



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
Jay Kulowiec*

MINUTES
REGULAR MEETING
Thursday, November 16, 2023
Via Hybrid Meeting
Town Hall 1st floor conference room
302 Main Street, Old Saybrook

I. CALL TO ORDER

Chairman C. Heffernan called the meeting to order at 7:00 pm.

II. ROLL CALL

Members Present: C. Heffernan, L. Gray, P. DeLisa, M. Caldarella, P. Kay, E. Steffen (seated)

Members Absent: C. Savage, S. Roberts, J. Esty, J. Kulowiec

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

Audience Present: 7 in person, 1 remote

III. PUBLIC HEARING

A. 23-010 “Scott D. Alexander” Application to Conduct a Regulated Activity

70 Otter Cove Drive, Map 63/Lot 36-001

Construction of single family house with attached garage, driveway, underground utilities and grading within 100’ upland review area.

Applicant/Agent: Gregg Fedus, Fedus Engineering Owner: Scott D. Alexander

ACTION: Open pb, continue or close by 11/16/2023 (NLT 12/20/2023)

M. Caldarella and E. Steffen told the Commission that they reviewed the recording and minutes from the prior meeting. Agent Gregg Fedus presented and briefly reviewed the plans for the property. Mr. Fedus discussed the location of the wetlands, the driveway, the septic, grading, the berm and swale along the southern property line, the culvert, and buffers. Mr. Fedus explained that there were two rounds of revisions per comments made by town engineer Jeff Jacobson as well as town soil scientist Martin Brogie. Mr. Fedus reviewed revisions made in response to Mr. Jacobson and Mr. Brogie. He also responded to comments made by Ingolf Janerus, the neighbor to the south of the applicant.

C. Heffernan asked about Mr. Brogie’s comment that grading to the east would be preferred. Mr. Fedus stated that the November 8th revisions reflect grading to the east. Mr. Fedus then reviewed the

revisions, and explained that water will flow down the driveway and sheet flow toward the wetlands. He further stated that Mr. Brogie's comments were addressed in revision 1 and clarified further in revision 2.

C. Heffernan opened the public hearing.

Eva Janerus, property owner to the south of the applicant, stated that she is concerned that her property will now have a water problem. She stated that the application provides that there will be no diversion of water, but she does not see how that is possible.

Ingolf Janerus, property owner to the south of the applicant, is also concerned about water and thinks that the applicant should have planned for the worst-case scenario. He discussed pits that were dug in late January 2023 and became filled with water. The pits that were dug in July 28 as part of the application were not dug at a time when the worst wet conditions are present. He also stated that the area where the driveway is located will be cleared so surface water will flow a lot easier than it does currently. C. Heffernan clarified that the jurisdiction of the Commission is over wetlands and asked Mr. Janerus if there are any wetlands on his property, to which Mr. Janerus stated that he is not aware of any. Mr. Janerus then proposed an alternate location for the driveway as well as the use of a bridge. C. Heffernan asked if a bridge was considered to which Mr. Fedus responded that the driveway is at the end of the wetlands area and a bridge would make more sense over a large wetlands area.

Barbara Krucko, the listing agent for the property explained the pits previously dug as part of earlier testing and why they were left open. She also stated that the water in the pits is coming from a neighboring property.

C. Heffernan expressed his preference to have new Commission members be present for deliberations and suggested moving to continue the public hearing to the next meeting. He asked if the applicant would be willing to grant a 1-day extension. Mr. Fedus asked that the application not role over further into January and submitted a letter approving the 1-day extension.

P. Kay stated her preference to consider the application at the current meeting rather than return to it at a later meeting.

MOTION to continue the public hearing on **23-010 "Scott D. Alexander"** Application until the next publicly-scheduled meeting; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen ; **VOTING IN FAVOR:** C. Heffernan, L. Gray, P. DeLisa, M. Caldarella, E. Steffen; **OPPOSED:** P. Kay; **ABSTAINING:** None; **APPROVED:** 5-1-0.

IV. NEW BUSINESS

A. 23-013 "Sovereign Builders" Application to Conduct a Regulated Activity

6 South Street, Map 22/Lot 76

Construction of a single-family, 3 bedroom dwelling with driveway, septic system, utilities and other associated improvements within 100' upland review area.

Applicant/Owner: Sovereign Builders Agent: Joe Wren, P.E.L.S.

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

Joe Wren presented. He explained that the bank demolished the existing two-bedroom house as unsafe. The applicant is proposing to rebuild a 3-bedroom house. There are no wetlands on the lot; wetlands are located to the south on Old Saybrook property. The grade will be raised a bit to achieve the 24-inch minimum above the groundwater. The house is in a flood zone so it will be FEMA compliant. Fill will be minimal to what is required by the health department and there will be a silt fence along the entire perimeter.

MOTION to accept **23-013 “Sovereign Builders”** Application to Conduct a Regulated Activity as complete and that the regulated activities are not significant; **MADE:** by C. Heffernan; **SECONDED:** by P. Kay; **VOTING IN FAVOR:** C. Heffernan, L. Gray, P. DeLisa, M. Caldarella, P. Kay, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

B. 23-014 “Paula Meo” Application to Conduct a Regulated Activity

100 Old Sea Lane, Map 13/Lot 72

Demolition of existing house and construction of a 1,620 s.f. house, driveway, septic system, utilities and other associated improvements within 100’ upland review area.

Applicant/Owner: Paula Meo Agent: Joe Wren, P.E.L.S.

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

Mr. Wren presented. He explained that the existing 2-bedroom seasonal cottage on the site will be demolished and replaced with a new 2-bedroom seasonal cottage. The house will be FEMA flood compliant. There will be fill because of the septic system. Wetlands are located in the backyard, very close to the back wall of the existing house. The new house will be a little further away, as far forward as possible due to the septic system in the front yard, which will be better located for the wetlands. Currently, the septic system is in the wetlands. The existing leach fields will not be removed, but the current septic system will no longer be active. He also stated that there is a shed in the wetlands that will be removed.

MOTION to accept **23-014 “Paula Meo”** Application to Conduct a Regulated Activity as complete, that the regulated activities are not significant, and that no Ordinance 71 fees are required; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, L. Gray, P. DeLisa, M. Caldarella, P. Kay, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

V. REGULAR BUSINESS

A. Minutes – August 17, 2023 (Site Walk)

MOTION to approve the special meeting minutes of August 17, 2023, as presented; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, L. Gray, P. DeLisa, M. Caldarella, P. Kay, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

October 19, 2023 Minutes: C. Heffernan changed the word “supervise” to “do” in the penultimate sentence of the 4th paragraph on page 3 so that the sentence reads: “C. Heffernan stated that the Commission should not develop the habit of having other agencies do the Commission’s work.” L. Wacker corrected the unit numbers used at the end of page 4 and beginning of page 5, under the “Beeman” Application, to be Unit 41 rather than Unit 42. In the first paragraph under Section B,

“Beeman” Application, on page 4, P. Kay added to the words “and wishes” to the second sentence to read: “He explained that the applicant owns two units at Banbury Crossing and wishes to construct sunrooms and deck expansions.”

MOTION to approve the regular meeting minutes of August 17, 2023, as amended; **MADE:** by C. Heffernan; **SECONDED:** by L. Gray; **VOTING IN FAVOR:** C. Heffernan, L. Gray, P. DeLisa, M. Caldarella, P. Kay, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

B. Committee, Representative & Staff Reports – L. Wacker reported that 1 permit was closed for the Transfer Station because the give and take area was completed. She also reminded Commission members that were reappointed to be sworn in by December.

C. Correspondence & Announcements – L. Wacker discussed an article from the CACIWC newsletter written by attorney Janet Brooks that was included in the Commission’s packet.

D. 2024 Meeting Calendar

MOTION to approve the 2024 Meeting Calendar as proposed; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, L. Gray, P. DeLisa, M. Caldarella, P. Kay, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

A. ADJOURNMENT

MOTION to adjourn the meeting at 8:24 p.m. to the next regular meeting on December 21, 2023, 7 p.m. 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, L. Gray, P. DeLisa, M. Caldarella, P. Kay, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 6-0-0.

Respectfully Submitted,
Carolina Maharbiz, Recording Clerk