

Town of East Hampton
Inland Wetlands and Watercourses Agency
Regular Meeting
September 27, 2017 – 6:30 P.M.
East Hampton Town Hall Meeting Room

MINUTES

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

Absent: Peter Wall, Robert Talbot, and Alternate Member 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) August 30, 2017 Regular Meeting: *Mr. Hill moved, and Mr. Kavalkovich seconded, to approve the minutes of the August 30, 2017 regular meeting. Voted 4-0 in favor (Vice Chair Wilson was not present during this vote.)*

4. Communications, Enforcement and Public Comment:

Communications: There is a resignation letter from Alternate Member Harold L'Hote. Also included is an invitation to the Fall Lakes Forum on October 14, 2017. Interested members can register online. A copy of the Habitat was included. Vice Chairman Wilson mentioned that the CACIWC annual meeting is highlighted within.

Enforcement: Mr. DeCarli will discuss enforcement while reviewing open permits later in the agenda.

Public Comment: None

5. Agent Approval:

A) Application of Earl Kotsonis, 9 Sunset Dr., to remove and replace a deck in U/R area. Map 06A/Block 57/Lot 7S-8:
Duly Authorized Agent Wilson approved this application as there is no wetland activity; the homeowner is replacing a deck in-kind.

6. Reading of the Legal Notice: Mr. DeCarli read the legal notice into the record.

7. Continued Applications:

A) Application of Frank Nunes, 59 Spellman Point Rd., to construct a new single family home in upland review area. Map 09A/Block 70A/Lot 34:

Jim Dutton of Dutton Associates presented revised plans that included an additional topographic survey showing more detail along the lake. The grading was adjusted to a 7% slope leading to the lake; this change will also take away the possibility of water running into the abutting property. A line of boulders and crushed stone was added along the lake. The vegetation and boulders that are already there will stay, and supplemental plantings will be placed among the boulders; photos of the dense ground covers that will be utilized were included.

Additionally, pervious pavers were added to the stairway leading from the driveway to the door on the North side and the last section of the infiltration galley was rotated because of the grade. 100% of the water quality volume will be captured in the galley. The boulders are intended as a place for the first flush to sit, then percolate through, like a berm.

Vice Chairman Wilson moved and Mr. Kavalkovich seconded to approve the application using the standard short form on the basis that the applicant has shown good faith effort to protect water quality of the lake and not result in any damage specific to wetlands or watercourses on or adjacent to the site. Voted (5-0).

B) Application of Jeffrey Threloff, 8 West Point, to remove and replace a bulkhead. Map 5A/Block 83/Lot 17:

David Provencher of Coastline Consulting represented Mr. Threloff and presented the plans for removal and replacement of the bulkhead. A pre-survey has been done and is included with the application. Each pre-cast unit of the new bulkhead will weigh between 2,000 – 2,500 pounds.

Vice Chairman Wilson moved and Mr. Hill seconded to approve the application using the standard short form with the condition that the pre and post survey of the retaining wall and bulkhead be done of the site to make sure there was no encroachment in the lake. Voted (5-0).

Discussion: All feasible alternatives were examined and there is no further encroachment and this will not adversely affect the water.

8. Public Hearings:

A) Application of Jim & Yvonne Mansfield, 18 Flanders Rd., for piping of stream within wetlands and wetland remediation. Map 06A/Block 59/Lot 31B:

The applicants wish to pipe a portion of the stream and backfill a portion to drive the water away from their foundation. There was discussion on whether there is enough grade in the location to accomplish what they would like to. Mr. DeCarli

noted the section in question is about 2.5 feet lower from where it now outlets. It was noted that the splash pad where the pipe outlets is not shown on the plan. There was discussion of the size of the pipe and whether it should be reduced. It was suggested to the homeowners that they keep the pipe at 24". There will be no exposed pipe.

Discussion occurred on whether the original contractor for this property did what he was supposed to do. It was noted that he created a retaining wall, but that the grading was not sufficient and the retaining wall is not good, therefore sloping so that the water runs to the house rather than away from it. Since most of the fill on the property includes debris, the stream is having a hard time finding its natural meandering course. The wetland goes toward the back of this property and outlets eventually to the cranberry bog.

It was noted that this is probably not a high-functioning wetland. It is ecological for the homeowners to get rid of the Japanese knot weed and consider planting a native species that will help fill the area out and beat the knot weed. Mr. DeCarli will provide them with a list of native species.

There were no public comments.

At 7:17 P.M., Chairman Foran moved to close the public portion of the hearing. Vice Chairman Wilson seconded. Voted (5-0).

Mr. Hill requested an approved drawing of the outlet and location of the pipe along with detail on the splash pad. This was discussed further as a condition of the approval. Mr. DeCarli noted that Public Works will be involved as there is a Town maintenance easement, and the pipes will need to be successfully tied together. He will also work with the Town Engineer if necessary.

Chairman Foran moved to approve this application using the standard short form with the condition that Town staff and/or Town Engineer, along with Public Works, look at and approve the concept that a working outlet and a splash pad be shown, which will be filed with the plans and application before any permit is issued. Mr. Hill seconded. Voted (5-0)

Discussion: Supplemental planting of native species is recommended. The reason this application is approved is to correct a bad situation. Before the pipe is covered and buried it needs to be signed off on by Town Staff or the Public Works Director.

9. New Business:

A) Application of Roncalli Institute, Inc., 49 Oakum Dock, after the fact permit for paving of an existing parking lot in the upland review area along the CT River and Great Hill Brook. Map 02/Block 9A/Lot 4:

Pat Benjamin, Engineer with Bascom & Benjamin was present along with Dan Loos, President of Roncalli. The current lot was paved in 2011 and holds about 60 spaces. The wetlands were flagged in the field by Eric Davidson six weeks ago. The area adjacent to Great Hill Brook is armored with rip rap. Most of the runoff from the parking lot goes to the north west corner. The bridge over the brook is half in Portland and half in East Hampton; this was put in around 2004. Mr. Benjamin discussed putting in a catch basin and hydrodynamic separator system for 90% removal. This can outlet to the existing rip rap which is already bigger than it needs to be. The system can't handle the total water quality volume unless the parking lot is broken up, but it will reduce the sediment load and capture oil, salt, garbage, etc. on a newer paved lot that is better than the previous gravel. There was discussion on the maintenance of the system. Mr. Benjamin stated that it would be stated clearly in the design documents that it needs to be cleaned yearly and maintained. East Hampton's municipal wells are over 150' from this area. This led to a discussion on use of salt near wells, with a suggestion to Mr. Loos that they advise their snow plow contractor to use a minimum salt application.

Vice Chairman Wilson moved to continue this application to the next regularly scheduled meeting, with Mr. Kavalkovich providing the second. Voted (5-0).

B) Application of Cary & Sharon Rollins, 18 West Point for a modification request (16-IW92637) for driveway. Map 5A/Block 83/Lot 12:

Ms. Rollins stated that a 10' paved apron is required on a gravel driveway. As their driveway is only 20' long, this would effectively cause their driveway to be half paved and half gravel. They request to pave the entire driveway. The additional pavement would be 165 Sq. Ft.

Mr. Hill moved and Vice Chair Wilson seconded to approve the modification to permit 16-IW92637 to allow for paving. Voted (5-0).

Discussion: This approval is conditional upon a variance because of the increased lot coverage.

10. Old Business

A) Discussion: Amendments to Regulations regarding Upland Review Area:

Mr. DeCarli provided maps showing properties affected by changing the upland review area around the lake to 150' and 200'. Currently, at 100', there are 360 properties in the upland review area. If the change to 150' were made, there would be 394 properties and 443 properties at 200'. In some places, properties across the

street from the lake would be captured. Currently only lake-front properties are, and sometimes not the whole property is included in the 100'.

There was discussion as the purpose of this change and how to speak to the public about it; a broader jurisdiction range will lead to increased infiltration and more oversight at the lake. Regulated activity on these properties will keep property values up and be lake-friendly. Upland review areas in other towns were discussed. Some lakes in CT have as much as 500', Salmon and CT Rivers are at 150', and Candlewood Lake is at 200'.

There was discussion on whether any property that falls within the upland review line can be included as the whole property subject to regulation (and not just the first 150' or 200' of the property.) Mr. DeCarli will look through the 9 Point Watershed Plan and review the tributaries and discharges that would or could be included in this change.

Mr. Hill moved to continue this discussion to the October meeting; Vice Chairman Wilson seconded. Voted (5-0).

B) Review Open Permits: Mr. DeCarli stated that there are dirt piles in front of the old Lake Pocotopaug auto on Rt. 66. Mr. Rand would like to pipe that and has been in touch with DOT and will come before the committee. Mr. DeCarli informed him that the dirt piles in the swale need to be removed.

The property at Day Point Road that was being monitored for activity on the lake seems to have had no major activity. There may have been some rocks taken down and the wall leveled out. Mr. DeCarli will keep an eye on this.

C) Other: There was discussion about how far in advance applicants need to submit information before a meeting. In the regulations there is a minimum of 15 calendar days before the scheduled meeting. It was suggested that this be put on the application. Also suggested was that the level of material needs to be weighed. If an applicant only has a few photos, it may not need to be reviewed prior to the meeting as would plans or documents. Applicants can be given a date at the meeting as to when materials need to be in the office. Mr. DeCarli and Chairman Foran will speak further about this.

11. Public Comments: None

12. Adjournment: *Vice Chairman Wilson made a motion, seconded by Mr. Kavalkovich, to adjourn at 8:20 P.M. Voted 5-0.*

Respectfully submitted,

Eliza LoPresti
Recording Clerk