

**EAST LYME INLAND WETLANDS AGENCY
REGULAR MEETING
Monday, JULY 11th, 2016
MINUTES**

The East Lyme Inland Wetlands Agency held a Special Meeting on July 11, 2016 at Town Hall, 108 Pennsylvania Ave., Niantic, CT. Chairman Lozanov opened the Regular Meeting and called it to order at 7:05 PM.

PRESENT: Cheryl Lozanov, Chairperson, Chuck Reluga, Vice-Chair, Norm Bender, Phyllis Berger, Keith Hall, David Pazzaglia

ALSO PRESENT: Fern Tremblay PE, Angus McDonald, Gary Sharpe & Associates
Gary Goeschel, Inland Wetlands Agent
Karen Zmitruk, Recording Secretary
Marc Salerno, Ex-Officio, Board of Selectmen

ABSENT: Harry Clarke, Kim Kalajainen, Alternate

Call to Order

Ms. Lozanov called this Regular Meeting to order at 7:05 PM. She introduced the members seated, Inland Wetlands Agent and Recording Secretary.

FILED

Pledge of Allegiance

The Pledge was observed.

July 15 2016 AT 10:05 AM/PM
Caen Gulino, CT
EAST LYME TOWN CLERK

I. Additions to the Agenda

Ms. Lozanov asked if there were any additions to the agenda.

Mr. Goeschel said that he would like to add Item C. under New Business – 297 Boston Post Road – Application of Alfred H Smith, to the agenda.

****MOTION (1)**

Mr. Bender moved to add to the agenda - Item C. under New Business – 297 Boston Post Road – Application of Alfred H Smith.

Ms. Berger seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

II. Public Delegations

Ms. Lozanov called for Public Delegations noting that items on the Agenda could not be discussed at this time.

There were no delegations.

III. Acceptance of Minutes

▪ **Public Hearing Minutes of June 11, 2016**

Ms. Lozanov called for any discussion or corrections to the Public Hearing Minutes of June 11, 2016.

****MOTION (2)**

Ms. Berger moved to accept the Public Hearing Minutes of June 11, 2016 as presented.

Mr. Pazzaglia seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Pazzaglia

▪ **Regular Meeting Minutes of June 13, 2016**

Ms. Lozanov called for any discussion or corrections to the Regular Meeting Minutes of June 13, 2016.

****MOTION (3)**

Mr. Hall moved to accept the Regular Meeting Minutes of June 13, 2016 as presented.

Mr. Reluga seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

IV. Ex-Officio Report

Mr. Salerno reported on the new streetlight program, the band shell at McCook's and the upcoming Celebrate East Lyme and Farm Day events this weekend.

V. Pending Applications

There were no pending applications.

VI. Old Business

- **33 Great Wight Way – Application of Angus McDonald, Gary Sharpe & Associates for Owner Leigh Flannagan to conduct regulated activities associated with the construction of a new single family dwelling and installation of a subsurface sewage disposal system at 33 Great Wight Way, East Lyme Assessor's Map 02.2, Lot 1.**

Ms. Lozanov called upon the applicant or their representative to present this project.

Fern Tremblay, PE with Angus McDonald, Gary Sharpe & Associates said that he was representing the owner Leigh Flannagan. 33 Great Wight Way is currently an undeveloped 1.7 acre parcel of land that has a freshwater inland wetland in the western portion of the property that continues to the adjacent property. There is no proposed activity within the wetland on the property. He noted that the items that they had requested at their last meeting had been addressed and are on the updated plan. Regarding the wetland assessment – Richard Snarski went back out and compiled a species and potential wildlife list on June 22, 2016. He said that he provided it as part of the record. He also provided information on the pool system noting that it would be a closed system requiring no backwashing.

Ms. Lozanov asked Mr. Goeschel if he had an updated and signed site plan.

Mr. Goeschel said that he did. He added that Mr. Benni, the Town Engineer had provided information that he has also reviewed this application.

