

**EAST HADDAM INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING MINUTES
June 17, 2008
(Not yet approved by the Commission)**

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Chairman Randolph Dill at the Town Grange.

2. ATTENDANCE

Members Present: Randolph Dill – Chairman, Mary Augustiny, Jennifer Burton-Reeve, Dan Jahne

Members Absent: Bryan Goff, Wendy Goodfriend

Others Present: Mr. Ventres and approximately five townspeople

3. MINUTES

A) May 20, 2008 Regular Meeting

Motion by Ms. Augustiny to approve the minutes of the May 20, 2008 regular meeting as presented. Seconded by Mr. Jahne, and carried by unanimous vote.

4. BILLS

| <u>Vendor</u> | <u>Invoice</u> | <u>Amount</u> |
|---|----------------|---------------|
| Penelope C. Sharp (GCS Land Devel.) | | \$700.00 |
| Penelope C. Sharp (Town drainage improvement) | | 350.00 |
| NL Jacobson (Morgan Estates) | 14942 | 137.00 |
| Shoreline Newspaper (legal notices) | 2288935 | \$ 38.48 |
| Branse, Willis, and Knapp (Mellon, Morgan Estates) | | 638.00 |

Motion by Mrs. Burton-Reeve to pay the bills as presented, seconded by Mr. Jahne, and passed by unanimous vote.

5. PERMITS

A) Continued: Town of East Haddam, Phase II – proposed storm drainage on Pilgrim Way, Lake Hayward

Mr. Roger Nemergut, P.E., and Mr. Ventres informed the Commission that this project was off the table for now. Mr. Nemergut indicated that the property owner thanked the Town for their effort, but he would

not allow an outlet in his yard. Mr. Dill asked if this would be an indefinite hold. Mr. Ventres stated it would be a withdrawal at this point.

B) Continued: Denton Lane, 241 Lake Shore Drive (Lake Hayward), replacement of stonewall. Assessor's Map 87, Lot 240.

First date: May 20, 2008

Last date: July 23, 2008

Mr. Denton Lane addressed the Commission. It was noted that Mr. Dill, Ms. Augustiny, and Mrs. Burton-Reeve walked this site.

Mr. Lane stated he previously had a stonewall that was separated by an upper and lower terrace. He showed a photograph of the area to the Commission. He stated the area eroded over time, so he removed the stones. He was told to stop the work, and he has not really been there in a couple of years to do any work. He now would like to replace and update the stones.

Mr. Dill asked what was done with the old materials. Mr. Lane stated he moved them up the hill and used them around his house. Mr. Dill asked what material would be used for the new wall. Mr. Lane stated he planned to use techno-style, interlocking blocks. Mr. Dill inquired if other work would be done, to which Mr. Lane stated it would not. Mr. Dill asked about silt fence. Mr. Lane stated he put silt fence in the area approximately two years ago, when he was told to stop. Mr. Dill asked if the flat area would remain vegetated, to which Mr. Lane responded affirmatively.

Ms. Augustiny noted that this was really just a replacement of the wall. She questioned what would be done with the boards. Mr. Lane stated they would be removed once the stones were installed. Ms. Augustiny asked what would be used for the backfill area on the top of the wall. Mr. Lane stated he planned to add a little stone near the wall, but it would mostly be dirt. Ms. Augustiny asked if there would be vegetation, to which Mr. Lane responded affirmatively. Ms. Augustiny suggested the applicant could get a list of recommended plants from Mr. Ventres. Mr. Ventres gave the applicant this list.

Motion by Ms. Augustiny to approve the application of Denton Lane, 241 Lake Shore Drive, replacement of stonewall with the following conditions:

- **Techno-style blocks may be used.**
- **Erosion control shall remain in place until the wall replacement is complete.**
- **Photographs shall be taken before and after construction, and submitted to the Land Use Administrator.**
- **Work shall be done according to the plan dated by the Commission on June 17, 2008.**

Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

C) Continued: William Gilmore, 70 Florida Road, construction of driveway in the upland review area. Assessor's Map 12, Lot 28.

First date: May 20, 2008

Last date: July 23, 2008

Mr. Angus McDonald addressed the Commission on behalf of the applicant. It was noted that Mr. Dill, Mrs. Burton-Reeve, Ms. Augustiny, and Mr. Jahne attended this field walk.

