



**TOWN OF OLD SAYBROOK**  
**Inland Wetlands & Watercourses**  
**Commission**

**Executive Board**  
*Paul H. Smith, Chairman*  
*Charles E. Sohl, Vice Chairman*  
*William J. Pollock, Secretary*

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Telephone (860) 395-3131 • FAX (860) 395-3125

**Members**  
*Brendan T. McKeown*

**Alternate Members**  
*Charles A. Wehrly, III*  
*Judith Preston*

**Commission Reps.**  
*Kimberley Gallagher, CC*  
*Janis L. Esty, Planning*

**MINUTES**  
**REGULAR MEETING**  
**Thursday, January 19, 2012 at 7:30 P.M.**  
1<sup>st</sup> Floor Conference Room  
Town Hall, 302 Main Street

**I. CALL TO ORDER**

Vice Chairman, C. Sohl, called the regular meeting to order at 7:30 P.M.

**II. ROLL CALL**

**Members Present**

Charles Sohl, Vice Chairman  
William Pollock, Secretary  
Kimberley Gallagher  
Charles Wehrly  
Judy Preston  
Janis Esty

**Members Absent**

Paul Smith  
Brendan McKeown

**Staff Present**

Sandy Prisloe, Inland Wetlands Enforcement Officer  
Kathleen Noyes, Administrative Clerk

**III. OLD BUSINESS**

- A. 11-015 David & Stacy Reed**  
*Application to maintain bridge*  
13 Fox Hollow Road (M55 / L15-14)

In their packets, Commissioners received copies of the Osmose Material Safety Data Sheet for the pressure treated wood used in the bridge and a General Location Survey

prepared by David Annino showing existing conditions on Land of Stacy Reed dated 12/29/11.

C. Sohl explained that this application was deemed incomplete at the last IWWC meeting on December 15, 2011. He asked the applicant, David Reed, to present the new information and to review the information from the last meeting for the new commission members present.

D. Reed reviewed the materials being used, emphasizing that there is no arsenic in the wood.

C. Sohl said, in review, that the applicant had constructed a bridge without knowing that he needed a permit for this activity.

The bridge goes in a southeasterly direction connecting with an existing path. The activity on the bridge consists of foot traffic, quads, tractors and a lawnmower.

J. Preston asked about the wet area that the quads will travel over. D. Reed explained that gravel has been laid there. There is no water flow though this area. The path runs between wetland flags 4 & 5 which are adjacent to the bridge.

W. Pollock asked about the area from wetland flag 9 to wetland flag 1 on the south side of the brook, specifically how that area is going to be maintained. D. Reed said it is natural.

C. Wehrly suggested the path should be shown on the drawings.

K. Gallagher asked that the applicant draw the amended plan showing the paths.

S. Prisloe asked that there be a note on the Plan stating that Rich Snarski, Soil Scientist, placed the wetlands flags.

Commissioners asked that the gravel area be added to the map.

**MOTION** to accept application #11-015 David & Stacy Reed; **13 Fox Hollow Road, Application to maintain bridge (M55 /L 15-14) with the following amendments: all of the paths on the property must be shown, there shall be delineation as to where the paths are located, a note shall be added to the Site Plan to show R. Snarski as flagging the wetlands, and a materials list must be added specifically listing the wood type and amount. ; MADE by K. Gallagher; SECONDED by W. Pollock; VOTED IN FAVOR: C. Sohl, C. Wehrly, W. Pollock, K. Gallagher, J. Esty, J. Preston; OPPOSED: none; ABSTAINED: none; APPROVED: 6-0-0.**

**IV. NEW BUSINESS**

- A. 11-016 John & Nancy Giannini**  
*Modification to previous application P05-024*  
16 Vista Terrace (M25 / L11)

In their packets, Commissioners received a copy of a site plan prepared by Doane-Collins Engineering Associates, LLC with a revised date of 1/3/12 and a Zoning Location Survey proposed subsurface sewage disposal system prepared by Steve Donahue dated 6/20/06.

Robert Doane, Professional Engineer, presented for the applicant. He explained that Permit #P05-024 was originally granted on 4/20/06. It was modified on 4/20/08. The current expiration date of the permit is 4/20/15. On 8/18/2011, the IWWC approved the transfer of the permit to J. Giannini.

R. Doane reviewed with Commissioners the requested revisions to the Site Plan.

C. Sohl asked what is on the property now. R. Doane said the driveway has not been constructed yet. There is a pipe under the road which they'd like to change from a 12" pipe to an 18" pipe.

C. Wehrly and J. Preston asked R. Doane about possibly moving the sanitary system. R. Doane said the sanitary system couldn't be relocated because of topography and soil type.

J. Preston asked if they had to bring in soil, and R. Doane said they would be bringing in approved septic fill for the sanitary system.

R. Doane stated that the placement of the septic system has already been approved. The existing plan for the driveway has already been approved also. Approval from CRAHD cannot be had until the complete architectural plans are approved.

C. Wehrly asked if it was possible to increase the distance from the bottom of the leaching field to the groundwater to 24". R. Doane agreed to this request. He said without changing the grading, he could establish the 24" and not have to change the surface contours

C. Wehrly asked about the use of the barn. J. Giannini said he had hoped that eventually he could get a horse for his daughter. Also he intends to use the barn to store the lawnmower, etc. C. Sohl recommended that the applicant see if having a horse in the proposed barn so close to the wetlands is achievable due to acreage and the percentage of wetlands.

J. Preston said she would prefer not to have a horse near such a wet site.

W. Pollock asked if there was a horse, if there would be a fenced in grazing area, and he questioned where that would be located in relation to the wetland.

J. Giannini said he has an antique car that he'd like to put in the barn. The horse is a dream, but if the horse were not allowed, he would still like to have the barn to store the car, the motorcycle and the lawn equipment, etc.

J. Preston asked if the group has taken a site walk of this property.

C. Sohl asked what precautions were being taken to protect the vernal pools. R. Doane said there is a silt fence wrapped around the construction. K. Gallagher asked if the garage could be enlarged from a 2 -car to a 3 -car garage instead of building a barn. This would be attached to the house and away from the vernal pool.

R. Doane said that was considered, however, because of the adjacent property line, with a 3 -car garage, the backyard would be practically eliminated, and they thought it would be less obtrusive to have a barn as opposed to a 3-car garage.

**MOTION** to accept application #11-016 John & Nancy Giannini; **16 Vista Terrace (M25 /L11)**, *Modification to previous application #P05-024 (M25 /L 11)*; **MADE** by J. Preston; **SECONDED** by K. Gallagher; **VOTED IN FAVOR:** C. Sohl, C. Wehrly, W. Pollock, K. Gallagher, J. Esty, J. Preston; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

**MOTION** to deem the activity is not significant and Ordinance 71 fees are not required for application #11-016 John & Nancy Giannini; **16 Vista Terrace (M25 /L11)**, *Modification to previous application #P05-024 (M25 /L 11)* noting that the issue of allowing a horse may be made at a later date; **MADE** by J. Preston; **SECONDED** by K. Gallagher; **VOTED IN FAVOR:** C. Sohl, C. Wehrly, W. Pollock, K. Gallagher, J. Esty, J. Preston; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

**B. 11-017 Town of Old Saybrook**

*Application to maintain a storm water drainage channel across properties  
170 Old Post Road (M27 / L17) and  
4 Allendale Road (M27 / L12)*

In their packets, Commissioners received a map showing drainage channel work section tasks, drainage channel construction sequence and the drainage channel work section identification figure prepared by Geoffrey Jacobson dated January 2012.

L. Bonin, Public Works Director, presented the application. He said the Public Works Department has received numerous complaints from K. Merritt about water backing

up on his property. He explained that the Public Works Department would like to re-dig the trench to get the water to flow. He said the office building at the top of Route 1 has exacerbated this situation even with the detention pond. He said they plan to clean out the swale, pull out the vegetation and the brush. There currently is no drainage easement through this area. Mr. Merritt and Mrs. Cooke, the property owners, have consented to an easement maintenance agreement for the property.

S. Prisloe added that G. Jacobson, consulting engineer for the town, went out to the property. He said the Town of Old Saybrook has requested a letter from G. Jacobson confirming there will be no impact to people downstream

S. Prisloe said on the Allendale end of the drainage ditch, there are lots of phragmites, which dam the flow of the water. The phragmites should be cut and the ditch recreated.

S. Prisloe said that according to G. Jacobson, this work has to be done when the ground is frozen. There is a 14-day period of time after the application is accepted that a decision can be made in case someone would like to request a public hearing. S. Prisloe asked Commissioners to consider holding a special meeting to approve the application so the work can be done when the ground is still frozen.

L. Bonin asked Commissioners if there could possibly be a way in the future for this type of work to be done administratively because there are so many drainage swales just like this in town that need work.

