

**EAST HADDAM INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**REGULAR MEETING MINUTES**  
**March 20, 2007**  
**(Not yet approved by the Commission)**

**1. CALL TO ORDER**

The meeting was called to order at 7:05 p.m. by Chairman Randolph Dill at the Town Grange.

**2. ATTENDANCE**

**Members Present:** Randolph Dill, Mary Augustiny, Jennifer Burton-Reeve, Bryan Goff, Dan Jahne

**Members Absent:** Matthew Davison, Wendy Goodfriend

**Others Present:** Mr. Ventres, Harvey Thomas, Laurie Alt, Bernie Gillis, Margot Burns, Judy Preston, Anita Ballek, Scott Mackinnon

Mr. Dill appointed Mrs. Burton-Reeve and Mr. Jahne to vote in place of Ms. Goodfriend and Mr. Davison.

Mr. Dill altered the agenda to discuss Item 5.A. first.

**5. PRESENTATION**

**A) Riparian Buffers – Presented by Margot Burns and Judy Preston from the Connecticut River Estuary Regional Planning Agency**

Ms. Judy Preston, director of the Tidewater Institute distributed a brochure and information to the Commission. She informed the Commission that she and Ms. Burns had been working under an EPA grant for approximately two years on the Long Island Sound Study to quantify riparian buffers. Ms. Preston explained that the most cost-effective way to control water quality is with vegetation. Under the study, the EPA was specifically interested in looking at the Connecticut River, as it empties into Long Island Sound.

Ms. Preston indicated that they looked at opportunities for additional land acquisition to protect riparian buffers. They also looked at the presence or absence of invasive species. She stated that all of the information contained in the brochure was also available on the CRERPA website. She added that they looked at over 900 sites in the lower Connecticut River area, and they now have a baseline of photographs that could be helpful for future development and planning.

Ms. Preston and Ms. Burns presented a series of large maps to the Commission. It was noted that smaller copies of these maps were available in the packets that were distributed. In the first map, Ms. Preston explained that they looked 150-feet inward from the shoreline. Ms. Burns stated that in parcels that had even small areas without riparian buffers, then the entire parcel was marked for improvement. Mr. Dill noted that the large area shown in pink was the Connecticut Yankee Power

Plant.

Ms. Preston commented that East Haddam was actually doing quite well in regards to intact riparian buffers. Ms. Burns noted that the airport had the least amount of buffer. She stated there was also one small area farther north where the road actually came close to the river. Mr. Dill noted this was the old shad drop off area.

Ms. Preston stated that some of the homes along the Connecticut River have not only preserved the view from the river outward, but also from the river looking inward. She stated they were very interested in keeping the views inward preserved. She noted that their study was partially funded by the Gateway Commission. Ms. Augustiny inquired about the tributaries. Ms. Burns explained that they looked at several tributaries, but they did not look at everything from their boat.

Ms. Preston showed the areas of vacant properties along the Connecticut River. Ms. Burns stated that approximately 40% of the area was protected; however, this put more pressure on the shoreline from the view shed and the main access to the river. Ms. Preston stated that parcels comprised of 25 acres or more were considered large parcels. If these large parcels were vacant, the importance was further elevated. During this study, Ms. Preston stated they found areas of opportunity in many towns. In East Haddam, there were a number of areas of opportunity on the outer reaches of Chapman Pond.

Ms. Preston discussed the invasive species map, and the various species they found along the river. In East Haddam, the predominant species was Bittersweet. Along the southern portion of the Connecticut River, they found mostly phragmites, although Ms. Preston stated she was excited to see the level of restoration being done in the lower area of the river. Essex was abundant with purple loosestrife. Mr. Dill questioned what the restoration entailed, to which Ms. Preston explained that they used a combination of two herbicides and cutting. She stated they have had amazing results in Old Saybrook with this process, and a lot of the native species are coming back.

Ms. Preston stated the purpose of this meeting was that they wanted to let the lower eight towns on the Connecticut River know that this data exists. She stated they have information and photographs of the individual parcels for future reference. If the Commission had a particular interest in any of the parcels, they were encouraged to contact Ms. Preston or Ms. Burns. Their contact information was included in the Executive Summary distributed this evening.

Ms. Preston stated they were also funding a ground truthing project, to determine where vacant properties exist, where they can be linked, etc. She stated that land trusts don't always work outside of their own towns, and they were trying to get the towns to work together. She invited the Commission to an initial meeting on April 30, 2007 at the Saybrook Point Inn. She stated the Commission would get a notice of this meeting, and if anyone was interested, they were encouraged to call her. She stated their goal for the first year of this project was to prepare all of the maps. She stated they would eventually create a conservation network via email lists, so that people can communicate across the river.

Mr. Goff inquired about vernal pools, and if they would be listed on the maps. Ms. Burns stated they were not, as that information was not available for most towns. Mr. Goff stated that they had this information for East Haddam. Ms. Burns was pleased that this information was available, and she stated she wished all of the towns had this data.

Ms. Burns stated that East Haddam had a great GIS system; however, one thing that was lacking was a connection to a camera database. She hoped East Haddam would add this in the future.

Mr. Ventres asked if additional copies of the riparian mapping information were available. Ms. Preston gave him a stack of them. Ms. Burns stated she would also be mailing this brochure to every landowner in their database.

Mr. Dill thanked Ms. Preston and Ms. Burns for their presentation.

### 3. MINUTES

**Motion by Mr. Goff, seconded by Mrs. Burton-Reeve, and carried by unanimous vote to approve the regular meeting minutes of February 20, 2007 with the following amendments:**

- **Page 1, motion on minutes: Change “Ms. Augustiny” to “Mrs. Burton-Reeve”**
- **Page 2, paragraph 2, sentence 3: Add “on the lake side” after “trees”**
- **Page 2, paragraph 2, sentence 6: Move “A” to immediately follow “19.13.B.100”.**
- **Page 5, motion: Change “Ms. Augustiny” to “Mrs. Burton-Reeve”**
- **Page 7, Other, paragraph 4: Add “of Nathan L. Jacobson & Associates” after “Mr. Curtis” for future clarification**

### 4. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
Hartford Courant (legal notices)	118	\$ 35.76
Horton, Shields, Knox (Mellon –verify actual fees)		292.50
Branse, Willis, and Knapp (Mellon case)		741.98
Dzialo, Pickett, & Allen (review of fees/Mellon)	10501	1,237.50

**Motion by Ms. Augustiny to pay the bills as enumerated. Seconded by Mr. Goff, and carried by unanimous vote.**

### 6. PERMITS

#### A) Town of East Haddam, reconstruction of Powerhouse Road

Mr. Ventres distributed copies of the application with a description of the activities to the Commission. He stated there was less than 5,000 square feet of activity in the wetlands, but there would be a lot of activity within the upland review area.

Mr. Ventres explained that the retaining wall from Powerhouse Road is crumbling. They are planning to repair the retaining wall from the beginning of Powerhouse Road to the entrance of the fish ladder.

Mr. Ventres advised the engineers to attend the field walk. He distributed the plans to the Commission. He reviewed the plans to repair the retaining wall, and increase the road width to 18-feet, and then eventually match the 20-22 feet farther up the road. The retaining wall would be a series of concrete blocks. On the other side of the road, there is a swale and underdrain. He believed the only issue at this point was working with the existing culverts.

Mr. Dill asked if the Town crew would be doing this work. Mr. Ventres stated this was beyond the scope of what the Town crew could do, and they did not have the equipment that would be needed for this project. They are in the process of preparing bid documents, and he believed Mr. Thumm, the director of Public Works, was planning to do this work in two phases.

Ms. Augustiny asked if this project would require State permits since it was in close proximity to the river. Mr. Ventres believed it would require State permits. He suggested the Commission schedule a field walk.

Mrs. Anita Ballek questioned if riparian buffers would be considered for this project. Mr. Ventres stated this project was working with existing private landowners. Mrs. Ballek suggested that private landowners needed education about riparian buffers.

The Commission discussed the field walk, and it was agreed that now that Daylight Savings Time was in effect, Mr. Ventres should schedule field walks on Monday evenings, 5:30 p.m. at the earliest.

### **B) Plan of Conservation and Development**

Mr. Ventres explained that the Planning & Zoning Commission has been working the past few months on a draft Plan of Conservation and Development. This draft was mailed to the IWWC for review in their packets. Mr. Ventres stated that at the next meeting, members of the Planning & Zoning Commission would like to speak with the IWWC for input on the draft. After that, they plan to hold group meetings, and then public hearings. Mr. Ventres stressed that this is still in draft form, and some of the mapping was not yet available from Mr. Sandy Prisloe. Mr. Ventres stated he sent this draft to the Commission so they would have a month to review it.

Mr. Thomas stated this was in draft format, and he encouraged feedback from the Commission. He also stated if the Commission had suggestions of how to make this document more user-friendly, he would be interested in hearing them. He welcomed input on any section, not just the environmental sections.

Mr. Dill asked if P&Z would attend the next IWWC meeting, to which Mr. Thomas stated they would like to, if it were acceptable. Ms. Augustiny suggested that comments be emailed to Mr. Ventres before the next meeting.