Mr. McDonald submitted the plans to the Commission. He stated as a result of last night's field walk, he made some revisions to these plans. He added a triangular area to be graded so that it would miss the pipes. Runoff will be picked up in the swale, and will miss the septic area.

Mr. Dill asked if this application would have to go to Planning & Zoning. Mr. Ventres explained that it would not, as it was not a subdivision, but a lot of record. The grading plan does not show a lot of change, but it is about 1000 feet from Roaring Brook. Mr. Dill stated he would yield to Mr. McDonald's expertise, but he asked if the Commission should be concerned with the outlet and protection. Mr. McDonald stated that everyone looked at this area during the field walk, and there is not a lot of protection. He believed it would be beneficial to put some sort of riprap or something there, but this was not the applicant's property.

Mr. Dill asked about the driveway, and if there was any concentration of runoff. Mr. McDonald stated that any time woods are converted to lawn; there would be an increase. However, he stated the swale should slow it down, so he did not think it was a concern.

Mr. Dill believed the Commission should have its consulting engineer take a look at this. Ms. Augustiny asked if the driveway would be paved, to which Mr. McDonald responded affirmatively. Ms. Augustiny asked how the water that would come down the driveway would not go into the street. Mr. McDonald explained that the driveway would be graded to drain to the side, and then into swales. Ms. Augustiny asked what would be done at the bottom of the driveway. Mr. McDonald stated it would go onto the apron, and into the swale, so there would be minimal, if any, water onto the street.

Ms. Augustiny questioned the limits of clearing. Mr. McDonald stated he did not show it, but he believed it was just the house and lawn. It would not be cleared beyond the silt fence. Mr. Ventres advised that there was a different set of rules for this lot, since it was a lot of record.

Ms. Augustiny agreed that NL Jacobson should take a look at this application for runoff, and for the scouring in the other area. Mr. Ventres believed Mr. Thumm may have to do something about the other area. Mr. Dill asked if the Commission could ask the property owner to do the work. Mr. Ventres believed that would be outside the Commission's jurisdiction, but Public Works could add some trap rock, etc. He added that the Town has a prescriptive easement, so he thought they could go in there.

Mr. Dill believed if the property owner's house added water that would create a problem, the property owner should pay for the work. Mr. Ventres did not believe this created the problem, but it may speed the velocity.

Mr. McDonald submitted the letter from Chatham Health District for the record. Mr. Ventres stated he would forward the plans to Mr. Curtis and Mr. Thumm tomorrow.

Motion by Mr. Dill to approve the application of William Gilmore, 70 Florida Road, construction of driveway in the upland review area with the following conditions:

- **Before work begins, the application shall be reviewed by the Commission's consulting engineer, particularly the outlet on the west side of Florida Road.**
- **Consistent with the Public Works Director's review, if additional work is necessary, it shall be done as part of this project.**

Seconded by Ms. Augustiny, and carried by unanimous vote.

D) Continued: Phil Bloch, applicant, Grist Mill Road, proposed drainage in the upland review area. Assessor's Map 65, Lot 23.

First date: May 20, 2008

Last date: July 23, 2008

No one representing the applicant was present at this meeting. It was noted that Mr. Dill, Ms. Augustiny, Mrs. Burton-Reeve, and Mr. Jahne attended this field walk. Mr. Ventres distributed the plans to the Commission for review.

Ms. Augustiny commented that the driveway was outside of the upland review area, but just barely. She asked if the outlet was going to have a level spreader. Mr. Ventres stated it would not, as they were trying to keep it at the top of the mottling. Ms. Augustiny inquired about roof leaders. Mr. Ventres believed the applicant planned to just have the runoff go onto the ground. Mr. Dill stated if the runoff goes into an outlet, there should be something at the bottom of the roof leaders.

Mr. Dill stated it was noted in the field that almost this entire area was a mowed field. The foundation drain was the only thing going into the upland review area. Ms. Augustiny believed hay bales would be better than silt fence for this project.

Motion by Ms. Augustiny to approve the application of Phil Bloch, Grist Mill Road, proposed drainage in the upland review area, with the following conditions:

- **Work to be done per the plans dated May 14, 2008.**
- **If the roof leaders go into the foundation drain, then at the outlet side, riprap or a splash pad shall be installed.**

Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

**E) New: Steven and Martha Santoemma, 111 Lakeside Drive (Bashan Lake), installation of new septic system in the upland review area. Assessor's Map 58, Lot 70.
First date: June 17, 2008 Last date: August 20, 2008**

Mr. Roger Nemergut, P.E., addressed the Commission on behalf of the applicant. He presented the plans to the Commission.

Mr. Nemergut began by stating that this property, located at 111 Lakeside Drive, is 2/10-acre, and has a seasonal cottage on it. It has frontage on Bashan Lake and Lakeside Drive. The objective is to create a well to serve the cottage. The lot is too small to convert it to a year-round dwelling. The idea is simply to get adequate drinking water to the cottage.

Mr. Nemergut stated the applicant has an existing septic system, but upon inspection, it was discovered that the tank was a rusted metal tank on the south side of the house. In order to drill a new well, they have to replace the septic. That location would be on the north side of the house, between the house and the lake. There are nearby wells, and the houses on either side of this cottage are year-round structures.

Mr. Nemergut noted that there had been a discussion about future plans. If they do this work, then all of the septic systems along this strip would be on the same sides of the houses. He stated there were some issues, and they had to get approval from the State Health Department. The septic review was being done by Chatham Health District, and he did not have the report yet. He stated he did the nitrogen analysis, and it met the requirement for seasonal use, but not for year-round use. He added that this lot has 50-feet of frontage.

Mr. Nemergut believed at the last meeting, there was a general consensus that if the State and Chatham gave approval, the Commission would be amenable. He stated he did not have the approval back from Chatham yet.

Mr. Nemergut indicated this was a steep site, and they did some damage when they went in to dig the test holes. The disturbed area was re-seeded. In addition, they added a few shrubs, including mountain laurel, blueberry, and swamp azalea. Although the plantings were sparse, the area is quite well vegetated now. The terrace area would be replanted with pachysandra, and the downhill side will also be planted.

Ms. Augustiny asked about the septic. Mr. Nemergut explained the system, and how it would go in at grade level. Responsive to her inquiry about the walls, he explained that the wall was at the edge. He showed her this on the plan. Ms. Augustiny noted that the septic area would have to be re-seeded and protected. Mr. Nemergut stated it had been re-seeded, but they would do it again. The leaching pipes could be carried in without equipment. He envisioned a small mini-excavator being used, similar to the one used for the test holes.

Ms. Augustiny questioned the silt fence. Mr. Nemergut showed the area on the plan. Mr. Dill inquired as to the elevation of the tank, with respect to the leach field. Mr. Nemergut stated the invert was at Elevation 408, and the elevation from the outlet is 402.70. He explained that the tank could go deeper if necessary. They set it as shallow as possible, and have 6-10 inches of soil to cover it. Responsive to inquiry by Mr. Dill, Mr. Nemergut explained that the system would be a trench box, approximately 6-feet wide, and 18-inches to 2-feet deep. The metal forms would be set in place. The systems are filter fabric, and the columns are filled with alternating rows of sand and trap rock stone. They would probably do this with a small excavator or a skid steer.

Mr. Jahne asked how long the excavation would take. Mr. Nemergut estimated once they were on site, it would take approximately 2-3 days. Responsive to inquiry by Ms. Augustiny, Mr. Nemergut stated this system would be level with the contour.

Mr. Dill asked if there were any special requirements for pumping the tank, and/or frequency. Mr. Nemergut stated there were no special requirements for it. He explained that all of the new systems would have effluent filters. If people don't maintain the tank, it would build up and clog. Ms. Augustiny asked how difficult it would be to get back there to pump out the system. Mr. Nemergut stated the truck could back down the driveway, and they could reach the area with the hose.

Mr. Dill noted this was the first time this application appeared on the agenda. Mr. Ventres stated they were also waiting for the Chatham report. Ms. Augustiny asked if Mr. Dill had seen this property, to which Mr. Dill stated he had not. Ms. Augustiny suggested Mr. Dill walk the site.

Mr. Dill stated the positive outcome of this application is that they would get a septic system, rather than just a barrel in the ground. Mr. Nemergut commented that the State Health Department detail requested that the lines be installed only 12-inches underground.

Motion by Mr. Dill to continue the application of Steven and Martha Santoemma, 111 Lakeside Drive (Bashan Lake), installation of new septic system in the upland review area, until the next regularly scheduled meeting. Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

F) New: Jeff Wyman, 281 East Haddam Moodus Road, construction of 22'x22' garage in the upland review area. Assessor's Map 46, Lot 16.

First date: June 17, 2008

Last date: August 20, 2008

Mrs. Jennifer Wyman addressed the Commission. She stated she and her husband just bought this property in April. Mr. Ventres distributed a drawing to the Commission. It was noted that this house was in the Scoville Landing subdivision. Mr. Dill asked if Mr. Ventres had the subdivision plan. Mr. Ventres stated he brought the site plan with the topography, which he presented for the Commission's review.

Mr. Dill thought the original house had a garage. Mrs. Wyman stated the house does have a garage. Their proposal is for another garage near the turnaround. Ms. Augustiny asked for what purpose this new garage would be used. Mrs. Wyman stated it would be used to store her husband's sports car and garden equipment.

Mrs. Wyman noted that they were not encroaching on anything that has not already been graded. The proposal was that where the driveway ends at the turnaround, the garage would begin.

Mr. Dill stated this was a new application, and the Commission would need to walk the site. Mr. Ventres stated he would add more information to the as-built plan. The Commission had a brief discussion about field walk dates, and it was decided that the field walks would be scheduled for July 14, 2008.

Motion by Mr. Dill to schedule a field walk, and to continue the application of Jeff Wyman, 281 East Haddam Moodus Road, construction of 22'x22' garage in the upland review area until the next regularly scheduled meeting. Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

G) New: Frederick Dauser, 19 West Cove Road, installation of a dock and sprinkler system, stabilization of the shoreline. Assessor's Map 75, Lot 160.

First date: June 17, 2008

Last date: August 20, 2008

No one representing the applicant was present at this meeting. Mr. Ventres informed the Commission that they had been to this site in the past, but they would need to schedule a field walk. Mr. Dill noted that after the field walk, the Commission should pull up the original subdivision to see all of the conditions put into that approval.

Motion by Mr. Dill to schedule a field walk and to continue the application of Frederick Dauser, 19 West Cove Road, installation of a dock and sprinkler system, stabilization of the shoreline, until the next regularly scheduled meeting. Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

6. DECISIONS

A) Continued: Application 08-02, Alan Hanks, 30 Orchard Road, proposed 8-lot subdivision with activity in the upland review area. Assessor's Map 36, Lot 35.

First date: June 9, 2008

Last date: July 13, 2008

Mr. Dill noted that at the last meeting, the public hearing was closed, and the Commission planned to schedule a special workshop date. A proposed date of June 26 was discussed.

Mr. Ventres stated that Attorney Geraghty had handed out information at the presentation, but he did not have enough copies for everyone. Mr. Ventres distributed copies of this information to the Commission.

Mr. Ventres spoke with Mr. Curtis. Ms. Sharp is on vacation. Mr. Ventres and Mr. Curtis will go through the list of issues before the meeting. Mr. Dill stated that given the fact that the Commission had opinions from three sources, they would have to digest all of the information and address it on a point-by-point basis. In addition, he believed they should prepare a sheet with the regulations and points to be addressed. He asked if Mr. Curtis and Ms. Sharp should be present at the June 26 meeting. Mr. Ventres stated he set up a work session with them for next Tuesday. Mr. Dill stated the Commission might have questions for them and may want them at the meeting to discuss them. Mr. Dill suggested after Mr. Ventres and Ms. Sharp talk, then they could decide whether she should be at the meeting or not. Mr. Dill asked if counsel should attend this meeting as well. Mr. Ventres stated that typically, they would write a draft, and then have counsel review that.

Mr. Ventres distributed copies of the meeting minutes from June 9, as well as an agenda for the special meeting on June 26.

Motion by Mr. Dill to schedule a special meeting on June 26, 2008, 7:00 p.m. at the River House to discuss Application 08-02, Alan Hanks, 30 Orchard Road, proposed 8-lot subdivision with activity in the upland review area. Assessor's Map 36, Lot 35. Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

7. IWWC ENFORCEMENT OFFICER'S REPORT

A) Shagbark

Mr. Ventres stated he had nothing new to report since the letter was sent to Shagbark. A copy of the letter was enclosed in everyone's packet.

8. COMMUNICATIONS

Mr. Ventres distributed copies of information from the Mellon court case to the Commission.

Ms. Augustiny questioned the status of the vacancy. Mr. Dill asked Mr. Lyman about the status of the appointment of a member from the Conservation Commission. Mr. Lyman stated that Mr. John Russell had been appointed. Mr. Dill stated that this person should be attending the meetings.

9. ADJOURNMENT

Motion by Ms. Augustiny to adjourn at 8:53 p.m., seconded by Mr. Jahne, and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina