

**EAST HADDAM INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING MINUTES
November 20, 2007
(Not yet approved by the Commission)**

1. CALL TO ORDER

The meeting was called to order at 7:15 p.m. by Chairman Randolph Dill at the Town Grange.

2. ATTENDANCE

Members Present: Mary Augustiny, Jennifer Burton-Reeve, Randolph Dill, Dan Jahne (arrived 8:00 p.m.)

Members Absent: Bryan Goff, Wendy Goodfriend

Others Present: Mr. Ventres and 8 members of the public

3. MINUTES

Motion by Mrs. Burton-Reeve to approve the minutes of the October 16, 2007 regular meeting, with the following amendment:

- **Page 6, Paragraph 7: Add "After discussion, it was agreed that 6"x6" posts could be used for the piers." to the end of the paragraph.**

Seconded by Ms. Augustiny, and carried by unanimous vote.

4. BILLS

<u>Vendor</u>	<u>Invoice</u>	
<u>Amount</u>		
Branse, Willis, & Knapp (general legal)	1259-86285	87.00
NL Jacobson (Salmon River Estates, general review)	13758	1166.15
Shoreline Newspaper (legal notices)	2227327	61.22
Hartford Courant (legal notices)	5461	66.52

Motion by Ms. Augustiny to pay the bills as presented. Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

5. PERMITS

A) Continued: Town of East Haddam, Phase II, proposed storm drainage on Pilgrim Way, Lake Hayward.

No one representing the applicant was present at this meeting. Mr. Ventres stated that Mr. Roger Nemergut, P.E., has not finished the drainage, and requested a continuance.

Motion by Ms. Augustiny to continue the application for the Town of East Haddam, Phase II, proposed storm drainage on Pilgrim Way, Lake Hayward, until the next regularly scheduled meeting on December 18, 2007. Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

**B) Continued: Sandy Brown, 339 East Shore Drive, construction of retaining wall in the upland review area and re-establishment of existing dock. Assessor's Map 87, Lot 197.
First date: October 16, 2007 Last date: December 19, 2007**

Mr. Dill noted that this application began while he was away, and he did not attend the field walk. Mr. Ventres explained the application was to construct a retaining wall, fix the lawn behind it, and then replace the dock. The reason the applicant wanted to extend the length of the dock was because the water was so shallow in this area. Ms. Augustiny explained the areas on the map where the applicant wanted to level the area and fix the lawn. She showed areas on the plan where the applicant would add plantings. Ms. Augustiny noted that a stonemason would repair the wall.

Mr. Dill inquired about the dock. Ms. Augustiny noted that the applicant planned to install an aluminum dock on rollers. They plan to use the dock for canoes, and for their grandchildren to play on. Mr. Dill noted that erosion control was noted on the plan. Ms. Augustiny suggested that before and after photos be taken. Mr. Ventres stated that the applicant should call him before construction. Ms. Augustiny recalled there were steps between the two retaining walls. The applicant was going to add some dirt behind the walls. Mr. Ventres believed some of this could come from the digging during the wall construction.

Motion by Ms. Augustiny to approve the application for Sandy Brown, 339 East Shore Drive, construction of retaining wall and re-establishment of existing dock in the upland review area, with the following conditions:

- **The applicant shall contact the Wetlands Enforcement Officer for inspection after the erosion control measures are installed, and before construction begins.**
- **Before and after photographs shall be taken and submitted to the Wetlands Enforcement Officer.**
- **The applicant shall contact the Wetlands Enforcement Officer after construction for a final inspection.**
- **The dock is approved at 40-ft. length.**
- **Work shall be done as referenced on the plan dated October 14, 2007.**

Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

**C) Continued: John Barber, 158 East Haddam-Colchester Turnpike, addition to existing shed in the upland review area. Assessor's Map 57, Lot 142.
First date: October 16, 2007 Last date: December 19, 2007**

No one representing the applicant was present at this meeting. It was noted that Mr. Dill, Ms. Augustiny, Mr. Jahne, and Ms. Goodfriend attended the field walk.

Mr. Ventres explained that this application was for a lean-to shed against an existing 14ft. x 20ft shed. There is an existing slab surface. They will not go beyond the slab surface.

Mr. Dill read from the minutes that the applicant was not present at the first meeting, so he had hoped the applicant would be present at this meeting. He questioned what would be stored in the shed. From the field walk, he was not terribly concerned, but it does slope toward the wetland. His concern was storage of petroleum products, etc. He suggested this be a condition that petroleum products not be stored. He asked if a boat, car, etc. would be stored in this shed. Mr. Ventres stated the contractor said it was basically more of the same items that were already there. Mr. Dill pointed out that the other building was enclosed, and this would be open, on a pad. Ms. Augustiny believed this would be enclosed. Mr. Ventres stated it would be enclosed on three sides. He suggested that the application be conditioned that gasoline, etc. be stored inside the shed.

Ms. Augustiny stated they did not see a picture of the structure. She suggested they have a photo. Mr. Dill asked if they had a plan. Mr. Ventres stated he saw something for a photo, but it was not in the file. Mr. Dill suggested this application be continued. Mr. Ventres suggested the application be approved with the Commission's conditions. Ms. Augustiny stated since she did not have a picture to look at, she didn't know if there would be a drip line, etc. Mr. Ventres stated there was no drip line, and suggested the Commission could condition this. Ms. Augustiny did not know which way the roofline was going. Mr. Ventres showed her on the plan. Ms. Augustiny stated she would want to see a drip line on the outside of the cement.

Mr. Dill stated he had some reservations about approving this without seeing the photographs. Mr. Ventres stated he had the diagram, but he must have left it with the field inspection folder. He stated there was a diagram. Mr. Dill asked if the diagram would become part of the file, to which Mr. Ventres responded affirmatively. Mr. Dill stated since they did not have a diagram, the Commission would stipulate what it would be. Ms. Augustiny asked if all of the sides would be open. Mr. Ventres understood that one side would be open. He noted that the footprint was the issue for wetlands, as well as gasoline storage, etc. Mrs. Burton-Reeve asked if the footprint was already there, and Mr. Ventres responded affirmatively. Mr. Dill agreed the footprint was already there, but stated he did not want to see pesticides, fertilizers, petroleum products, etc. stored and spilled into that watercourse. Ms. Augustiny was amenable to approving this application with that restriction, as well as adding the drip line along the side of the building in the direction of the slant of the shed.

Motion by Ms. Augustiny to approve the application for John Barber, 158 East Haddam-Colchester Turnpike, addition to existing shed in the upland review area, with the following conditions:

- **The addition to the existing shed will be within the footprint of the existing cement flat slab.**
- **The new part of the shed will contain no petroleum, fertilizer, or pesticide products.**
- **The downslope side of the roof, on the outside of the slab, will contain a drip line.**
- **Lacking a diagram before the Commission, this is to be a lean-to shed. A copy of the diagram shall be put in the file.**

Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

D) Continued: Frederick and Katherine Klein, 197 East Shore Drive, removal of garage and existing cottage with new construction in the upland review area. Assessor's Map 80, Lot 399.

First date: October 16, 2007

Last date: December 19, 2007

Ms. Augustiny recused herself from this application. It was noted however, that without Ms. Augustiny, there was not a quorum. Mr. Ventres informed the Commission that Mr. Jahne was attending a wake, and would be here later this evening.

Motion by Mr. Dill to table the application for Frederick and Katherine Klein, 197 East Shore Drive, removal of garage and existing cottage with new construction in the upland review area, until the end of tonight's agenda. Seconded by Mrs. Burton-Reeve, and carried by unanimous vote.

E) New: Lori Soltis, 10 Leesville Road, construction of 3 car garage in the upland review area. Assessor's Map 55, Lot 59.

First date: November 20, 2007

Last date: January 24, 2008

Ms. Lori Soltis and Mr. Dennis Carlson addressed the Commission, and presented their plan for a 3-car garage. Ms. Soltis stated this was the furthest away from the river that they could build a garage. She stated her property was between the Moodus River and Neptune Brook. Mr. Ventres oriented the Commission to this property.

Mr. Ventres noted that in any direction, they would be within the 100-foot upland review area. Ms. Soltis stated that at one time, they applied for, and were approved, to build a garage in another location that was closer to the river; however, they never built the garage.

Ms. Augustiny stated the Commission would have to schedule a walk, since this was the first date.

Mr. Dill asked about the plan. Ms. Soltis stated it would be a barn/garage, just for storage. Mr. Carlson stated their home was not a conventional house, and had no basement, so they really needed the storage. Mr. Dill asked if the driveway was new, to which Ms. Soltis stated it was already there. Responsive to inquiry by Ms. Augustiny, Ms. Soltis stated it would be built into the side of the hill. Mr. Dill noted that the size of the garage on the plan was 36ft.x28ft. Ms. Augustiny asked if the garage would have a floor, to which Ms. Soltis responded affirmatively. Ms. Augustiny asked if the floor would be concrete, to which Ms. Soltis again responded affirmatively.

Mr. Dill asked if they would need to clear to construct the garage. Mr. Carlson stated they would need to remove approximately five trees. Ms. Augustiny suggested the corners be marked out before the walk. Mr. Carlson stated the builder would have to do the markings, but he roughly marked where the corners would be.

Responsive to inquiry by Ms. Soltis, Mr. Dill explained that the next meeting would be the third Tuesday of December, and they would conduct a field walk, typically the Sunday before the meeting. Ms. Soltis asked if they needed to be present for the walk. Mr. Dill stated they did not necessarily need to be there, as long as it was well marked.

house. He stated they were actually taking the wrap-around part off. He stated the actual dimensions were the same, and they were not encroaching any farther toward the water. He showed on the plan where they were adding one garage and taking away one garage. The existing garage is very close to the property line, and the new garage will actually be moved 8-feet off the property line.

Mr. Dill stated it appeared that the footprint of the new structure was much larger. Mr. Brancato agreed that it was. He stated right now, the building is 18ft. x 32ft. The new building will be 20ft. x 50ft. He stated that one garage was wider, and the other was narrower, but they both probably came out to about the same square footage. He stated the applicants were trying to take the small, existing cottage, and put up a one-story building in its place, as a seasonal cottage.

Mr. Dill stated during the field walk, they learned that the septic system was across the road. He asked the age of the septic system. Mr. Ventres stated the septic system was brand new. He believed the applicant would be going to Planning & Zoning with a seasonal to year-round conversion, because they have over a half-acre. Mr. Brancato stated the applicant would go to P&Z. Mr. Ventres stated that Chatham was reviewing it now, but this was a brand new septic system. Mr. Brancato believed the septic system was installed in 2004.

Mr. Jahne asked why there were two wells shown on the plan. Mr. Brancato stated the existing well would be abandoned, as Chatham required. He stated that Mr. Klein and Ms. Davison from the health district were working out locations. Mr. Ventres stated that Mr. Bob Weaver, L.S., was not in today to plot all of the items. Ms. Davison had been concerned about the systems to the north on the Klein's existing property, and wanted to make sure the wells were placed in the correct locations.

Mr. Jahne asked about the well pump near the deck. Mr. Brancato stated that pump was abandoned a long while ago.

Mr. Dill asked about the existing cottage, to which Mr. Brancato stated it was one story. Mr. Brancato added that the new structure would also be one story. Mr. Dill noted the new structure was going to increase in size fairly significantly, from 18ft. x 32ft. to 20ft. x 50ft., and go from seasonal to year-round use, which would change the activity on this very narrow lot. He asked if there was anything that could be done that would help protect the lake from the increased activity that would occur. He noted that this was just a few feet from the lake.

Mr. Dill asked about plantings, etc. Mr. Brancato stated the area was pretty well established. He noted that right along the lake, there was a protective stonewall that has been there for some time. He showed an area of bushes, etc. Mr. Dill commented that the bushes were on the side, but this lot slopes down toward the lake. Mr. Brancato stated this area was established lawn, and nothing would be disturbed by having an extra bedroom. He stated the applicants have grandchildren who visit them now.

