

**East Hampton Inland Wetlands & Watercourses Agency**  
**Regular Meeting**  
**February 24, 2010**  
**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 Lorah, David Boule, Peter Wall (6:33pm), Scott Hill (6:42pm) and Maureen Heidtmann

**Alternate Member:**

**Absent:**

2. **Seating of Alternates:** Maureen Heidtmann

3. **Approval of Minutes:**

A. ***January 27, 2010: Mr. Kavalkovich moved, and Mr. Lorah seconded, to approve the minutes of the January 27, 2010. The motion carried unanimously.***

4. **Agent Approval:** None

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

**Communications:**

- Mr. Hayden provided the members with the 2010 Municipal Inland Wetland Commissioners Training Program schedule. Members interested in attending should call the building department to arrange registration.

**Enforcement:** None

**Public Comments:** None

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

Scott Hill arrived- Maureen Heidtmann was no longer seated as an alternate.

7. **Show Cause Hearing: Helen K Wells, Trustee, 42 North Main Street, and Keron Flannery, 8 SearsPlace; Cease and Desist**

Mr. Flannery, 8 Sears Place was before the agency and provided the members with recent photocopies of the property. Mr. Flannery stated there is a considerable slope at the rear of his property that has an excess amount of runoff onto Mr. Flannery's property. Mr. Flannery has agreed to remove the fill from the adjacent property.

***Mr. Foran moved, and Mr. Kavalkovich seconded to keep the cease and desist order in place; Mr. Flannery agreed to remove the fill that goes across the property line in the Spring/Summer months of 2010. Mr. Flannery is to notify town staff prior to any work being started. The motion carried unanimously.***

**8. New Application:**

**A. Application of Pelletier Development Company, LLC, 140 Colchester Avenue, for a 15 lot subdivision. M27/B90/L3**

Matt Pelletier was before the Agency with reports from REMA for the agency to review. Mr. Pelletier confirmed this is going to be a 15 lot Conservation Sub Division.

Jim Dutton, Dutton Associates, Land Surveyors was before the agency to discuss the application. The entire site is about 42.3 acres, 15 lots located on the easterly side of the property, with 31.6 acres of open space. The total area of disturbance is about 5.9 acres. During construction only 2 acres will be disturbed and then the lots will be constructed. There was a discussion of the drainage system that is proposed. The lot sizes range from 16,810 – 50,593SF.

Mr. Wall asked about the footing drains. Mr. Dutton replied they will all be connected to the storm sewer system.

Mr. Wall asked about the storm drainage system that was designed, how it would work and how much is going to add to the existing flow. Mr. Dutton stated there will be no addition to the flow as it will already be downstream by the time the developed area arrives.

Mr. Hayden asked what protections are going to be in place to keep the homeowner from clearing their back yard to the wetlands? Mr. Dutton stated each lot will have its own plot plan prepared and submitted to the town. They will be clearly flagged and marked prior to construction and clearing.

Scott Hill asked about a detention pond. Mr. Dutton stated that a detention pond to mitigate or manage storm water flows they have utilized a structural system for water quality treatment is not needed for this site. They need to wait to receive the report from ERT to be sure what is needed or required for this site.

*Mr. Foran moved and Mr. Wall seconded to continue this application to 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 and provided them with a survey that was prepared at the request of the members from the last meeting. The applicant has agreed to leave the wall where it is now without any further encroachment in the lake. Mr. Stevens reported that when the wall is completed his surveyor has agreed to provide the town with an A2 survey.

*Mr. Lorah moved, and Mr. Boule seconded to approve this application as presented and submitted to the town; notify town staff prior to construction, all E&S controls be in place and inspected before any work is started, post inspection done upon*

*completion of the wall. The reason for approval is it does not encroach on the lake therefore not causing any significant activity. The motion carried unanimously.*

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

Mr. Lamarou was before to agency to present a proposed timber harvest at 29 Waterhole Road. This property is 36 acres. This property was harvest back in 2001 and only a portion was cut then. The same skid trails will be used. There is 395 trees that are marked for harvest. There is one crossing that was also used during the last harvest and there will be a portable timer bridge in there to protect the stream.

*Mr. Foran moved, and Mr. Lorah seconded to approve the application with the following conditions:*

- *The harvest be done during frozen/dry time of year*
- *Any trail areas where there are steep slopes if necessary water bars should be installed for erosion controls*
- *Notify town staff prior to harvest*

*The reason for the approval and permitting the crossing is right of use. The motion carried unanimously.*

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

Kyle Haubert, CLA Engineer was before the agency with plans for Phase III of the Flanders Road Project. Plans are on file in the Building Department for review. They are hoping to begin construction in April, and be completed within 60 days.

*Mr. Kavalkovich moved, and Mr. Boule seconded to approve this application for the reason of the existing inlets are deteriorating and this will therefore improve the storm water management in the area. 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. Continued from the January 27, 2010 regular meeting.**

Attorney Sherwood provided the agency with the table summarizing the volume of the roof drain chambers that was requested by Mr. Wilson; The runoff volumes for 2, 10 25, 50 and 100 year storm pre and post development that was requested from Mr.

Kavalkovich. A letter has also been received from Tom Cummings; CLA stating their concerns have been satisfied.

Ted Hart, Malone & McBroom provided the agency with an overview of the run-off volume analysis. Copies of this is on file in the Building Department.

Ted Hart reviewed the upland review narrative. A copy of this is on file in the Building Department.

Kim Sullivan, 210 East High Street had several questions for the agency. Mr. Foran advised Ms. Sullivan her questions would be better answered by the Planning and Zoning meeting scheduled for March 3, 2010.

***Mr. Foran moved, and Mr. Lorah seconded to close the public hearing. The motion carried unanimously.***

**11. New Business:** None

**12. Old Business:**

A. Discussion/Possible Action of Agenda Item 10A

***Mr. Foran moved, and Mr. Hill seconded to approve agenda item 10A. SEE ATTACHED. Ms. Heidtmann was opposed stating that she feels the plans are well thought out but what you have here, you have allowed for open space, however, Ms. Heidtmann does not see how this concentration of units and humanity can be anything but a major impact on the wetlands. The motion passed 7-0-0.***

B. TMDL- Jeff Foran. Mr. Foran reported from the Mother Board meeting, and Dr. Wagner is lined up to come before the IWWA to answer some specific questions regarding the phosphorous increase in the IWWA regulation.

C. Fertilizer Ordinance – Scott Hill. Nothing to report at this time.

D. Revisions to Town Wetland Maps- Josh Wilson - No update.

**13. Public Comments:** Al Petel, stated he attended a ceremony in Colchester, and they are the first town in the State of Connecticut and the 36<sup>th</sup> community in the Nation to become a Community Certified National Wildlife Advocate. Mr. Petel would like to see East Hampton follow suit.

**14. Adjournment:**

***Mr. Foran moved to adjourn the meeting. Ms. Heidtmann seconded the motion. The motion carried unanimously. The meeting adjourned at 8:37PM***

Respectfully submitted,

Kamey Peterson  
Recording Secretary

