



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

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

www.oldsaybrookct.gov

*Richard J. Esty (Conservation)
Madeleine B. Fish (Zoning)
Paula S. Kay (Planning)
Vacancy (Economic Development)*

Alternate Members

*Elizabeth D. Steffen, Secretary
Janis L. Esty
Alyse Y. Oziolor*

**MINUTES
REGULAR MEETING**

Thursday, August 15, 2019 at 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

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

II. ROLL CALL

Present: J.C. Heffernan, C. Wehrly, R. Esty, M. Fish, P. Kay, E. Steffen, A. Oziolor, C. Savage (arrived 7:14)

Staff: P. Hegge, Environmental Enforcement Officer, L. Wacker, Recording Clerk

Absent: J. Esty

Guests: Jeff Jacobson, NLJA

III. OLD BUSINESS

19-005 “Wertheim” Application to Conduct a Regulated Activity

Demolition of existing house, garage and gazebo, depositing fill, grading, construction of a new 1,803 s.f. house, removal of existing driveway, and installation of crushed shell driveway

120 Sea Lane (Map 13/Lot 79)

Applicant: Pamela Wertheim, Owner Agent: Joseph Wren, P.E.

J. Wren stated the property is non-conforming in many ways, but the proposal brings the property much more into compliance. Minor changes to the plan include a slight shift in the retaining wall location, and the material underneath the proposed patio will now be crushed stone. R. Esty asked whether there is already a drainage channel on the north end of the property. J. Wren replied that there is not. They will be retaining more storm water on the property than before.

MOTION to approve the application (19-005) for 120 Sea Lane (Map 13/Lot 79); **MADE** by **J. C. Heffernan**; **SECONDED** by **E. Steffen**; **VOTING IN FAVOR:** **J.C. Heffernan, C. Wehrly, R. Esty, M. Fish, E. Steffen, P. Kay, A. Oziolor**; **OPPOSED:** **None**; **ABSTAINING:** **None**; **APPROVED 7-0-0.**

IV. NEW BUSINESS

19-007 “Sulots” Application to Conduct a Regulated Activity

Removal and stockpiling of topsoil from approx.. 800 s.f. of lawn; Excavating approx.. 50 c.y. of earth and construction of additions; Spreading, grading of topsoil and seeding

129 Old Boston Post Road (Map 29/Lot 28)

Applicant: William Sulots Agent: Robert L. Doane, Jr. P.E., L.S.

W. Sulots explained they are renovating the house and proposing a first-floor addition. The building will be made flood compliant. There was some discussion of where the home will be located in proximity to the wetland buffer. J. C. Heffernan asked about the smart vents. W. Sulots explained they are flood vents required by FEMA. Gutters with drain pipes and a dry well are proposed. C. Wehrly stated the dry well should be indicated on the plans. W. Sulots explained the first floor addition will be a bedroom and the upstairs master bedroom will be eliminated. They are not adding a bathroom. A. Oziolor asked how much of the property is paved. W. Sulots stated the driveway is all gravel, not pavement.. A. Oziolor asked whether they considered putting the addition on the other side of the house further from the wetlands. W. Sulots replied they did not. J.C. Heffernan noted that option might not meet the required setbacks.

MOTION to receive the application (19-007) for 129 Old Boston Post Road (Map 29/Lot 28), finding it complete with no significance of impact, no Ord. 71 fees required, with the condition that the dry well be added to the plan; **MADE** by **J.C. Heffernan**; **SECONDED** by **E. Steffan**; **VOTING IN FAVOR: J.C. Heffernan, C. Wehrly, C. Savage, R. Esty, M. Fish, E. Steffen, P. Kay**; **OPPOSED: None**; **ABSTAINING: None**; **APPROVED 7-0-0.**

Discussion

MOTION to amend the agenda to add: Discussion about prudent and feasible alternatives for design of “Sidewalks on the South Side of Route 1 between Pond Rd. and Lynde St.; **MADE** by **J.C. Heffernan**; **SECONDED** by **C. Wehrly**; **VOTING IN FAVOR: J.C. Heffernan, C. Wehrly, C. Savage, R. Esty, M. Fish, E. Steffen, P. Kay**; **OPPOSED: None**; **APPROVED: 7-0-0.**

J. Jacobson stated this was an informal discussion and an application has not been submitted. He explained that the Town has received a connectivity grant to provide sidewalks along U.S. Route 1 between Pond Road and Lynde Street. He is looking for input from the IWWC regarding sidewalk options for the area because wetlands may be impacted. A retaining wall along the sidewalk was originally proposed but it was discovered there is a gas main in that area. In order to avoid the gas main the retaining wall would need to be located further into the wetlands. The second option is to add fill along the sidewalk area. Either option would result in the same amount of wetland disturbance. The retaining wall

option would cost \$21k with 510 s.f. of wetland disturbance. The fill option would be \$25k more expensive, but would allow 285 s.f. of wetlands to be reclaimed. J.C. Heffernan asked if it would be feasible to build a boardwalk. J. Jacobson stated that would be outside of the grant specifications. P. Kay asked whether a path instead of a sidewalk could be an option. R. Esty suggested looking into having the vernal pool restored after the sidewalk is constructed. J.C. Heffernan suggested using the grant to save as much of the wetland as possible. P. Kay stated she is in favor of saving the money rather than reclaiming a portion of the wetland. There was some discussion of whether a boardwalk would be feasible. J. Jacobson thanked the commission members for their input.

V. REGULAR BUSINESS

A. Minutes

It was noted that the July minutes incorrectly listed the file number for the Wertheim application as 19-004 when it should have been 19-005.

MOTION to approve the minutes of the July 18, 2019 meeting as amended; **MADE** by **J.C. Heffernan**; **SECONDED** by **M. Fish**; **VOTING IN FAVOR** **C. Wehrly, C. Savage, R. Esty, M. Fish, E. Steffen, P. Kay**; **OPPOSED: None**; **ABSTAINING: J.C. Heffernan**; **APPROVED: 6-0-1.**

B. Correspondence & Announcements

There were no announcements.

C. Committee, Representative & Staff Reports

Roots Auto Repair, 11 Mill Rock Road East (Map 42/Lot 25)

P. Hegge reported that he has not yet heard back from the DEEP spill response team regarding potential contamination of the small stream near Roots Auto Repair adjacent to Ragged Rock Road. P. Hegge will report back to the commission if DEEP finds any problems.

Monk Road (Map 62/Lot 23)

P. Hegge spoke with Stephen Yanko from DEEP regarding the work being done by DOT on Route 9 near the Webb property. Mr. Yanko advised P. Hegge that DEEP has been closely monitoring the project. C. Nelson had advised P. Hegge that this project is not within his jurisdiction. R. Esty stated that the fill he observed on the site does not appear to be clean, and depending upon the direction of water flow, could potentially pollute either Cranberry Pond which empties into Turtle Creek and then the CT River, or the Town aquifer on the south side of Route 9. There was some discussion about whether the Commission has any authority or jurisdiction if violations are occurring. P. Hegge will ask Rich Snarsky to look at the project and report back.

72 Bokum Road (Map 57/Lot 19-0002)

P. Hegge asked if J. C. Heffernan had recently been to Bokum Rd. regarding the activities there. J.C. Heffernan responded that he had not, but spoke to attorney O'Donnell who told him that litigation is ongoing between the two parties involved. The Commission will wait for the legal process to conclude.

180 Boston Post Road (Map 44/Lot 22)

P. Hegge reported that Allen Hull from B&L Construction is finished with the asphalt driveway. Upon inspection everything looked complete so P. Hegge signed off on it.

Conservation Commission - R. Esty reported that their newsletter is coming out in approximately three weeks. They are working with the Town to sponsor a coastal cleanup day on September 21st. They are involving the local beach associations and will also be gathering volunteers to clean up the Town Beach/Great Hammock Road/Harvey's Beach area and South Cove. The Conservation Commission will be asking other commission chairs to come to their meetings to hear about what their commissions do and explore ways that they can interact.

VI. ADJOURNMENT

MOTION to adjourn the meeting at 7:50 p.m. to **Thursday, September 19, 2019 at 7:00 p.m., Town Hall, 302 Main Street**; **MADE** by **J.C. Heffernan**; **SECONDED** by **E. Steffan**; **VOTING IN FAVOR**: **J.C. Heffernan, C. Wehrly, C. Savage, R. Esty, M. Fish, P. Kay, E. Steffen**; **ABSTAINING**: **None**; **APPROVED: 7-0-0.**

Respectfully Submitted,

Lynette Wacker
Recording Clerk