

**EAST LYME INLAND WETLANDS AGENCY
SPECIAL MEETING
Monday, OCTOBER 24th, 2016
MINUTES**

The East Lyme Inland Wetlands Agency held a Special Meeting on October 24, 2016 at Town Hall, 108 Pennsylvania Ave., Niantic, CT. Chairperson Lozanov opened the Special Meeting and called it to order at 7:04 PM.

PRESENT: Cheryl Lozanov, Chairperson, Chuck Reluga, Vice-Chair, Phyllis Berger, Norm Bender, Kim Kalajainen, Alternate

ALSO PRESENT: Gary Goeschel, Inland Wetlands Agent
Karen Zmitruk, Recording Secretary
Marc Salerno, Ex-Officio, Board of Selectmen

ABSENT: Keith Hall, Secretary, Harry Clarke, David Pazzaglia

Call to Order

Ms. Lozanov called this Special Meeting to order at 7:04 PM. She introduced the Recording Secretary, members seated and Inland Wetlands Agent.

Pledge of Allegiance

The Pledge was observed.

FILED

I. Additions to the Agenda

Ms. Lozanov asked if there were any additions to the agenda.
Mr. Goeschel said that there were none.

OCT 27 2016 AT 1:35 AM/PM
Wanda Gulbransen
EAST LYME TOWN CLERK

Mr. Goeschel did note to the members that Jack Chomicz had just been appointed to this Commission as an Alternate by the Board of Selectmen.

II. Public Delegations

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

John Bialowans, 61 Walnut Hill Road said that he has an opinion that he will express regarding the public hearing. He said that he has three years to work on his driveway and that he has worked hard for what he has and he takes issue with the letter from the Town Engineer regarding the decay of the wood chips in two years time. He said that he had pictures that he had taken of the area and that he wants his bond reduced to \$1000.

Ms. Lozanov asked him to submit his pictures to Mr. Goeschel.

III. Acceptance of Minutes

▪ **Regular Meeting Minutes of September 12, 2016**

Ms. Lozanov called for any discussion or corrections to the Regular Meeting Minutes of September 12, 2016.

****MOTION (1)**

Mr. Reluga moved to accept the Regular Meeting Minutes of September 12, 2016 as presented.

Mr. Bender seconded the motion.

Vote: 3 – 0 – 2. Motion passed.

Abstained: Ms. Berger, Ms. Kalajainen

IV. Ex-Officio Report

Mr. Salerno reported that they have been working on the potential for the police going to an independent force. They have held a public hearing and were it to pass – it would require an ordinance change. The public hearing was held and closed and they expect to vote at a meeting next week.

Ms. Lozanov asked if an independent police force would mean that they would be hiring more; if the First Selectman would still be the 'Chief' and where the budget would come from if it were increased.

Mr. Salerno said that the Chief would be hired as the First Selectman is only the token 'Chief'. They would like the Chief to come from within the area. The First Selectman would serve on a Police Commission and they expect it to be 'budget neutral' at this time. They also are not looking at a new building at this time.

V. Pending Applications

- **24 Darrow's Ridge Rd, East Lyme – Jason Pazzaglia – Application for a one-lot re-subdivision, specifically for a residential driveway that existed prior to the purchase of the lot, the area of which is 400' in the upland review area.**

Mr. Goeschel noted that this is not a Public Hearing.

Robert Pfanner Jr. of J. Robert Pfanner Associates said that he was representing Mr. Pazzaglia this evening. He explained that they are looking to divide one large lot into an additional lot (Lot 30 would become Lot 30-1 & Lot 30-2). The area is accessed by a private driveway and there are driveway cuts from the previous owner which have been there for eight (8) years now. He said that he would like to utilize them as they have been there and to create a new driveway for the one that comes across the upland review area would certainly create disturbance that does not need to be created. It is approximately 20' into the upland review area. The septic system already has an inland wetland permit. Any other disturbances are outside of the upland review area and they have also added a conservation easement. They have retention basins to capture any flow and they are also treating the first flush. He noted the memo from the Town Engineer regarding the E & S bond in the amount \$4000 per lot for a total of \$8000.

Ms. Lozanov asked about the drainage report and water flowing to the pond as it is a steep piece of property and a 6-bedroom house is proposed with a septic system.

