

**EAST LYME INLAND WETLANDS AGENCY  
SHOW CAUSE HEARING  
Monday, APRIL 7th, 2014  
MINUTES**

The East Lyme Inland Wetlands Agency held a Show Cause Hearing on the Cease, Desist & Correct Order issued to GRE 314 East Lyme, LLC & Centerplan Construction Co. for property located at 20 Farm Meadow Road, Assessor's Map #52.0, Lot #126, on April 7, 2014 at Town Hall, 108 Pennsylvania Ave., Niantic, CT. Chairman Lozanov opened the Show Cause Hearing and called it to order at 7:04 PM.

**PRESENT:** Cheryl Lozanov, Chairperson, Chuck Reluga, Vice-Chair, Norm Bender, Joe Mingo, Harry Clarke

**ALSO PRESENT:** Attorney Theodore Harris, Representing the Owner  
Mike Lombardi, P.E.; President, Centerplan Construction  
Ryan McNamara, Project Mgr., Centerplan Construction  
Gary Goeschel, Inland Wetlands Agent  
Karen Zmitruk, Recording Secretary

**ABSENT:** Phyllis Berger, Keith Hall, Secretary

FILED IN EAST LYME  
CONNECTICUT  
APR 16 2014 AT 3:00 AM/PM  
*Karen Zmitruk*  
EAST LYME TOWN CLERK

**Call to Order**

Ms. Lozanov called this Show Cause Hearing to order at 7:04 PM and introduced the members seated, Inland Wetlands Agent and Recording Secretary.

**Pledge of Allegiance**

The Pledge was observed.

**Show Cause Hearing**

- 1. Cease, Desist & Correct Order Issued to GRE 2314 East Lyme, LLC, Owner of 20 Farm Meadow Road, East Lyme, CT and Centerplan Construction Company for the pollution of an onsite inland wetlands and watercourse. More specifically, the deposition of sedimentation within an onsite wetlands and watercourse as a result of storm water management system failures and failures of erosion and sedimentation controls associated with the construction of a solar field/array on property located at 20 Farm Meadow Road, Assessor's Map #52.0, Lot #126, East Lyme, CT.**

Ms. Lozanov asked Mr. Goeschel for comment.

Mr. Goeschel first explained that the Cease & Desist record has been corrected to reflect the accurate dates and a corrected copy has been sent to Centerplan. He said that Attorney Harris was present.

Attorney Harris, place of business 351 Main Street, Niantic, CT said that this is regarding the solar farm located on Walnut Hill & Grassy Hill Roads and is a bit different as it was approved by the CT Siting Council. A few weeks ago on the weekend there was a significant rain storm event with the ground still frozen which caused failure of the system. The owners were aware of it on Sunday and were on the site on Monday. At that time, they were also interfacing with the Town Hall to let them know what had happened. They also contacted the Siting Council and an environmental professional also visited the site. Areas will be defined for remediation and proposed mitigation will be presented to them.

He noted that he was the one who suggested the Cease & Desist route to this Commission to move the process along faster. He said that he feels that they will be at the next meeting of this Commission with a full remediation proposal. The bottom line is that both Construction Managers for the project are present this evening and they will have more detail for them at the next meeting. In the meantime, they have put additional silt fencing in the areas and they are ready to come back with a full mitigation plan.

Ms. Lozanov asked if anything had gone onto other people's property.

Mike Lombardi, P.E. , President Centerplan Construction said that there was a small amount of sediment that did leak to a neighboring property and that he has personally spoken with those people.

Mr. Mingo asked if the Land Trust Property was untouched and also about the pond.

Mr. Lombardi said that the Land Trust Property was not touched however the pond was affected and they have contacted professionals who are the best in the industry to work with them on this. They are not trying to avoid this. The event was a convergence of unusual things and they are diligently looking to come up with a plan to mitigate it.

Mr. Mingo said that he has trouble with the boundaries and the parcel owned by the Town and asked if they built anything on it.

Mr. Lombardi said no, they did not build on it.

Ryan McNamara, Project Manager, Centerplan Construction said that they had professionals stake out the boundaries.

Attorney Harris said that the property boundary extends into the conservation area and that it is independent of the Land Trust. The area was staked out before they started any construction. He again said that they will be back with a full plan for the next meeting.

Ms. Lozanov asked if the run-off had any chemicals or if it was only sand and silt.

Mr. Lombardi said that it was sand and silt only.

Ms. Lozanov asked if rainstorms in the future would cause more problems.

Mr. Lombardi said no – the area will be all grass and if they look at the other areas where there is grass already – there are no issues. He said that they are shooting for May for this to be done.

Ms. Lozanov said that while grass does provide some good erosion control – she asked if they could also consider other plants, etc.

Mr. Lombardi said that he would certainly mention it to their professionals to see if it can be considered.

Mr. Bender asked what is being done for further rain such as the 2" that is expected this evening.

Mr. Lombardi said that they have installed silt fencing and other items such as check dams, water bars, etc. and they expect that they will work well.

Ms. Lozanov asked Mr. Goeschel if he has the information that he needs to contact the Centerplan people.

Mr. Goeschel said yes and added that he has spoken with all of them before.

Mr. Reluga asked if they knew how much rain fell in that event.

Mr. McNamara said that it was 5.45".

Mr. Goeschel noted that he had asked to have the plans by April 30, 2014 so that he could review them before the May 5, 2014 meeting of the Commission.

Ms. Lozanov said to Mr. Lombardi and Mr. McNamara that she appreciates their quick reply in this unfortunate event.

Ms. Lozanov closed this Show Cause Hearing at 7:32 PM.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary