



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

J. Colin Heffernan, Chairman
Charles A. Wehrly, III, Vice Chairman
Chuck Savage
Alyse Oziolor (Conservation)
Geraldine M. Lewis (Zoning)
Paula Kay (Planning)
Vacancy (Economic Development)

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Alternate Members
Elizabeth D. Steffen, Secretary
Janis Esty

MINUTES
REGULAR MEETING
Thursday, October 21, 2021
Via Hybrid Meeting
Town Hall 1st floor conference room
302 Main Street

I. CALL TO ORDER

The Chairman called the meeting to order at 7:03 p.m.

II. ROLL CALL

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

Members Absent: G. Lewis, P. DeLisa

Staff Present: L. Wacker, Assistant Town Planner; C. Maharbiz, Recording Clerk

Audience Present: Robert L. Doane, Jr., Leonard Budney

III. OLD BUSINESS

21-008 “Budney” Application to Conduct a Regulated Activity

Application to remedy Notice of Violation issued April 7, 2021 for placement of fill within the 100’ upland review area.

4 Dibble Road, (Map 46/Lot 14-1)

Owner: Leonard Budney

ACTION: Consider proposed activity, Deliberate, and Act (Act N.L.T. 10/23/21)

Chairman Heffernan does not believe that Mr. Budney will be a repeat offender, but wanted to state that the Commission does not want to give the idea that it is easy to obtain forgiveness for violations.

MOTION to approve 21-008 “Budney” Application to remedy Notice of Violation issued April 7, 2021 for placement of fill within the 100’ upland review area, 4 Dibble Road, (Map 46/Lot 14-1), as submitted; **MADE:** by C. Heffernan; **SECONDED:** by P. Kay; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

21-010 “MVJJ, LLC” Application to Conduct a Regulated Activity

Construction of a 1,620 s.f. addition to an existing commercial/residential building within the 100’ upland review area.

1522 Boston Post Road, (Map 26/Lot 28)

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

ACTION: Consider proposed activity, Deliberate, and Act (N.L.T. 12/5/21).

Agent Robert L. Doane stated that nothing has changed since the last minute. The addition being considered is 24 ft. from the wetlands area with sediment and erosion control and with no intention to later propose a larger building.

MOTION to approve 21-010 “MVJJ, LLC” Application to Conduct a Regulated Activity, Construction of a 1,620 s.f. addition to an existing commercial/residential building within the 100’ upland review area, 1522 Boston Post Road, (Map 26/Lot 28), as submitted; **MADE:** by C. Heffernan; **SECONDED:** by P. Kay; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

21-011 “Martin” Application for Resubdivision

Resubdivision of 5.93 acre parcel into 2 lots to create a new 3.83 acre residential building lot, and the construction of a new driveway and installation of underground utilities within the 100’ upland review area.

129 Bokum Road (Map 61/Lot 4)

Owner: Theresa L. Martin and Wayne L Martin, Jr. Agent: Robert L. Doane, Jr. P.E., L.S.

ACTION: Receive application. May review for completeness, Accept application, and Determine if regulated activities are significant

Agent Robert L. Doane explained that the property owners want to separate the property into two lots to create a rear lot with an easement across the front lot or lot 1 that will provide a driveway to the rear lot or lot 2. The property has approximately 1.14 acres of wetlands on the west side. There is approximately 300 feet of driveway within the review area. The driveway is relatively flat through the wetlands area and there will be underground utilities under the driveway. The application is to construct the driveway and to install utilities underground.

Chairman Heffernan clarified that the only thing being requested at this time is the construction of a driveway with utilities so by approving the driveway, that does not mean the Commission is approving anything else; the current decision is not binding as to any future requests. Agent Doane

agreed and stated that the application provides that a site plan shall be prepared for lot 2 and will later be submitted.

P. Kay asked the following two questions: 1) whether the utilities being installed are for both lots or just for the rear lot; and 2) the reason for providing an easement rather than deeding the driveway. Agent Doane responded that the utilities being installed are only for the back lot. With respect to the easement, Agent Doane explained that certain net buildable area must be part of lot 1 and cannot be separated by a driveway. Additionally, for the driveway to be owned by lot 2, it would have to cut across an area of the wetlands.

MOTION to accept the application as complete, that the regulated activities are not significant and that no Ordinance 71 fees are required; **MADE:** by C. Heffernan; **SECONDED:** by C. Wehrly; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

IV. REGULAR BUSINESS

A. Meeting Minutes – 8/19/21

MOTION to approve the regular meeting minutes of September 30, 2021, as presented; **MADE:** by C. Heffernan; **SECONDED:** by C. Wehrly ; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

B. Correspondence & Announcements

C. Wehrly announced that his appointment expires in November and that he has asked not to be reappointed. Chairman Heffernan thanked him for his service.

C. Committee, Representative & Staff Reports

L. Wacker stated that Geraldine Lewis will no longer be the Zoning Commission representative and that she has someone in mind to replace her. She also stated that Peter DeLisa has officially been appointed as the representative from the Conservation Committee.

VI. ADJOURNMENT

MOTION to adjourn the meeting at 7:23 p.m. to the next regular meeting on November 18, 2021, Old Saybrook Town Hall, 1st Floor Conference Room and via Zoom; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

Respectfully Submitted,
Carolina Maharbiz, Recording Clerk