Mr. Pfanner said that they are two separate items – the septic system is actually on a plateau and the effluent is treated as it passes.

Jason Pazzaglia, 21 Darrows Ridge Road, the applicant, said that the State regulates this and that a well can be 75 feet away from the septic system by code and the pond is much farther away.

Mr. Pfanner added that this is not an unusual situation.

Ms. Lozanov asked about the slope percentage.

Mr. Pfanner said that it is about 12-15% but it is flowing underground and that water flowing underground flows at a totally different velocity than above ground.

Ms. Lozanov asked about the siltation that has gone into the pond.

Mr. Pfanner said that it would be removed by hand with 5 gallon buckets. He added that they will silt fence and hay bale the area. He explained that the silt fence cannot be higher than the 2 feet because it would be knocked down. It needs to be checked and the silt removed if it silts up.

Mr. Goeschel asked about the time frame on this.

Mr. Pfanner said that the septic system could be done quickly – but they also have to go through the Planning process.

Mr. Goeschel said that he has already spoken with the applicant on what needs to be done and that they should be working on it this week. He said that he would walk with the applicant to identify what he wants done. He added that this would be on the Planning agenda for November 15, 2016 and that Planning could not act on this without a decision from this Commission.

Mr. Pfanner noted that they would most likely curb one side of the driveway.

Ms. Lozanov said that they could make a decision this evening or wait until their next meeting on November 14, 2016 to make a decision. Waiting until November 14, 2016 would bring them just before their 65 day deadline.

Mr. Goeschel said that moving forward with the curb on one side of the driveway would be appropriate and that prior to any construction, the silt fence would have to be installed.

****MOTION (2)**

Mr. Bender moved to approve the Application of Jason Pazzaglia for 24 Darrow's Ridge Rd, East Lyme for a one-lot re-subdivision, specifically for a residential driveway that existed prior to the purchase of the lot, the area of which is 400' in the upland review area with the following conditions:

1. Notify Wetlands Enforcement Officer at least two (2) days prior to construction to inspect erosion controls.
2. Notify wetlands Enforcement Officer at completion of work for final inspection and sign off of permit compliance.
3. Changes to the plan shall require additional approval; a new plan will be submitted prior to construction.
4. Additional work beyond this permit in the wetlands or watercourse or its 100' regulated area will require approval from the Inland Wetland Agency or its certified agent.
5. Applicant will add regulated area tags on trees along the conservation easement to the satisfaction of the Inland Wetlands Agent.
6. A note will be placed on the plan that additional activity in the wetlands or upland review area required approval by the Inland Wetlands Agency or their Agent.
7. An erosion and sedimentation bond in the amount of \$8,000.00 to be held until the site is stabilized; (\$4,000 per lot) shall be posted prior to the commencement of work.

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

Ms. Berger seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

VI. Old Business

- 225 Flanders Road, East Lyme – Susan Sullivan Owner, James Brahm, Agent – Application for determination of permitted/non-regulated activity for construction of office space approximately 100' from the upland review area, with possibility for foot traffic within the upland review area.

Ms. Lozanov said that the purpose this evening is to determine if a permit is needed.

Jim Brahm, Agent explained that all of the work is 104' away from the upland review area and down slope from the wetland. He said that he really could not see any disturbance.

Ms. Lozanov said that the wetlands were not well marked out.

Mr. Brahm said that the area was tagged and that the tags were there – just lying down. He said that he could have Mr. Snarski re-tag the area.

Mr. Bender said that it does not appear to him to impact the upland review area as the activity is down slope from it.

Mr. Goeschel said that he also did not think that this would have any effect on the existing situation.

Mr. Brahm said that he would have fencing to prevent people from walking into the wetland area and that he may also have fencing around the entire property.

Ms. Lozanov asked about the tenants and if there would be a drive-thru in the back where cars would be going.

Mr. Brahm said that it was premature to discuss the tenants and that he would be filing a zoning application which would address the parking and items of that nature. And, as there is parking in the back – cars would be going there.

Mr. Goeschel also noted that the parking and tenant issue is a zoning matter and not their purview.

The consensus of the members was that a permit is not required for this application.

****MOTION (3)**

Ms. Kalajainen moved that in the application of 225 Flanders Road, East Lyme – Susan Sullivan Owner, James Brahm, Agent – for determination of permitted/non-regulated activity for construction of office space approximately 100' from the upland review area, with possibility for foot traffic within the upland review area that No Permit is Required.

