

**INLAND WETLANDS AND WATERCOURSES COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
July 19, 2011
(Not yet approved by the Commission)**

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

2. ATTENDANCE:

COMMISSIONERS PRESENT: Mary Augustiny, David Cassenti (arrived 7:41 p.m.), Randolph Dill, Bryan Goff, Daniel Jahne (arrived 7:51 p.m.), Susan Odell

COMMISSIONERS ABSENT: None

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

Mr. Ventres stated that the official notice appointing Ms. Burton-Reeve has not yet been sent; therefore, she was not present at tonight's meeting.

Mr. Dill appointed Ms. Odell to vote this evening in place of Mr. Jahne, until his arrival.

3. MINUTES:

Motion by Mr. Goff, seconded by Ms. Augustiny, 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>
Branse, Willis, and Knapp (Goodspeed Airport civil rights suit)	1259.07019	\$72.50

Motion by Mr. Goff, seconded by Ms. Augustiny, and carried by unanimous vote to approve the bills as presented.

5. CONSERVATION COMMISSION INPUT

Tabled until later this evening.

6. 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

Mr. Raymond Lefoll addressed the Commission. He submitted a revised plan, showing a bit of a revision to the 1-foot high wall proposed. Mr. Lefoll stated the bank is a bit weakened due to the erosion over the years. He stated the earth below the dock gave way recently. He stated this configuration, as presented, is a good and reasonable design. He noted the elevations would not change. Currently, there is a 1-foot drop from the edge of the water. He believed the wall would protect the area from further erosion. The plantings were from the list submitted. He brought a sample of the granite that would be used. He did not believe this would have a visual impact. He stated it would be a two course, wet wall.

Mr. Cassenti arrived at this time.

Mr. Dill inquired why this application had been continued from last month's meeting. Ms. Augustiny stated the Commission was concerned about a straight, smooth wall going across. She stated the applicant has brought a sample, so they know the material will not be something like cinder block.

Mr. Lefoll explained that the wall would be 18-inches high, but 6-inches of the wall would be set in the base of the ground. Mr. Dill asked how the two locations of retaining wall differed. Mr. Lefoll stated it had been suggested that stones would be better than the granite at this end. Mr. Ventres added that there is stone at this end now.

Mr. Dill indicated when he was on site, it did not appear that there was much erosion. He stated he had a problem with retaining walls that created a "bathtub" around the lakes. He commented that the Eightmile River Watershed is conducting educational outreach programs to use vegetated buffers. Mr. Dill asked if the proposed material would be cut granite slabs, to which Mr. Lefoll confirmed they would be cut granite.

Ms. Augustiny stated the Commission had suggested plantings, which she did not see on the plan. Mr. Lefoll stated his children and grandchildren swim in this general area. They did not want to have any impediment to reach the children in the water if necessary. Ms. Augustiny stated that was why she had suggested low bush blueberry, etc., so that the plantings would not impede the sight, but it would get rid of some of the lawn area, prevent geese, etc. She explained this would provide root structure for the lawn around it, as the plants grow. Mr. Dill believed Ms. Augustiny's suggestion was a reasonable suggestion. Mr. Lefoll disagreed.

Mr. Jahne arrived at this time.

Ms. Odell noted that all of these suggestions were addressed at the last meeting, and were outlined in the minutes. She asked if these granite slabs were fresh cut or reclaimed granite. Mr. Lefoll stated it was not new.

Mr. Lefoll stated this would have been reviewed when the house was bought, within the past 10 years. Mr. Dill noted they did review some work to the cottage and docks previously. This is a new application.

Mr. Goff stated he did not have a real problem with the wall, but was concerned about the plantings. Mr. Dill stated the commission could condition this application subject to plantings, etc. Ms. Augustiny stated they recommended plantings where the wall was going to be placed. She stated some low bush blueberries, cranberries, bearberries, etc. would not impede the sight. Mr. Ventres noted he had sent planting lists to the applicant.

Mr. Lefoll asked about other walls that are around the lake. Mr. Dill explained that each applicant is treated on a case by case basis. He noted that some were done without permits.

After a brief discussion, Mr. Lefoll verbally withdrew his application.

