East Haddam Inland Wetlands and Watercourse Commission
Land Use Office

Regular Meeting Minutes
September 19, 2023

1. Call to Order

The Regular Meeting of the East Haddam Inland Wetlands and Watercourse Commission was called to order by Mr. Dill at 7:30 PM at the Municipal Office Complex.

2. Attendance

Members Present: Randolph Dill, Mary Augustiny, Daniel Jahne, Jennifer Burton-Reeve
Members Absent: Bryan Goff
Also Present: James Ventres (Land Use Administrator), Emily Mueller, Aron Schumacher, Gina Aitoro, Thom Delventhal (Conservation Commission representative), Rich Bergman, Peter Albrycht

3. Approval of Minutes

Update the minutes with the following changes:

6a. "with units that small trade contractors can rent ~~out to use~~ for their business."
6a. "At the south end of the property, off the property, is a pond, which discharges onto the *Scully* property."
6a. "and there is a pipe that also runs onto the *Scully* property."
6a. "There is pond runoff and the developed property and the wetlands ~~that exist~~ *that enter on* the property."
6a. The goal is to create a ~~spot to~~ trap sediment ~~that prevents it~~ from exiting the property.

A motion by Mr. Jahne to approve the August 15, 2023, minutes as amended. Seconded by Ms. Burton-Reeve, and unanimously approved.

4. Bills

Nathan L. Jacobson Associates - $81.83 and $28.00 for Lake Hayward Association sub-division review

A motion by Ms. Burton-Reeve. to pay the bill as presented. Seconded by Mr. Jahne, and unanimously approved.

5. Field Inspection Report

Mr. Dill, Ms. Augustiny, Ms. Burton-Reeve, Mr. Walls (a prospective member of the IWWC) and Mr. Ventres visited 4 sites, 97 Bone Mill Road, Desmond Road, 108 Bashan Road, and 10 Foxtown Road., on September 13, 2023.

6. Wetlands Permit Review

a. #W23-12 – 3 East Shore Drive (property location), Vincent & Regina Aitoro (applicant & property owner). Enclose porch to an existing deck. Map 071, Lot 056.

There was a long discussion at a prior meeting relating to the changes that would be needed.

The contractor, Mr. Bergman, provided an updated drawing for the project. He explained that the posts will be all cedar with no insulation, wall to ceiling screens all the way around, railings will remain the same. The screened in porch will be strictly for summer use. The deck is already there, and the open area underneath will remain open. The size has not changed from the last meeting.

Motion by Ms. Burton-Reeve to approve the application #W23-12 – 3 East Shore Drive (property location), Vincent & Regina Aitoro (applicant & property owner). Enclose porch to an existing deck, with the plans dated 9/19/2023, and any change beyond what is outlined in the application requires review by the IWWC. Map 071, Lot 056. Seconded by Mr. Jahne and unanimously approved.

b. #W23-13 – 97 Bone Mill Road, (property location), Scott Brown & Jamie Tomasetti (applicant & property owner). Proposed barn and guest house. Map 003, Lot 006.

This is an old application that has expired as it is past the 10-year approval timeframe. It has been resubmitted with no changes. The field walk highlighted that the driveway that faces the wetlands cannot be paved and must remain gravel. The style of the barn will be more of a post and beam with a garage underneath it.
Mr. Schumacher, P.E., noted that the rain garden is larger than needed and it will be reduced. It had been placed on the plan but not resized accordingly upon determining the runoff need.

Motion by Ms. Augustiny to approve the application #W23-13 – 97 Bone Mill Road, (property location), Scott Brown & Jamie Tomasetti (applicant & property owner). Proposed barn and guest house, with the plans dated 7/25/2023. Map 003, Lot 006. Seconded by Ms. Jennifer Burton-Reeve and unanimously approved.

c. #W23-14 – 108 Bashan Road (property location), Peter Albrycht (applicant & property owner). Proposed drystone reinforcement of the shoreline. Map 058, Lot 129.

The property is located on Moodus Reservoir. Mr. Albrycht is trying to reduce the erosion of the property from motorboat wakes.

Mr. Ventres showed him a way to reduce erosion and hopefully the natural vegetation will start to grow back. The stone should be as natural as possible to blend into the landscape. The distance to be addressed is about 2/3 of the property where there is wake wash.

The reinforcement will be approximately 250 feet of the 350 feet of the shoreline needs to be reinforced. Mr. Ventres marked on his copy of the map where the stone would be placed.

Placing of the material will be done by hand, after it is deposited by the stone company. None of the trees will be cut to provide additional root mass to hold the soil in place.