Ms. Berger seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

VII. New Business

▪ **2017 Meeting Calendar**

Ms. Lozanov said that she had reviewed the proposed 2017 meeting calendar and that April 10, 2017 is a holiday for her and that she would like to move the meeting date to April 17, 2017 and the Site Walk date to April 15, 2017.

*****MOTION (4)**

Ms. Berger moved to accept the 2017 Inland Wetland Meeting Calendar as amended.

Mr. Reluga seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

(Copy attached)

▪ **249 Old Black Point Road – Kramer/Davies third annual report**

Mr. Goeschel noted that this is the third annual report and that the photographs submitted represent over 90% cover.

VIII. Reports

♦ **Chairperson's Report**

Ms. Lozanov reminded everyone about the upcoming CAIWAC.

♦ **Inland Wetlands Agent Report**

♦ **Administrative Permits Issued**

Mr. Goeschel said that he had not issued any permits since their last meeting.

♦ **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 Mr. Stefanski of 2 Coach Drive was present and that the wetland area has been restored to a higher functioning area than the previous one.

He noted that he is also pursuing the Old Black Point cameras that have been installed.

Ms. Lozanov noted that regarding the travel portion of East Society Road – she would like to see it blocked off as people are dumping garbage there again.

Mr. Salerno suggested that they send a letter to the Board of Selectmen regarding this matter.

Ms. Lozanov asked Mr. Goeschel to send one on their behalf.

♦ **Correspondence**

Mr. Goeschel noted that he had already informed them of the appointment of Mr. Chomicz as an alternate.

ADJOURNMENT

****MOTION (5)**

Ms. Berger moved to adjourn this Regular Meeting of the East Lyme Inland Wetland Agency at 8:55 PM.

Ms. Kalajainen seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

**Town of East Lyme
Inland Wetlands Agency
Regular Meeting and
Site Walk Schedule
2017**

Meetings are held at the Town Hall, on the following listed **Mondays at 7:00 PM** unless otherwise noted.

Regular Meetings

January 9, 2017
February 13, 2017
March 13, 2017
April 17, 2017
May 1, 2017
(First Monday due to Town Mtg)
June 12, 2017
July 10, 2017
August 14, 2017
September 11, 2017
October 16, 2017
(Third Monday)
November 13, 2017
December 11, 2017

Site Walk Saturdays

January 7, 2017
February 11, 2017
March 11, 2017
April 15, 2017
April 29, 2017
June 10, 2017
July 8, 2017
August 12, 2017
September 9, 2017
October 14, 2017
November 11, 2017
December 9, 2017

****Note: All Site Walks commence at 9 AM
at the East Lyme Town Hall Parking Lot**

Approved at the IWA Meeting of October 24, 2016

FILED

Oct 25 2016 AT 2:20 AM/PM
(Signature)
EAST LYME TOWN CLERK

Inland Wetlands Enforcement Log
Updated as of 10/24/16

Item #	Address	Activity	Date Enforcement Began	Date of Last Action	Notes	Resolution
1	4 Colton Road	Filling of yard/landscape debris in a wetlands	Jul-15	15-Jul-16	No Response/Issuing Cease and Desist Order	Unresolved
2	15R Colton Road	Filling/Clearing in a wetlands	Jul-15	15-Jul-16	Violation is being mitigated/Follow up Inspection Needed	Unresolved
3	16 Attawan Road	Filling and Storage of Equipment and various earthen materials w/in upland review area	Jul-15			Unresolved
4	187 W Main St	Status of Permit Compliance			Inspection Needed	Unresolved
5	Brocket Rd - Giants Neck Improvement Club	Clearing of Vegetation w/in upland review area	Jan-16	15-Jul-16	Irene Mcarris of GNB contacted me	In Progress
6	2 Coach Drive	Clearing and grading w/in upland review area & Consv. Easement	Jul-15	15-Jul-16		Resolved
7	4 Herster	Filling of material w/in a wetlands and watercourse	Dec-15		Material Removed	Resolved
8						
9	Old Black Point	Instalation of Cameras and Utilities	Aug/Sept. 2016	Sept. 2016		Unresolved

Attachment IWA 10/24/16