

**East Hampton Inland Wetlands & Watercourses Agency**  
**Regular Meeting**  
**January 27, 2010**  
**Town Hall Meeting Room**

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

**Present:** Chairman Jeffry Foran, Dean Kavalkovich, Josh Wilson, Marc Lorah, David Boule, Peter Wall, and Maureen Heidtmann

**Alternate Member:**

**Absent:** Scott Hill

2. **Seating of Alternates:** Maureen Heidtmann (6:49pm)

3. **Approval of Minutes:**

A. ***December 16, 2009: Mr. Lorah moved, and Mr. Wilson seconded, to approve the minutes of the December 16,, 2009. The motion carried unanimously.***

4. **Agent Approval:** None

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

**Communications:**

- Mr. Hayden provided the members with the Fall 2009 Habitat
- CFL Newsletter
- Notice of the annual meeting of CAUSE, which is the Connecticut Association of Wetlands Scientist that will be held February 23<sup>rd</sup>, 2010

**Enforcement:** None

**Public Comments:** None

6. **Reading of the Legal Notice:** Mr. Hayden read the legal notice into the record

7. **Show Cause Hearing:** Tom Wells, 42 North Main Street, Cease and Desist

Mr. Wells presented for the commission a schedule of events taking place since last summer on his property. Mr. Wells stated that a neighbor seemed to be placing fill on his property which is also adjacent to a wetland. Mr. Wells presented a copy of the wetland delineation for the file in addition to two photographs. Mr. Wilson stated that we need to have the adjacent property owner present to obtain a clean picture as to what has taken place.

***Mr. Wilson moved, and Mr. Lorah seconded, the following:***

- ***Cease and Desist be issued to Helen K Wells Trust of 42 North Main Street and to Mr. Flannery, 8 Sears Place***
- ***A map needs to be on site of the delineated wetland with the signature on file prior to the next regular meeting***

*The motion passed unanimously.*

Maureen Heidtmann arrived at 6:49pm and was seated for the meeting.

**8. New Application:**

**A. Application of Lanou Timber Sale, 29 Waterhole Road, Timber Harvest (agriculture & forestry), planned harvest and removal of timber products – M35/B95/L11**

Peter Lemry was before the agency representing Mr. Peter Marlow Forest Products. This property was logged on in 2001. They are proposing another harvest to the areas that were not cut. There is one stream crossing and a portable bridge will be brought in to cross the stream. The trees have been marked; there are 58495 trees/36 acres.

*Mr. Foran moved and Mr. Wilson seconded to move this item to the next regular schedule meeting. The motion carried unanimously.*

**B. Application of Town of East Hampton, Flanders Road, Phase III for culvert inlet improvements.**

Mr. Hayden presented Phase III of the Flanders Road improvements. On the provided plans, there is the only wetland involvement. They are hoping to do the work in April or May, depending on the progress of Phase II.

*Mr. Wilson moved, and Mr. Kavalkovich seconded, to continue this application until the next regular schedule meeting. The motion carried unanimously.*

**9. Continued Applications:**

**A. Application of Richard Stevens and Rhonda Nightingale, 30 West Point Road, repair and maintenance of sea wall by homeowner - M05A/B83/L8**

Mr. Stevens was before the agency requesting to place a sea wall in front of his property. Mr. Wilson stated the photographs show the proposed wall is going to be joined in with the adjacent concrete wall. The agency has a policy not to further encroach into the lake than what currently exists. In addition the agency requires this be documented by a survey. Mr. Stevens explained there is a tree that is growing out of the existing wall, not to gain any additional land, just to keep the impact of the existing bank minimal. Mr. Carrier was before the agency to discuss the materials that are being proposed. Mr. Lorah requested a better plan showing both sides of the property.

*Mr. Lorah moved, and Mr. Wilson seconded to continue this until the next regular schedule meeting, with the applicant providing the agency with an extension. The motion carried unanimously.*

**B. Application of Manafort Family, LLC, Anthony Cove, 19 & 23 Lake Drive, for Activity in the Buffer/Setback Area Including Filling, Excavating, Land Clearing/Grubbing, and Drainage Improvements to Construct a New**

**Residential Development for multi-family/condo - M 03A/B44C/L 59, 18 & 2B4.**

Frank Magnotta was before the agency to discuss the application before them. This application includes 2 pieces of property, 19 and 23 Lake Drive. The goal is to renovate and replace some existing structures, and then convert both the properties into all residential units. Mr. Magnotta reviewed the plans with the agency; copies are on file in the building department.

*Mr. Wilson moved, and Mr. Foran seconded agenda item 9B. SEE ATTACHED. The application is being approved since the applicant has shown good faith in attempting to retain significant amount of storm water on site reducing runoff from the site which is currently paved, reducing it by an estimate of 20-50% depending on the storms and flows, this is significant improvement to the watershed and to the lake. The motion carried unanimously.*

*Mr. Foran moved, and Mr. Mr. Lorah seconded, to amend the agenda to add item 12A: Discussion/Possible Action of item 10A. 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. The motion carried unanimously.*

**10. Public Hearings:**

- 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 Sherwood was before the agency to discuss the proposed application of 206 East High Street, which consists of 63.21 acres. The proposal is for a 253 unit residential development. The previous application that was approved by the IWWA in January 2008 was compared to the current application. Mr. Foran expressed his concerns with the proposed comparison of this application and the previously approved application. Ted Hart, Professional Engineer discussed the upland review area impacts. The emergency access roads were discussed. The building coverage over all was discussed and has been reduced by 25,000SF. The agency request a summary of the units for the roof drains chambers. In addition, what is the overland flow that is not going to infiltrate, existing conditions.

Mr. Foran opens this up for public comments or questions:

Denise Kelly, 250 East High Street asked if the access road that is going to be paved is this owned by the town and who will be maintaining. The applicant answered the road is owned by the developer.

Kim Sullivan, 210 East High Street asked how the runoff from the proposed road was going to be handled as her property abuts the location. Mr. Hart discussed the catch basins that are going on the site and how they are going to manage the run off from the property.

***Mr. Foran moved, and Mr. Kavalkovich seconded, to continue this public hearing until the next regular schedule meeting. The motion carried unanimously.***

**11. New Business:** None

**12. Old Business:**

- A. Discussion/Possible Action of Agenda Item 10A – No Action
- B. TMDL- Jeff Foran. Mr. Foran spoke with the Town Manager, and continues to try to schedule Q&A with Dr. Wagner.
- C. Fertilizer Ordinance – Scott Hill
- D. Update 217 E High Street Violation- Keith Hayden. Mr. Hayden reported for the winter there is not excavation taking place. Mr. Hayden will follow up in the Spring.
- E. Revisions to Town Wetland Maps- Josh Wilson - No update.

**13. Public Comments:** None

**14. Adjournment:**

*Mr. Wilson moved to adjourn the meeting. Mr. Wall seconded the motion. The motion carried unanimously. The meeting adjourned at 9:34PM*

Respectfully submitted,

Kamey Peterson  
Recording Secretary