

East Hampton Inland Wetlands & Watercourses Agency
Regular Meeting
September 26, 2012
Town Hall Meeting Room
REGULAR MEETING
Approved Minutes

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

Present: Jeffry Foran, Dean Kavalkovich, Josh Wilson, David Boule, Scott Hill, Bob Talbot, Marc Lorah and Peter Wall

Absent:

2. **Seating of Alternates:**

3. **Approval of Minutes:**

A. **August 29, 2012 Meeting** – *Josh Wilson moved to approve the minutes of August 29, 2012. Motion was seconded by Scott Hill. The motion carried 6-0-1. Dean Kavalkovich abstained.*

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

Communications: None

Enforcement: Ruth Plummer reported on a complaint that was received regarding Blueberry /Scraggy Island. Ms. Plummer visited the island on the 21st and 24th of September and did observe construction of stone walls on the island; a cease and desist was issued on September 21, 2012. Ms. Plummer spoke to the owner Mr. Bok on the 25th of September and advised him that it was important to attend the IWWA meeting on September 26, 2012.

Mr. Bok the property owner was before the agency and explained the work that is being done on the island is to construct a retention wall to stop further erosion. The work that is being done is reclaiming of the stone that is in the lake.

The agency expressed their concern that the property owner failed to present this activity to the agency, in addition, failure to provide proof that they have not extended the area of the island. History of seawalls around the lake was discussed.

Josh Wilson mentioned other options besides retaining walls, suggesting vegetation.

Josh Wilson moved to leave the cease and desist in effect and to have the applicant provide the agency with a formal application to modify the shoreline, submitting photographs to show a hardship with erosion, a survey, and a plan moving forward along with possible alternatives. Motion was seconded by Scott Hill. Motion carried unanimously.

Public Comments: Gretchen Mackenvale, Spellman Point stated that all activity on the lake needs to be monitored closely.

5. **Agent Approval:** None

Scott Hill moved to add item 10A Nomination of Duly Authorized Agent. Motion was seconded by Dean Kavalkovich. Motion carried unanimously.

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

7. **New Applications:** None

8. **Continued Applications:** None

9. **Public Hearing:**

a. **Application of Mazzcor, LLC, 103-107 Colchester Avenue, 4 lot sub division. M27/B87A/L12**

Ruth Plummer reported on the current status of this application stating that the applicant was in receipt of two letters; one from Keith Hayden and another from Ruth Plummer's. Mr. Bell advised Ms. Plummer that he would be prepared to bring all items requested in the letters to the meeting tonight. Mr. Foran expressed his concern on the length of time that it has taken for the applicant to respond to the letters from Mr. Hayden and Ms. Plummer, in addition, asking the agency to possibly make a decision tonight on this application before the members have the time to review is premature.

Chris Bell provided the agency with the current plans that show limits of clearing. Receipts for the mailings were provided for the record. They were dated September 10th, 2012. There was a lengthy discussion on date of the public hearing notice and the mailings. Members of the agency felt the mailings and the public hearing notice did not meet the required date.

Josh Wilson stated the applicant did what was required, however, feels that in August the public hearing should not have been opened and just postponed until the September meeting; Since there was a publication in August and the mailings were not sent out until September, Mr. Wilson feels this may be in violation of the regulations if this public hearing continues.

Josh Wilson moved to deny this application and ask the applicant to resubmit; waiving all fees due to the technicality under section 9.3/4, regarding notice to the abutting property owners and sign posting. Motion was seconded by Jeff Foran. Motion failed 2-5-0.

The agency agreed that since there was a public hearing noticed in the paper in August and at the August meeting they agency postponed the hearing until the September meeting the due diligence has been done as far as notice to the public. The public hearing will continue at this time.

Chris Bell reported the property is located across from Tartia Road, and just over 20 acres. This is a request for a western lot, a rear lot, and a front lot subdivision. The proposed septic for the lots was discussed. Mr. Bell pointed out the proposed future lots. Mr. Bell reviewed the questions in Mr. Hayden's letter. (See Attached)

The driveway was discussed in great details and of what will be paved vs. gravel. Mr. Foran asked if there would be anything in the deed for a restriction for pavement on lot 2 & 3 and a section of lot 1. Mr. Bell stated for the next meeting he will have the numbers of paved vs. not paved. Mr. Bell pointed out the silt fencing that will be in place.

James Siperly, Certified Soil Scientist pointed out the major wetland area and the essential flow. Mr. Siperly discussed the soil types on the site. (See Attached)

The agency would like drainage calculations for the pipe that was installed to review at their next meeting. The conservation locations were pointed out.

Josh Wilson moved to continue the public hearing until the next regularly scheduled meeting. Motion was seconded by Scott Hill. Motion carried unanimously.

10. New Business:

a. Nomination of Duly Authorized Agent

Josh Wilson moved to nominate Jeff Foran as the Duly Authorized Agent. Motion was seconded by Scott Hill. Motion carried unanimously.

11. Old Business:

a. Current applications showing complete projects if there is any intention of future development- Tabled until the next regular scheduled meeting.

b. Procedures – Terms of accepting a Compete Application- Tabled until the next regular scheduled meeting.

12. Public Comments: None

13. Adjournment:

Josh Wilson moved to adjourn the meeting. Scott Hill seconded the motion. The motion carried unanimously. The meeting adjourned at 9:04pm.

Respectfully submitted,

Kamey Peterson
Recording Secretary