Mr. Jahne asked about the water and the beach area. Mr. Brancato explained that the water comes right up to the wall, and there was no kind of plants growing. He imagined there was just sand there. Mr. Dill asked what the plans were for this cottage. He asked if this would be a house that would be retained by the Klein's. Mr. Brancato stated the Klein's planned to use this cottage for their grandchildren, when they visit occasionally during the summer. He stated that Mrs. Klein's mother would also use it at various times of the year. At some point, the house would be left to the Klein's children. It was noted that the Klein's house was two stories. Mr. Brancato stated this was the reason

the new cottage was designed to have everything on one floor. There was also a walkway from the house to the garage. Mr. Brancato showed the layout of the house. Mr. Brancato stated the roof was 20'7". He stated it was a small house.

Mr. Jahne asked about the dock. Mr. Brancato stated that Mr. Klein pulls in the dock.

Mr. Dill commented that this area of the lake was rather tight. He suggested that at the topside of the retaining wall there be a thin row of shrubs to add some buffer to the lake, and to help catch anything that comes down the slope. He did not believe it would be a major burden on the applicant. He stated these shrubs could be ornamental, but that the Commission had a planting list that the applicant could review.

Mr. Dill noted that erosion control measures were on the plan. Mr. Ventres distributed a suggested plant list to the applicant. Mr. Jahne asked about the demolition of the cottage. Mr. Brancato stated it would be loaded directly into a dumpster and removed.

Motion by Mr. Dill to approve the application for Frederick and Katherine Klein, 197 East Shore Drive, removal of garage and existing cottage with new construction in the upland review area, with the following conditions:

- **At the lakefront on the topside of the retaining wall, a line of low growing shrubs must be planted as a buffer to the lake to help keep erosion from the lake.**

Seconded by Mrs. Burton-Reeve. Voting: Ayes: Dill, Burton-Reeve, Jahne. Motion carried.

Ms. Augustiny returned to the meeting at this time.

7. DISCUSSION

Mr. Dill stated for the next meeting, he asked Mr. Ventres to bring in the Shagbark paperwork for review. He noted that nothing has changed, so the Commission needed to review it.

The Commission walked Mr. Fortier's property yesterday. Mr. Ventres stated that Mr. Fortier came in to his office today. Mr. Ventres stated he gave Mr. Fortier a list of soil scientists. He noted that Mr. Fortier had to go to court to put the plan together, because the property lines were confused. Mr. Ventres informed Mr. Fortier that he needed an environmental consultant to assess the site and talk about prudent and feasible alternatives. He suggested if Mr. Fortier hired someone for this, they should contact Mr. Ventres. Mr. Dill noted that because of the limitations of that site, they might need to hold a public hearing. Mr. Ventres already suggested this to Mr. Fortier.

Mr. Dill stated that Mr. Lyman was present. He explained that this parcel is directly across from the new middle school. There was a discrepancy with the property lines. It had to go before the Selectmen, who received a legal opinion that the Selectmen decide where the boundaries were. So, there was some research done on this site to determine where the lines actually were. Mr. Lyman asked if there was evidence on record. Mr. Dill stated there was some evidence on record. Mr. Ventres indicated that the subdivision to the west of this lot used the fence line as the property line. The house on the other side used the edge of the field fence line. So, Mr. Fortier lost 25 feet of his property.

Mr. Dill stated that there is no application before the Commission at this time. Mr. Ventres confirmed there was no application at this time. Mr. Ventres stated this was a difficult situation.

Mr. Ventres stated that the Commission went to Wildwood and discussed the long-term plans for septic, water and cottage remodeling/renovations.

8. IWWC ENFORCEMENT OFFICER'S REPORT

Mr. Dill requested that the Shagbark file be brought to the next meeting for review. He noted that the corrective work has not commenced.

9. COMMUNICATIONS

Nothing to discuss.

10. ADJOURNMENT

Motion by Mrs. Augustiny to adjourn at 8:45 p.m. Seconded by Ms. Burton-Reeve, and carried by unanimous vote.

Respectfully submitted,
Holly Pattavina
(Transmitted from tapes only)