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B) Continued: 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

Mr. Russo addressed the Commission and presented the revised plan. Mr. Ventres explained that the proposed retaining wall could not be porous, due to possible leachate concerns. He stated that this is not what the Commission typically prefers, but it was recommended by the Chatham Health District. They reviewed the plan, which included a ladder/stairwell.

Mr. Goff inquired about plantings. Mr. Russo asked about blueberries. Mr. Ventres stated this area is higher and drier than some other areas, so it could have plantings and mulch, with appropriate plantings from the list Waterfront Gardens, page 6, for sunny, dry soils, and would include shrubs, perennials, and grasses.

Mr. Jahne asked about the blocks, and if it would still be two blocks high. Mr. Ventres confirmed it would be. Mr. Ventres stated there is still time to work before the lake is filled.

Motion by Ms. Augustiny, seconded by Mr. Goff, and carried by unanimous vote to approve the installation of retaining wall, according to the plans dated July 19, 2011, with the plantings as described in the record for sunny, dry soils.

C) New: George Willauer, Baker Lane, excavation of existing pond. Assessor's Map 15, Lot 19.

First date: July 19, 2011

Last date: September 21, 2011

Mr. Willauer stated he would like to excavate an area for swimming and scenic viewing. Mr. Dill asked how large the area was, and Mr. Goff inquired how the work would be done, etc. Mr. Willauer stated the area would be 32ft. x 33ft. They would use a backhoe. He would eventually grow grass in one area he showed on the plan. He would remove some of the "muck" debris, make the adjacent area flush. Mr. Ventres stated this was built up organic matter. Mr. Dill asked if the water would be stagnant. Mr. Willauer replied that the water did move. Mr. Jahne asked if there was a stream flowing into the pond. Mr. Ventres and Mr. Willauer stated there was. Mr. Dill stated the Commission should conduct a field walk. Ms. Augustiny asked Mr. Willauer to stake out the area he would like to dig out, so the Commission could see the area. It was noted that Mr. Ventres would be on vacation until just before the next meeting. The commission will walk this site on August 10.

Motion by Mr. Dill to continue the application for George Willauer, Baker Lane, excavation of existing pond until the next regularly scheduled meeting, and to schedule a field walk on August 10, 2011, time TBD. Seconded by Mr. Goff, and carried by unanimous vote.

Mr. Gelston asked if he could be notified about this walk. Mr. Dill stated he would be notified.

D) New: Daniel O'Mara, 26 Berry Road, construction of bait and tackle shop building in the upland review area. Assessor's Map 67, Lot 66.

First date: July 19, 2011

Last date: September 21, 2011

No one representing the applicant was present at this meeting.

Mr. Ventres stated that Mr. O'Mara lives on Berry Road, but the frontage is on Launching Area Road. Mr. O'Mara has withdrawn the portion of his application that deals with the zoning issue, as the association where his home is located prohibits home occupations or businesses.

It was discovered that the applicant's building, which was purchased that way, is partially on State owned property. Mr. Ventres explained the applicant is now applying to demolish the existing structure and replace it with a 24ft. x 24ft. structure on his own property.

TAPE CHANGE (1B)

Motion by Mr. Dill to continue this application, and to schedule a field walk, seconded by Mr. Goff, and carried by unanimous vote.

7. IWWC ENFORCEMENT OFFICER'S REPORT

Discussed later in the evening.

8. 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. Steve Urban addressed the Commission, and stated his belief that the work is coming along well. He hoped to have a plan by the next meeting. Mr. Urban stated the grass is coming in pretty well, and approximately 80% of the area is growing. He took out one layer of the silt fence, as there was no more erosion in this area. He seeded this area to stabilize the area.

It was noted that Mr. Snarski still has not furnished his report.

Ms. Augustiny asked if the applicant planned to have a walkway at some time. Mr. Urban stated he did plan to eventually have a walkway. Mr. Ventres stated he informed the applicant he should add the dock locations and the walkway at the same time.

He hoped to get a plan that would work for everyone. He asked if he could find out how much of the land, based on a percentage of land that could be used. Mr. Goff stated each property is different, and the Commission has to look at slopes, etc. Mr. Ventres stated the Commission looks at mitigation for applications.