**MOTION** to accept application #11-017 **Town of Old Saybrook; *Application to maintain a storm water drainage channel (M27 /L 17) and (M27 / L12) as presented;*** **MADE** by J. Preston ; **SECONDED** by K. Gallagher; **VOTED IN FAVOR:** C. Sohl, C. Wehrly, W. Pollock, K. Gallagher, J. Esty, J. Preston; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

In order to begin the work as soon as possible, Commissioners discussed holding a special meeting to review and approve the above application. Commissioners decided to hold a Special Meeting of the IWWC on Friday, February 3, 2012 at 9:00 A.M. in the 1<sup>st</sup> Floor Conference Room at the Town Hall.

#### IV. REGULAR BUSINESS

##### A. Minutes – December 15, 2011

**MOTION** to approve the minutes of December 15, 2011 as presented; **MADE** by C. Wehrly; **SECONDED** by K. Gallagher; **VOTED IN FAVOR:** C. Wehrly, C. Sohl, W. Pollock, K. Gallagher; **OPPOSED:** none; **ABSTAINED:** J. Esty and J. Preston.; **APPROVED:** 4-0-2.

**B. Staff Report**

S. Prisløe gave Commissioners a written staff report and an updated roster of Commissioners for the IWWC. He also distributed a draft of suggested frequently asked questions that the public may ask for Commissioners to review. He said there have been more citizens reporting wetlands violations. Sometimes the property owner is unaware of the regulations and sometimes the violation is minor. He suggested that if someone has a minor violation, a letter should be sent letting the property owner know about the complaint, with the FAQ information sheet attached which would educate the property owner. Also, the information on the FAQ sheet could be turned into an article for “Old Saybrook Events” Magazine. S. Prisløe asked Commissioners for their feedback, and he said he is open to questions, comments, revisions, etc.

S. Prisløe then told Commissioners about a report of a property owner cutting brush and placing it in the wetland on 31 Obed Heights. He has not yet spoken to the property owner.

S. Prisløe handed out a map showing parcels for which other complaints have been received.

S. Prisløe discussed a complaint filed by M. Piontkowski about wetlands violations involving multiple property owners near the reservoir. He said he’d like to follow up on the complaint with a letter to each property owners asking them to contact him regarding protective action before coming to the IWWC.

S. Prisløe recently met with Atty Cronin about some concerns Atty Cronin has with IWWC regulation wording. He’s going to write a letter to the Commission because he’d like to strengthen some of the language to make it clearer.

**C. Representative & Subcommittee Reports**

K. Gallagher said a forester from Uconn made a presentation at the last Conservation Commission about a survey the state sent out to property owners with forested properties. Also, K. Gallagher reported that she has been reappointed as a CC representative to the IWWC.

**D. Election of Officers**

**MOTION** to nominate Paul Smith as Chairman of the Inland Wetlands & Watercourses Commission; **MADE** by K. Gallagher; **SECONDED** by C. Wehrly; **VOTED IN FAVOR:** J. Preston, J. Esty, C. Wehrly, C. Sohl, W. Pollock, K. Gallagher; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 6-0-0.

**MOTION** to nominate Charles Sohl as Vice Chairman of the Inland Wetlands & Watercourses Commission; **MADE** by K. Gallagher; **SECONDED** by J. Preston; **VOTED IN FAVOR:** J. Preston, J. Esty, C. Wehrly, C. Sohl, W. Pollock, K. Gallagher; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 6-0-0.

**MOTION** to nominate William Pollock as Secretary of the Inland Wetlands & Watercourses Commission; **MADE** by C. Wehrly; **SECONDED** by K. Gallagher; **VOTED IN FAVOR:** J. Preston, J. Esty, C. Wehrly, C. Sohl, W. Pollock, K. Gallagher; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 6-0-0.

**E. Correspondence**

Commission members received a letter from Matthew White, P.E. of Angus McDonald, Gary Sharpe & Associates dated 12/15/11 regarding The Lee Company in Westbrook.

**VI. ADJOURNMENT**

**MOTION** to adjourn the meeting at 9:12 p.m. until the Special Meeting of the Inland Wetlands & Watercourses Commission scheduled for, Friday, February 3, 2012, 9:00 A.M., in the 1<sup>st</sup> Floor Conference Room, Town Hall, 302 Main Street; **MADE** by C. Wehrly; **SECONDED** by J. Preston; **VOTED IN FAVOR:** J. Preston, J. Esty, C. Wehrly, C. Sohl, W. Pollock, K. Gallagher; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 6-0-0.

Respectfully submitted,

Kathleen Noyes