### **C) Klar-Crest Resort, Inc., 11 Johnsonville Road, installation of new septic system in the upland review area. Assessor's Map 55, Lot 1.**

**First date: March 20, 2007**

**Last date: May 24, 2007**

No one representing the applicant was present at this meeting. Mr. Ventres presented the plan to the Commission. He stated the applicant has been working for the past couple years to convert this parcel into a youth camp. He stated they were not ready to go for all of the permits, but they needed to

upgrade the septic, etc. Mr. Ventres stated there would be 270 linear feet of work to put in the septic line for the gray water. He noted there was a small bit of wetland area drainage from Scoville Landing.

Ms. Augustiny asked if they would pipe under the streambed, to which Mr. Ventres stated they would have to pipe under the streambed. Ms. Augustiny asked if the work would be done during the dry season, or if they would go for a diversion permit. Mr. Ventres believed they would do the work during the dry season.

Mr. Dill asked if this work was really for Klar Krest, or if it was actually for Johnsonville. Mr. Ventres stated he has been working with Klar Krest for two years, and there is a group that is interested in starting a youth camp. Ms. Augustiny stated there had been some talk about Johnsonville piping into the sewer system in the Village. Mr. Ventres indicated that the State does not want new sewer lines run where they do not already exist. Ms. Augustiny asked if it would be better to connect the two systems. Mr. Ventres stated that Johnsonville only took into account the capacity for 30,000 gallons, which was not large enough for the project.

Ms. Augustiny stated when they visited the Klar Krest site; there was erosion between the road and the pond itself. She did not believe this was caused just by the Scoville Landing runoff. Mr. Ventres stated he did not notice this, but he would check into it.

Mr. Dill stated if the Commission received an application, they must review it. However, he was under the impression that Johnsonville was looking at this property.

Ms. Augustiny asked who was representing Klar Krest. Mr. Ventres stated that Mr. Charlie Dutch would present the application, with Mr. Dave Klar. He stated that Mr. Klar did not list the applicant as an agent on the application. Mr. Dill asked if this was proposed as a children's camp, to which Mr. Ventres responded affirmatively. Ms. Augustiny asked for clarification of children. Mr. Ventres believed it would be for children up to teenagers. Responsive to inquiry by Mr. Dill, Mr. Ventres stated there were no plans for additional buildings at this time. Mr. Dill stated if this was to be a change of use application, then the applicant should put all of their cards on the table.

**Motion by Mr. Dill to schedule a field walk for Klar-Crest Resort, Inc., 11 Johnsonville Road, installation of new septic system in the upland review area. Seconded by Mr. Goff, and carried by unanimous vote.**

## **7. INFORMAL DISCUSSION**

### **A) Sandra Kerzner, 4 Beach Road, reconstruction of seasonal cottage, work within the upland review area. Assessor's Map 75, Lot 97.**

Mr. Roger Nemergut addressed the Commission on behalf of the applicant. He stated this parcel was comprised of 0.27 acre located on the lower Moodus Reservoir. It currently has a seasonal residence, deck, and outbuilding. The applicant would like to remove the building and construct a new building. Mr. Nemergut explained that the new building would not be a year-round home, as 0.5 acre was necessary for year-round.

Mr. Nemergut showed the 100-foot upland review area line, as well as the existing septic, dry well,

and well. He stated that on the Assessor's map, it is shown as a one-bedroom seasonal building, although it is the size of a two-bedroom house. In order to reconstruct this house with two bedrooms, they would have to install a new septic system. They would relocate the well to keep it outside the radius.

Mr. Nemergut stated that the designers were about to begin work on what the building would look like, so they requested this informal discussion with the Commission. Mr. Dill asked if the new building would be constructed on the existing footprint. Mr. Nemergut stated it would not make sense to rebuild on the existing foundation, because the current structure had been added onto more than once. He showed a plan with a possible footprint. Mr. Goff asked how much larger this footprint was than the existing footprint. Mr. Nemergut estimated 60-70%.

Ms. Augustiny asked about the current basement. Mr. Nemergut stated that there was now a walk-out basement.

Mr. Goff questioned what size the new deck would be. Mr. Nemergut stated they were not certain at this time, and he was trying to get information to give to the designers.

Mr. Dill stated if the new structure would be built on the same footprint as the existing house, it would not change the impact greatly. However, he stated the proposed new structure would add approximately 30% more impervious surface.

Mr. Nemergut asked how the Commission classified a deck. It was noted that if the deck was designed with spaces between the boards, water could run through it.

Mr. Dill asked what activity was shown near the water on the plan. Mr. Nemergut stated that in order to drill a new well, they would have to add a silt fence, temporary stockpiles, and a temporary stone siltation dam. Mr. Dill questioned what was currently near the water. Mr. Nemergut stated there was a dock at the water, but the area going to the water was all grass.

Mr. Dill stated that the Commission had a conversation earlier tonight about riparian buffers. He personally felt that if this were to be a larger house, as mitigation, he would like to protect the waterfront with a vegetation buffer where the area drops near the water. He asked what was next to this property. Mr. Nemergut stated the beach area was adjacent to this property. Ms. Augustiny suggested a buffer of native shrubs to keep runoff from the lake. In addition, this would keep out the geese and protect the waterfront. She also stated that the existing dock should be added to this plan.

Mr. Goff stated he would be interested in the deck, what material would be used, and how it would be built. He would like to see a decrease in the size of the decking to increase the amount of pervious surface. Mrs. Burton-Reeve stated from this plan, the deck looked tremendous in size. She suggested they limit the decking on the new footprint.

Mr. Ventres asked what size the proposed footprint was, to which Mr. Nemergut stated it was shown as approximately 24 ft. x 30 ft. He commented that he showed the maximum area on the plan for discussion purposes. Mr. Dill stated he believed Mr. Nemergut did the right thing by setting the boundary in the front.

Ms. Augustiny suggested they move the topsoil stockpile away from the lake. Mr. Nemergut

explained that the only reason they had shown it in this location was that this was the flattest area. Ms. Augustiny believed the Commission should walk the property. Mr. Dill suggested Mr. Nemergut take this feedback to the applicant, and if they were still interested in continuing, the Commission would walk the site. He added that the deck should be no closer to the lake.

Ms. Augustiny asked what would be done about the old septic system. Mr. Nemergut stated it would be removed. Ms. Augustiny noted that this could be an improvement to the area. Mr. Dill asked if it was a functioning system, to which Mr. Nemergut responded affirmatively. Mr. Dill did not believe in that case that it would be an improvement.

Mr. Goff asked if this house was currently determined inhabitable. Mr. Nemergut stated the owner will not live there in the present condition, due to mold issues.

Mr. Jahne asked if they would have to bring in engineered soils for the septic system. Mr. Nemergut stated the existing soils would work.

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

### **A) Town of East Haddam, proposed storm drainage on Pilgrim Way, Lake Hayward**

Mr. Ventres stated there was nothing new to add on this project.

### **B) Other**

Mr. Ventres informed the Commission that there had been some tree cutting at the north end of Lake Hayward. When Mr. Ventres visited the site, the owner informed him that the realtor had given him permission to cut. Mr. Ventres explained the situation to the owner, and told him to come into his office to talk to him. He stated that the area cut was approximately 60-feet wide by 120-feet long, and the trees were mostly 2-inches or less in diameter.

Mr. Ventres informed the Commission that the new school site construction had begun. They have clear-cut the main entrance. The emergency access was constructed, but there was no power. All of the erosion control fencing was up on the main part of the site, and was backed with woodchips on approximately 75% of the area. The stonewalls were still intact, but they would put the stones to the side when they get to this. They planned to grind the stumps upon removal. Mr. Dill asked if the main entrance was cut per the plan, to which Mr. Ventres responded affirmatively.

Mr. Ventres stated he eliminated some of the trees on the cutting plan. These were where the islands were planned, and the trees were not worth keeping. Ms. Augustiny suggested the islands should be populated with dogwoods, weeping cherries, etc. Mr. Ventres stated they filled in the old pool.

Mr. Ventres stated he received one phone call on the day of the heavy rains, but everything was wet that day, and it was not due to the work being done.

Ms. Augustiny asked about the recent rainstorm, and what happened with the road near the Goodspeed. Mr. Ventres explained that a tree became stuck, and it ripped apart the road. Ms. Augustiny asked if they would need a permit for the work. Mr. Ventres noted that they did not need a permit for the repair.

Mr. Goff inquired about the status of Shagbark. Mr. Ventres stated everything had been frozen, and he did not bring the file with him tonight. He would report at a future meeting.

## 9. COMMUNICATIONS

Mr. Ventres stated he received only one copy of the bird dangers in Connecticut listing from the Connecticut Audubon Society. He passed this around for the Commission to review.

Mr. Ventres distributed the latest edition of *The Habitat*.

Mr. Ventres stated that Fox Hopyard Golf Course received a permit for additional water usage, but they would make upgrades to the downstream area. Ms. Augustiny asked if Mr. Ventres would receive copies of the monitoring reports. Mr. Ventres responded affirmatively, and noted that Land Tech was also conducting the vernal pool assessment.

Mr. Ventres stated that new Army Corps of Engineers documents were distributed to the Commission last month. He questioned the new language regarding review on 5,000 square feet or less of disturbance, and he contacted Attorney Branse about it. Mr. Ventres planned to attend the March 28 DEP class, and to question this new requirement. He believed it might have been an error in the language.

Mr. Ventres distributed an invitation from the EDC to the various commissions for an informational meeting on the Town Office site, Goodspeed, actor housing, etc. He stated he would post this as a special meeting.

## 10. ADJOURNMENT

**Motion by Mr. Goff to adjourn at 8:51 p.m. Seconded by Mr. Jahne, and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina