

**EAST LYME INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
MAY 6, 2019
East Lyme Town Hall, 108 Pennsylvania Avenue,
East Lyme, Connecticut
Upper Meeting Room**

7:00 p.m.

Present: Ann Cicchiello, Vice Chair; Phyllis Berger; Rosemary Ostfeld; and Peter DeRosa

Absent: Gary Upton, Chairman

Also Present: Gary Goeschel, Director of Planning/Inland Wetlands Agent; Paul Dagle, Board of Selectman

Call to Order:

Vice Chair Ann Cicchiello called the meeting to order at 7 p.m.

FILED

Pledge of Allegiance:

The Pledge of Allegiance was recited.

May 9 2019 AT 11:00 AM/PM
Ann Cicchiello
EAST LYME TOWN CLERK

I. Additions to the Agenda:

MOTION (1): Mr. DeRosa moved to add under New Business, Item C. Leonard Brian McPartlin, Applicant/Owner; Application for construction of a stone wall at 132 North Bride Brook Road., East Lyme Assessor's Map 14, Lot 75. and Item D. Jeremy Kramer, Applicant/Owner; Request for an Extension of time for Permit #14-23 construction of a single family dwelling and associated appurtenances at 249 Old Black Point Road and under Enforcement, Item 2 Notice of Violation, 297 Boston Post Road; Alfred Smith, Owner; Jason Pazzaglia, Tenant; Outside storage of equipment, construction materials, and the stockpiling of earthen materials including but not limited to yard debris, mulch, woodchips, gravel, topsoil, and other woody debris within 100 feet of a wetlands and watercourse. Seconded by Ms. Berger. (4-0) Unanimous.

II. Public Hearings – None.

III. Public Delegations – None.

IV. Acceptance of Minutes

A. Meeting Minutes of March 11, 2019 Regular Meeting

The following correction was noted on page 4; the first vote Ms. Ostfeld was in favor.

MOTION (2): Ms. Ostfeld moved to approve the East Lyme Inland Wetlands Agency Regular Meeting Minutes of March 11, 2019, as amended. Seconded by Mr. DeRosa. (4-0) Unanimous.

V. Ex-Officio Report

Mr. Dagle reported the Town closed on the purchase of the Public Safety Building. A Referendum on the budget will be held on May 23, 2019.

VI. Pending Applications – None

VII. New Business

- A. William R. Sweeney, Esq., Applicant for 5 Liberty LLC d/b/a Storage Place; Application for the construction of a storage facility within an upland review area located at 5 & 7 Liberty Way. East Lyme Assessor's Map 9.4, Lot 11 and 10.**

William R. Sweeney, Esq. reported the storage facility at 5 Liberty Way is to be climate controlled and was submitted at the end of March. The site for the storage facility is on two vacant lots that have been vacant for 35 years. The storage facility will combine lots 5 and 7. There is no direct impact to any wetlands. Some of the work will take place within 100' of a wetland area and infiltration basins will be used. The wetlands on the site are forested. It is being developed the same as the previous development. Comments were received by the Town Engineer and his comments have been addressed. We believe the project has been designed environmentally sensitive.

Sergio Cheezie, P.E. reported these lots are adjacent to the forested end of the wetlands. We are developing 1.8 acres of the site. The existing condition of the drainage does not come off this site but towards Liberty Way. There is a drainage easement from SNET and we have to maintain it for access. We worked with Mr. Mulholland to be sure it was acceptable. The design will maintain the character of the park. The patrons using the facility will have key pads, It will be secured with cameras and lighting. He added the area will be paved with eight parking spaces on site. Most of the time patrons will come right up to the door and parking will not be an issue. Patrons will bring in items and leave. Everything will be self-contained in the buildings. Building 1 will have some drainage from the driveway and it will go into the basin. Everything will be attractively landscaped. Mr. Mulholland mentioned the area encroaching the easterly portion of the site south of Building 1 will be clearing. Mr. Cherenzia stated we are within 100' of upland review. Ms. Cicchiello asked how much of the upland area is the building impacting? Mr. Goeschel stated 31,204 square feet of the upland is being disturbed. He referred to the Landscape Plan. Mr. Cherenzia informed the Agency the Town Engineer felt the site should be owned and maintained by the property owner. Trees will be brought along Liberty Way. There will be shrubs and small trees to landscape the buildings. The utility will require fire service and sanitary sewer. All buildings are contained. There is a transformer pad on site. Ms. Berger asked will you have large equipment on site? Mr. Cherenzia replied the patrons will have items they will carry on site. Ms. Berger asked if there will be any washing of boats or cars? Mr. Cherenzia replied there will not. Mr. Goeschel reported the Town Engineer stated FEMA requires an elevation of 9. Mr. Benni was satisfied. Mr. Cherenzia stated we will need a CAM application. Ms. Cicchiello stated there is an easement and those rights were given long before your client. Mr. Goeschel stated if they have to extend their time, they may need to come back for a modification. Mr. Sweeney added we met with Mr. Mulholland on that issue. We will avoid unnecessary impervious surface. Ms. Berger asked why are drainage piping flowing into the wetlands? Mr. Goeschel stated it can be treated on site and captured in the drainage basins. Most of the other projects that have catch basins will eventually make way into the watercourses. She was informed infiltration basins have been provided. Mr. Goessel stated the subdivision was approved in the mid-80s.

