



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

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

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. Ozziolor*

**MINUTES
REGULAR MEETING**

Thursday, January 16, 2020 at 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

The Chairman called the regular meeting to order at 7:01 p.m.

II. ROLL CALL

Members Present: C. Heffernan, C. Wehrly, C. Savage, P. Kay, M. Fish, E. Steffen, J. Esty, A. Ozziolor (not seated)

Members Absent: R. Esty

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

Also Present: One person in the audience

III. OLD BUSINESS

“Oceanside Automotive”

Discuss new proposal and modifications to stipulated judgement.

810 Middlesex Turnpike (Map 63/Lot 68)

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

Action: *Discuss proposed modifications and determine if acceptable.*

Applicant was not present, requested a continuation to a future meeting.

IV. NEW BUSINESS

A. “215 Elm Street, LLC”

Zoning Commission Application for Site Plan Review to construct business/contractor’s storage outside of the 100’ upland review area.

215 Elm Street (Map 38/Lot 2)

Owner/Applicant: 215 Elm Street, LLC. Agent: Michael Ott, P.E.

ACTION: *Review application, determine if outside of IW/WC jurisdiction and direct staff to write a report to Zoning Commission in accordance with the provisions of the CT General Statutes.*

Mr. Ott explained that there is a little piece of inland wetlands boundary in the vicinity of the property and the rest of the wetland is tidal. There is a small area of upland review area on the property. There is no activity proposed within the upland review area. A. Ozziolor asked for clarification of where the storage areas would be. Mr. Ott explained the proposed storage areas in Phase I and Phase II.

MOTION to determine the application “215 Elm Street, LLC” (Map 38/Lot 2) does not fall under the jurisdiction of the Inland Wetlands and Watercourses Commission, and that staff will submit a report to the Zoning Commission stating that a wetlands permit is not required; **MADE:** by C. Heffernan; **SECONDED:** by M. Fish; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, J. Esty, E. Steffen, M. Fish; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

B. 20-001 “Bagnati” Application to conduct a Regulated Activity

Adding and installing an above ground 120 gallon propane tank for garage within 100’ upland review area.

72 Bokum Road (Map 57/Lot 19-2)

Owner/Applicant: Benjamin Bagnati

ACTION: *Determine completeness of application, if activity is significant and if fees for technical assistance will be required.*

Mr. Bagnati explained that he is proposing to place an above-ground propane tank to heat his garage within the 100’ upland review area. He also has an existing hoop house that sits upon a wood frame which is rotting. He would like to place it on cement blocks set upon the ground so that it can be secured. He would also like to install a gravel shed pad for an 8’ x 12’ shed placed outside of the 100’ upland review area. A. Oziolor questioned how they could tell the shed pad was outside of the upland review area since it was not delineated on the plan. P. Hegge stated that the proposed shed pad appeared to be within the upland review area. P. Kay suggested that any approval specifically state that it would be for a “carefree” shed. Mr. Bagnati stated that the shed would be used for storage and equipment. A. Oziolor asked if he could move the shed away from the 100’ upland review area and Mr. Bagnati replied that he could. Mr. Bagnati stated that there is currently a tractor stored in the hoop house, and that the hoop house was existing when he purchased the property. Mr. Bagnati decided to withdraw his proposal for a shed pad.

A member of the audience was asked whether he would like to comment on the completeness of the application. Mr. Evangelisti stated that he has many issues with the proposal including: there is no soil scientist listed; the application has been amended so it does not match what is on the agenda; the hoop house is actually a temporary garage; the concrete foundation would create an issue with setbacks and surface coverage on the property; there are easement issues; fixing of propane tank is not explained, and; the delineation of wetlands is not accurate.

P. Hegge stated that the wetland delineation shown on the plan is the most current information they have available. C. Wherly asked how Mr. Bagnari proposes to secure the propane tank. Mr. Bagnati stated that he would like to place it upon concrete blocks to level it and would secure the tank to the blocks.

