

Castonguay, Christine

From: DeCarli, Jeremy
Sent: Wednesday, February 12, 2020 3:20 PM
To: molly@sportson66.com
Cc: Castonguay, Christine
Subject: Liquor Permit Application
Attachments: IWWA Permit.pdf; Approvals.pdf; Narrative.pdf; Nov. 7. 2017 Letter.pdf

Hi Molly,

The wetland permit originally issued for the facility included a provision for wetlands remediation as documented in the attached documents. I am holding a cash bond for this work. This work needs to be completed, including the monitoring detailed. As you'll see, I attempted to get this resolved in 2017 to no avail. I have not called the bond to complete the work. (You can ignore the portions of the November 2017 letter which discusses the trailers.)

In addition, all requirements of the fire code must be met. Please reach out to the Fire Marshal to ensure that the facility is in compliance.

Finally, I have been informed that there are unpaid bills and unfinished work that was required by the Water Pollution Control Authority when the facility was constructed. Please contact them in order to determine a patch toward being in good standing with that organization. They can be reached at 860-267-2536.

Jeremy

Jeremy DeCarli, AICP
Planning & Zoning Official
Town of East Hampton
T: 860-267-7450
E: jdecarli@easthamptonct.gov
www.easthamptonct.gov

M, W, Th: 8:00AM – 3:00pm
T: 8:00AM – 6:30PM
F: 8:00AM – 12:00PM

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TOWN OF EAST HAMPTON
INLAND WETLANDS AND WATERCOURSES AGENCY
20 EAST HIGH STREET
EAST HAMPTON, CT 06424

Permit No. IW2010-014- IW92494

Permittee: Traditional Innovations
265 West High Street
East Hampton, CT 06424

Application for Brian Cutler, Traditional Innovations, 265 West High Street, for Filling, Excavation, Land Clearing/Grubbing, Drainage Improvements, Activity in buffer/setback, and Creation of a Wetland, M6/ B12/ L9 in a C zone

A. The application consists of:

1. *ALL ITEMS AS STATED ON INDEX OF RECORD, attached hereto as Exhibit A*

B. General permit conditions

1. The Agency has relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended, or revoked.
2. All permits issued by the Agency are subject to and do not derogate any present or future rights or powers of the Agency or the Town of East Hampton, and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the subject land or activity.
3. If the activity authorized by the Agency's permit also involves an activity which requires zoning or subdivision approval, special permit, variance, or special exception under section 8.3 (g), 8-3c, or 8-26 of the Connecticut General Statutes, no work pursuant to the wetlands permit may begin until such approval is obtained.
4. In undertaking the authorized activities, the permittee shall implement such management practices consistent with the terms and conditions of the permit as needed to control storm water discharges, and to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and watercourses.
5. Permits are not transferable without the prior written consent of the Agency.

C. Conditions specific to this permit

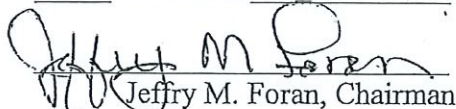
1. All work and activities conducted pursuant to this permit shall comply with the permit conditions set out in ¶¶ B and C. Failure to comply with these conditions shall constitute a violation of the permit and may result in the suspension or revocation of this permit as well as the issuance of fines and court action.
2. For the term of the permit the permittee gives consent to the Agency, its agent, site monitor or town staff to make regular inspections of the permittee's property at reasonable hours to determine the permittee's compliance with the permit
3. **Wetland Mitigation Monitoring**
 - a. The proposed wetland mitigation shall be completed before the expiration of this permit.
 - b. The proposed wetland mitigation shall be monitored by a qualified wetland scientist
 - c. The applicant shall monitor the wetland mitigation area for a duration of five (5) years following completion of the construction, seeding and planting.
 - d. The applicant shall bond the wetland mitigation. The terms of this bond shall be determined by the Agency and/or Town Staff. The bond shall be posted separate from any other bonds for the site.
4. Any structures, excavation, fill, obstructions, encroachments, or activities not specifically identified in the application and authorized herein shall constitute a violation of this permit.
5. No equipment or material including, without limitation, fill, construction materials, or debris shall be deposited, placed, or stored in any wetlands or watercourse on or off-site unless specifically authorized by this permit.
6. The permittee shall immediately inform the Agency of any unpermitted regulated activities that have occurred within wetlands or watercourses that have developed in the course of or are caused by the work authorized herein. Failure to notify the Agency shall constitute a violation of this permit.
7. Sediment and erosion control measures shall be implemented and maintained as outlined in the "Connecticut Guidelines for Soil, Erosion & Sediment Control" dated May 2002, - as revised or amended.
8. All sediment and erosion control measures shall be removed once final site grading and construction has been completed and suitable vegetative ground cover has been established on all previously disturbed, non-surfaced areas.