****MOTION (4)**

Mr. Hall moved to approve the Application of Angus McDonald, Gary Sharpe & Associates for Owner Leigh Flannagan to conduct regulated activities associated with the construction of a new single family dwelling and installation of a subsurface sewage disposal system at 33 Great Wight Way, East Lyme Assessor's Map 02.2, Lot 1 as indicated in the memo from Gary Goeschel dated July 11, 2016 with the following administrative requirements and required modifications to the site plan and other materials submitted in support of this application:

- 1. The Erosion and Sedimentation Control Plan and recommended Construction Sequence shall be followed.**
- 2. Pursuant to the Erosion and Sedimentation Control Plan and construction sequence, notify conservation officer at least 2 days prior to construction to inspect erosion controls.**
- 3. Silt fence and other erosion controls should be installed and inspected by the Inland Wetlands Agent prior to any site construction, land clearing or other associated construction activities.**
- 4. In areas proposed to be loamed and seeded, a low maintenance lawn such as fescue, which requires minimal application of fertilizers and pesticides, shall be planted.**
- 5. Forested cover within the upland review areas shall be maintained to the extent practicable. The proposed Limited of Disturbance (LOD) shall be strictly adhered to through out all phases of lot build out and construction.**
- 6. An Erosion and Sedimentation Control bond in the amount satisfactory to the Town Engineer and in a form satisfactory to the Inland Wetlands Agency and its Agent shall be posted with the Town of East Lyme.**
- 7. A Landscape Planting bond in a form satisfactory to the Inland Wetlands Agency and in an amount acceptable to the Inland Wetlands Agency or its Agent, shall be posted with the Town of**

East Lyme Inland Wetlands Agency for the proposed buffer plantings. Said bond shall be released upon the planting plan achieving an 80% survival rate after two (2) full growing seasons.

- 8. Any proposed additional work beyond this permit in the wetlands or watercourse or its 100-foot regulated area will require approval from the conservation commission or its certified agent.**
- 9. Any changes to the site plan listed on this permit require notification to the Inland Wetlands Agent and may require commission approval – a new plan will be given to agent before work begins.**
- 10. Inland Wetlands Conservation Tags provided by the Wetlands Agency, available in the Land Use Office, Department of Planning & Inland Wetlands, shall be posted along the inland wetlands boundary at 40-50 foot intervals satisfactory to the Inland Wetland Agent.**
- 11. No site work shall commence until all applicable conditions are satisfied.**
- 12. Notify Inland Wetlands Agency or its agent upon completion of all regulated activities for final inspection.**
- 13. Upon completion of construction and landscaping activities, an as-built survey shall be submitted to the Inland Wetlands Agency or its Agent which shall include the plantings within the vegetative buffer.**

The applicant/owner shall be bound by the provisions of this application and approval.

Ms. Berger seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

VII. New Business

- Mamacock Road, Giants Neck Beach, Niantic, CT – Jim Beaulieu for Giants Neck Beach Improvement Club – Application to maintain the area around Upper Nehantic Lake and Lower Nehantic Lake, East Lyme Assessor's Map 4.10, Lot 55**

Mr. Goeschel noted that they had done a site walk on this property.

Mr. Beaulieu, 29 Griswold Road said that he was representing the GNB Association on this. He stated that this had been intended to be an extension of an existing permit however the time ran out and they missed that time period.

Mr. Goeschel noted the previous application history – Feb. 2007; Dec. 2011 extended by Public Act to April 2, 2016. This application was for mowing around the lake, removal of dead trees or those that pose a safety hazard as noted by the Tree Warden.

Ms. Berger asked Mr. Beaulieu if, knowing that she is a member of the GNG community association he is comfortable with her sitting on this item.

Mr. Beaulieu said that he did not have any issues with her sitting for this item.

Ms. Berger asked if there was a permit for the lower pond.

Mr. Beaulieu said that there was one to the DEEP last year.

Ms. Lozanov asked if the permit that had expired was only for the upper pond.

Mr. Beaulieu said yes.

Ms. Lozanov asked if this permit request is only for the upper pond and to maintain as they have with the previous permit.

Mr. Beaulieu said yes.

Ms. Lozanov asked about people dumping their grass and debris there.

Mr. Goeschel said that he would write a letter to the GNB Board to have them address those issues.

The consensus of the Agency was that no public hearing was necessary for this application.

▪ 57 Walnut Hill Road – Bond Release Request

Mr. Goeschel noted the correspondence he had received from Mr. Benni who stated that \$1500 should be held. He also noted that condition item #4 was to provide an As-built Survey and that he is still waiting for

that item. He added that it is at the discretion of the Agency what they want to release. The wood chips are there, the loam and seeding is not done and no As-built has been received.

Ms. Lozanov asked if the processed gravel, loam and seeding need to be done.
Mr. Goeschel said yes.

Ms. Lozanov asked Mr. Bialowans if he had spoken with Mr. Benni and was aware of his suggestion. John Bialowans, 61 Walnut Hill Road said that he does have a stock pile of lam on the site and that it would probably take a few days to do the loam and seeding. He said that the brook is not running now.

Ms. Lozanov said that she just wanted to re-affirm what Mr. Benni had said and indicated.
Mr. Goeschel gave Mr. Bialowans a copy of Mr. Benni's email on the bond.

Mr. Hall asked about the As-built survey.
Mr. Bialowans said that he would do it eventually.

Mr. Hall and Mr. Goeschel said that the \$1500 that is being withheld does not include the survey.

Mr. Bialowans said that he does not want to loam and seed so that he will not have to mow the grass.

Mr. Goeschel cautioned that neither he nor Mr. Benni really have any way of knowing or policing that the loam is not sold rather than used here. It would then have to be re-purchased. He said that the conservative approach would be to wait as another growing season is coming this fall.

Ms. Lozanov noted that Mr. Hall brought up that the amount does not include the cost of a survey.
Mr. Goeschel said that he would solicit the cost of a survey.

Ms. Lozanov said that without all of the information that they need that she is not comfortable making a decision right now.
Mr. Bender agreed.

Ms. Lozanov suggested that they solicit a survey cost and also do a site walk sometime in the fall and then put this item back on the agenda once they have reviewed the work during the fall growing season.

▪ **297 Boston Post Road – Application of Alfred H Smith**

Mr. Goeschel said that they came in requesting an extension of a permit so it is being received tonight and it will be on their next agenda.

VIII. Reports

♦ **Chairperson's Report**

Ms. Lozanov said that as Mr. Goeschel could not be present for their next scheduled meeting on August 8, 2016 that she would like to cancel it and move it to Monday August 1, 2016 as a Special Meeting. The site walk would move to July 30, 2016.

Ms. Lozanov asked that dates be added to the enforcement calendar listing and about the logging at Goldfinch and if that work is done.

Mr. Goeschel said that he is pretty sure that the logging work is done and that he would go out and check.

♦ **Inland Wetlands Agent Report**

♦ **Administrative Permits Issued**

Mr. Goeschel said that he had provided them with a listing of the administrative permits that he has issued from the beginning of the year to now. (Copy attached)

♦ **Commission Issued Permits: Status Update**

Mr. Goeschel said that he is working on what is open or unresolved and that he thinks that they only hold a couple of bonds.

♦ **Enforcement – See listing attached.**

Mr. Goeschel said that he would put the dates on this report. (Copy attached)

Ms. Lozanov asked about the status of Evolution Drive.
Mr. Goeschel said that he had received another complaint.

Ms. Berger asked about the letter that he was sending to the GNB Association quite a while ago about the trees – it seems that they are still waiting on this and other trees will come up in the meantime.
Mr. Goeschel said that he would work to get that done.