Motion by Ms. Burton-Reeve to approve the application #W23-14 – 108 Bashan Road (property location), Peter Albrycht (applicant & property owner). Proposed drystone reinforcement, with plans dated 9/19/2023. Map 058, Lot 129. Seconded by Ms. Augustiny and unanimously approved.

d. #W23-15 – Desmond Road (property location), Alexis Devlin (applicant), Karen Leary (property owner). Proposed single family home. Map 057, Lot 123.

Mr. Schumacher, P.E. provided an overview of the project and reviewed the map. There is a single-family house on the property, but there is not a specific house plan in place yet. The main concern is to design a driveway that is feasible to place the driveway between the two wetlands.

There is a town requirement to pave the driveway. Given how steep it is (about 10%), there are a few swales being added in and rain gardens installed to handle run off.

The Chatham Health District approved the project already. The property has not been sold and the application is to prove the land could be built prior to selling it.

There is an area of potential skunk cabbage on another property that is up slope from this property. The surveyor did not have permission to investigate the other property to determine if it is a wetland, so he did not investigate it further. Upon the actual house design being chosen, the applicant may need to bring this back to the Inland Wetland & Watercourses Commission in order to address the other potential wetlands area that are up slope of this property.

Mr. Ventres will review the GIS and the location of the potential other wetlands upon the leaves falling and the weather turning colder.

Motion by Ms. Augustiny to approve application #W23-15 – Desmond Road (property location), Alexis Devlin (applicant), Karen Leary (property owner). Proposed single family home, with a long driveway, with plans dated 7/28/2023. Map 057, Lot 123. Seconded by Ms. Burton-Reeve and unanimously approved.

e. #W23-16 – 10 Foxtown Road (property location), Emily Mueller (applicant & property owner). Proposed construction of a pond. Map 043, Lot 008.

Ms. Mueller provided an overview of the project. Mr. Ventres provided the map for the project. The goal is to build a small pond, equal to or less than 5000 square feet, for agriculture and fire pond usage. The closest water source is the Eight-mile River and is not close to the property. The pond is proposed to be 300 feet from the nearest property line.

It is proposed to construct an outlet of a small pipe with a collar. It will be built into the bank but there must be something in place to alleviate it if it fills too much. John Allegra designed the pond and would install it.

Mr. Ventres noted that Mr. Allegra does have experience in building this type of pond. The side spillway and pipe are part of the design. There is no intention of having a watering trough. Most of the pond will be excavated out.

Mr. Dill asked if there is any impoundment. There will be a spillway to allow it to go naturally to the existing wetlands. If there is any impoundment, it must be properly designed to protect other properties from any failure. There is quite a bit of ledge in the area, so there is water in the area given how wet the summer has been. The access road is a new road, that would come in from Ed Williams Road.

Mr. Ventres will meet the contractor at the property location and obtain more information related to the spillway and overflow. The water would overflow back into the wetlands. There is no need to drain the pond; it is a seepage pond with overflow.

Motion by Mr. Dill to continue the application #W23-16 – 10 Foxtown Road (property location), Emily Mueller (applicant & property owner). Proposed construction of a pond. Map 043, Lot 008. Seconded by Ms. Burton-Reeve and unanimously approved.

f. #W23-18 – 74 Smith Road, Cottage #27, (BL), (property Location), Mary Shutran, (Wildwood Inc.) (applicant & property owner). Proposed Deck. Map 049, Lot 009.

Mr. Ventres will send the Inland Wetland & Watercourses Commission a diagram. It is on Bashan Lake and is related to building a deck. A field walk is needed.
Motion by Mr. Dill to schedule a field walk and continue the application #W23-18 – 74 Smith Road, Cottage #27, (BL), (property Location), Shutran Mary, (Wildwood Inc.) (applicant & property owner). Proposed Deck. Map 049, Lot 009. Seconded by Ms. Burton-Reeve and unanimously approved.

g. #W23-19 – 170 Falls Road, (MR), (property location), Michael & Ann Berte (applicant & property owners). Replace rocks at the water edge with pavers. Map 075, Lot 132.

Field walk needed.

Motion by Mr. Dill to schedule a field walk and continue the application #W23-19 – 170 Falls Road, (MR), (property location), Michael & Ann Berte (applicant & property owners). Replace rocks at the water edge with pavers. Map 075, Lot 132. Seconded by Mr. Jahne and unanimously approved.

h. #W23-20 – 161 Alger Road (property location), Richard Lagace (applicant & property owner). Two (2) lot subdivision. Map 057, Lot 141.

Mr. Ventres noted that it is only 1 new lot and the stormwater basin is within the upland review area, it needs a field walk.

