



TOWN OF OLD SAYBROOK
**Inland Wetlands & Watercourses
Commission**

www.oldsaybrookct.gov

*J. Colin Heffernan, Chairman
Charles A. Wehrly, III, Vice Chairman
Charles W. Savage*

*Alyse Oziolor (Conservation)
Madeleine B. Fish (Zoning)
Paula S. Kay (Planning)
Vacancy (Economic Development)*

Alternate Members
*Elizabeth D. Steffen, Secretary
Janis L. Esty*

MINUTES
REGULAR MEETING
Thursday, June 18, 2020 at 7:00 P.M.
Via Teleconference

I. CALL TO ORDER

The Chairman called the regular meeting to order at 7:00 p.m.

II. ROLL CALL

Members Present: C. Heffernan, C. Wehrly, C. Savage, P. Kay, A. Oziolor, E. Steffen, J. Esty

Members Absent: M. Fish

Staff Present: P. Hegge, Environmental Planner; L. Wacker, Recording Clerk

III. PUBLIC HEARING

20-004 “Lycurgus, LLC” Application to Conduct a Regulated Activity

Construction of a bioretention/recharge basin for storm water management, construction of a 14 storage unit, and fence.

97 Old Middlesex Turnpike, (Map 41/Lot 09)

Owner: Lycurgus, LLC Agent: Robert Doane, P.E.L.S.

ACTION: *Decision by 6/18/2020 (NLT 6/24/2020)*

C. Heffernan opened the public hearing. Robert Doane, P.E.L.S. was in attendance to represent the applicant. Mr. Doane stated that a revised storm water report was submitted and explained the revisions. C. Heffernan asked if Mr. Doane would like to afford G. Jacobson time to respond to the changes. Mr. Doane replied that they have complied with the IWWC's previous recommendations and would prefer to make Mr. Jacobson's comments a condition of approval. Mr. Doane explained that they are also adding 15 trees, and they would like to plant five additional red maples in the basin to re-establish the tree canopy. The location of the trees was discussed.

MOTION to approve the application (20-004) “Lycurgus, LLC”, 97 Old Middlesex Turnpike, (Map 41/Lot 09), subject to Mr. Doane's agreement to comply with Mr. Jacobson's forthcoming recommendations; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, E. Steffen, A. Oziolor, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

IV. OLD BUSINESS

A. “Auld” Violation

Cease & Desist Order issued on October 24, 2019.
Placement of fill in wetlands and within the 100' upland review area.
6 Trails End (Map 16/Lot 68-4)
Owners: Christopher & Kerry Auld
ACTION: *Continue discussion of violation.*

P. Hegge reported that it appears the wetland is slowly replenishing itself with native vegetation. C. Heffernan asked whether P. Hegge felt that the violation has been repaired. P. Hegge responded that he would like to hear Mr. Sipperly's opinion before making that determination. C. Heffernan asked P. Hegge to invite Mr. Sipperly to report on the matter at the next meeting or send a letter stating his opinion on the matter.

MOTION to continue the "Auld" Discussion of Violation for 6 Trails End (Map 16/Lot 68-4) to the next regular meeting on July 16, 2020 for compliance oversight; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, A. Oziolor, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

B. 20-005 "Pear" Application to Conduct a Regulated Activity

Clear out ditch where stream flows down from hill and within 100' upland review area.
76 Bokum Road, (Map 57/Lot 17)
Owner: Barbara Pear
ACTION: *Received 5/21/2020, Decision by 7/16/2020 (NLT 7/24/2020)*

P. Hegge reported that Mr. Pear has recently decided to withdraw his application. C. Heffernan asked P. Hegge to make sure Mr. Pear is not carrying out the proposed activity without IWWC approval. There was a discussion about what activities would be as-of-right, and it was agreed that dredging the creek would not be as-of-right.

C. 20-006 "Clifford" Application to Conduct a Regulated Activity

Installing an above ground pool and within 100' upland review area.
28 Willard Avenue, (Map 24/Lot 91-1)
Owner: Ian S. & Sandra E. Clifford
ACTION: *Received 5/21/2020, Decision by 7/16/2020 (NLT 7/24/2020)*

Ian Clifford was in attendance. C. Wehrly pointed out that the applicant has provided an updated drawing. P. Kay asked Mr. Clifford to clarify the location of Willard Ave. on the plan.

MOTION to approve the application (20-006) "Clifford", 28 Willard Avenue (Map 24/Lot 91-1) as presented; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, E. Steffen, P. Kay, A. Oziolor, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

D. 20-007 "Town of Old Saybrook/Department of Public Works" Application to Conduct a Regulated Activity

Regrading & paving Mulberry Street.
Owner: Town of Old Saybrook Applicant: Department of Public Works

ACTION: Received 5/21/2020, Decision by 7/16/2020 (NLT 7/24/2020) Review for completeness, Accept application and determine if regulated activities are significant.

