

**EAST LYME INLAND WETLANDS AGENCY
MEETING OF MONDAY 13 FEBRUARY 2017**

PRESENT

Members: Cheryl Lozanov, Chairwomen, Phyllis Berger, Harold Clarke, Norman Bender, Keith Hall, David Pazzaglia

Alternates: Jack Chomicz

Staff: Gary Goeschel II, Dir. of Planning/ Inland Wetlands Agent
Ex-officio – Paul Dagle

FILED

Feb 17 2017 AT 3:25 AM/PM
Karen Yalmo, CL
EAST LYME TOWN CLERK

ABSENT

Members: Chuck Reluga, Vice Chairman, Kim Kalajainen, Alternate

CALL TO ORDER: Gary Goeschel called the East Lyme Inland Wetlands Agency Meeting of February 13, 2017, to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was observed.

ELECTION OF OFFICERS

MOTION (1): G. Goeschel asked for nominations for Chairman
H. Clarke nominated K. Hall
Motion by C. Lozanov to put K. Hall in position of Chairman for the East Lyme Inland Wetlands Commission for 2017 – seconded by H. Clarke– passed (7-0-0)
Unanimous

MOTION (2): K. Hall asked for nominations for Vice Chairman
C. Reluga resigned – he was currently in this position.
K. Hall nominated C. Lozanov – seconded – passed (7-0-0) Unanimous
Motion by K. Hall to put C. Lozanov in position of Vice Chairman of the East Lyme Inland Wetlands Commission for 2017 – seconded – passed (7-0-0) Unanimous

MOTION (3): K. Hall asked for nominations for Secretary
P. Berger volunteered to take the position – seconded – passed (7-0-0) Unanimous
Motion by K. Hall to put P. Berger in position of Secretary for the East Lyme Inland Wetlands Commission for 2017 – seconded – passed (7-0-0) Unanimous

I. ADDITIONS TO THE AGENDA – Motion by K. Hall to add the Regular Member Vacancy to the Agenda. Seconded – passed (7-0-0) Unanimous

II. PUBLIC DELEGATIONS – There were none.

III. ACCEPTANCE OF MINUTES

A. Meeting Minutes of

MOTION (4): C. Lozanov moved to approve the November 14, 2016, Meeting Minutes - seconded by D. Pazzaglia - passed (7-0-0) Unanimous

IV. **EX-OFFICIO REPORT** - Paul Dagle was late attending the meeting as he had to attend another meeting. He introduced himself and said that he will be the ex-officio attending the meetings going forward.

V. **PENDING APPLICATIONS** - None

VI. **OLD BUSINESS**

A. **Inland Wetlands Subcommittee Review and Presentation of the Inland Wetlands & Watercourses Regulations** – G. Goeschel handed out Draft copy that is marked up in red with changes/deletions to members to review before next meeting. If you have comments or changes submit to G. Goeschel before next meeting. If everyone is in agreement, we will need to hold a public hearing. We also need to send a copy to DEEP. G. Goeschel said we are probably looking at the month of June to put this in place.

VII. **NEW BUSINESS** -

A. **Walnut Hill Chase Subdivision, Grassy Hill Road, and Farm Meadows Road, Theodore A. Harris, Esq.** Application to conduct regulation activities within a wetlands and watercourse and the 100-foot upland review area associated with the construction of a road.

- T. Harris said his application is two-fold and gave a brief overview of what he is asking for because some of the members were not a part of this when it initially started. He believes that the final approval occurred in March of 2008 allows this commission to just extend the original permit as opposed to acting on a new permit. This is the only phase left of this subdivision. Originally it was 35 lots and included 12 lots on the other side of the large one. That plan was ultimately approved by this commission. T. Harris wanted to clarify for the Commission that there is nothing new on these plans that were not approved in March 2008.
- G. Goeschel said back in November 2016 he responded to a letter he received from T. Harris in August and when he went through the files he found that the original wetland permit was granted on February 5, 2007, subsequently on February 9, 2007, the Commission approved a modification and called it permit 0705M and then on March 3, 2008, they approved another modification and called it permit 0705M2. Going through this they did hold a public hearing in 2008, and it was as T. Harris said that an application was submitted and a fee was paid. It is G. Goeschel's opinion that based on the original permit of February 5, 2007, that it expired on February 5, 2016. T. Harris then responded to that and sent correspondence to the Town Attorney who replied with his own correspondence which reiterated the same information from G. Goeschel that based on the original permit granted on February 5, 2007, the permit expired 9 years later on February 5, 2016. He also said the minutes clearly indicate that the permit holder never requested that the permit be renewed.

