

**INLAND WETLANDS AND WATERCOURSES COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
October 15, 2013
(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, Jennifer Burton-Reeve, Bryan Goff Daniel Jahne, Susan O'Dell

COMMISSIONERS ABSENT: None

OTHERS PRESENT: James Ventres, Emmett Lyman, and approximately 8 members of the public were present.

3. MINUTES:

Motion by Mr. Goff, seconded by Ms. Burton-Reeve, and passed unanimously to approve the minutes of the September 17, 2013 regular meeting with the following amendments:

- Page 1, Item 4, replace seconded by "Ms. O'Dell" with "Ms. Burton-Reeve"
- Page 3, Item 6D, Motion: Add "and to continue" after "field walk"

4. BILLS

Hartford Courant

\$100.25

Motion by Mr. Goff to pay the bill as presented. Motion seconded by Ms. Burton-Reeve, and carried by unanimous vote.

5. FIELD WALK REPORT

A field walk was conducted, at which Mr. Dill, Ms. Augustiny, and Ms. Burton-Reeve were in attendance.

6. WETLANDS PERMIT REVIEW

A) Continued: Property Owners Association Lake Hayward, Lake Hayward Association property, wetlands permit application for construction of walkway and dock. Assessor's Map 87, Lot 216.
First date: September 17, 2013 Last date: November 20, 2013

Mr. Neil Murphy and Mr. Gary Petersen addressed the Commission. Mr. Murphy submitted a sketch to the commission, and Mr. Petersen submitted photographs. Mr. Ventres stated they had discussed a small area for parking, etc. The association would be responsible for putting up a sign for loading and unloading only. Mr. Dill dated the sketch submitted by Mr. Murphy.

Mr. Goff noted there was to be a retaining wall. It was noted that this was on the plan.

Motion by Ms. Augustiny to approve the application of Property Owners Association Lake Hayward, wetlands permit application for construction of a walkway and dock, and a loading/unloading area, as indicated on the plan dated 10/15/13. Motion seconded by Mr. Goff, and carried by unanimous vote.

Ms. Augustiny asked the applicant to submit photographs to Mr. Ventres once the work is completed.

B) Continued: Bryan Kiley, 64 Laurel Cove Road, construction of deck in the upland review area. Assessor's Map 48, Lot 44.

First date: September 17, 2013

Last date: November 20, 2013

Mr. Bryan Kiley addressed the commission. Mr. Dill noted that three of the commission members were on site. Mr. Kiley stated this application was for a deck, approximately 15'x20', and approximately 10' high.

Mr. Dill asked if the basement would change, to which Mr. Kiley responded there would not. Mr. Dill asked if the deck would remain uncovered, and Mr. Kiley responded affirmatively. Mr. Goff asked if the patio would remain. Mr. Kiley confirmed that it would stay in place.

Mr. Goff asked about the material. Ms. Augustiny asked if the commission had discussed drainage. Mr. Kiley stated the roof line would not change. The material will be pressure treated wood as well as Trex decking.

Motion by Ms. Burton-Reeve to approve in accordance with the plans dated October 4, 2013, with the understanding that this shall remain an uncovered deck. Motion seconded by Mr. Jahne, and carried by unanimous vote.

Ms. Augustiny asked Mr. Kiley to submit photographs once the work is complete.

C) New: Myron Bernstein, Lot 2 East Haddam Industrial Park, proposed driveway and storm drainage construction in the upland review area. Assessor's Map 27, Lot 63.

First date: October 15, 2013

Last date: December 18, 2013

Mr. Roger Nemergut, P.E. stated this application is for one of the two remaining lots in the industrial/business park. Mr. Nemergut stated this is an access, and is an approved lot from the 1986 subdivision. There is approximately 150 feet of frontage on Route 82.

Mr. Nemergut showed the areas of wetlands. He stated the owner has made efforts to sell this parcel, and the feedback he has received was that people would like it to have access off Route 82, rather than from the industrial park. This work would include work in the upland review area. He would like to construct the entrance, to ensure to prospective buyers that this is a viable access.

Ms. Augustiny asked if there was any other means of access for this lot. Mr. Nemergut stated there is another means of access, but the feedback the owner has received is that people want access from the main road.

Responsive to inquiry by Mr. Dill, Mr. Nemergut stated there are at least three lots owned by Mr. Bernstein, and there were probably 3 usable acres for these lots.

Mr. Jahne questioned if the DOT would approve this driveway. Mr. Nemergut explained that they would have to address the sight line, as well as drainage. He believed they would be able to obtain a DOT permit for this work.

Mr. Dill asked the total length of the proposed road. Mr. Nemergut stated it would be approximately 200-feet. He stated the length would be to get beyond the upland review area. He noted that the permit, if approved, would be good for 5 years. He believed the owner would only build the approach at this point.

Mr. Goff asked if the driveway would be paved or gravel. Mr. Nemergut stated it would be paved, and would be the standard 24-foot wide driveway, with curbed sides.

Mr. Dill suggested the best course of action would be to walk this site.

Mr. Jahne asked about wetlands flagging. Mr. Nemergut stated they were flagged in 1986, but there are no flags left. It was noted that the areas closest to the road should be re-flagged.

Motion by Mr. Dill to continue and schedule a field walk for the application of Myron Bernstein. Motion seconded by Ms. Burton-Reeve, and carried by unanimous vote.

D) New: Michael Widger, 68 Laurel Cove Road, demolition and reconstruction of single family residence, with activity in the upland review area. Assessor's Map 48, Lot 43.

First date: October 15, 2013

Last date: December 18, 2013

Mr. Nemergut, P.E. addressed the commission. He explained there is an existing 2-bedroom year-round house there now, approximately 800 square feet. The well and septic were shown on the plan. The septic system is of an unknown size, but Mr. Nemergut showed the area on the plan. They propose to tear the old house down, and replace it with a larger house and driveway. The new house would not be any closer to the lake than the existing house. They propose to abandon the existing septic system, and replace it with a new system in the southwest corner. They would have to install a new leaching system. Part of the project would also be the drilling of a new well.

Mr. Nemergut stated the house would be larger to the west. The activity in the upland review area would be the well, as well as the footing drain.

Mr. Nemergut stated the existing house is 2 bedrooms, and the new house would remain 2-bedrooms.

Mr. Jahne asked about grading. Mr. Nemergut stated there would be some grading in the back of the house. The front and the back would have a grade change of approximately 1-foot. Ms. Augustiny asked if the grade change would be fill, to which Mr. Nemergut responded affirmatively. Mr. Nemergut stated there would be some fill, as well as some cut.

Mr. Dill asked if there was any concern about the well, in proximity to the unknown septic area. Mr. Nemergut explained that they would find the septic and fields, and they would be removed. The well would then be drilled.

Mr. Goff asked about the existing deck. Mr. Nemergut stated the existing deck would be removed, but the new deck would be cantilevered, and would be an open deck. Ms. Augustiny asked about the roof runoff. Mr. Nemergut stated it would be infiltrated.

Motion by Mr. Goff, seconded by Ms. Augustiny to continue the application of Michael Widger, and to schedule a field walk. Motion carried by unanimous vote.

E) Felicia Tencza and Randall Miller, 22 Forest Way, repair of existing retaining wall. Assessor's Map 80, Lot 333.

First date: October 15, 2013

Last date: December 18, 2013

Mr. Miller stated the wall has decayed over the years. They would like to replace it with field stone, in order to make a sturdy wall. Mr. Miller stated they essentially just want to repair the wall. They would supplement the existing stone with field stone.

Mr. Goff asked if this work would be done by hand, to which the applicants stated all of the work would be done by hand. It will be backfilled.

Ms. Augustiny inquired about the dock. Mr. Miller stated in the past they have removed the dock in the winter, but at this point, they plan to leave it.

Ms. Burton-Reeve asked if they would replant the lilies. Mr. Miller did not wish to replant the lilies. It was suggested that this would be a good idea to have some type of barrier to keep the geese out.