Larry Bonin, Department of Public Works Director, explained that the road base is not holding up and needs to be redone. A. Oziolor asked what erosion control measures would be used. Mr. Bonin responded that silt fence would be used on both sides of the road to protect the wetlands. C. Wehrly asked if the area of the plan labeled as crushed stone was the area proposed to be repaired. Mr. Bonin responded that it was.

MOTION to approve the application (20-007) "Town of Old Saybrook/Department of Public Works", Mulberry Street, as presented; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, E. Steffen, P. Kay, A. Oziolor, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

V. NEW BUSINESS

A. 20-008 "Carroll" Application to Conduct a Regulated Activity

Extension of existing above ground deck of 650 sf, install hot tub, 32' x 16' semi in-ground pool, 205 sf paver walkway, 355 sf crushed stone driveway, and fence.
179 Ingham Hill Road (Map 51/Lot 2)
Owner: Matthew & Alicia Carroll

C. Heffernan asked where the pool water would be discharged if necessary. Mr. Carroll explained that they would discharge any pool water to the south west away from the inland wetlands. A. Oziolor stated that she would prefer the deck not be so close to the wetlands and asked whether another location had been considered. Mr. Carroll explained that the wetlands are below the grade of the deck and that they chose the best location for the deck based upon the constraints of the property and other factors. A. Oziolor asked if any trees would need to be removed and what decking material would be used. Mr. Carroll stated that no trees would be removed and they would be using a composite decking material. A. Oziolor stated that she would like to see contour lines on the map.

MOTION to accept the application (20-008) "Carroll", 179 Ingham Hill Road (Map 51/Lot 2) as complete subject to the applicant's acceptance that he will provide a map showing the location of the existing deck, topography and slope; and to determine the activity is not significant with no Ord. 71 fees required; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, E. Steffen, P. Kay, A. Oziolor, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

B. 20-009 "Muir" Application to Conduct a Regulated Activity

Construction of a 12,000 sf business office and warehouse building, install paved driveway and parking lot, utility shed, landscaping, leaching system, and within 100' upland review area.

92 Spencer Plains Road (Map 46/Lot 16)

Owner: Estate of Henry Syvertsen Applicant: John Muir

ACTION: Received 6/4/2020, Review for completeness, Accept application and determine if regulated activities are significant.

Joe Wren was present representing the applicant, Mr. Muir, who was also present. Mr. Wren gave an overview of the project. A. Oziolor thanked Mr. Wren for the thorough overview and praised the proposed measures to remove invasive species and protect the wetlands. She asked about the current vegetation on the site and how it would be managed. J. Wren replied that it is an overgrown meadow with many invasives, and some older growth within the wetland area. C. Wehrly asked about the use of the building, and the proposed activities were discussed.

MOTION to accept the application (20-009) “Muir”, 92 Spencer Plains Road (Map 46/Lot 16) as complete, and to determine the activity is not significant with no Ord. 71 fees required; **MADE:** by C. Heffernan; **SECONDED:** by A. Oziolor; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, E. Steffen, P. Kay, A. Oziolor, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

C. 20-010 “Foulkes” Application to Conduct a Regulated Activity

Construct a second story 18’ x 16’ deck.

6 Merritt Lane (Map 52/Lot 3-1)

Owner: Risha Foulkes & Robert Wertheimer

***ACTION:** Received 6/11/2020, Review for completeness, Accept application and determine if regulated activities are significant.*

Risha Foulkes was present and gave an overview of the proposal. C. Heffernan asked whether the deck was existing. R. Foulkes replied that it is not.

MOTION to accept the application (20-010) “Foulkes”, 6 Merritt Lane (Map 52/Lot 3-1) as complete, and to determine it is not significant with no Ord. 71 fees required; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, E. Steffen, P. Kay, A. Oziolor, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

VI. REGULAR BUSINESS

A. Meeting Minutes: May 21, 2020

MOTION to approve the regular meeting minutes of May 21, 2020 as presented; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, J. Esty, P. Kay, A. Oziolor, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

B. Correspondence & Announcements

None.

C. Committee, Representative & Staff Reports

P. Hegge asked whether there were any concerns about the emergency repair that took place at 42 Bokum Road. There were no concerns.

P. Hegge reported that he has been trying to get in touch with the owner regarding the permit for 11 River Edge (Map 64/Lot 019-01). He would like to ask the owner to provide a letter explaining why they were not able to complete the work they received the permit for.

E. Steffen stated that she has a schedule conflict for the July meeting and may not be able to attend.

VII. **ADJOURNMENT**

MOTION to adjourn the meeting at 8:25 p.m. to July 16th, 2020 at 7:00 p.m., Town Hall, 302 Main Street; **MADE:** by C. Heffernan; **SECONDED:** by C. Wehrly; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, J. Esty, E. Steffen, A. Oziolor; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

Respectfully Submitted,

Lynette Wacker
Recording Clerk