

**INLAND WETLANDS AND WATERCOURSES COMMISSION  
TOWN OF EAST HADDAM  
LAND USE OFFICE**

**REGULAR MEETING MINUTES  
June 21, 2016**

**1. CALL TO ORDER:** Chairman Randy Dill called the meeting to order at 7:30 p.m. at the Town Grange.

**2. ATTENDANCE:**

**COMMISSIONERS PRESENT:** Mary Augustiny, Jennifer Burton-Reeve, Randy Dill,

**COMMISSIONERS ABSENT:** Bryan Goff, Daniel Jahne, Laura Magaraci

**OTHERS PRESENT:** Mr. Ventres and one townsperson was present

**3. MINUTES**

**Motion by Ms. Augustiny, seconded by Ms. Burton-Reeve to approve the minutes of the April 19, 2016 meeting with the following amendment:**

- **Add Anthony Silvestri, 96 Town Street as the address of the site walk.**

**Motion carried by unanimous vote.**

**4. BILLS:**

NL Jacobson & Associates	\$2108.45
(elementary school work)	

**Motion by Ms. Burton-Reeve, seconded by Ms. Augustiny to pay the bill as presented.**

**Motion carried by unanimous vote.**

**5. FIELD INSPECTION REPORT**

The following sites were inspected:

Sipples: Attended by Ms. Augustiny, Mr. Ventres

Klein: Attended by Ms. Augustiny, Ms. Burton-Reeve, Mr. Jahne, Mr. Ventres

1 East Shore Drive: Attended by Ms. Burton-Reeve, Ms. Augustiny, Mr. Ventres

Odell: Attended by Ms. Augustiny, Ms. Burton-Reeve, Mr. Jahne, Mr. Ventres

Gross/Newberry Road: Attended by Ms. Augustiny, Mr. Jahne, Mr. Ventres (left early)

Sikorsky: Site was not inspected.

## **6. WETLANDS PERMIT REVIEW**

**A) New: 16-05 – Moodus Sipple Hill Estates, Dock Road (in the Dogwood Road), extension of an existing dock in the upland review area. Assessor’s Map 76, Lot (no lot).**

**First date: June 21, 2016**

**Last date: August 24, 2016**

It was noted that there is no lot number for this area, because it is considered part of the road system. Mr. Ventres informed the commission that this application previously came as a retaining wall and dock.

Mr. Pat Lacey, 41 Dogwood Road, president of the lake association, addressed the commission.

Ms. Augustiny stated the extension of the dock is already installed. It is not a large extension. Mr. Lacey stated there are three 12-foot sections that are new. It was noted the “U” shape is new. Mr. Dill indicated there are two 12-foot sections extending into the lake.

Mr. Dill asked the depths of the water. Mr. Lacey stated the association has grown so that many families have boats. He was also informed that the IWWC considers it illegal to moor the boats in the front of the cabins. He stated the water was waist high, as they installed it while standing in the water.

Mr. Ventres stated there are weed beds on both sides of the dock. Mr. Lacey stated the “U” shape is all wood. They will be removed for the winters.

Mr. Dill stated because this is a new application, the commission cannot act on the application until the next meeting, but Mr. Lacey did not need to attend the next meeting.

**Motion by Mr. Dill, seconded by Ms. Burton-Reeve to continue 16-05 – Moodus Sipple Hill Estates, Dock Road (in the Dogwood Road), extension of an existing dock in the upland review area until the next meeting for action. Motion carried by unanimous vote.**

**B) New: W16-06 – Frederick K. & Katherine A. Klein, 199 East Shore Drive, construction of a 95-square foot patio & 105 square foot walkway in the upland review area. Assessor’s Map 80, Lot 400.**

Mr. and Mrs. Klein addressed the commission.

Ms. Augustiny recused herself from voting on this application.

Mr. Ventres distributed a sketch prepared by the applicant.

Mr. Klein explained that he did not realize he needed a permit to do this work. He stated there are stones that people trip on, so they put in what was sold to them as pervious pavers. While they were doing that, they decided to add a patio for sitting. They have worked with Ballek’s to add shrubs, etc.

Mrs. Klein stated the area shown as #1 on the sketch was where Nancy Mackinnon talked about putting in shrubs. The names of the shrubs are on the back of the sheet. Mrs. Klein stated they also own the property next door, so they wanted to take some of the rocks that were removed from the paver location and move them, so they can access through the mountain laurel to the next door property.

Mr. Dill stated the complaint was made about the patio and the walkway. He asked the size of the patio. Mr. Klein stated the patio is 11-feet in diameter. It is made out of the paver stones, which he believes to be pervious. Mr. Ventres asked the applicant to have their contractor email the name of the product, or the Klein's can email it, as long as he knows the name of the product.

Mr. Dill asked if there was any excavation. Mr. Klein responded there would be just enough excavation for them to add the base.

Ms. Augustiny stated that Ballecks' has proposed some shrubs to mitigate the work done.

Mr. Dill informed the applicants that the commission cannot act on this application tonight, since it is the first time on the agenda. He did instruct Ms. Augustiny that she can vote on the continuance.

**Motion by Mr. Dill, seconded by Ms. Burton-Reeve to continue the application for W16-06 – Frederick K. & Katherine A. Klein, 199 East Shore Drive, construction of a 95-square foot patio & 105 square foot walkway in the upland review area until the next regularly scheduled meeting. Motion carried by unanimous vote.**

**C) New: #W16-07 – Tom Kress (agent), Regina Aitoro (owner), 1 East Shore Drive, expand existing deck overhanging the water. Assessor's Map 71, Lot 55.**

**First date: June 21, 2016**

**Last date: August 24, 2016**

No one representing the applicant was present for this meeting.

Mr. Ventres stated there is an existing deck that has no railings for safety. The applicant is looking to expand it 4-feet over to secure it to the jog in the wall of the building. Mr. Dill asked how far over the water it hangs, to which Mr. Ventres stated it was approximately 6-feet, and is cantilevered over the water.

Ms. Augustiny stated the applicant's intent is to put in new wood and child-safe railings around it. Mr. Dill asked the age of the original deck. Mr. Ventres did not know, but stated it was there before their time. Mr. Dill noted this would increase the stability of the structure by tying it into the house.

**Motion by Mr. Dill, seconded by Ms. Augustiny to continue #W16-07 – Tom Kress (agent), Regina Aitoro (owner), 1 East Shore Drive, expand existing deck overhanging the water until the next meeting for action. Motion carried by unanimous vote.**

**D) New: #W16-08 – Stephen Longobardi, 200 EH Colchester Turnpike, construction of a deck in the upland review area. Assessor's Map 57, Lot 118.**

**First date: June 21, 2016**

**Last date: August 24, 2016**

No one representing the applicant was present at this meeting.

Mr. Ventres stated this property abuts Crary Brownell's property on the Bashan Lake.

**Motion by Mr. Dill, seconded by Ms. Burton-Reeve to continue Application #W16-08 – Stephen Longobardi, 200 EH Colchester Turnpike, construction of a deck in the upland review area and to schedule a field walk. Motion carried by unanimous vote.**

**E) Determination – Mary & Frederick Odell, 273 Lake Shore Drive, request for repair to lake-front property damage caused by drainage runoff. Assessor's Map 87, Lot 107.**

**First date: June 21, 2016**

**Last date: August 24, 2016**

No one representing the applicant was present for this meeting.

Mr. Ventres stated the applicant submitted voluminous materials. He noted the commission was on site several years ago for a plan that Mr. Roger Nemergut had created for the town for the drainage. That plan never came to fruition, and the applicant stated they were not in favor of that plan. The applicant informed Mr. Ventres that he would like to replace the cinderblock walkway with wood and railings, replace the pile of stones to repair a 12-foot area along the lake. He would also like to do this for the 13-foot section to the base of the other set of steps. He would like to put in a small curtain drain behind it for drainage. Mr. Ventres believes that the work proposed should be considered more of a repair than a new application. He would like to just do the two small sections on the shoreline. Mr. Ventres noted the map is not drawn to scale.

Mr. Dill asked for input from the commissioners who attended the site visit. Ms. Burton-Reeve stated the work proposed looks reasonable as a repair.

Mr. Dill asked about the engineering work for the town. The applicant would be happy with simply breaking up the flow in small pieces within his yard, and he has been working toward this.

Ms. Augustiny stated the steps do need to be replaced. The rest is really a repair.

**Motion by Ms. Augustiny to make a determination that the repair discussed this evening, to the lakefront piece of the Odell property, 273 Lake Shore Drive, caused by runoff is acceptable to the commission. Ms. Burton-Reeve seconded, and the motion carried by unanimous vote. Ms. Augustiny asked for photos once the work was done.**

**F) Determination – Ron Gross, 9 Newberry Road, proposed agricultural pond, determination of as of right use. Assessor's Map 58, Lot 145.**

**First date: June 21, 2016**

**Last date: August 24, 2016**

No one representing the applicant was present at this meeting.

Ms. Augustiny believed the removal of soils in the wetland required a permit. Mr. Ventres distributed a copy of the application. Mr. Ventres stated he notified the applicant of any Category II determination by the Army Corps of Engineers for removal of over 5,000 square feet of material. He gave the applicant the name of the individual to whom he should speak. The applicant was not happy with this response. Mr. Ventres distributed an email by Attorney Branse regarding this. Mr. Ventres reported that the applicant should be coming back with a plan under 5,000 square feet in size.

Mr. Ventres suggested the commission go back to this site. He told Raymond Sikorski, the contractor, to have the plans to him by July 6, so he can forward them to the commission.

Mr. Dill stated the commission needs to determine if this pond is essential to the farm's operation. He read part of the email from Attorney Branse. Discussion ensued. Mr. Dill stated there are court case links on the CT DEEP's website.

Mr. Dill agreed with Mr. Ventres that whether this is determined as of right or not, it should be documented on the plan.

Ms. Augustiny thought a farm pond was an as of right use, but she did not think that removal of soil from the wetland was as of right. Mr. Ventres stated under 4.1 farm ponds are permitted as of right. He then read from 4.3, not as of right. Mr. Ventres stated if this was a landscape pond, the owner would have to come in for an application. Discussion ensued about other parcels and ponds around town.

**Motion by Mr. Dill, seconded by Ms. Burton-Reeve to continue Ron Gross, 9 Newberry Road, proposed agricultural pond, for determination and a field walk. Motion carried by unanimous vote.**

**G) Determination – Raymond Sikorski, 177 Honey Hill Road, proposed agricultural pond, determination of as of right use. Assessor's Map 13, Lot 05.**

**First date: June 21, 2016**

**Last date: August 24, 2016**

No one representing the applicant was present at this meeting.

Mr. Ventres reported that Mr. Sikorski planned to modify his plan and have it back to Mr. Ventres by July 6. As with the previous applicant, Mr. Ventres gave him the Army Corps of Engineers packet. He will modify the plan so that it is less than 5,000 square feet.

**Motion by Mr. Dill, seconded by Ms. Burton Reeve to continue Raymond Sikorski, 177 Honey Hill Road, proposed agricultural pond for a field walk and determination. Motion carried by unanimous vote.**

## **7. IWWC ENFORCEMENT OFFICER'S REPORT**

Mr. Dill asked about the west side of the causeway. He noted that the next property has had a lot of work done. Mr. Ventres stated they have done a lot of landscaping.

## **8. DISCUSSION**

None

## **9. CONSERVATION COMMISSION INPUT**

Mr. Todd Gelston was not present to give a report.

## **10. APPOINTMENTS**

Mr. Ventres noted that Ms. Burton-Reeve and Mr. Dill are up for re-appointment.

**Motion by Ms. Augustiny to send a letter to the selectmen recommending the re-appointment of Mr. Dill and Ms. Burton-Reeve. Motion seconded by Mr. Dill, and carried by unanimous vote.**

## **11. ADJOURNMENT**

Motion by Ms. Burton-Reeve, seconded by Ms. Augustiny to adjourn at 8.38 p.m. Motion carried by unanimous vote.

Respectfully submitted,

Holly Pattavina