Mr. Goff stated the first step in this application was to stabilize the area. It appears that has been accomplished, so they can now look at long-term mitigation.

Motion by Mr. Dill, seconded by Mr. Goff, and carried by unanimous vote to continue this hearing until the next regularly scheduled meeting.

5. CONSERVATION COMMISSION INPUT

Mr. Gelston informed the Commission that the Conservation Commission plans to log the Nichols property, of approximately 35 acres. They had a site walk last week that was well attended.

Mr. Dill asked if Mr. Gelston has a plan for this cutting. Mr. Gelston stated the forester has a map. On that map are notations of streams and wetlands. They have that information they could email to the Commission. Mr. Dill stated it would be better to have a hard copy. Mr. Ventres stated they could email it and he would send copies to the Commission.

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Mr. Dill stated he and Ms. Augustiny walked this site after getting information that this logging would occur. He stated there are three watercourses on this property. There is potential for erosion getting into the watercourses and possibly the lake. He stated there is a provision for a declaratory ruling by this commission.

Mr. Gelston stated they purposely stayed away from the watercourses. This is the Conservation Commission's first logging project in town, and they want to do a good job. He stated he would send the reports he has to Mr. Ventres. Mr. Dill asked if there was a provision for seeding. Mr. Gelston believed they did. Mr. Gelston stated the forester's report is with the Board of Selectmen, and they hoped to get this done in September.

Mr. Dill asked when there are future plans for logging, that the Conservation Commission notify the IWWC, as they would like to review the plans. If there are no wetlands, it would be out of this commission's purview, but they would still like to see them. Responsive to inquiry by Ms. Augustiny, Mr. Gelston stated the trees with the orange tags will be removed. Anything with an orange slash will be cut for firewood. The vibrant species would be left intact. The red and white oaks were left as seed trees. The forester also marked some light blue trees as a suggested trail for the skidder. Mr. Dill asked if this information was in map form. Mr. Ventres stated it was. Mr. Dill stated it would be helpful to see this information.

Mr. Gelston stated the landing would be right next to the old trash dump. Mr. Dill stated this would require some distance in skidding. Mr. Gelston agreed that a few of the trees would have to be hauled quite a distance.

Mr. Gelston asked if the Conservation Commission needed a full application. Mr. Dill stated there was a provision that would require a form. Mr. Ventres disagreed. He believed forestry was permitted. Mr. Dill stated there was a provision in the regulations for a declaratory ruling. Mr. Ventres stated in the last 15 years, he has considered this as forestry. He stated there have been a few that have had regulated stream crossings that have been reviewed. Mr. Dill stated it would be good to know before these things happen, so the Commission could decide one way or another.

7. IWWC ENFORCEMENT OFFICER'S REPORT

Mr. Ventres stated he spent Saturday at Lake Hayward, and discussed water problems and other issues.

Mr. Goff asked the status of Beebe Road. He stated the road has several cones in place, and the road has eroded. Mr. Ventres will check into this.

Mr. Dill asked if Mr. Ventres had heard from Pat Young. Mr. Ventres stated he went to the last meeting, and Pat will go to the next seminar.

Mr. Ventres stated there was an issue on Sims Lane. The property owner's father-in-law cleared the low shrubs. Mr. Ventres stated some of the tags were removed, but they have more conservation tags to post.

Responsive to inquiry by Ms. Augustiny, Mr. Ventres stated he would talk to Mr. Brooks about Shagbark's fire lane.

Mr. Jahne asked about the pervious pavement for the Goodspeed housing project. Mr. Ventres stated the first load of gravel is there. They have taken approximately 80% of the soil out already. They will add the filter fabric, then crushed stone, then the material.

Mr. Dill asked if the Commission was required to remit the application fee for tonight's first application. It was noted that the applicant did not request it, and there was staff review.

Mr. Goff asked about Shadybrook. Mr. Ventres stated nothing new has happened with this. The building official issued a stop work order until a structural engineer looked at this.

Mr. Gelston asked about the junk vehicles. Mr. Ventres stated the maximum number of junk vehicles was two. Mr. Gelston stated it would be good to suggest removal of these.

9. ADJOURNMENT

Motion by Mr. Goff, seconded by Mr. Jahne to adjourn at 9:08 p.m., and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina