



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, January 19, 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, C. Savage, L. Gray (remote), 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: two remote

III. CONTINUED PUBLIC HEARING

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: Applicant consented to 29 of 65-day extension to 1/19/2023. Close ph or further extension required.

E. Steffen recused herself and left the table for the continued public hearing portion of the meeting. Edward Cassella, Joseph Wren, and Bob Russo presented. Consultants Geoffrey Jacobson, Eric Davison, and Michael Cronin were also present. Mr. Wren provided a history of the project and presented the prudent, feasible alternative prepared based on feedback from the town consultants. The new plan has less parking and two buildings rather than three: (1) a 20,000-sf grocery store and (2) a drive thru restaurant. Mr. Wren discussed the various wetland areas, the retaining walls off the entryway, the grading plan, the wetlands mitigation area added in the NW section, the sidewalk and retaining walls added to the plans, the septic systems, the

drainage and stormwater management system, and erosion and sediment control. He also reviewed comments made in response to the January 17 letter from consultant Geoffrey Jacobson. Soil scientist Bob Russo discussed the wetland areas and the landscaping plan, highlighting revisions made to minimize wetland impacts. Mr. Russo reviewed the comments he made in a letter sent to the Commission dated January 17, 2023, which was prepared as a response to two letters of comment from Davison Environmental dated November 3, 2022 and January 7, 2023.

C. Heffernan asked consultants Geoffrey Jacobson and Eric Davison if they had comments. Mr. Jacobson stated that he would like to review the most recent letter from Joseph Wren to confirm the changes and calculations made. Some areas that he highlighted he would like to review are the calculation for the volume below the low-level outlet, clarification on the number of 4-ft deep sumps, the landscape plan to ensure that there is no woody vegetation in the fill portion of the detention basin, and the maintenance plan. Mr. Davison stated that everything he recommended has been addressed. He also stated that there will be an unavoidable impact to the western wetlands, but steps have been taken to mitigate the impact. The eastern wetlands are significant because they drain to tidal wetlands and beaches, so the biggest concern is developing the site without impacting downstream water quality. He opined that he found the changes to the plan created a situation where the water quality is protected downstream. He also opined that the NW mitigation area is not of much value. In response to a question from C. Heffernan, Mr. Davison stated that he received all of the information that he asked for.

C. Heffernan opened the floor for public comment, but there were no comments made by any members of the public. He then reported on the letter received from Tedd Levy opposing the development. C. Heffernan stated that he would like to wait to vote until Mr. Jacobson has had an opportunity to review recent comments and until he has had an opportunity to discuss appropriate motions with counsel and engineers. P. Kay stated that she believes most objections, other than technical ones, have been addressed and that she thought the Commission was ready to vote. M. Caldarella stated that he would like to wait for a response from consultant Mr. Jacobson.

MOTION to continue the public hearing until the next regularly scheduled meeting of February 16, 2023, at 7 p.m. Old Saybrook Town Hall, 302 Main Street, 1st Floor Conference Room and via Zoom; **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.

Mr. Cassella presented a letter agreeing to an extension.

MOTION to grant a 28-day extension to keep the public hearing open to the next regularly scheduled meeting of February 16, 2023; **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.

IV. REGULAR BUSINESS

A. Minutes – December 15, 2022

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

B. Committee, Representative & Staff Reports – M. Caldarella stated that SPR Oasis reopened its public hearing before the Zoning Commission and moved for a continuance. P. Kay stated that the Planning Commission approved the SPR Oasis application. L. Wacker reported that she administratively approved (1) a deck replacement within the upland review area at 9 Half Penny Lane and (2) the digging of test holes for septic and stormwater within the upland review area at 1654 Boston Post Rd. She also reported that she inspected and closed three permits. With respect to the lawsuit at 72 Bokum Rd., she stated that it reached a settlement requiring the property owner to restore the wetlands that were disturbed, which will be handled at the department level.

C. Correspondence & Announcements – L. Wacker stated that the educational workshop will be on February 23, 2023, at 7 p.m. Additionally, she informed members that the Connecticut Bar Association is holding a Land Use Law webinar on Saturday, March 11, 2023.

D. Election of Officers

MOTION to nominate the current slate of officers for the Old Saybrook Inland Wetlands and Watercourses Commission with C. Heffernan as Chairman, C. Savage as Vice Chairman, and E. Steffen as Secretary to continue their term for another year; **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. ADJOURNMENT

MOTION to adjourn the meeting at 8:33 p.m. to the next regular meeting on February 16, 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, 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