

**East Hampton Inland Wetlands & Watercourses Agency
Regular Meeting
November 18, 2009
Town Hall Meeting Room**

Approved Minutes

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

Present: Chairman Jeffrey Foran, Dean Kavalkovich, Josh Wilson, Marc Loran. Scott Hill, David Boule

Alternate Member

Absent: Maureen Heidtmann and Peter Wall

2. **Seating of Alternates:**

3. **Approval of Minutes:**

A. **October 28, 2009:** *Mr. Kavalkovich moved, and Mr. Wilson seconded, to approve the minutes of the October 28, 2009 with the correction of David Boule being absent for the October 28, 2009 meeting. The motion carried unanimously.*

4. **Agent Approval:** None

5. **Communication, Enforcement, and Public Comment:**

Communications: None

Enforcement: None

Public Comments:

Mr. Wells, North Main Street reported that he has submitted a delineation to his original complaint for the file. Mr. Wilson asked if there was a formal application provided to the building department. To date there has not been a formal application presented to the building department. Mr. Wilson advised Mr. Wells that until a formal application has been received to amend our town map, the Inland Wetlands Watercourse Agency can consider it but are unable to amend the town maps; therefore there is no action to take on this matter at this time.

6. **Reading of the Legal Notice:** None.

7. **New Application:**

A. **Application for Hampton Woods Development, LLC, 206 East High Street, for activity in the wetland, watercourse, and upland review area. Including filling, excavating, land clearing/grubbing, roadway construction and drainage improvements to construct a new residential development for multi-family/condo- Map 32/ Block 86/ Lot 4.**

Attorney David Sherwood was before the IWWA to discuss the application. This is a 253 unit residential complex, with 30% being affordable units, located on the NE side of Rt 66. Ted Hart, profession engineer with Mylar & McBroom ask the agency if he

could compare the original application with the proposed project. Mr. Hart went through a comparison of the activities. The agency expressed concern with the undeveloped portion of the site and how that area can be restricted from further development. Mr. Wilson asked for clarification on the location of the mentioned significant increase in wetland habitat creation. Mr. Hart stated the previous detention basins have been made deeper, in addition to adding 2 basins and pointed out these locations. Mr. Hart continued with stating the total site is 63 acres with the proposal of 253 town homes and a community building. There is going to be 9.5 acres of open space. There is going to be a community water system that is eventually going to go to the town.

The agency discussed the differences from the previous application in comparison to the current. The concerns are determining if this application should be heard as a new application or a modification from the original permit. The agency asked what is going to remain with the undeveloped site.

Mr. Foran moved, and Mr. Kavalkovich seconded to continue this application until the next regular scheduled meeting in order to allow the agency to discuss with Town Staff and Towns Attorney the difference in a modification to the existing permit vs. a new application. The motion carried unanimously.

8. Continued Applications:

A. Application of East Hampton Fire Department, Cranberry Bog, Corner of Flanders Road and Smith Street, Activity within the Wetland for Routine Maintenance and Possible Repair to Water Source – Map 26/Block 87/Lot 10A

Dave Simko, Chairman of the Fire Department Commission, met with Mr. Hayden at the Cranberry Bog. Mr. Simko provided the agency with a sediment basis for the water, a soil disposal location, and a plan which was provided to the Inland Wetlands Agency. The water is going to be pumped into a basin along Smith Street, which will filter in a brook that feeds Cranberry Bog. The soil is going to be put in the NE corner of the property. There was discussion on a delineation line on the map provided and there was question of who the property owner is where the work is going to be performed. The agency advised Mr. Simko that permission is needed from the DEP prior to an approval of this application is granted.

Mr. Foran moved, and Mr. Loran seconded to continue this application until the next regular scheduled meeting in order to clarify the property owner. The motion carried unanimously.

9. Public Hearings: None

10. New Business:

Mr. Wilson moved, and Mr. Hill seconded to have item 10A. Discussion on the revisions and/or amendments to the Towns wetland maps. The motion carried unanimously.

A. Revisions to Town Wetland Maps

Mr. Wilson reported to the agency that during a recent meeting with the Towns Attorney and Mr. Hayden, it was brought to their attention that the towns' wetland map should be updated. There was discussion on creating a procedure for each application that comes before the agency, take the delineation that is presented and request the applicants to have their lines submitted in electronic form, which would then incorporate them into the wetlands map. These could be collected over each year and periodically accept them as revisions, which would require a public hearing and proper notification.

11. Old Business:

- A. TMDL- Mr. Foran is going to follow up with Mr. Hayden and report back at the next meeting.
- B. Fertilizer Ordinance - Mr. Hill is going to research the Fertilizer Ordinance and report back at the next meeting.
- C. Update 46S Main Street Violation-
- D. Update 217 E High Street Violation-
- E. Salmon River Watershed Partnership is going to take place on December 12, 2009 at Saint Clemons in Portland.

12. Public Comments: Al Petel, 224 Clark Hill Road is going to discuss with the Conservation Commission what the status is on the repair at Loos Pond.

13. Adjournment:

Mr. Lorah moved to adjourn the meeting. Mr. Wilson seconded the motion. The motion carried unanimously. The meeting adjourned at 8:00PM

Respectfully submitted,

Kamey Peterson
Recording Secretary