

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting
June 29, 2016 – 6:30 P.M.
East Hampton Town Hall Meeting Room

UNAPPROVED MINUTES

Present: Chairman Jeff Foran, David Boule, Harold L’Hote, Peter Wall, Robert Talbot, Jeremy DeCarli (P & Z)

Absent: Joshua Wilson, Scott Hill, W. Dean Kavalkovich

1.Call to Order: The meeting was called to order at 6:30 P.M. by Chairman Foran

2. Seating of Alternates: Harold L’Hote was seated as an alternate

3. Approval of Minutes:

A) May 25, 2016 Regular Meeting: *Mr. Talbot moved, and Mr. L’Hote seconded, to approve the minutes of the May 25, 2016 regular meeting as written. Voted 5-0.*

4. Communications, Enforcement and Public Comment:

Mr. DeCarli noted that communications within tonight’s meeting package include: an update letter from Pat Young, Watershed Coordinator at the Salmon River Watershed Partnership, a letter from the Connecticut Land Conservation Council which includes training and education opportunities, and a notice of tentative determination from DEEP in regards to an application from the US Army Corps of Engineers application for permits.

Chairman Foran opened the meeting to public comments. There were none at this time.

5. Agent Approval:

A) 38 Cobalt Road, Mark Philhower, Jr, Footing and Curtain Drain outlet in Upland Review Area (New Home Construction). – Map 11/Block 40/Lot 16A: Mr. DeCarli and Chairman Foran both did a site visit to this property. Silt fence was put in and the outlet for the discharge location for the curtain and footing drains was staked. This was approved with the standard conditions.

B) 5 Aarons Way, Donald Hickey, 6’ x 26’ deck in the Upland Review Area – Map 32/Block 71/Lot 1-12: The majority of this lot is within the wetlands. The deck is at the left end of the house with four posts. It’s relatively flat, but some grading with

hay bales under Mr. DeCarli's direction will occur. This was also approved as there were no major problems.

6. Reading of the Legal Notice: None

7. Continued Applications: None

8. Public Hearings: None

9. New Business:

A) Application of Carol Morris, 85 Midwood Farm, Construction of 30' x 30' Garage in Upland Review Area – Map 18/Block 40/Lot 6R-4: Jim Dutton of Dutton & Associates at first spoke for Ms. Morris, who was also present. It was reported to the Agency that the remediation has begun, and that it will likely not be complete before the garage is started. Discussion occurred about moving the boulders, staking of the area and gutters and/or trenching around the garage. The Agency would like a calculation on the amount of fill. There was a question about the necessity of the remediation being complete before new construction is approved. Mr. DeCarli stated that there is nothing in the statutes preventing new construction on the site; they will take it in good faith that the remediation will be done.

Mr. Boule made a motion, seconded by Mr. Wall to continue the application to the next regular meeting. Voted 5-0.

B) Application of Carmela Lashenka Revocable Trust, 152 Chestnut Hill Road, 2-Lot Subdivision – Map 13/Block 32/Lot 17: Mr. DeCarli noted that this is a two lot subdivision, with Lot 1 having existing structures. Lot 2 will have a new house construction. No work is proposed in the wetland or conservation easement areas. There is a note of a proposed conservation easement subject to a driveway crossing on Lot 2. Mr. DeCarli noted that there is no proposed work at this time, but they are reserving the right for flexibility for the future. There was further discussion on this item and questions arose. It was decided to continue this application as the Agency would like more details.

Mr. Talbot made a motion, seconded by Mr. L'Hote, to continue this application to the next regular meeting. Voted 5-0.

C) Application of Princess Pocotopaug Corporation, 000 South Wangonk Trail, Construction of 10' x 20' Pavilion in Upland Review Area – Map 09 A/Block 70C/Lot 6: Judy Isele, Vice President of the Princess Pocotopaug Corporation stated that they would like to build a pavilion with individual footings, size 12' x 16', to provide

shade on their beach close to the lake. There was question of what will be done with roof runoff with various possibilities discussed.

Mr. L'Hote made a motion, seconded by Mr. Wall, to continue this application to the next regular meeting. Voted 5-0.

D) Request of Dream Developers of Connecticut, LLC., Lift Site Monitoring Requirement for Phase 1, Edgewater Hill – Map 32/Block 85/Lot 5: A letter is included in the meeting package from CLA Engineers, Inc., stating that the site is stable, with no significant runoff coming from the site. Mr. DeCarli reported that he visited the site and agrees that most of the site is stable.

A motion was made by Mr. Talbot, seconded by Mr. Boule, to remove the site monitoring requirement for Phase 1 only, due to the fact that the proposed measures are in place and functioning and the temporary measures are still there and can be regulated by regular ENS controls. Voted 5-0.

E) Cease and Desist Order, 39 Skyline Drive, Bryan and Lisa Johnson; Activity in Upland Review Area and Changes to Drainage Structures, Map 18/Block 44/Lot 78-54: Mr. DeCarli gave background on the cease and desist order, based on neighbor complaints, that drainage had been changed and the appearance that the homeowner had broken through the clearing limit and pushed his yard back into the conservation easement. Upon further inspection and in talking with the homeowner it is clear that he did not go into the conservation easement, nor did he make any changes to the drainage structure. The drainage structure is functioning properly with no leaks or runoff. There is a discrepancy in that the berm should be closed according to the building plan, but it does not appear to be, even though the homeowner did not change this. It is possible that it was not built according to the plans.

Bryan Johnson, along with Gus Perrotti, provided multiple photos of the yard and detention area along with a detailed explanation of work done. Mr. Johnson stated there was no grading done, nor any changes made to the drainage structure. He did place large stones by it in order to prevent his son/dogs from entering it.

A motion was made by Mr. Foran, seconded by Mr. L'Hote, to lift the cease and desist order based on information provided by the homeowner and Mr. DeCarli, the Town's Planning and Zoning Official. Voted 5-0.

F) Election of Officers

Mr. Talbot made a motion, seconded by Mr. Boule, to keep Mr. Foran as Chairman and Mr. Wilson as Vice Chairman. Voted 5-0.

10. Old Business

A) Status on Lake Study: Mr. DeCarli reported that a draft of the Nine-Point Plan came out last week. He also noted that he has an (unpaid) intern for the summer, who will help with looking at zoning regulations for potential changes to enhance the watershed.

B) Review Open Permits: No update.

C) Discussion of Timber Harvest Form: Brief discussion occurred on the Timber Harvest Form that was previously presented to and reviewed by the Agency.

A motion was made by Mr. Foran, seconded by Mr. Talbot, to formally adopt the Inlands Wetlands and Watercourses Agency Timber Harvest As-of-Determination form. Voted 5-0.

11. Public Comments: None

12. Adjournment:

Mr. Wall made a motion, seconded by Mr. L'Hote, to adjourn at 8:04 P.M. Voted 5-0.

Respectfully submitted,

Eliza LoPresti
Recording Clerk