MOTION (5): Motion by H. Clarke to agree with Town Attorney and Wetland Advisor that the permit expired on February 5, 2016 and a new application would need to be submitted – seconded – passed (7-0-0) Unanimous.

- The Wetlands Commission will accept the new permit application and review it to be sure it is complete. H. Clarke said application is not complete because there are only specific prints included in application. H. Clarke would like to see a complete set of plans and note which ones are not applicable and resubmit the application. The Commission could not vote on application because it is incomplete. C. Lozanov would also like to see a soil report from the first permit in 2006-2007.
- T. Harris will complete all the actions he was asked to do and will return at next month's meeting to discuss and seek approval.

B. 41 Walnut Hill Road, Benjamin & Dorothy Mattos Owners, Town of East Lyme Applicant. Application to conduct regulation activities within a 100-foot upland watercourse associated with the re-armament of an embankment to correct and prevent further erosion.

William Scheer, Deputy Director of Public Works, is proposing a plan to fix the embankment on this property. In 1982 we had horrendous floods in East Lyme, CT and many bridges washed out. This is one of the bridges, and the records are sketchy. In May of 1992, the Engineering Department at the Town Hall came up with a new design to replace the washed out bridge on the plan in front of you. At that time they reconfigured the brook. It moved the whole structure over 50 ft and directed the water at the embankment shown on the picture. Big flat rocks were put on the embankment to fix the problem, and my experience working on other projects including the Boardwalk big flat rocks are not the right way to fix this problem. Dorothy Mattos has been complaining to the town for many years to fix this. We have proposed a plan to fix the problem. It should take 1-2 days. We plan on fixing it during the summer when there is a drought and when the water is at its lowest.

MOTION (6): P. Berger motioned to accept the plans – seconded – passed (7-0-0) Unanimous.

C. Lozanov doesn't think a public hearing is needed. The Commission agreed unanimously.

C. Walnut Hill Road, (across from #93), Town of East Lyme Owner/Applicant. Application to conduct regulation activities within wetlands and watercourse associated with the repair of a retaining wall.

William Sheer, Deputy Director of Public Works, proposed a plan to repair the retaining wall at this site. It should take about a week to complete this project. Mr. Scheer indicated letters will be sent to everyone in the neighborhood – signs will be posted two weeks before doing the repair

MOTION (7): P. Berger motioned the application to be accepted as complete following Item B. – seconded – passed (7-0-0) Unanimous.

C. Lozanov doesn't think a public hearing is needed. The Commission agreed unanimously.

MOTION (8): Motion to add to the agenda to send a letter to the Board of Selection asking them to fill the vacant position that was held by C. Reluga with one of the alternates which will either be K. Kalajainen or J. Chomicz – seconded - passed (7-0-0) Unanimous.

VIII. REPORTS

B. Inland Wetlands Agent Report

- a. Item #2 on the list is still in progress, and it should be done by early spring.

P. Berger requested G. Goeschel investigate the landscape business on RT 156 across from Guys Oil as it appears brush and landscape debris are falling into the brook behind the building.

ADJOURNMENT

MOTION (9): K. Hall moved to adjourn the February 13, 2017, East Lyme Inland Wetlands Agency Meeting at 8:47 p.m. Seconded by C. Lozanov - (7-0-0) Unanimous.

Respectfully Submitted:

Mary Jane Gaudio
Recording Secretary