

INLAND WETLANDS AND WATERCOURSES COMMISSION  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
August 16, 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, Randolph Dill, Bryan Goff, Daniel Jahne, Jennifer Burton-Reeve

**COMMISSIONERS ABSENT:** David Cassenti, Susan Odell

**OTHERS PRESENT:** James Ventres, and approximately 6 townspeople were present.

3. **MINUTES:**

Motion by Mr. Goff, seconded by Mr. Jahne, and passed unanimously to approve the minutes of the July 19, 2011 meeting as presented.

4. **BILLS**

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
Hartford Courant (legal notices)	2404	\$90.22
Branse, Willis, and Knapp (general legal)	1259.86285	\$33.00

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

5. **CONSERVATION COMMISSION INPUT**

Ms. Claire Maeder stated they were almost done with the trail guide.

6. **DISCUSSION**

A) Conservation Commission, Nichols property logging project

Mr. Dill stated he had asked for the information on this project. He noted that Mr. Ventres had reminded them that logging was a non-regulated activity. However, Mr. Dill stated they could make a declaratory ruling on it.

Mr. Dill had questions about the logging contract. He stated the logging contract can be done over a 12-month period. He asked about activity around the wetlands. Mr. Ventres stated that as long as they put up the proper barrier, they would be okay. Mr. Dill read from the contract, and suggested that “may apply seed at the end of the operation” be changed to “shall seed at the end of the operation” around intermittent watercourses and areas of steep slope.

Responsive to inquiry by Mr. Dill, Mr. Ventres stated he typically walks the area before the work takes place. Mr. Dill stated they should be checked before, and followed up on after the work is done. Ms. Augustiny commented that this is not a wetlands issue, but she suggested they not cut during the breeding season, which is April to July. She noted she saw a Scarlet Tanager during her walk. Mr. Jahne asked if this land would be open space, to which Mr. Ventres responded affirmatively.

Mr. Todd Gelston arrived and Mr. Dill reviewed the seeding suggestion. Mr. Gelston stated this was fine with him.

Mr. Dill appointed Ms. Burton-Reeve to vote in place of Mr. Cassenti this evening.

## 7. WETLANDS PERMIT REVIEW

**A) Continued: 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. Dill noted that all of the commissioners except Mr. Cassenti attended this walk.

Mr. Willauer addressed the Commission and reviewed the proposed excavation of 33 feet.

Mr. Dill stated this was on the uphill side of the stone dam. He recalled that Mr. Willauer planned to put the excavated material on the downstream side of the dam. Mr. Dill stated that no amount of silt fence would hold this material back. Since the field walk, Mr. Willauer has changed the location to an area away from the stream.

Mr. Dill explained to the applicant that there was no guarantee that this dam would hold water. Mr. Willauer understood this. Mr. Willauer stated he planned to go down to the shingle ledge base, which would be about 3-feet. On the uphill side, he would excavate approximately 3-feet to the virgin soil.

Mr. Jahne asked about any structures as part of this project. Mr. Willauer stated he would like to add stone steps on the downhill side. Responsive to inquiry by Ms. Burton-Reeve, he stated he would like to add a pier on the uphill side. He believed this was part of the rock that had been there. He would basically reassemble the rocks there to make a small pier for walking.

Mr. Willauer stated he is clearing some area, and asked permission to put stumps in part of the upland review area. It would be on the bank. Mr. Dill stated this was a somewhat steep slope, and he asked how far from the wetlands line this was. Mr. Willauer stated it was probably 50-60 feet off the wetland. Mr. Dill asked what Mr. Willauer would do to keep them there. Mr. Willauer stated he would not dig it out, but would just put them on the ground.

Mr. Dill asked if there was a flatter area where the stumps could be placed. Mr. Willauer stated he might be able to take them up the hill, but this area would be much more convenient. He stated the stumps would be clean, with the dirt knocked off them. He stated they would be approximately 4-feet high. Mr. Dill stated it was probably not a big deal, but he would like to walk this area. He stated the Commission could approve the other items, and then deal with this.

**Motion by Mr. Goff to approve, with clarification to add the stone steps and the pier, as reflected in the notes dated August 16, 2011, and that the Land Use Officer be notified before work commences and after the work is complete, and photographs to be submitted. Motion seconded by Ms. Burton-Reeve, and carried by unanimous vote.**

**B) Continued: 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**

It was noted that all commissioners except David Cassenti were on site for this field walk.

Mr. Ventres presented the plan, and Mr. O'Mara explained his proposal. Mr. O'Mara stated that the parking area would stay, the trailer would be removed. He would have some boat/skiff storage on the beach, and some kayaks in a separate area.

Mr. Dill stated they noticed some pipes that were leaking water. Mr. O'Mara believed these were clay pipes from the old drains across the road. He believed the water was coming from Oak Road/Rock Road. He did not know what should be done with this. He stated for forty years, there has always been water flowing through this property. He stated the previous owner installed a PVC pipe in the swamp, which clogged, and caused issues.

Mr. Dill asked what would be in the bait shop. Mr. O'Mara stated he planned to have shiners, minnows, etc., as well as some snacks, etc. He would use lake water for the bait. Ms. Augustiny asked about leftover bait. Mr. O'Mara stated that they were regulated, and none of the bait would be released into the lake.

Ms. Augustiny asked about stabilizing the area. Mr. Ventres believed if this work was done before the lake was re-filled, it should be fine. Mr. Dill stated this should be added to the permit. He added that the dock may need some work.

Responsive to Mr. Goff, Mr. O'Mara stated the whole area would be 24ft. x 24ft. Mr. Goff asked if the applicant had considered runoff, to which Mr. O'Mara stated he had not considered this. Mr. Goff stated they should consider something for runoff.

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Ms. Burton-Reeve questioned the filtration of the live wells. Mr. O'Mara explained the wells would have two filters, one for aeration, and another filter before the water was released back into the lake.

Mr. Dill asked if this would be a year-round use. Mr. O'Mara stated it would be seasonal.

Mr. O'Mara stated he would pull back a bit of area on the beach area, for access to the water. Ms. Burton-Reeve asked how far the house would be from the original beach. Mr. O'Mara stated it met all of the setbacks for zoning, and he thought it was 25-feet. He would try to keep it facing Launching Area Road.

Mr. Dill asked if there would be any gasoline, etc. stored in the building, to which Mr. O'Mara stated there would not. Responsive to inquiry by Ms. Burton-Reeve, Mr. O'Mara stated there would be a portable privy bathroom only.

Mr. Dill stated the notes should be added to the plan.

**Motion by Ms. Augustiny to approve the permit for Daniel O'Mara, 26 Berry Road, construction of bait and tackle shop building in the upland review area, adjacent to the State boat launch, according to the plans dated 2/10/09, with the following conditions:**

- To include repair of existing dock, approximately the same size.
- In the eroded area, to pull the sand back to the toe of the slope, and that part shall be done before the lake is refilled.
- Repair the retaining wall....

*TAPE CHANGE (1B)*

- ....and repair the retaining wall on the northeast corner of the property.
- Remove the existing building and trailer.
- After work is done along the lake side, the applicant must submit a photograph to the Land Use Office for the file.
- The building size will be 24-ft. x 24-ft.

Seconded by Mr. Goff, and carried by unanimous vote.

**C) New: 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: August 16, 2011**

**Last date: October 19, 2011**

No one representing the applicant was present at this meeting. Mr. Ventres stated for the record this is now a co-application with Mr. Lefoll and Mr. Edward Noble.

It was noted there is an area of grasses and shrubs. Mr. Goff asked if the wall has changed at all since the last application. Mr. Ventres reviewed the area of riprap previously, which has now changed back into granite block. Mr. Dill asked how this plan has changed. He stated right now, this plan shows approximately 40-feet of granite.

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Mr. Ventres could not locate the original plan they marked up. It was believed that Mr. Lefoll took this plan with him the last time he was before the commission.

Mr. Ventres stated the plan now includes shrubs and perennial grasses. Mr. Dill asked if there was a huge difference between the granite pieces. Mr. Ventres stated he spoke with Mr. Ernie Thody, and the pieces would be uniform between 9-10 inches.

Mr. Dill asked what the difference was between the 2-ft. x 9-in. x 4-ft. and the small stones. Mr. Ventres stated the commission should consider whether they want an area of gaps which would allow some vegetation to grow. Mr. Dill recalled there is stone there now. He stated there would be an argument to be made that they could use stone that was there.

Mr. Goff asked if they should walk this site. Ms. Burton-Reeve has not walked this site. Mr. Goff stated he was on site once, but not for this application. It was decided that the Commission would walk this site again.

Mr. Dill commented that what Mr. Ventres put together previously was a very reasonable plan. Mr. Jahne stated it appeared this was nearly the same plan, with an additional 15-feet of buffer.

**Motion by Mr. Dill to schedule a field walk, and to continue the application of Raymond Lefoll, 201 East Shore Drive, wetlands permit application to construct a retaining wall along the shoreline. Assessor's Map 80, Lot 401. Motion seconded by Mr. Goff, and passed unanimously.**

## 8. SUBDIVISION REVIEW

**A) New: Application 11-02, Clark Gates, LLC, Homestead Subdivision – Bogel Road, wetlands review for a proposed 2-lot subdivision. Assessor's Map 38, Lot 11.**

**First date: August 16, 2011**

**Last date: October 19, 2011**

Mr. Bob Casner addressed the commission and explained his proposal for a re-subdivision of one of the lots. This is at the corner of Sims, between the old farmhouse and another house he built.

Mr. Ventres noted the Commission has been on this site three times.

Mr. Casner stated there is no activity in the wetlands or in the upland review area. The lot is 2.6 acres, and the remaining lot will be 10 acres.

**Motion by Mr. Dill to schedule a field walk, seconded by Ms. Burton-Reeve, and carried by unanimous vote.**

## 9. IWWC ENFORCEMENT OFFICER'S REPORT

Mr. Ventres has been away on vacation, so he has no new report.

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Mr. Dill and Mr. Goff questioned the activity Cray Brownell was looking to do. Mr. Ventres stated that Mr. Brownell was looking for a declaratory ruling on digging out a pond. Mr. Goff stated that Mr. Curtin was not there, and there was no paperwork. Mr. Ventres stated that he would get the paperwork so the Commission can go back during the September field walk. Ms. Augustiny asked if this would still be a farm pond. Mr. Ventres stated that there are no farm animals there.

## 10. SHOW CAUSE HEARING

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

No one representing the applicant was present at this meeting. Mr. Ventres reported that he spoke with Mr. Snarski, and Mr. Snarski cannot get in touch with Mr. Urban.

**Motion by Mr. Dill, seconded by Ms. Burton-Reeve to continue this show cause hearing, for a plan either by the applicant's choosing, or by the Commission's expert by the September meeting. Motion passed unanimously.**

## 11. ADJOURNMENT

**Motion by Mr. Goff, seconded by Mr. Jahne to adjourn at 8:55 p.m., and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina