



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

*J. Colin Heffernan, Chairman  
Charles A Wehrly, III, Vice Chairman  
Charles W. Savage*

[www.oldsaybrookct.gov](http://www.oldsaybrookct.gov)

*Richard J. Esty (Conservation)  
Madeleine B. Fish (Zoning)  
Paula S. Kay (Planning)  
Vacancy (Economic Development)*

**Alternate Members**  
*Elizabeth D. Steffen, Secretary  
Janis L. Esty  
Alyse Y. Oziolor*

**MINUTES  
REGULAR MEETING**

Thursday, December 19, 2019 at 7:00 P.M.  
Town Hall, 1<sup>st</sup> Floor Conference Room  
302 Main Street, Old Saybrook

I. **CALL TO ORDER**

The Chairman called the regular meeting to order at 7:00 p.m.

II. **ROLL CALL**

**Members Present:** C. Heffernan, C. Wehrly, R. Esty, P. Kay, E. Steffen, J. Esty, A. Oziolor

**Members Absent:** M. Fish, C. Savage

**Staff Present:** P. Hegge, Environmental Enforcement Officer; L. Wacker, Recording Clerk

III. **ELECTION OF OFFICERS**

**MOTION** to elect the existing slate of officers to the Inland Wetlands and Watercourses Commission: Colin Heffernan, Chair; Charles Wehrly, III, Vice Chair; Elizabeth Steffen, Secretary; **MADE:** by C. Heffernan; **SECONDED:** by J. Esty; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, R. Esty, P. Kay, E. Steffen, J. Esty, A. Oziolor; **OPPOSED:** None; **ABSTAINED:** None; **APPROVED:** 7-0-0.

IV. **DISCUSSION**

“Oceanside Automotive”

Discuss new proposal and modifications to stipulated judgement.

810 Middlesex Turnpike (Map 63/Lot 8)

*Owner: Legacy for Him, LLC     Agent: Attorney Edward Cassella*

The owner and agent were not present to discuss the new proposal. J. Heffernan stated that they should continue to be bound by the terms of the existing stipulated judgement.

V. **OLD BUSINESS**

A. **“Auld” Show Cause Hearing**

Cease & Desist Order issued on October 24, 2019

Placement of fill in wetlands and within the 100’ upland review area.

6 Trails End (Map 16/Lot 68-4)

Owner: Christopher and Kerry Auld

**Action:** *Continue discussion of violation.*

The owners were not present. P. Hegge reported that he has been in contact with the owner, Mr. Auld, who is moving forward with hiring a soil scientist to delineate the wetlands on the property. P. Hegge will continue to monitor their progress.

**MOTION** to continue monitoring the activities to rectify the violation for “Auld”, 6 Trails End (Map 16/Lot 68-4); **MADE** by C. Heffernan; **SECONDED** by P. Kay; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, R. Esty, E. Steffen, P. Kay, J. Esty, A. Oziolor; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

- B. 19-011 “Carpenter” Application to Conduct a Regulated Activity  
 12’ x 16’ Storage shed and 14’ x 18’ pool deck within 100’ upland review area.  
 18 Ruth Drive (Map 21/Lot 87)  
 Owner: Sherry Shea White  
*Action: Accept application and Act*

The owner was not present. E. Steffen recused herself. P. Hegge reported that he visited the site and took photos which were presented to the Commission. He said that based upon his measurements the shed appears to be within the upland review area while the pool deck appears to be outside the upland review area. He felt that the shed, placed on blocks, was a minor activity. There was a discussion about the shed and the number of other structures on the property which are shown in the photos but are not on the original map provided by the applicant. J. Heffernan stated that he would caution P. Hegge and staff about taking on too much of the applicant’s responsibility to provide a complete application, because if that became the norm it would become an overwhelming burden for staff. He went on to recommend that the Commission and Land Use staff come together to discuss what the responsibilities of the applicant are and how far the staff should go to assist an applicant with that. There was a discussion about what P. Hegge is authorized to do. There was a discussion about the motion in this case from the October meeting, where the application was deemed incomplete but was not denied, and about where in the timeline this application stands.

**MOTION** to deny the application (19-011) for 18 Ruth Drive (Map 21/Lot 87) because the map that was submitted is misleading and does not accurately represent what is currently on the property; **MADE:** by C. Heffernan; **SECONDED:** by R. Esty; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, R. Esty, P. Kay, J. Esty, A. Oziolor; **OPPOSED:** None; **ABSTAINING:** E. Steffen; **APPROVED** 6-0-1.

## VI. EXECUTIVE SESSION

**MOTION** to enter into executive session to discuss pending litigation for Evangelisti vs. Inland Wetlands and Watercourses Commission of Old Saybrook; **MADE:** by C. Heffernan; **SECONDED:** by R. Esty; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, R. Esty, E. Steffen, P. Kay, J. Esty, A. Oziolor; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

The Commission entered into executive session at 7:52 pm and exited executive session at 7:55 pm.

VII. **REGULAR BUSINESS**A. **Meeting Minutes: November 21, 2019**

**MOTION** to approve the regular meeting minutes of November 21, 2019; **MADE:** by C. Wehrly; **SECONDED:** by C. Heffernan; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, R. Esty, E. Steffen, J. Esty, P. Kay, A. Oziolor; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

B. **Correspondence & Announcements**

**MOTION** to pay Siegel, O'Connor, O'Donnell & Beck, P.C., invoice #163737, in the amount of \$1,093.00; **MADE:** by C. Heffernan; **SECONDED:** by P. Kay; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, R. Esty, E. Steffen, J. Esty, P. Kay, A. Oziolor; **OPPOSED:** None; **APPROVED:** 7-0-0.

P. Hegge reported that a list of New England soil scientists and a greeting card were received.

C. **Committee, Representative & Staff Reports**

There were no reports.

VIII. **ADJOURNMENT**

**MOTION** to adjourn the meeting at 8:03 p.m. to January 16<sup>th</sup>, 2020 at 7:00 p.m., Town Hall, 302 Main Street; **MADE:** by C. Heffernan; **SECONDED:** by R. Esty; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, R. Esty, P. Kay, J. Esty, E. Steffen, A. Oziolor; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

Respectfully Submitted,

Lynette Wacker  
Recording Clerk