

INLAND WETLANDS AND WATERCOURSES COMMISSION  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
June 21, 2011  
(Not yet approved by the Commission)

**1. CALL TO ORDER:** Vice-Chairman Mary Augustiny called the meeting to order at 7:30 p.m. at the Town Grange.

**2. ATTENDANCE:**

**COMMISSIONERS PRESENT:** Mary Augustiny, David Cassenti, Daniel Jahne, Susan Odell

**COMMISSIONERS ABSENT:** Randolph Dill, Bryan Goff

**OTHERS PRESENT:** James Ventres, and approximately 5 townspeople were present.

**3. MINUTES:**

**Motion by Ms. Augustiny, seconded by Mr. Jahne, and passed unanimously to approve the minutes of the June 21, 2011 meeting as presented.**

**4. BILLS**

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
NL Jacobson (98 Bashan Road)	74222	\$307.23
Branse, Willis, and Knapp (general legal)	1259-85285	217.50
(Urban)	1259.11055	14.50
Hartford Courant (legal notices)	2542	298.10

**Motion by Mr. Jahne, seconded by Mr. Cassenti, and carried by unanimous vote to approve the bills as presented.**

**5. CONSERVATION COMMISSION INPUT**

Ms. Claire Maeder represented that there were no input at this time.

## 6. APPOINTMENT/REAPPOINTMENT OF COMMISSION MEMBERS

Mr. Ventres distributed a resume for Jennifer Burton-Reeve, who was a previous member.

**Motion by Ms. Augustiny, seconded by Mr. Jahne, to send a recommendation to the Board of Selectmen to appoint Ms. Jennifer Burton-Reeve to the Commission. Motion carried by unanimous vote.**

Mr. Ventres stated that Ms. Augustiny, Mr. Jahne, Mr. Cassenti, and Mr. Goff are all up for reappointment.

The consensus of the Commission was to send a letter to the Board of Selectmen requesting reappointment of Ms. Augustiny, Mr. Jahne, Mr. Cassenti, and Mr. Goff to the Commission.

## 7. WETLANDS PERMIT REVIEW

**A) Continued: Raymond Lefoll, 201 East Shore Drive, wetlands permit application to construct a retaining wall along the shoreline. Assessor's Map 80, Lot 401.**

**First date: May 17, 2011**

**Last date: July 19, 2011**

Ms. Augustiny noted that she, Mr. Jahne, and Mr. Dill, and Mr. MacKinnon attended this field walk.

Mr. Lefoll addressed the commission. He stated he and his daughter own this parcel. He explained his proposal to put in a retaining wall. He stated this would blend in with the area. He spoke with Mr. Ernie Thody, the Rock Doctor, who would perform the work. They would use local granite. He stated they have built the other improvements in accordance with the plan before the commission, and in accordance with the plan that was approved last fall.

Responsive to inquiry by Mr. Jahne and Ms. Augustiny, Mr. Lefoll explained that there would be approximately 6-inches below ground, and 12-inches exposed on the water side. The rock would blend in with the grass on the other side of the wall.

Mr. Jahne asked about equipment. Mr. Lefoll believed they would use a small backhoe. Ms. Augustiny explained that this commission looks at the natural topography of the lake. She asked if the applicant had considered any type of plantings, etc. as an alternative. Mr. Lefoll stated at least half of the other properties have retaining walls. He believed this type of wall would be in keeping with the other adjacent properties. He believed the local granite would blend in well with the surroundings. He reiterated that only 12-inches of the granite would be visible. He believed this would be diminuous. He believed Mr. Thody would blend it well with the surroundings.

Ms. Augustiny asked if the applicant had considered other stone, so that it would be more natural looking. Mr. Lefoll did not believe they would use smooth granite. He believed they would make it as much of a straight line as possible. He stated it is not a deep cut.

Ms. Odell asked what was being replaced, and what was there now. Mr. Lefoll stated along the end of the property, had some 2x12 boards, and then metal pins against the boards. He stated there were remnants of a shovel behind the planks. Ms. Augustiny believed in the distant past, this area had been filled. Ms. Odell asked if there was anything in this area now. Mr. Lefoll described it as a ragged, irregular shoreline that appears to drop off approximately one foot from the height of the grass into the water.

Mr. Jahne asked if there was a note on the plan explaining when the work would occur. Mr. Lefoll stated that Mr. Thody recommended they do the work in the fall. Mr. Jahne asked if they would be digging in the water, to which Mr. Lefoll stated the area had been down. Mr. Ventres stated that Mr. Thody has done several of these projects, and he typically uses fieldstone. However, if the commission were to approve this application, standard conditions should be added for erosion control, etc.

Ms. Augustiny suggested plantings along the retaining wall, which would deter geese, prevent the grass from going all the way down to the lake, and would make a more natural look from the lake. Mr. Lefoll stated he would not want anything too high, as his grandchildren swim in this area. Ms. Augustiny stated there are many low growing plants, such as low-bush blueberries, etc. She stated at the corners, they could possibly use higher plants.

Mr. Jahne asked about the straight line wall. Ms. Augustiny stated since they have some time, the applicant could work with the Rock Doctor to come up with a plan for a wall that is not completely straight. Mr. Lefoll stated most of the other walls are straight, and they look very nice. Mr. Ventres explained the reasoning for the not completely straight walls. He stated he could work with the applicant on plantings, etc. Mr. Lefoll stated he would be happy to work with Mr. Ventres and the Rock Doctor.

Ms. Augustiny asked if there would be something behind the wall so the soil would not leak through. Mr. Ventres stated because this is such a low wall, there would not be a lot of force pushing it. Mr. Lefoll stated a lot of the water would weep through the wall. Ms. Augustiny explained that this was one thing that would be helped by the plantings.

Mr. Todd Gelston stated the enemy of a stone wall is water, particularly frozen water. He stated he did not see an elevation view for this plan. Ms. Augustiny explained that this area is very flat. She stated the area did not start to rise until the patio area. Mr. Gelston asked what the water table was in the winter. He suggested the Commission think about drainage, and then where the discharge of water would go. Mr. Ventres stated this is the only lake they do not drain down. He stated this would move around. He stated there would be fewer, larger rocks to move. Ms. Augustiny explained that was one reason they wanted to have some plantings behind the wall. The roots would help stabilize the area, and would also help with the geese problem. Mr. Lefoll stated Mr. Gelston's recommendation would be more appropriate with a dry wall. This is a wet wall.

Ms. Augustiny stated having the applicant revise the plan a bit, work with Mr. Thody, and add some native plantings will help the area look more natural.

Mr. Gelston stated the Conservation Commission wanted the flora and fauna to do well around the lake. He asked if there were criteria to tell people where they can have walls, where they really don't want walls, and where it is critical to various species. He stated the Commission needed to be careful not to make this

a sterile lake. Ms. Augustiny explained that Lake Hayward does not allow power boats. She stated the North side of the lake is very natural, with marsh and wetland plantings. She stated they have done a lot of work on this lake to minimize dock sizes, to help the environment. She stated they also have not allowed digging out of the lake. Mr. Ventres stated that the DEP and other groups have looked at keeping impacts below 25%. He stated a 15-foot buffer of vegetation would do wonders. More of a buffer is even better. He noted that many of these frontages are only 50-feet. Mr. Ventres explained with the walls, it was a case by case basis and investigation.

Ms. Augustiny believed by the applicant agreeing to add the vegetative buffer would help this area. She stated they were trying to reduce the loads.

Mr. Scott MacKinnon stated he would much prefer plantings to construction.

Ms. Augustiny stated they should try to break up the large blocks of granite, to try to make it look more natural and uneven. Mr. Ventres stated part of the balancing act is having more natural looking material where they are not actually accessing the water.

**Motion by Mr. Jahne, seconded by Mr. Cassenti to continue this application until the next regularly scheduled meeting on July 19, 2011. Motion carried by unanimous vote**

**B) New: Scott Russo, 30 Hilltop Road (Moodus Reservoir), installation of retaining wall at the water's edge. Assessor's Map 67, Lot 179.**

**First date: June 21, 2011**

**Last date: August 24, 2011**

No one representing the applicant was present at this meeting. It was noted that Ms. Augustiny, Mr. Dill, Mr. Ventres, Mr. Jahne, and Mr. Scott MacKinnon walked this site.

Mr. Ventres presented the plan and located the area for the commission. He stated they did test pitting, which showed this was a failing septic system. Mr. Ventres stated this application was considered a repair. He stated it did not meet 100% of the Public Health Code, but it was the best they could do under the circumstances. He stated that Ms. Liz Davidson met with the engineers, and they have reduced the block area from 5-blocks to 2-blocks high. If this is not put in, it would render the house unusable. There was discussion about prudent and feasible alternatives. Mr. Ventres stated the proposed retaining wall was an alternative.

Mr. Ventres showed an interlocking piece that would be placed with a backhoe. He explained that Ms. Davidson of the Chatham Health District had looked at this.

Ms. Augustiny asked if there would be plantings behind the blocks. Mr. Ventres stated they could incorporate some plantings. He stated there were four oak trees that had to be removed because the roots were in the way of the septic system. Ms. Augustiny stated this entire area should be planted with plantings and groundcover, so there would not be any lawn here. She stated this was a bad situation, but she believed this was the best they could do under the circumstances. Mr. Ventres noted that most of the other area properties were on sandy soils, except this one.

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Mr. MacKinnon asked why they did not use composting toilets and gray water. Mr. Ventres replied that the State would not approve them. He stated neighbors do complain about these types of systems.

Ms. Augustiny believed this was as far away as they could get, without sitting in the lake. It was noted that this was the first meeting. Mr. Ventres will give the applicant information on plantings, etc. Ms. Augustiny stated they would need a letter from the sanitarian for this application.

**Motion by Mr. Jahne, seconded by Mr. Cassenti, and carried by unanimous vote to continue this application until the next regularly scheduled meeting on July 19, 2011.**

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

Mr. Ventres informed the Commission that he sent out a notice of violation to Mr. and Mrs. Straub on Shulman-Veselak Road. He stated this was an issue with someone buying stone walls. He visited the site, and the contractor has made quite a mess of this area. Mr. Ventres stated he has spoken with the applicant, and the applicant arrived home to find the mess.

Mr. Ventres stated the Selectmen had jurisdiction over the stone wall in the front of the property. The Selectmen did have a meeting and discussed this, but Mr. Ventres did not know the outcome of the meeting. However, he stated the property owner is rebuilding the stone wall in the front. Mr. Ventres stated he will come back with photographs.

Mr. Ventres reported that the Main Street gazebo plantings are all in, but are simply slow-growing.

Mr. Ventres stated he spoke with the person from Shepardsfield, and they have the list of plantings and should be done within the next 30 days.

Ms. Augustiny inquired about Shagbark. Mr. Ventres stated he will speak with Scott Brookes, the Fire Marshal, about fire lane access.

Ms. Augustiny asked about the intersection of WF Palmer and Joe Williams Road, where there is dumping. Mr. Ventres will check into this.

Ms. Augustiny asked about large piles of dirt behind the daycare center on Route 151. She stated this was very close to the pond at Machimoodus State Park. Mr. Ventres stated he would check into this.

Mr. Ventres stated at 89 North Moodus Road, there is still an issue with the proposed campground. He stated with the recent storms, there was a great deal of erosion into the street. Public Works was involved in the cleanup of this. Mr. Ventres stated he met with the engineer, Chris Bell, yesterday. He stated he informed the engineer that the erosion control must be installed.

Mr. Ventres stated this applicant came to the P&Z last fall, and were given many things that would need to be done. The items were not completed, and the property owner had planned to open this spring. Mr. Ventres informed them that they could not open without the proper permits.

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Mr. Ventres stated he had been contacted about a food bank/housing project for Johnsonville; however, he stated they needed to know septic, etc. It does not appear that this is a feasible project at this point.

Ms. Augustiny inquired about the status of Banner Lodge. Mr. Ventres believed they were beginning to work on Phase 3 of their project.

Mr. MacKinnon asked about the stones on the Banner property. Mr. Ventres stated that Dr. Nick Bellantoni went out to this site. He stated there would be more research needed.

Ms. Augustiny stated next Tuesday, there is a seminar at the Salem Town Hall. Ms. Augustiny plans to attend. If anyone else was interested in attending, they should contact Mr. Ventres.

Mr. Jahne asked about the status of the Goodspeed roads. Mr. Ventres stated they are doing test pits this Thursday.

Mr. Jahne inquired about the dam project. Mr. Ventres stated they have had some issues, and plan to be out by the anticipated September 15, 2011 date.

## **9. SHOW CAUSE HEARING**

**A) Steven Urban, 98 Bashan Road, extensive work in the upland review area without permit approval. Assessor's Map 58, Lot 134.**

Mr. Ventres stated he asked Mr. Snarski to go to the site, and prepare a report. Mrs. Urban came to the meeting early and stated she did not have this yet. Mr. Ventres stated he still needed the report, and he would like to get it to Ms. Sharp and Mr. Curtis, as well as the commission, before the next meeting.

## **10. ADJOURNMENT**

**Motion by Mr. Jahne, seconded by Mr. Cassenti to adjourn at 8:58 p.m., and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina