



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, October 20, 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 7:00 pm.

II. ROLL CALL

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

Members Absent: E. Steffen

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

Audience Present: 2 present in person and 2 present remotely

III. OLD 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: Consider proposed activity, Deliberate, and Act (NLT 11/23/2022)

Mr. Marth presented and addressed concerns of the Commission raised at the prior meeting. First, with respect to delineating the limits of work and erosion, he showed the delineation line on the updated plans as well as the line for the proposed hay bale and silt fence. He also marked a stockpile area on the plans, in the NW corner, but does not expect that there will be a stockpile. Second, with respect to the grading of the site, Mr. Marth staked the area and realized that the disturbance area will be too great if he tries to grade out so he has decided to install a small retaining wall. Third, with respect to pool water discharge, he spoke to his pool contractor and was told that for the fiberglass pool he is installing, the recommendation is that no water be

discharged. The water would remain in the pool year-round. The filtration system he will use is a cartridge system so there will be no backflushing of water.

C. Savage asked about the timing of the project. Mr. Marth stated he is going to try to put the pool in and do as much as he can before the winter.

MOTION to approve 22-006 “Marth” Application to Conduct a Regulated Activity as submitted
MADE: C. Heffernan; **SECONDED:** 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.

IV. NEW BUSINESS

22-008 “Town of Old Saybrook” Application to Conduct a Regulated Activity

Replacement of an existing failing culvert barrel within wetlands.

Between 7 & 9 Kitteridge Hill Road (on Beaver Dam Trail) Map 50/Lots 63-4 and 63-6 and road right-of way.

Applicant: Town of Old Saybrook Agent: Howard Pfrommer, P.E. NLJ & Assoc.

ACTION: Receive application, Review for completeness, Determine if regulated activities are significant

Mr. Pfrommer presented on the Beaver Dam culvert replacement project, which carries the road over Fishing Brook from west to east. Upon inspecting the existing corrugated barrel in 2018, they found a considerable amount of section loss along the water’s edge along both sides of the barrel, rust in the invert, and a considerable number of sinkholes in the ground. Additionally, in 2021, due to the remnants of Hurricane Ida, a retaining wall fell on the upstream side and crushed the pipe. Mr. Pfrommer discussed the proposal to replace the pipe with a reinforced concrete pipe, which will involve a two-phased approach to construction to build the upstream and downstream sections. He also discussed the erosion and sediment controls; the installation of coffer dams; tree clearing; and the various agencies that were contacted, including CT DEEP, CT Fish and Wildlife, the State Historic Preservation Office, and CT DEEP Fisheries. Per CT DEEP restrictions, no work on the coffer dams will be done in April, May or June.

C. Heffernan asked what would happen if nothing were done to repair the culvert. Mr. Pfrommer stated that once there is steel deterioration, it usually accelerates, but the failure mode for a corrugated metal pipe is typically not catastrophic; it usually leads to sink holes.

C. Savage asked whether alternatives were considered and whether it is feasible to reroute the water. Mr. Pfrommer explained that the skewed placement necessitates a longer pipe, which is more expensive. As a result, they considered rerouting the water to a wetlands area and then coming straight across, which he showed on the plans. They decided that was not a good option both because it would cause the water to be in someone’s yard and because it is difficult to make

water in a flood situation turn 90 degrees. Mr. Pfrommer also showed that routing the water in the other direction would place it close to a property owner's garage.

C. Heffernan asked Mr. Pfrommer to confirm that once construction is finished there would be no impact to the wetlands from runoff or extra discharge, which he confirmed and stated that there are no catch basins in that area. He also stated that the only permanent impact to wetlands will be due to grading that needs to be done as part of the work.

P. DeLisa asked about the difference in size between what exists and what is being installed. Mr. Pfrommer explained that the new culvert is significantly larger, specifically 15 feet by 4 feet versus the existing 4 feet by 3 feet.

L. Gray asked Mr. Pfrommer to show how many trees will come down. Mr. Pfrommer showed on the plans that, for trees 6 inches and larger, 7 will be removed on the west side and 9-10 on the east side. The utility company may need to remove more, however.

C. Heffernan asked how much material will be removed from the wetlands. Mr. Pfrommer stated that most of what is being built is not in the wetlands and showed the wetland flags on the plans to show what is coming out. C. Heffernan also asked if the activity would change the natural channel or watercourses to which Mr. Pfrommer responded it would not. He further stated that they are creating a wider channel at the inlet and outlet.

L. Wacker mentioned that because the Town is the applicant, there would be no Ordinance 71 fees if it is deemed significant.

MOTION to accept the application 22-008 "Town of Old Saybrook" 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. Savage; **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.

22-009 "The Lee Company" Application to Conduct a Regulated Activity

Construction of an access driveway including removing and depositing material, grading and vegetation removal within the 100' upland review area.

281 Schoolhouse Road, Map50/Lot 013

Applicant: Angus McDonald Gary Sharpe & Associates Owner: The Lee Company

ACTION: Receive application, Review for completeness, Determine if regulated activities are significant

Fern Tremblay, and engineer with Angus McDonald Gary Sharpe & Associates, presented. He stated that the Lee Company is a manufacturing and technology company, which has their manufacturing facility on the Westbrook side of the property. The site is approximately 40 acres and has 10 main building and support buildings. The entire facility is served by a single entrance on Pettipaug Road and the Lee Company is concerned that if there is ever an emergency or blocking of that entrance, their employees would not be able to exit and emergency personnel

would not be able to enter. The Lee Company would like to create another access road through the adjacent property at 281 Schoolhouse Rd by making use of a historic woods road. Mr. Tremblay showed pictures. He stated that the Lee Company is proposing an 18-inch gravel road mostly following the existing woods road that would not be for everyday use and would have a locked gate. He showed the limit of disturbance on plans and discussed water runoff mitigation, including planting suggestions made by soil scientist Richard Snarsky.

C. Heffernan asked for confirmation that the road will not cross a water course, which Mr. Tremblay confirmed and further stated that there will be no disturbance to the wetlands. He also confirmed that no drainage pipes will be added. C. Heffernan also asked about the equipment that will be used, to which Mr. Tremblay responded that excavators, bulldozers, and dump trucks will be used. He then responded to C. Heffernan's question about timing that the work should take a couple of months. C. Heffernan further asked how many people work at the plant and was told over 200.

L. Wacker confirmed that the road will be gravel. She stated that the proposed access road is 18 feet wide plus a 5-foot swale plus a 2-foot snow shelf and pointed out that recommended standards for private rural road widths are 12 to 16 feet for two-way traffic. She also stated that the typical width of a fire truck is 8.3 feet and of a car is 5.8 feet. She asked if this emergency access road needs to be as wide as proposed, stating that a narrower road would cause less disturbance. Mr. Tremblay responded that a standard two-way traffic lane in a parking lot is 24 feet so it would be wide enough for vehicles to be able to exit and emergency vehicles to enter, but he will raise the issue with the Lee Company.

C. Heffernan asked about alternatives. Mr. Tremblay stated that the owner did not complete a full alternatives-analysis, but did explore other possibilities. He stated that the other alternatives are not prudent because they would cause more disturbance and require blasting. C. Heffernan also asked when the plant was built, which Mr. Tremblay agreed to find out. C. Heffernan further asked for clarification regarding tree clearing. Mr. Tremblay stated that he does not have an exact number, but will provide that number at the next meeting.

MOTION to accept the application 22-009 "The Lee Company" 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. Savage; **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.

22-010 "Pelczar" Application to Conduct a Regulated Activity

Construction of a garage, covered landing, deck, greenhouse, mulch walkway and stone bridge within the 100' upland review area.

140 Ingham Hill Road, Map 48/Lot 1

Applicant/Owner: Steven Pelczar

ACTION: Receive application, Review for completeness, Determine if regulated activities are significant

Mr. Pelczar presented and passed out updates. He began with items dealt with on the prior permit from 2018, explaining that: (1) he tore down an existing entry and did a covered entry for the new structure; and (2) tore down the deck, but rather than build stairs down to a stone patio, he built a small deck instead of a stone patio. Mr. Pelczar would now like to extend the roof over to cover the deck. He confirmed that the deck was not originally approved but is within the footprint of the stone patio that was approved. In addition, he would like to build a garage. The only place to put it due to setbacks is where he is proposing in the back area of the lot. He stated that approximately 8 trees will need to be taken down, only the excavation of the footings will affect the wetlands, and he will have a silt fence to protect wetlands. Mr. Pelczar wants to build the garage because the house is small and needs additional parking that is not so close to the street. Additionally, he would like to create a path from the garage to the house, which would require a bridge.

C. Heffernan asked if the garage has a top floor, which was confirmed by Mr. Pelczar, and further asked if it will be for storage and if it will have a bathroom. Mr. Pelczar stated that it will be for storage with no bathroom, approximately 1700 square feet. C. Heffernan also asked if any drainage is being added to which Mr. Pelczar responded that he will be using gutters and downspouts. C. Heffernan then asked if the foundation will be a slab, which Mr. Pelczar confirmed. He further asked if the bridge was indicated on the map. Mr. Pelczar stated it was not. Mr. Pelczar and commission members discussed various types of bridges, including an aluminum bridge, as well as the proposed path. C. Heffernan stated that the bridge would be in the wetlands.

M. Caldarella asked if other alternative locations were considered. Mr. Pelczar explained that due to setbacks and wetlands, the only location to place the garage is in the back corner.

C. Heffernan asked how far away the garage is from the fish ladder. Mr. Pelczar believes it is a couple hundred feet.

Mr. Pelczar also explained that the application includes the addition of a 6 by 8-foot greenhouse within the upland review area.

C. Heffernan explained that the applicant can submit revised plans with the location of the garage on the survey as well as the location of the bridge and the proposed path at the next meeting.

MOTION to accept the application 22-010 “Pelczar” Application to Conduct a Regulated Activity, as amended by the removal of the garage and proposed pathway, so that the portions of the application that include the greenhouse as pictured, the covered entranceway to the front porch as pictured, the four-stair deck as pictured, and the deck covering as pictured are accepted as complete, that the regulated activities are not significant, and that no Ordinance 71 fees are required; **MADE:** by C. Savage; **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.

V. REGULAR BUSINESS**A. Meeting Minutes – 9/15/22**

C. Maharbiz stated that the Roll Call should be corrected to reflect that Janis Esty was present remotely rather than absent. L. Gray corrected the spelling of audience member in attendance Claudia “Wade” to be Claudia “Way” throughout the September Meeting Minutes.

MOTION to approve the regular meeting minutes of September 15, 2022, as corrected; **MADE:** by C. Heffernan; **SECONDED:** 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.

B. Correspondence & Announcements – L. Wacker passed out CT Wildlife Magazine. She also announced that the CACIWC Annual Meeting and Workshop is October 29.

C. Committee, Representative & Staff Reports – L. Wacker issued an administrative approval for 129 Boston Post Road of a small shed in the upland review area, 75 feet away from the wetlands and on blocks.

V. ADJOURNMENT

MOTION to adjourn the meeting at 8:42 p.m. to the next regular meeting on November 17, 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