MOTION to accept the application 20-001 “Bagnati”, 72 Bokum Road (Map 57/Lot 19-2) as complete with no significant activity and no Ord. 71 fees required; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, M. Fish, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

- C. Workshop: Annual Inland Wetlands & Watercourses Legal Review with Attorney Michael Cronin
ACTION: *Discuss new laws, procedures and ask general legal questions.*

The workshop will be deferred to the February IWWC meeting.

V. **REGULAR BUSINESS**

A. **Meeting Minutes: December 19, 2019**

MOTION to approve the regular meeting minutes of December 19, 2019; **MADE:** by E. Steffen; **SECONDED:** by C. Heffernan; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, M. Fish, E. Steffen, J. Esty, P. Kay; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

B. **Correspondence & Announcements**

Payment of Invoice #2598 from Connecticut Ecosystems, LLC in the amount of \$1,562.50 will be tabled until the commission can determine exactly where the funds will come from.

Heffernan asked whether the expenditure analysis was related to the invoice or if it was just for informational purposes. P. Hegge stated it was for informational purposes.

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

M. Fish commented that DEEP has not scheduled any wetlands training courses in a very long time and something should be done to provide training. C. Heffernan stated that he would be happy to sign a letter to DEEP or to any of our legislators to try to get funding for the DEEP training courses. It is a burden on the commission and on the applicants and slows down the process of development to not have available the training necessary to obtain certification.

P. Hegge also reported that the Conservation Commission will be hosting an Earth Day Film Festival on April 4th from 11 am until 2 pm at the Old Saybrook Middle School Auditorium. The festival will include guest speakers.

P. Hegge reported that Larry Bonin from DPW will be cleaning vines and debris from detention basins at Christy Heights, Center Road West, Obed Heights and Brenda Road. The cleaning has been considered routine maintenance (not requiring a permit) in the past and Mr. Bonin is just advising the IWEO/IWWC that he will be conducting this work. All work will be done by hand and no machinery will be used.

C. Wehrly asked whether there was an update on the “Auld” hearing, and whether it should have been on the agenda.

MOTION to modify the agenda to add “Auld” Show Cause Hearing, 6 Trails End (Map 16/Lot 68-4); **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, M. Fish, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

“Auld” Show Cause Hearing

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

Owners: Christopher and Kerry Auld

Cease & Desist Order issued on October 24, 2019. Placement of fill in wetlands and within the 100’ upland review area

P. Hegge stated that James Sipperly is planning to delineate the wetlands on the Auld property by the end of January or possibly February. Mr. Sipperly will delineate the current wetlands boundary and calculate what has been filled in. C. Heffernan asked if the work was progressing. P. Hegge affirmed that it was progressing. C. Wehrly asked if there was anything Mr. Auld needed to do in a timely manner with spring coming. P. Hegge thinks that he is on schedule. Mr. Sipperly will also be clarifying which wetlands are inland vs. tidal. P. Hegge will follow up with him to see when he thinks he may be done with that, at which time they will schedule Mr. Auld to come before the commission to move forward.

MOTION to continue monitoring the progress of “Auld” Show Cause Hearing, 6 Trails End (Map 16/Lot 68-4) until the next regularly scheduled meeting; **MADE:** by C. Heffernan; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, M. Fish, E. Steffen, J. Esty; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED** 7-0-0.

VI. **ADJOURNMENT**

MOTION to adjourn the meeting at 7: 57 p.m. to February 20th, 2020 at 7:00 p.m., Town Hall, 302 Main Street; **MADE:** by C. Wehrly; **SECONDED:** by E. Steffen; **VOTING IN FAVOR:** C. Heffernan, C. Wehrly, C. Savage, P. Kay, M. Fish, J. Esty, E. Steffen; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

Respectfully Submitted,

Lynette Wacker
Recording Clerk