

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting
May 31, 2017 – 6:30 P.M.
East Hampton Town Hall Meeting Room

DRAFT MINUTES

Present: Chairman Jeff Foran, Vice Chairman Joshua Wilson, David Boule, W. Dean Kavalkovich, Peter Wall, and Jeremy DeCarli (P & Z)

Absent: Scott Hill, Robert Talbot, Alternate Members Harold L'Hote and Jacqueline True

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

2. Seating of Alternates: NA

3. Approval of Minutes:

A) April 26, 2017 Regular Meeting: *Mr. Kavalkovich moved, and Vice Chairman Wilson seconded, to approve the minutes of the April 26, 2017 regular meeting. Voted 5-0 in favor.*

4. Communications, Enforcement and Public Comment:

Communications: Agency Members received a copy of Solitude's application to DEEP for a permit to apply a copper sulfate treatment to the lake in the event of an algae bloom.

Enforcement: Mr. DeCarli received a phone call regarding a small retaining wall that had been replaced by the Princess Pocotopaug Lake Association. By the time he was informed the work had already been completed, so no cease and desist order was issued. The work was done by hand and silt fencing was installed. Judy Isele, the representative for the Association, was informed that the soil in front of the wall needs to be stabilized with plantings.

Public Comment: Sheila Mullen ,47 Tartia Rd., remarked that last month the Agency made a decision based on a PA-490 exemption for farmland and that the owner of the property in question does not have a PA-490 exemption; he has a forestry exemption. She does not feel that this board did their due diligence. Another party in town stated to her that the beavers from the dam were destroyed.

Sheila Reilly, 56 Tartia Rd., stated in regards to the same case, that the homeowner claimed to want to bring back wildlife; but the wildlife had been there and he destroyed it by

draining his pond. She stated that she would have liked to see the case be continued to the next month's meeting.

5. Agent Approval:

A) Application of CES Danbury Solar, LLC dba Ross Solar, 11 Old Marlborough Rd., to install ground mounted PV solar panels in the Upland Area. Map 10A/Block 83/Lot 36: Duly Authorized Agent Foran stated that silt fencing and/or hay bales will be used and that the only disturbance will be from screwing the poles into the ground.

B) Application of Paul Crouse, 22 West Point Rd., to install a 1000 gal. Underground Propane Tank in Upland Area. Map 05A/Block 83/Lot 11: Duly Authorized Agent Foran stated that an underground oil tank was removed last year and this propane tank would be installed in relatively the same area using proper controls.

6. Reading of the Legal Notice: None

7. Continued Applications:

A) Application of Patrick & Susan Rubega, 57 Spellman Point Rd., to regrade driveway and repair existing home. Map 09A/Block 39A/Lot 28B: A groundwater recharge system and sewer pipe up the driveway were added to the plans since the last meeting. Additionally, a deep gravel preparation for the driveway to handle runoff was added as per the conditional approval of the Conservation-Lake Commission. Revised plans and calculations on roof runoff/drainage system were submitted.

Vice Chairman Wilson moved and Mr. Kavalkovich seconded to approve the application using the standard short form with the two following additional conditions: a) there must be a minimum of 900 square feet of gravel parking area installed (which was not originally shown on the plan), and b) the Town will be provided with a final site stabilization and planting plan. Voted 5-0 in favor.

8. Public Hearings: None

9. New Business:

A) Application of A. Tyler Renovation 13 North Main St., for drainage and work for commercial site. Map 01A/Block 39A/Lot 28B:

Joel Fuller presented the site plan he prepared with Engineer John Bartucci. A man-made drainage swale runs along the west side of the property, which the Town has an easement to. Because it hasn't been maintained, the swale needs to be graded as

there are some current standing water/flooding conditions. Mr. Fuller proposes to install a new 85' pipe from the existing catch basin on Hills Ave into the swale in the property to increase the stormwater flow. He would also like to fill in 860 square feet of the swale to make room for a service exit onto Hills Ave. A proposed bio basin would be added, the planning details of which are supplied by Rich Snarski, who will monitor the drainage for a period of two years and supply the Agency with a report regarding the operation of the system at that time.

The bio basin is designed to handle 80% runoff from a 1" storm, per DEEP regulations. The parking lot will sheet flow into the basin. A rip rap berm is included in the swale plans. A small excavator will be used to make the swale a uniform grade and clean out obstructions; Chairman Foran requested more detail on this. There was discussion on the phasing of the project; phase 1 is the small addition to the existing building, which had previously been approved. Phase 2 is the construction of an additional building and the site work including what is being proposed in this application. It was also noted that this site is not in the lake watershed, and drains to the South.

Chairman Foran asked to see phasing detail, specifically the order of what will be done, and for Mr. Fuller to show on the plan the area where the swale cleaning will be done and the square footage of the rip rap placed at the splash pad. Mr. Fuller stated that he would create a narrative and sequencing.

Vice Chairman Wilson recommended considering a larger berm or more space for water velocity reduction and asked how the bank across from the pipe is protected from scouring out. Mr. Fuller stated that he will speak with the Engineer about this further. Vice Chairman Wilson also asked for a detailed soil report before the next meeting.

Vice Chairman Wilson moved and Mr. Wall seconded to continue this application to the next regularly scheduled meeting of June 28, 2017. Voted 5-0 in favor.

B) Application of Town of East Hampton, 5 Gildersleeve Dr., for a fuel station for town vehicles. Map 1/Block 6/Lot 1:

Matt Brown of Anchor Engineering was present to discuss the plans for replacing the existing underground fuel tanks with new above ground tanks along a cleared area on Gildersleeve Dr. Two canopied 10,000 gallon aboveground, concrete double-walled, convault-style fuel storage tanks will be placed, protected by bollards and chain link fencing. A curb will be placed along with a new catch basin for incidental spills. The catch basin has an inlet with a hydrodynamic separator with capacity for 83 gallons of oil storage.

The wetlands on site were flagged by John Ianni and 630 square feet is included in the upland review area. Silt fencing will be employed during construction.

There was discussion on possible fuel spillage (upon refilling the tanks). The proposed catch basin would not capture enough in the case of a catastrophic fuel spill.

Mr. Kavalkovich moved and Vice Chairman Wilson seconded to continue this application to the next regularly scheduled meeting on June 28, 2017. Voted 5-0 in favor.

C) Application of Alan Chadwick, 5 Sears Lane, to set a pre-fab gazebo on an existing sea wall and patio. Map 4A/Block 63B/Lot 14:

The applicant needs to obtain a variance from the Zoning Board of Appeals. It was discussed that if the applicant does not receive the variance from ZBA, the application no longer stands.

Chairman Foran moved and Vice Chairman Wilson seconded to continue the application to the next regularly scheduled meeting of June 28, 2017. Voted 5-0 in favor.

10. Old Business

A) Discussion:

a) Seawalls and Lake Shore Treatment: Mr. DeCarli was directed to use the existing document as a final draft.

b) Lake Pocotopaug Upland Review Area: Mr. DeCarli stated that the Conservation-Lake Commission has discussed their desire to increase the Upland Review Area around the lake (and possibly some tributaries) from 100' to 200'. Someone from that Commission will speak to the Agency some time in coming months about this.

A motion was made by Chairman Foran and seconded by Mr. Kavalkovich, to add agenda item 10 A) c) Discussion of Fee Charged for Agent Approval. Voted 5-0 in favor.

c) Discussion of Fee Charged for Agent Approval: The current fee for Agent Approval is \$90; \$60 of this goes to the State. \$30 does not cover the amount of time spent by Staff and Duly Authorized Agents on approving the applications. A new cost of \$120 was proposed. A full application now costs \$110, which just barely covers the expense of the legal ad. It was discussed

that perhaps the two fees should be at least equal. It has been at least five years since the fees were updated. Mr. DeCarli will research this and put something together for discussion at the next meeting.

B) Review Open Permits: Hampton Woods received their DOT permit so they will be ramping up work again soon. Edgewater Hills will have a possible modification to their existing drainage system. All other open permits are compliant. It was noted that the new NAPA building does not yet have a building permit, but does have the DOT permit.

11. Public Comments: None

12. Adjournment: *Vice Chairman Wilson made a motion, seconded by Mr. Boule, to adjourn at 8:00 P.M. Voted 5-0.*

Respectfully submitted,

Eliza LoPresti
Recording Clerk