9. The permittee shall reprint the conditions set forth in ¶¶ B and C of this permit on the final site development plans along with a signature block for the Agency Chairman.
10. The permittee shall revise and submit the final site development plans consistent with the conditions provided herein and consistent with any remaining staff comments.
11. The permittee shall incorporate an emergency spillway from the wetland as coordinated by Town Staff and the applicant.
12. The permittee shall specify type of gravel for the parking lot as approved by Town Staff.
13. Town staff shall be notified prior to commencement and upon completion of the activity.

Date of issuance: 09/29/2010

Date of expiration: 09/29/2015

Issued by:


Jeffrey M. Foran, Chairman
East Hampton IWWA

Town of East Hampton
20 East High Street
East Hampton, Connecticut 06424
Tel. (860) 267-9601 Fax. (860) 267-6430
Inland Wetland Watercourse Agency

April 5, 2013

Traditional Innovations
265 West High Street
East Hampton, Ct 06424

RE: Modification to existing permit IW92494

Dear Mr. Cutler:

At the regular March 27, 2013 meeting, modification as depicted on plans dated Feb 20, 2013 were approved per the motion below and granted as a modification to Inland Wetland Permit number IW92494

Mr. Hill moved to approve the application for Traditional Innovations, 265 West High Street, Sports on 66 for a Commercial Site Plan Modification based on the fact that there is no additional wetland impact, however the impact is associated with removing a little less than 3000sf of a proposed man made wetland. The buffer will remain the same between the man-made wetland and the low functioning wetland and there is no negative impact to the environment associated with this modification. Motion was seconded by Mr. Talbot.

The motion carried unanimously.

Please contact our office should you have any additional questions.

Very truly yours,



Ruth Checko
Wetlands Enforcement Officer

Town of East Hampton
20 East High Street
East Hampton, Connecticut 06424
Tel. (860) 267-9601 Fax. (860) 267-6430
Planning, Zoning & Building Department

CERTIFIED MAIL – 7010 1670 0000 1842 1503

April 22, 2013

Mr. Brian Cutler
Traditional Innovations, LLC
265 West High Street
East Hampton, CT 064249

Re: Site Plan Modification
265 West High Street
East Hampton Connecticut
Map 06/Block 1271/Lot 9

Dear Mr. Cutler;

At the regularly scheduled meeting of the East Hampton Planning and Zoning Commission held on April 3, 2013, the Commission voted to grant your application to modify the site plan for 265 West High Street, Sports On 66, approved at the regular meeting of the Planning and Zoning Commission on October 20, 2010 with the following conditions:

1. All the conditions of the original approval are to remain in place (Notify Town Staff prior to construction; All E&S controls must be in place; Provide a lighting plan to Town Staff prior to construction [see Condition Nos. 3 & 4 below]; and Closing time shall be 12 midnight reviewable upon application by the applicant [to extend hours of operation applicant must prove extended hours will not adversely affect the area]);
2. Drainage, if necessary, may be modified to accommodate field conditions upon review and approval of Town Staff;
3. All lighting must be full-cutoff, shaded and approved by Town Staff; and
4. If field conditions warrant additional lighting in the parking lot, a photometric map must be submitted to and approved by Town Staff.

Please submit a copy of the modified plan last revised 04/01/2013 to the Planning Office for review prior to submitting the final Mylar with 3 paper copies for signatures of the Chairman of the Planning and Zoning Commission and the Inland Wetlands and Watercourses Agency. **Be sure to place the approval letters on the Mylar. Please include the owner of record and the street address in the title block on each page.** Please submit your check, payable to the Town Clerk, to the Town Planner's office, and the staff will gladly record the Mylar with the Town Clerk. She charges \$10 per page for site plans. Please keep in mind that the Mylar must be recorded within 90 days of approval.