♦ **Correspondence**

Mr. Goeschel said that he would send the GNB Association a letter and that he is also working on the DOT issue. He noted that it looks like the area is being mitigated. He noted that he had attended a DEEP training program last week and that they are updating their 2006 regulations with new regulations expected sometime this fall. There were no legislative updates. He noted that he had provided them with some reading material that he had received at the program.

ADJOURNMENT

****MOTION (5)**

Ms. Berger moved to adjourn this Regular Meeting of the East Lyme Inland Wetland Agency at 8:33 PM.

Mr. Bender seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary



I.W. Agent Approvals Report

Report Date Range: 1/1/16 - 7/1/16

Permitted Activity

Fee Paid

Gary A. Goeschel II, Agent

1	PermitNo 16-5 Issued 4/15/2016	PENNSYLVANIA AVE Grantee: EAST LYME TOWN OF	Archeological Dig with in 100-feet of a watercours, Clark's Pond, in search of an historic Ice House.	\$0.00
2	PermitNo 16-4 Issued 4/15/2016	48 CARDINAL RD Grantee: PASSAS PAVLOS S &	The construction associated with the expansion of an existing 12' x 14' deck to 13' x 18' (234 sf).	\$160.00
3	PermitNo 16-8 Issued 5/25/2016	104 LEE FARM DR GNH Grantee: April L. Warbin	Construction of a single family dwelling, deck, and crushed stone driveway within 100-feet of a wetlands and watercourse.	\$160.00
4	PermitNo 16-10 Issued 5/27/2016	10 BITTERSWEET DR Grantee: BENNETT MARK S & JANICE K	Construction of a 21' x 23' deck.	\$160.00
5	PermitNo 16-9 Issued 5/27/2016	6 BROOKFIELD DR Grantee: Matthew Guarrai	Instalation of an 80-ft long, 3.5 foot high landscaping retaining wall and placement of approximately 20-cubic yards of clean fill and top soil. Area is proposed to be lawned and revegitated as a garden.	\$160.00
6	PermitNo 16-11 Issued 6/17/2016	71 CARRIAGE HILL DR Grantee: PAUL NANCY B	Construction of a 24-ft x 32-ft detached garrage, associated driveway and the relocation of an existing shed.	\$160.00
7	PermitNo 16-12 Issued 6/23/2016	270 ROXBURY RD Grantee: Patrick Houle	Construction of a 12'x32' detached garage within the 100-ft upland review area.	\$160.00
8	PermitNo 16-14 Issued 6/29/2016	22 S BEECHWOOD RD Grantee: Richard Kulak	Construction of an 8'x10' Shed within the 100-foot upland review area from a stream.	\$160.00
9	PermitNo 16-13 Issued 6/29/2016	47 STONEY WOOD DR Grantee: RUSSELL PHILIP G & CAROL F	Construction of an 11' x 25' deck within the 100-foot upland review area.	\$160.00

Attachment IWA 7/11/16

Inland Wetlands Enforcement Log
 Updated as of 7/14/2016

Item #	Address	Activity	Date Enforcement Began	Notes	Resolution
1	4 Colton Road	Filling of yard/landscape debris in a wetlands	Jul-15	letter sent	Unresolved
2	15 Colton Road	Filling/Clearing in a wetlands	Jul-15		Unresolved
4	West Society Road	Stockpile of Asphalt Millings	Apr-15		Unresolved
5	16 Attawan Road	Filling and Storage of Equipment and various earthen materials w/in upland review area	Jul-15		Unresolved
6	187 W Main St	Status of Permit Compliance			Unresolved
7	34 South Cobblers Court	Filling in a wetlands/upland review area	Jul-15		Unresolved
9	23 Brocket - Giants Neck Improvement Club	Clearing of Vegetation w/in upland review area	Jan-15		Unresolved
8	4 Herster	Filling of material in a wetlands and watercourse	Dec-15		Partially Resolved

Enforcement Log

Attachment

IcWA

7/11/16