



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

*J. Colin Heffernan, Chairman
Chuck Savage, Vice Chairman
Laura Parker Gray
Peter DeLisa (Conservation)
Mark Caldarella (Zoning)
Paula Kay (Planning)
Sandra Roberts (Economic Development)*

www.oldsaybrookct.gov

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

MINUTES
REGULAR MEETING
Thursday, September 15, 2022
Via Hybrid Meeting
Town Hall 1st floor conference room
302 Main Street, Old Saybrook

I. CALL TO ORDER

The Chairman called the meeting to order at 5:45 p.m.

II. ROLL CALL

Members Present: C. Heffernan, C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts, E. Steffen (not seated)

Members Absent: J. Esty

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

Audience Present: Claudia Wade, Robert Landino, and 1 remote audience member.

III. WORKSHOP (5:45-7:00) – Review of roles and responsibilities of IWWC members

Attorney Michael Cronin explained the history of Chapter 440 of the Connecticut Statutes and the authority of the IWWC. He reviewed certain definitions contained in Chapter 440 and answered questions from Commission members and staff.

IV. CONTINUED PUBLIC HEARINGS

22-005 “SPR Oasis, LLC” Application to Conduct a Regulated Activity

Construction of a retail center within inland wetlands and 100’ upland review area.

52 Spencer Plain Road (Map 25/Lot 27)

Applicant: SPR Oasis, LLC Owner: Ortho Saybrook LLC Agent: Joseph Wren, P.E.L.S.

ACTION: Consider and close public hearing by 9/15/2022 (59 of 65 day extension used).

Deliberate and act (NLT 10/19/2022).

APPLICATION WITHDRAWN AT APPLICANT’S REQUEST DUE TO STATUTORY TIME CONSTRAINTS WITH INTENT TO SUBMIT A NEW APPLICATION

L. Wacker reported that the application was withdrawn and a new application was submitted the previous day, which would be received at the meeting. It was already deemed significant so there will be a public hearing and it will go out for ordinance 71 fees.

V. NEW BUSINESS

22-006 “Marth” Application to Conduct a Regulated Activity

Construction of an inground swimming pool, concrete deck, fence and stairs within the 100’ upland review area.

3A James Court (Map 53/Lot 30-7)

Applicant/Owner: John Marth

ACTION: Receive application, review for completeness, accept application and determine if regulated activities are significant.

John Marth presented. He would like to put in an inground fiberglass pool that is 11 feet wide by 20 feet long by 4 feet deep with a four-foot concrete apron on three sides. On the house side, the concrete would extend beneath the existing deck. As part of the project, the applicant also wants to add stairs down to the pool from the deck. He will establish a limited work area; work will be done by small excavation equipment to dig the area and concrete will be poured via a truck; and he will follow any requirements regarding sediment control. The applicant would like to start the project in the fall, let the concrete set over the winter, and finish in the spring of 2023. In terms of the location selected, it is the only one that makes sense. The NE side of the lot contains the septic; the SW side has the driveway, utility entrance, water line, and electrical service. The pool will use a copper and silver ionization system, which reduces the amount of chlorine used, and will be heated via solar power.

C. Heffernan confirmed that the pool deck will be 23 feet from the wetlands and that the area slopes down from the house to the stream. He also asked if the area will be leveled after the pool is installed to which Mr. Marth responded that he plans to re-seed the pool deck into the grass.

M. Caldarella asked whether the applicant will need to fill in the area around the pool. Mr. Marth stated that he plans to use what comes out of the excavation to grade and any extra would be taken off site.

C. Savage asked about the stream running through the property, which Mr. Marth explained was man-made but has evolved into a stream.

Commission members discussed whether the project was significant and agreed that the Commission needs to better understand elevation, erosion control precautions, and limit of work zone. The decision was made that the applicant provide additional information as discussed during the meeting.

MOTION to accept application 22-006 (“Marth”) as complete subject to the applicant providing further details regarding erosion control, scope of work indicated on a map, material storage and stockpiling, elevation, and water discharge plan; that the regulated activity is not significant; and no Ordinance 71 fees are required; **MADE:** by C. Heffernan; **SECONDED:** by C. Savage;

VOTING IN FAVOR: C. Heffernan, C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

VI. DISCUSSION

Determination as to whether piling brush within the upland review area is a regulated activity.
115 Bokum Road (Map 62/Lot 2-1).

C. Savage reported that he went to see the area and that he saw the brush piled at the edge of the road; although he acknowledged that it looks terrible, he does not think it is affecting the wetlands. L. Wacker stated that it is unclear whose property the debris is on without a survey.

Claudia Wade, 55 Sheffield Street, expressed concern regarding the brush piling around the 155 Bokum Rd property, and stated that the debris has been built up again since 2018 and a new fence has been installed. She stated it is within 100 feet of wetlands.

Commission members discussed the regulations and whether the brush piling constitutes a regulated activity, which they decided it does not. C. Heffernan explained to Claudia Wade that the Commission does not oversee blight and cannot police activity that is not within the Commission's jurisdiction. Decision made to keep an eye on the situation to see if it gets worse.

VII. REGULAR BUSINESS

A. Meeting Minutes – 8/18/22

E. Steffen stated that the date included in the Action required for Application 22-005 “SPR Oasis, LLC” should be amended. The Action item should be amended to state the following: “ACTION: Consider and close public hearing by 8/18/2022. Deliberate and act by 9/15/2022 (NLT 9/21/2022).” E. Steffen also stated that she could not second the vote on the Minutes of June 16, 2022 because she was not seated. The Motion to adjourn should be amended to state that the next regular meeting will be on “September 15, 2022” rather than July 21, 2022.

MOTION to approve the regular meeting minutes of August 18, 2022, as corrected; **MADE:** by C. Heffernan; **SECONDED:** by P. Kay; **VOTING IN FAVOR:** C. Heffernan, C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

B. Correspondence & Announcements – None.

C. Committee, Representative & Staff Reports – L. Wacker asked members to take a copy of the new “SPR Oasis LLC” application that was submitted the previous day.

V. ADJOURNMENT

MOTION to adjourn the meeting at 8:05 p.m. to the next regular meeting on October 20, 2022, Old Saybrook Town Hall, 302 Main Street, 1st Floor Conference Room and via Zoom; **MADE:**

by C. Heffernan; **SECONDED:** by M. Caldarella; **VOTING IN FAVOR:** C. Heffernan, C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

Respectfully Submitted,
Carolina Maharbiz, Recording Clerk