

Town of East Hampton  
**Inland Wetlands and Watercourses Agency**  
**Regular Meeting**  
June 28, 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, Scott Hill, and Jeremy DeCarli (P & Z)

**Absent:** 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:** N/A

**3. Approval of Minutes:**

**A) May 31, 2017 Regular Meeting:** *Vice Chairman Wilson moved, and Mr. Kavalkovich seconded, to approve the minutes of the May 31, 2017 regular meeting. Voted 6-0 in favor.*

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

Communications: Agency Members received a copy of The Habitat.

Enforcement: None

Public Comment: None

**5. Agent Approval:**

*A motion was made by Chairman Foran to add agenda item 5C) Application of Diana and Sean Murphy, 30 Blue Heron Rd., to construct a 16' round above ground pool. Second by Mr. Kavalkovich. Voted 6-0 in favor.*

**A) Application of Sheila Reilly & Adam Dawidowicz, 56 Tartia Rd.,** to construct a 14' x 14' wood deck in the upland review area. Map 27/Block 90/Lot 8: Duly Authorized Agent Foran approved this application for a deck as there will be no excavation; helicoils will be used, and the area is relatively flat.

**B) Application of Eversource/Town of Portland, Depot Hill,** for Airline Trail improvements. Map 01C/Block 3A/Lot A: Duly Authorized Agent Foran stated that the portion of land is in East Hampton but that Portland will be improving their

section up to Depot Hill, within 100' of the wetlands. They will be scraping old material, placing new process and rolling it.

**C) Application of Sean and Diana Murphy, 30 Blue Heron Dr., construction of a 16' round aboveground pool:** Duly Authorized Agent Foran approved this application as it is a relatively flat site, and they will have hay bales and silt fencing.

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

**7. Continued Applications:**

**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, Licensed Land Surveyor, was present to discuss revised plans, which include a review of the swale area from Soil Scientist Rich Snarski. Mr. Snarski has determined the swale to be silty with sparse vegetation and low wetland value. This will be used to transport the storm water to the new drainage pipe. The new bio basin will be used as a temporary sedimentation basin during construction. It will then be cleaned and planted and become a permanent fixture of the project. Based on comments from the last meeting, a 5' x 10' pad of modified rip rap will be within the forebay, filter fabric will be used under that section. A detailed narrative and description of the swale was also submitted.

Aaron Tyler, property owner, stated that some of the stone that is present on the site now will stay on the property as a stone wall and he is working with CT Waste to get rid of the rest. That will happen before this work is started.

The bio basin is sized to handle 1" of rain per DEEP guidelines. Runoff will sheet flow from the buildings and parking lot into the basin. Mr. Fuller stated that no trees will be removed, most vegetation there is brush. Vice Chairman Wilson stated his concern that the bio basin will hold enough soil to support the proposed plantings, and that if this is to be an infiltrating basin the proposed plants are not the correct ones to be planting. The design does not specifically indicate whether the bio basin is designed to hold water or to infiltrate. Discussion occurred on the fact that they might not know the answer to this until digging begins. It was noted that there is a monitoring stipulation on the success of the plantings and Mr. Snarski will be reporting on the effectiveness of the design for two years.

*Vice Chairman Wilson moved and Mr. Wall seconded to approve this application as the applicant has shown an effort to manage storm water on site and to do so in a way that despite the loss of 820 square feet of wetland, will provide an equal or greater value in water quality treatment by use of a bio basin on site. The motion is approved using the short form with the following additional special conditions: 1) Based on the*

*construction sequence submitted by the applicant, after item 7 (excavation of bio basin to be used as temporary construction water basin) the applicant will prepare a detailed design and planting plan for the bio basin which will also show adequate hydrology to support the proposed plantings. The detailed design and planting plan shall be approved by this agency before the applicant proceeds to item number 14 on their construction sequence (clean out of bio basin and final planting); 2) the bio basin be bonded for an amount to be determined by the Town until the two year monitoring is complete and the basin is determined to be successfully functioning as designed; 3) the monitoring reports that will be prepared be according to construction notes on the plan and submitted to the Inlands Wetlands Agency annually as well as the Conservation-Lake Commission. Voted 6-0 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: This application was requested to be continued due to no Zoning Board of Appeals site location or variance approval yet.

*Chairman Foran moved and Vice Chair Wilson seconded to continue this application to the next regular meeting per written request of the Town Engineer. Voted 6-0 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: ***Application withdrawn***

**8. Public Hearings:** None

**9. New Business:**

**A) Application of Edgemere Association, 85 North Main St., for dredging.** Map 19/Block 63B/Lot 27:

Joe Carbonnell of Mallard Cove, representing Friends of the Lake, stated that this project is to create water retention and prevent storm water runoff in that area from entering the lake, as this is one of the sites earmarked in the 9 point watershed plan as a heavy contributor to runoff into the lake. A low impact development engineer, Steve Trinkaus, has been hired to create the plan. Friends of the Lake is funding the project. Mr. Carbonnell is concerned with the time period as they would like this work to start as soon as possible and there are concerns about the plantings having enough time to root. All the work is in the upland review area, not the wetland area.

Plans were presented and discussed; there will be two swales with drains at the low end of the swale with risers that will direct any overflow into a dry well. The parking lot currently sheet flows onto the street, into a catch basin. The Agency members requested the presence of the Engineer to discuss the plans further, as questions

arose such as how exactly the system will work and what it will achieve, and how much water will end up in the swale and be absorbed.

*Vice Chairman Wilson moved to continue this application to the next regular meeting; the Engineer should be present to explain the plan in detail. Mr. Hill seconded. Voted 6-0 in favor.*

**B) Application of Kyle Crowthers, 15 Daly Rd., Request for Modification of Existing Permit #IW92616-16. Map 33/Block 88/Lot 14C.:**

Kyle Crowthers has a current new home under construction on the referenced permit. Dave Erlandsen is his contractor and silt fences are still in place. Mr. Crowthers would like to add a 1,000 gallon in-ground propane tank and run a line, to code, to the back of the garage, which is in the upland review area. This is for a whole-house generator.

*Mr. Boule moved and Mr. Hill seconded to accept the modification to revise the existing permit. Voted 6-0 in favor.*

**C) Permit Extension Request – Edgewater Hill Properties, LLC, Permit #IW-2012-005-IW92527 for Edgewater Hills, 130-138 East High St., Parcels: 10A/85/5B, 10A/85/5A, and 32/85/5.:**

Steve Motto, owner of Edgewater Hills was present. All conditions of the original permit have been satisfied, it is requested to be extended for the proposed modification. The ground is stable and functioning well, and site monitoring reporting requirements were lifted and reports are on file.

*Vice Chairman Wilson moved and Mr. Wall seconded to extend permit #IW-2012-005-IW92527 for Edgewater Hills for four (4) years. Voted 6-0 in favor. Discussion: this is to make improvements to what was originally approved.*

**D) Permit Modification Request – Edgewater Hills LLC for modifications to approved drainage at Edgewater Hills. Map 10/Block 85/Lot 5B.:**

Chairman Foran made it known for the record that he sits on the Town Facilities Building Committee, which if the facilities project is approved will be on Mr. Motto's site. Drainage at that site will not be connected to this site. Chairman Foran offered to recuse himself; Agency members did not feel this was necessary.

A temporary detention basin was built onsite; after experience with rain since 2014, it was found that the water has never been released through the outflow pipe because it is permeating into the ground. Mr. Motto would like to reroute the water because they are ready to build the next building. He proposes to connect two pipes underground, put in a catch basin and reroute the water into a plunge pool and back

out of the pond, which will provide more infiltration. This proposed system is in the upland review area. Mr. Motto submitted hydrology reports showing capacity to handle the flow, and he will maintain the system.

*Mr. Kavalkovich moved to continue the application. This motion was retracted by Mr. Kavalkovich.*

*Mr. Kavalkovich then moved to approve the modification to the existing permit. Vice Chairman Wilson seconded. Voted 6-0 in favor.*

**E) Application of Shane and Lisa Beaty, 88 Long Crossing Rd., to construct a 90' driveway in the upland review area.** Map 12/Block 36/Lot 32, 32A.:

George Cotter, Engineer at CW International represented the Beatys. They are requesting to construct a driveway within a location that is in the 100' setback because of the reasonable grade at that site. Silt fence and hay bales will be used. The driveway will initially be processed material, but will probably be paved in the future. Runoff will shed toward a pond onsite through a maintained grass area; there are permeable soils in that area.

*Mr. Hill moved to continue this application to the next regular meeting; second by Mr. Boule. Voted 6-0 in favor.*

**F) Application of Jack Aleman, 3 Maplewood Dr., for a 4' deck and 15' x 30' pool in upland review area:**

Vice Chairman Wilson recused himself from voting on this application as he is Mr. Aleman's neighbor.

The pool has already been approved, though with a different shape. The square footage of the pool is now a little less than what was originally approved. The deck is reduced to 3'. The location has moved further from the wetlands as well. These changes are considered a plus.

*Mr. Hill moved to handle this application as an agent approval. Mr. Wall seconded. Voted 5-0 in favor.*

**G) Amendments to regulation-provisions for fire suppression:** It was discussed that there may be a blanket permit for the Fire Department to dredge the area of the pump house for downtown fire suppression on Walnut Ave. State regulations allow it. However, the Agency would like to put the wording clearly into local regulations.

*Chairman Foran moved, and Mr. Kavalkovich seconded, to set a public hearing to adopt the new 4.2 regulations for our local regulations at the next regular meeting on July 26, 2017. Voted 6-0 in favor.*

**H) Election of Officers:**

*Mr. Kavalkovich moved to nominate the existing officers to their same positions; Jeff Foran as Chairman and Josh Wilson as Vice Chairman. Mr. Hill seconded. Voted 6-0 in favor.*

**10. Old Business**

**A) Discussion:**

**a) Discussion of Fee Charged for Agent Approval:** Mr. DeCarli reviewed a document he created comparing existing and proposed fees for East Hampton and surrounding towns – these are not just for Agent Approvals, but for more functions.

*A motion was made by Chairman Foran and seconded by Vice Chairman Wilson to set a public hearing on adopting proposed increased fees at the next regular meeting on July 26, 2017. Voted 6-0.*

*Discussion: The Agency members discussed the proposed fees and the rationale for an increase. As of now, money is not being made, and in some cases is being lost to cover the costs of legal notices. Homeowners seem amenable to the fees once it is explained that the State takes \$60 of the fee, plus the cost of the legal ad has to be covered. The amount of time spent by Mr. DeCarli and his staff, as well as Authorized Agents, on applications was discussed. Agency members were comfortable with the proposed fees for the public hearing.*

**B) Review Open Permits:** No report – all large open projects are in compliance. Sports on 66 pond plantings are still not done, a bond is in place.

**11. Public Comments:** None

**12. Adjournment:** *Vice Chairman Wilson made a motion, seconded by Mr. Kavalkovich, to adjourn at 8:48 P.M. Voted 6-0.*

Respectfully submitted,

Eliza LoPresti  
Recording Clerk