If you have any questions, please contact me at 860-267-9601.

Sincerely,



James P. Carey, Administrator
Planning, Zoning & Building Department

JPC/dcs

Site Plan Modification

0011
IWWA

**ATTACHMENT TO TOWN OF EAST HAMPTON INLAND WETLANDS AND
WATERCOURSES AGENCY APPLICATION FOR BRIAN CUTLER, 265 WEST HIGH
STREET**

PROJECT NARRATIVE

The proposed activity which is the subject of this application will include removal of existing site improvements and redevelopment of the site with a new multi-use recreational / retail / restaurant facility with associated parking, on-site storm drainage facilities, a new potable water supply well and water service connection, and a connection to the public sanitary sewer system. Some of the proposed work will occur in delineated wetland areas and the 100 foot upland review area there from. The majority of the area of the property to be disturbed by the proposed redevelopment and new development activities has been previously disturbed, and is mapped by the USDA NCRS as "Udorthents- Urban Land Complex", which is described as moderately well-drained to excessively drained soils in areas where more than 2 feet of the upper part of the original soil has been removed, or areas that have been covered by more than 2 feet of fill material. Previous land disturbance on the subject site included attempts to redirect stormwater runoff within the site, which resulted in some uneven runoff patterns and the potential for runoff to occur to adjacent properties, which is not desirable. The proposed work on the site will address the matter of proper storm water management on the site and result in direction of the runoff to the existing drainage ditch located on the south side of West High Street and Long Hill Road along the frontage of the subject property.

The proposed work on the site will include the creation of a wetland mitigation area to enhance the function of the wetlands on the site and provide the opportunity for some on-site detention of stormwater runoff and infiltration on the site. The mitigation work will occur within a present wetland area and will include regrading and specific vegetative plantings.

Erosion and sediment control measures to be implemented in conjunction with the proposed work on this site will include the installation of staked silt fence sediment barriers downslope of areas of disturbance, stockpiling of excavated soil in a designated location on the site and protection of the stockpile with a staked sediment barrier, installation of an anti-tracking pad construction entrance at the start of the driveway access to the site from West High Street, and installation of sediment barriers at newly-installed catch basins.



Office of the PLANNING & ZONING OFFICIAL

JEREMY DECARLI

jdecarli@easthamptonct.gov

Certified Mail No. 7012 2920 0000 9751 9334

November 3, 2017

Mr. Brian Cutler
Belltown Sports, LLC
265 West High Street
East Hampton, CT 06424

**RE: Site Plan Compliance
265 West High Street
Map 06/ Block 12/ Lot 9**

Dear Mr. Cutler,

At the November 1, 2017 meeting of the East Hampton Planning and Zoning Commission, a motion was made and unanimously approved to authorize me to use the \$3,000 cash bond to remove the temporary trailers and complete the associated site work at Sports on 66 at 265 West High Street. Unfortunately, you chose not to attend the meeting, instead sending emails asking for more time. We will not be granting any more extensions of time.

When the Zoning Certificate of Compliance was issued, your self-imposed timeline for completing the site work was 90 days, or July 5, 2017. As of the date of this letter, it has been 211 days since the issuance of the Zoning Certificate of Compliance, or 121 days beyond your self-imposed completion date.

I am currently in the process of gathering the required quotes for work and moving forward with the process. I anticipate that it will take The Town of East Hampton approximately two to three weeks to gather the quotes and engage a contractor before starting the work. If you successfully complete the project prior to the Town beginning the work, your bond will be returned. If not, the Town will complete the work using the cash Bond.

In addition, please be aware that since the wetland mitigation pond to the rear of the building has not been planted, I will be requesting that the Inland Wetlands and Watercourses Agency authorize me to use the \$2,750 cash bond in order to complete that work at their November 29, 2017 meeting. Again, you will be given the opportunity to speak at that meeting.

If you have any questions, please feel free to contact me.

Thank you,

A handwritten signature in black ink, appearing to read 'Jeremy DeCarli'.

Jeremy DeCarli
Planning & Zoning Official

cc: Town Manager
Town Attorney
Planning and Zoning Commission

(1) Enclosure