

EAST LYME INLAND WETLANDS AGENCY

**MEETING MINUTES OF MONDAY, FEBRUARY 12, 2018
East Lyme Town Hall, 108 Pennsylvania Avenue,
East Lyme, Connecticut
Upper Meeting Room**

FILED

MINUTES

**Gary Upton, Chairman
Ann Cicciello, Vice Chairman
Phyllis Berger, Secretary**

Feb 20 2018 AT 8:35 AM/PM
Karen Yalton
EAST LYME TOWN CLERK

**Members Present: Gary Upton, Ann Cicciello, Phyllis Berger, Harry Clarke
Alternates Present: Ted Koch, Todd Belucci**

CALL TO ORDER: Harry Clarke called the Inland Wetlands Agency meeting of February 12, 2018 to order at 7:04pm.

It was noted that alternates Ted Koch and Todd Belucci were seated.

PLEDGE OF ALLEGIANCE: Observed

Motion: by T. Koch to enter into executive session for the purposes of discussing pending litigation regarding the Twin Valley application.

Seconded by: H. Clarke

Discussion: None

Vote: Unanimous

The Agency left the room and convened in conference room 1.

Motion: G. Upton moved to exit executive session with no action taken.

Seconded by: A. Cicciello

Discussion: None

Vote: Unanimous

H. Clarke reconvened the regular meeting at 8:15pm.

I. ADDITIONS TO THE AGENDA – Election of Officers

Motion: T. Koch motioned to add election of officers to the Agenda prior to any further business.

Seconded by: H. Clarke

Discussion: None

Vote: Unanimous (6-0-0)

II. ELECTION OF OFFICERS

H. Clarke turned the meeting over to G. Goeschel, to run the election for Chairman. G. Goeschel asked if there were any nominations for the Chairman?

Motion: T. Koch nominated G. Upton for Chairman.

Seconded by: H. Clarke
Discussion: None
Vote: Unanimous (5-0-1)

G. Goeschel turned the meeting back to G. Upton, Chairman.

G. Upton asked if there were any nominations for Vice Chair.

Motion: T. Koch nominated H. Clarke

Seconded by: T. Belucci

Discussion: A. Cicciello asked staff if she could nominate herself for the Vice Chairmanship. G. Goeschel indicated she could.

Vote: Motion on the table failed.

Motion: A. Cicciello moved to nominate herself.

Seconded by: H. Clarke

Discussion: None

Vote: Unanimous (5-0-0)

G. Upton asked if there were any nominations for Secretary.

Motion: H. Clarke nominated P. Berger

Seconded by: A. Cicciello

Discussion: None

Vote: Unanimous (5-0-0)

III. PUBLIC HEARINGS - None

IV. PUBLIC DELEGATIONS – No one from the public spoke.

V. ACCEPTANCE OF MINUTES

A. Meeting Minutes of September 11, 2017 Regular Meeting

Motion: H. Clarke moved to approve the minutes of September 11, 2017.

Seconded by: P. Berger

Discussion; None

Vote: Unanimous (5-0-1)

B. Meeting Minutes of October 16, 2017 Show Cause Hearing

Motion: H. Clarke moved to approve the minutes of September 11, 2017.

Seconded by: P. Berger

Discussion; None

Vote: Unanimous (5-0-1)

C. Meeting Minutes of October 16, 2017 Regular Meeting

Motion: H. Clarke moved to approve the minutes of September 11, 2017.

Seconded by: P. Berger

Discussion; None

Vote: Unanimous (5-0-1)

- VI. **EX-OFFICIO REPORT** - None.
- VII. **PENDING APPLICATIONS** – None.
- VIII. **NEW BUSINESS**

A. Town Attorney-Overview of What's Legally Required

Ed O'Connell reviewed the Agency's charge and discussed the enabling statutes and the 5 sections or areas of responsibility the Agency has:

1. Adopt regulations, hold public hearings and legal notices;
2. Review and approve permits;
3. Provide recommendations to the Planning and Zoning Commissions; and
4. The conduct of members, conflicts of interest, and ex-parte communication; and
5. Freedom of Information Act (FOIA)

IX. OLD BUSINESS

- A. Inland Wetlands and Watercourses Regulations – Update on Status of Changes. -**
G. Goeschel indicated he is in process of schedule a meeting with the Town Attorney. Attorney Zamarka concurred and indicated he is still reviewing the draft.

X. REPORTS

- A. Chairman's Report - None**

- B. Inland Wetlands Agent Report – G. Goeschel provide an overview of initiated enforcement actions.**

1. **Administrative Permits Issued – G. Goeschel indicated he only issued 3 since September.**
2. **Commission Issued Permits – G. Goeschel indicated the Agency only issued 2 permits since September and 1-denial.**

C. Enforcement

1. **Cease, Desist and Restore Order; 13 Green Valley Lakes Rd; Thomas & Kristen Chantrell, Owner; Installation of a dock which encroaches approximately 20-feet into a watercourse located on an abutting property and the clearing, grading, removal and deposition of material on the land within 100 feet of a watercourse without an Inland Wetlands Permit.**

The respondents, Kristen and Tom Chantrell, gave an update to the Agency. They indicated they sent a second certified letter to the Meric's the last week which, they know the finally received as it was signed for. Mrs. Chantrell indicated they were questioning the property boundary as well as any ownership rights or warfing rights they might have. She indicated they have few options; they may obtain permission from the Meric's or Fusari but due to the ongoing litigation it appears unlikely that will happen. As such, they are looking into their warfing rights and possible adverse possession. Therefore they requested an extension of time until more definitive plans are in place for the Twin Valley application.

The Agency agreed to give the Chantrell's 90-Days to resolve the matter and tabled the discussion.

D. Correspondence - None

XI. ADJOURNMENT

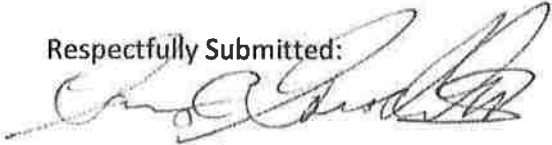
Motion: H. Clarke moved to adjourn.

Seconded by: P. Berger

Discussion: None

Vote: Unanimous (6-0-0)

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Gary A. Goeschel II", written over a horizontal line.

Gary A. Goeschel II, Director of Planning/ Inland Wetlands Agent