

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting

March 27th, 2024 – 6:30 P.M.

Town Hall Room 107 and Zoom

DRAFT MINUTES

Present: Vice-Chairman Dean Kavalkovich, Derek Johnson, Pete Wall, Scott Hill (Arrived on Zoom at 6:34 pm), Megan Joseph (Zoom). Interim Town Planner, John Guskowski (Zoom). Land Use Technician, Cheryl Guiliano. James Prue, Interim Zoning Enforcement Officer (Zoom).

Absent: Chairman Josh Wilson.

1. Call to Order: The meeting was called to order at 6:31 p.m. by Vice Chairman Dean Kavalkovich.

2. Seating of Alternates: None.

3. Approval of Minutes:

- A. **February 28, 2024 Regular Meeting Minutes:** *Vice-Chairman Dean Kavalkovich made a motion to approve the minutes as presented. Mr. Wall seconded the motion. **Vote: 4-0 in favor.***
- B. **March 14, 2024 Special Meeting Minutes:** *Mr. Johnson made a motion to approve the minutes as presented. Mr. Wall seconded the motion. **Vote: 4-0 in favor.***

Mr. Hill arrived to the meeting via ZOOM.

- C. **March 26, 2024 Site Walk Minutes:** *Vice-Chairman Dean Kavalkovich made a motion to approve the minutes as presented. Mr. Wall seconded the motion. **Vote: 5-0 in favor.***

4. Communications, Enforcement and Public Comment: The applicant for Application IW-23-022 asked to withdraw their application. Interim Planner John Guskowski briefly discussed Edgewater development erosion and sediment controls. The Interim Planner gave a brief overview of the site walk area and the issues with the property. No enforcement updates.

Karen Wanat, Town Council Member and Liaison to the agency, wanted to thank the agency for their dedication to the town and upholding the regulations for each application.

Justin Kelley, of 31 Lakewood Road, handed out a map to the members to review. The map is from the DEEP website that shows a protected species in East Hampton. He noted a list of endangered species is printed on the sides of the map. There are spotted salamanders, tree frogs, and marble salamanders in the area of the Skyline Drive development. He stated the town should

consider the endangered species list on DEEP's website while reviewing development applications. He further expressed the need to set up proper guidelines in place for protecting the species and to prevent sediment erosion in development areas. The members and Mr. Kelley briefly discussed applications previously before the agency.

Chris Osterman, of 15 Lakewood Road, provided a brief overview of the history of the lake for the members and public's benefit. He noted a report was released from EverBlue about what they have done in the lake over the years,

Bob Yenknor, of 83 Spellman Point Road, brought up section 14.3 in the agency's charter about violations on a property in town.

Dennis Jenks, 33 Meeks Point Road, wanted to ask the commission what constitutes lying or selective lying when it comes to wetlands and clearcutting trees. There is a difference between clearcutting and selective harvesting and between a commercial property and a residential property. A homeowner can cut down a tree on their property without needing a permit.

Chuck Yenknor, of 57 Spellman Point Road, is the Chairman of the Conservation Lake Commission. He wanted to address some of the comments made by other public. He suggested to stop until a background and guidelines can be set up for the property and the project being proposed.

Kevin Reed, of 5 Hawthorn Road, showed pictures from after rain storms that have caused run off to flow onto his property. He wants to know who is enforcing the regulations and guidelines to prevent the issue from occurring.

Marty Podskoch, of 43 O'Neil Lane, is part of the Friends of the Lake group and a member of the Conservation Lake Commission. He stated he walked the Edgewater site with Mr. Motto and Mr. Tucci before construction started. Mr. Podskoch stated that water runoff from that site goes right through the sediment controls and into the pond on the other side of the road. There needs to be some enforcement in making sure the developments are doing everything they can to curb run off from entering the lake.

Jean Peterman, of 11 Hawthorne Road, stated that the town spent \$65,000 to dredge. She wants to know why something isn't being done to take care of the infiltration of the lake. She urges the members to stay diligent.

Mario Laudano, of 1 Day Point Road, made the following assertion that the detention pond for the run off might be mismanaged and poorly designed to handle the current issues at Edgewater.

5. Agent Approvals: None.

6. Reading of the Legal Notice: Not required.

7. Continued Applications:

A. Application IW-23-022: Ryan Hulburt, 63 Spellman Point Rd., Pave driveway in Upland Review Area, Map 09A/ Block 70A/ Lot 35: This application has been withdrawn by the applicant.

8. New Applications: None.

9. Public Hearings: None.

10. New Business: None.

11. Old Business:

- A. Discussion regarding activity at 33 High Point Drive:** The members went on a site walk of the property. The applicant attended the meeting to answer any questions the members may have. There was a question regarding coastal jurisdiction and was briefly discussed by the members. Town Staff is waiting for comments by the Town Attorney. The members didn't receive a planting plan from the applicants. The applicant stated that the planting plan they created is definitely for the conservation easement. Their engineer, Bob Russo, instructed the applicants to attend the meeting to see if there was an outcome from the jurisdiction issue. The applicant needs to submit their finished planting plan for their property.
- B. 201 West High planting bond update:** There was questions whether the property owner planted the correct or proper plants on site. A bond for plantings was released. The property owner provided a report of the plantings and a site plan for reference. There is no indication that there is continued obligation to make sure there is a maintenance, but it suggests that the work is already completed. There is evidence that so plantings have been bought and photographed and exists on site. The plantings have been placed on a map before being submitted to the agency.

12. Public Comments: None.

13. Adjournment: *Mr. Johnson made a motion to adjourn the meeting at 8:45pm. Mr. Wall seconded the motion. Vote: 5-0 in favor.*

Respectfully Submitted,

Katrina Aligata

Recording Clerk