Motion by Mr. Dill to schedule a field walk and continue the application #W23-20 – 161 Alger Road (property location), Richard Lagace (applicant & property owner). Two (2) lot subdivision. Map 057, Lot 141. Seconded by Mr. Jahne and unanimously approved.

i. #W23-21 – 184 Falls Road, (MR), (property location), David & Deborah Rabon (applicant & property owner). Proposed dock. Map 075, Lot 125.

Field walk needed.

Motion by Ms. Augustiny to schedule a field walk and continue the application #W23-21 – 184 Falls Road, (MR), (property location), David & Deborah Rabon (applicant & property owner). Proposed dock. Map 075, Lot 125. Seconded by Mr. Jahne and unanimously approved.

j. #W23-22 – 92 Lakeside Drive (property location), Mark & Kelly Schock (applicants & property owners). Proposed addition. Map 058, Lot 062

Field walk needed.

Motion by Mr. Dill to schedule a field walk and continue the application #W23-22 – 92 Lakeside Drive (property location), Mark & Kelly Schock (applicants & property owners). Proposed addition. Map 058, Lot 062. Seconded by Ms. Burton-Reeve and unanimously approved.

k. #W22-07 – Hopyard Road (property location), Town of East Haddam – Redirection of the stream to the original bed.

Motion by Mr. Dill to continue the application #W22-07 – Hopyard Road (property location), Town of East Haddam – Redirection of the stream to the original bed, until Public Works is ready to provide further information. Seconded by Ms. Burton-Reeve and unanimously approved.

l. #W22-19 – East Shore drive (property location), Town of East Haddam (property owner), proposed culvert replacement.

Mr. Ventres provided a plan from Dutch and Associates with drainage calculations. Because it is currently undersized, they are looking at two 36" high by 60" wide box culverts. Currently there is an 18" and a 24" culvert.

This is part of the scenic road. The Inland Wetland & Watercourses Commission walked it about a year ago. There are 240 acres of watershed that must be handled if the town wants to handle a 50-year storm. The road sits about 250 feet away from the lake, so the area drains into Lake Hayward.

Mr. Dill asked for Mr. Dutch to at least attend the field walk to explain the plan, and possibly join the next meeting too.

Mr. Ventres will send the plans to Brian Curtis to review them.

Motion by Mr. Dill to schedule a field walk and continue the application #W22-19 – East Shore drive (property location), Town of East Haddam (property owner), proposed culvert replacement, until Public Works is ready to provide further information. Seconded by Ms. Burton-Reeve and unanimously approved.

7. IWWC Enforcement Officer's Report

Mr. Ventres will email everyone with potential field walk dates given the number of sites that need to be visited.

Mr. Dill asked Mr. Ventres if he was able to visit the site on the upper Moodus Reservoir, where there is a trailer on the Cone property and make sure it is not a problem. He has not been able to investigate that area yet.

Mr. Ventres informed the Inland Wetland & Watercourses Commission members that DEEP is going to conduct engineering studies at Gillette's Castle Pond down from the parking lot.

Mr. Dill noted that David Walls has applied to join as an alternate member of the Inland Wetland & Watercourses Commission. Mr. Walls provided an overview of himself and why he is interested in joining the commission. He moved from Vermont and is looking to get involved in serving the community.

Motion by Mr. Dill to send a letter to the Board of Selectmen recommending that Mr. Walls be appointed as an alternate member of the Inland Wetland & Watercourses Commission. Seconded by Ms. Burton-Reeve and unanimously approved.

8. Discussion

a. Connecticut Public Health Code and Inland Wetlands Upland Review Area
A Planning & Zoning member who is also on the Gateway Commission outlined the need to understand the leaching field code and if there are issues with protecting the town's water supply. The Inland Wetland & Watercourses Commission has a regulation that any activity within 100 feet of a wetlands must be brought before the Inland Wetland & Watercourses Commission for review.

The standard practice in East Haddam is to ask the applicant to do a nutrient analysis for any application for any new system or expansion of a property. Mr. Ventres has it in writing from CT DEEP that the town can legislate what they feel is needed to protect the water in the town.

It was noted that even if a system meets the Public Health Code, it may not meet the Inland Wetland & Watercourses Regulations. Septic systems are reviewed for nutrient dilution rates at the water's edge. The public health code does not review septic systems to that extent.

9. Adjournment

A motion was made by Ms. Burton-Reeve to adjourn the meeting at 8:45pm. The motion was seconded by Mr. Jahne and unanimously approved.

Respectfully submitted,
Shannon A. Goyette
Recording Secretary