the sewer. The stormwater treatment will be double infiltrator galleries to the NE portion of the lot that will be sized to handle the increase in runoff for the first 1" of rainfall. The driveway and patio will be made of pervious pavers imbedded in 6" of gravel that will hold 2" of rainfall before there is any runoff from the driveway or patio. The remainder of the lot will have topsoil and seed. The grading is designed to minimize runoff to adjoining properties. Silt fencing will be in place during construction to minimize any runoff. There will be an anti-tracking pad in the same location as the proposed driveway. Vice-Chairman Wilson made a motion to continue Application IW-20-039 to the next regularly scheduled meeting on January 27, 2021. The motion was seconded by Mr. Wall. **Vote: 6-0**
- E. IW-20-040: Cary L. Gagnon, 5 Boulder Road,** to install bike trails and wooden bridges in Wetlands and Upland Review Area. Map 03A/ Block 44/ Lot 23F. Mr. Gagnon presented. He started constructing 2 trails by placing planks on concrete blocks where the ground is soft and did not obtain a wetlands permit prior to construction. Construction has ceased so he can present to the Commission. There is no excavation, it is not a high flow site and the trails are temporary with no footings. Vice-Chairman Wilson stated that it would be best to minimize the footprint in the wetlands. Chairman Foran requested that the applicant provide the length and widths of the trails and to calculate how much area will be impacted. Mr. Kavalkovich made a motion to continue Application IW-20-040 to the next regularly scheduled meeting on January 27, 2021. The motion was seconded by Mr. Wall.

***Vote: 6-0***

**9. Public Hearing:** None.

**10. New Business:** Mr. DeCarli stated that there is an issue with ATV's on Wopowog Road that are crossing the stream causing soil disruption. He added that they are working to stop the trespassing issue which will eliminate the soil disruption. He reminded the Commission that Application IW-20-036 proposed a pipe going through the wetlands and asked the Commission if that would be considered significant activity which would need a public hearing. Chairman Foran stated that it should be heard in a public hearing. Mr. DeCarli will check the date of the permit that was received for the Master Plan for Application IW-20-035 and verify it was extended and is up to date. There was a discussion among the members about what is considered significant activity in the wetlands. Mr. Kavalkovich made a motion to deem Agenda Item #8C (Application IW 20-036) a significant activity that requires a public hearing for the next regularly scheduled meeting on January 27, 2021. The motion was seconded by Tess Lundgren.

***Vote: 6-0***

**11. Old Business:** None.

**12. Public Comment:** None.

**13. Adjournment:** Vice-Chairman Wilson made a motion to adjourn at 8:26 p.m. Mr. Wall seconded the motion. ***Vote: 6-0***

Respectfully submitted,

Christine Castonguay  
Recording Clerk