Motion by Mr. Dill, seconded by Ms. Burton-Reeve, and carried by unanimous vote to continue the application of Felicia Tencza and Randall Miller, and to schedule a field walk.

7. SUBDIVISION REVIEW

A) New: Application 13-03, Robert Casner, re-subdivision plan, Kensington Woods Section V, Assessor's Map 47, Lot 81.

First date: October 15, 2013

Last date: December 18, 2013

Mr. Casner addressed the commission and presented the plan. He stated this was a re-subdivision from a previously approved subdivision in 1994. He would like to develop this property now. This is a 17-acre site. There is no activity in the wetlands area. He asked for a letter to be sent to the Planning and Zoning Commission.

Mr. Casner submitted a copy of the approval letter for the driveway from 1994. The commission questioned the surface, and Mr. Casner stated it would remain a gravel driveway.

Motion by Mr. Dill to send a letter to P&Z stating that this application meets the requirements of the IWWC. Motion seconded by Ms. Augustiny, and carried by unanimous vote.

8. IWWC REPORT:

Mr. Ventres stated that Mr. Nemergut submitted a request for an extension for Mr. Charles Mierzejewski, for a septic repair. Mr. Ventres noted that nothing has changed in the regulations that would affect this.

Motion by Mr. Goff to approve and extend the application of Charles Mierzejewski, septic repair, as presented, with no changes from the original approval. Motion seconded by Ms. Augustiny, and carried by unanimous vote.

Mr. Ventres stated he has not had a chance to speak with the owner of the wildlife management area on Whitewood Road. Mr. Ventres has spoken with the person who did the original logging. Mr. Ventres will meet with them in the field, and will report at a future meeting.

Ms. Augustiny asked if there would be any filling done. Mr. Ventres stated there would have to be some filling.

Mr. Dill stated this item should be kept on the agenda for follow up at future meetings.

Ms. Augustiny stated that Shagbark has still not completed their work. Mr. Ventres stated that no further building/changes can be done until there is compliance.

Responsive to inquiry by Mr. Dill, Mr. Ventres stated that the work on Haywardville Road is still planned. They may do this work this fall.

Mr. Ventres has not yet checked on the Urban property, but will report at a future meeting.

Mr. Ventres stated there would be a town clean up for Sunrise Resort on October 27, beginning at 1:00 p.m. and ending at 5:00 p.m. Ms. Augustiny noted that once the area was cleaned, the plan was to open it to the public.

The commission discussed field walks. It was decided that the next field walk will be on Sunday, November 17, 2013, 9:00 a.m.

9. CONSERVATION COMMISSION INPUT

Mr. Gelston had no new information to report. However, he questioned the Planning and Zoning public hearing for regulation changes next week. He believed some of these changes would adversely impact wetlands. Discussion ensued. Mr. Dill and Ms. Augustiny did not believe the changes would really impact wetlands. Mr. Ventres stated that the buildable square proposed regulation would still have to meet wetlands regulations. If the proposed regulation changes, in order to use the alternative method, applicants will have to add land if they cannot meet the regulations the way they are currently. Mr. Ventres believed the review process will be more extensive. He stated any time you increase the density, there are potential impacts.

Mr. Dill stated that any time there is a subdivision, it is the wetlands job to point out if there are going to be potential adverse impacts. Mr. Gelston did not believe this would bring any benefit to the town, and would be detrimental. Mr. Jahne asked how this proposed regulation came about. Mr. Ventres explained that there were comments from developers, and there have been arguments from others. Mr. Jahne asked how these changes compared to other towns. Mr. Ventres believed that East Haddam, even with these changes, would still be more restrictive than neighboring towns.

Mr. Ventres stated if developers come with the new regulations, if they are passed, they have to demonstrate that they cannot meet the standard way but still meet the stormwater management goals.

10. ADJOURNMENT

Motion by Mr. Goff, seconded by Ms. Burton-Reeve to adjourn at 8:53 p.m. Motion carried by unanimous vote.

Respectfully submitted,

Holly Pattavina