



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, November 17, 2022
Via Hybrid Meeting
Town Hall 1st floor conference room
302 Main Street, Old Saybrook

I. CALL TO ORDER

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

II. ROLL CALL

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

Members Absent: C. Heffernan

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

Audience Present: 4 present in person

III. OLD 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. NLJA & Assoc.

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

Mr. Pfrommer presented on the Beaver Dam culvert replacement project and provided answers to previous questions raised by Commission members. With respect to the amount of proposed fill in the wetlands, Mr. Pfrommer stated that there will be 20 cubic yards of fill in the temporary impact areas and 1 cubic yard in the permanent impact areas.

C. Savage asked how the utility lines will be dealt with. Mr. Pfrommer explained that there have been two utility coordination meetings and the utility companies are currently looking for an

underground solution rather than aerial solution to deal with the underground lines located on the west side.

MOTION to approve application 22-008 “Town of Old Saybrook” as proposed; **MADE:** by C. Savage; **SECONDED:** by S. Roberts; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **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

Engineer Fern Tremblay presented. He briefly reviewed the application and answered questions previously posed by Commission members. First, with respect to the number of trees to be removed within the upland review area, he stated that 38 trees will be removed, 3 of which are dead. Second, with respect to the question about whether the driveway can be narrowed, Mr. Tremblay stated that due to having to meet regulations for both Westbrook and Old Saybrook, Westbrook regulations require a minimum of 18 feet for two-way traffic. Finally, regarding vernal pools, Richard Snarsky identified an area with potential for a vernal pool. Mr. Tremblay explained that to accommodate that, the applicant will stagger the silt fence and provide overlap. This will prevent sediment from coming down but provide a corridor for amphibians.

M. Caldarella asked about encroachment into the wetlands by the silt fence overlap and Mr. Tremblay explained that there will be none and that the silt fence will be removed upon completion of the work. The proposed vegetative soil will remain and will have ferns. He also asked if the road at the exit will be locked, which Mr. Tremblay confirmed. L. Gray asked if there are old stone walls along the road. Mr. Tremblay showed the location of a wall but stated that it will not be disturbed. She also asked about the diameter of the trees being removed, which Mr. Tremblay stated are mostly 6-8 inches in diameter with 1-2 about 24 inches. In answer to a question about the age of the facility, Mr. Tremblay stated that the earliest building is from 1961 and the most recent from 2015. L. Wacker asked if road salt will be used and Mr. Tremblay stated he did not think it would be necessary.

L. Wacker reported that she met with the tree warden who said that this is not an old growth forest, and he is not concerned with the trees being removed. Additionally, soil scientist Rich Snarsky was not concerned about the timing of the project with the vernal pool. L. Wacker suggested that the limits of disturbance be marked in the field to prevent accidental encroachment into the wetlands during construction.

MOTION to approve application 22-009 “The Lee Company” as proposed; **MADE:** by C. Savage; **SECONDED:** by L. Gray; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:**

7-0-0.

22-010 “Pelczar” Application to Conduct a Regulated Activity

Construction of a garage, covered landing, deck with roof, greenhouse, mulch walkway and gangway 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 provided a review of the application. He stated that he found a gangway that can be carried in and put in place with no footings required. Eight trees will be cut to build the garage, which will be chipped and used for the pathway from the garage. He will use a silt fence at the edge of the wetlands and only the over dig for the footings will encroach on the wetlands.

C. Savage asked how much the footings will encroach on the wetlands and Mr. Pelczar stated roughly 4 square feet. P. Kay asked if the applicant considered the option of applying for a variance and Mr. Pelczar stated he was discouraged from doing that. M. Caldarella questioned whether the garage could be shifted closer to the road to eliminate the disturbance into the wetlands and Mr. Pelczar stated that he cannot do that due to setbacks. Commission members then discussed the possibility of reducing the size of the garage bump out by 2 feet, and Mr. Pelczar agreed to the size reduction. J. Esty asked if holes will be made in the wetlands for electrical wire and Mr. Pelczar stated he will be taking electricity from the street.

MOTION to determine that the garage, mulch path, and gangway portions of 22-010 “Pelczar” application are complete, that the activities will not have a significant impact and that Ordinance 71 fees will not be required; **MADE:** by C. Savage; **SECONDED:** by P. Kay; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

MOTION to approve application 22-010 “Pelczar” as proposed with the condition that the applicant will modify the bump out on the garage from 5 ft to 3 ft and will draw electricity from the street; **MADE:** by C. Savage; **SECONDED:** by M. Caldarella; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

IV. PUBLIC HEARINGS**22-007 “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: Continue or close by 11/17/2022 (NLT 12/21/2022)

Attorney Edward Cassella, Joe Wren, and Bob Russo presented. Commission member E. Steffen recused herself. Mr. Cassella gave an overview of the project, which is for a retail grocery store

and two fast food restaurant pads. He also discussed the submission of a feasible alternative, specifically a proposal with three restaurant pads instead of a larger grocery pad. Soil scientist Bob Russo discussed his findings with respect to the three wetland areas on the site, and discussed drainage, hydrology, stormwater runoff, vernal pools, soil type, vegetation, and wetland impacts. Joe Wren provided details of the project and showed site plans. He described the alternative plan submitted with the application. Then he explained in more detail a new proposed alternative plan, which would have 1 restaurant pad and 1 retail space instead of 3 restaurant pads. He showed the new proposed alternative plan superimposed over the prior alternative site plan. He stated that this new plan incorporates most, if not all, the comments from the reviewing engineer and soil scientist as well as from the Commission.

P. Kay asked if the comments set forth in the Jacobson and Davidson letters were addressed in the new plan. Mr. Cassella confirmed that the new alternative plan addresses their comments, regarding pushing the structure to the west and use of the wetlands for stormwater runoff. M. Caldarella asked if the submission was final, which Mr. Cassella stated it is not and the applicant will be submitting final plans as soon as possible.

Chairman Savage opened the public hearings to public comment. Geoffrey Jacobson asked about the stormwater basins on the new alternative plan. Mr. Wren stated that they are considering having 2 stormwater basins. Mr. Jacobson also confirmed the addition of retaining walls in the NE corner. Eric Davidson asked if the 10,000 square foot of additional buffer in the alternative plan will be in the new plan. Mr. Wren stated that with the retaining walls, the buffer areas will be greater than 10,000 square feet. Mr. Davidson also suggested doing a water quality swale that runs along the edge of the retaining wall instead of a single basin.

MOTION to continue the public hearing for applicant 22-007 to the December 15, 2022 meeting at 7 p.m. Town Hall, Old Saybrook; **MADE:** by C. Savage; **SECONDED:** M. Caldarella; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

V. NEW BUSINESS

22-012 “Foster” Application to Conduct a Regulated Activity

Construction of a 288 s.f. 3 season room, construction of a den, screened porch and new covered entry within the 100’ upland review area.

110 Sheffield Street, Map 31/Lot 3

Applicant/Owner: Nicholas V. Foster Agent: Denise Von Dassel, Architect

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

Mr. Foster presented. He explained that the house is completely within the 100-foot review area. He described the three areas to be rebuilt: (1) a 3-season porch with proper foundation; (2) a den and existing screened porch to be rebuilt into a 18 x 18-foot room with a screened porch rebuilt where it is currently located; and (3) a new covered entryway over the front door. The house will increase in size by 348 square feet. A silt fence will be installed surrounding the water side

and native grasses have been planted. No dirt will be removed or brought in. No trees will be removed and there will be no effects on the wetlands.

C. Savage asked when the work is proposed and Mr. Foster stated that he is hoping to begin in the spring, but still needs to receive approval from other commission. L. Gray asked about the age of the house, which Mr. Foster stated is at least 150 years old.

MOTION to accept the application 22-012 “Foster” 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. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

22-013 “EconoLodge” Application to Conduct a Regulated Activity

Construction of a 4680 s.f. building addition with covered porches within 100’ upland review area.

1750 Boston Post Road, Map 25/Lot 4

Applicant: RR SAI, LLC

Agent: Attorney Edward M. Cassella

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

Mr. Cassella presented. He explained that the owners previously received a permit in June for an owner’s apartment addition with a condition that the area below the addition be limited to a 4-foot crawl space. The owners have presented the current application to request a modification to the size of the building with a new configuration, which is 511 square feet larger than initially approved. Additionally, the owners are requesting approval to have a split basement where the western size remains a 4-ft. crawl space but the eastern size is a full 7-ft. basement space. They did soil testing to determine the water level and found that the first floor is 3 ft. 10 inches above grade. There is a proposed sump pump, which will be directed to the pond and not to the south where the wetlands are located.

M. Caldarella asked if the sump pump is being placed for back-up, which was confirmed by Mr. Cassella. One sump pump will be added. C. Savage asked if it would tie into the existing line and Mr. Cassella explained that there will be a line for the sump pump and another for the roof. L. Wacker asked if the parking lot will be dug up to put in the new line. Mr. Cassella was unsure and stated that he would find out. She also stated that the applicant would need to provide that information along with erosion and sediment control measures on the site plan.

MOTION to accept the application 22-013 “EconoLodge” Application to Conduct a Regulated Activity as complete, that the regulated activities are not significant and that no Ordinance 71 fees will be required with further details on the discharge pipe to be provided; **MADE:** by C. Savage; **SECONDED:** by P. Kay; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

VI. REGULAR BUSINESS

A. 2023 Meeting Calendar

MOTION to approve the 2023 Meeting Calendar as presented; **MADE:** by C. Savage; **SECONDED:** M. Caldarella; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

B. Meeting Minutes

On page 4, L. Gray corrected “18-inch” to “18-foot” gravel road.

MOTION to approve the regular meeting minutes of October 20, 2022, as corrected; **MADE:** by C. Savage; **SECONDED:** M. Caldarella; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

C. Correspondence & Announcements – None.

D. Committee, Representative & Staff Reports – L. Wacker issued an administrative permit for a garage addition 75 feet from the wetlands on 129 Old Boston Post Road. She also noted that during the Feb. 16 meeting a representative from DEEP will be providing training to commission members and reported that she and E. Steffen attended the CACIWC meeting. M. Caldarella mentioned that at the most recent Zoning Commission meeting, a motion was approved for a 6-month moratorium on drive-thrus.

VII. ADJOURNMENT

MOTION to adjourn the meeting at 9:18 p.m. to the next regular meeting on December 15, 2022, Old Saybrook Town Hall, 302 Main Street, 1st Floor Conference Room and via Zoom; **MADE:** by C. Savage; **SECONDED:** by M. Caldarella; **VOTING IN FAVOR:** C. Savage, L. Gray, P. DeLisa, M. Caldarella, P. Kay, S. Roberts; J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

Respectfully Submitted,
Carolina Maharbiz, Recording Clerk