This project is designed to be responsible. Ms. Berger asked are these flat buildings? Mr. Sweeney replied they have some pitch. We feel it will be very attractive. Mr. Goeschel added it will be similar to the style of a barn. Ms. Ostfeld expressed concern of slow infiltration. A portion of this area will be impervious surface and a small amount will go into the wetlands. Mr. Cherenzia stated we tested the soil and have done soil elevations. The soils are gravelly and sandy. Furthermore, we estimated seasonal ground water. The infiltration basins are designed to a size that can accommodate the discharge and lower infiltration rate. We have over-sized the basins. Mr. Sweeney added if we had A class soils, we could have smaller basins. Ms. Cicchiello asked what type of building will the storage facility have? Mr. Sweeney replied it will be a two-story building that will look like a silo. Ms. Berger asked is there a basement or a slab? She was informed a slab. Ms. Cicchiello asked how many storage units will there be? Mr. Bardy replied 400 separate units for the entire site. Mr. Goeschel reported FEMA requires an elevation of 9.2. We have 65 days to render a decision. There were no public comments. Mr. Benni was satisfied that his comments are addressed.

MOTION (3): Mr. DeRosa moved to approve a storage facility at 5 Liberty Way with two conditions: with a sedimentation bond of \$12,000 and a proposed plan revised and approved with Town Engineer Benni's comments. Seconded by Ms. Berger. In Favor: DeRosa, Berger, Cicchiello. In Opposition: Ms. Ostfeld. (3-1) Motion carried.

Ms. Ostfeld felt the area of impervious surfaces would have very slow infiltration.

- B. Willow Land LLC, Jodie Chase, Owner;** Application for the construction of a new single-family residence within an upland review area located at 67 Spring Glen Road, East Lyme Assessor's Map 07.18, Lot 56.

Gregg Fedus, P.E. reported he represents the potential owners who have a contract on the property. Jodie Chase is one of the principals. The property is an empty lot. There are wetlands on the east side of the property. There is a limited area where a house can be placed. There are wetlands on the north side of the property. There is limited grade to keep the drainage away from the house. We were encouraged to put a landscaped buffer four to five feet wide across the entire area. A silt fence encompasses the entire site. It consists of 3500 square feet including the house. The upland area west of the inland boundary is proposed to have 45 cubic yards of fill within the wetlands. We have received review letters from the Director of Planning and the Wetlands Agency, the Town Engineer and Utility Engineer and addressed the review letters. For drainage we have proposed a rain garden sized sufficiently to deal with storm water from the house. The driveway is impervious. Ms. Berger asked does this property have marsh? She was informed it did not. Ms. Berger asked is it a brook? She was informed it is wetlands. Mr. Goeschel stated the Town Engineer has asked that they identify the flow direction. It is pretty flat. He was informed we will identify it on the plan. Ms. Ostfeld asked to have discussion on water and sewer service. She was informed there is an existing sewer service on Spring Glen Road. There is water service between the property line. Mr. Goeschel added this is without 5' of entrance at grade. The Agency was informed they plan to eliminate one step. We have moved it a foot. Mr. Goeschel asked how the 2' X 4' trenches will work? He was informed we tried to pipe over to the rain garden.

We eliminated a water drain. During the heat season it will struggle. We can store the first inch of rain. We have a mulch buffer. A plan had shown a drainage culvert south of the catch basin. We were unable to find it. We noted sewer and water connection in accordance with the Town. The Town Engineer's comments for a stone dissipater will be done. There will be a paved apron. It will contour with the season. Mr. Goeschel reported Mr. Benni indicated an updated dissipater rain garden; there is a maximum of twenty right-of-way permits for that. It is to be updated north and south. The location of the drains discharge to the rain garden. Mr. Goeschel feels Mr. Benni's comments were addressed satisfactorily. Ms. Berger asked what plants are in the rain garden? She was informed the plants are listed. Ms. Berger asked are they native? She was informed they were. Mr. Goeschel added they come from UCONN. Mr. DeRosa stated this is an established neighborhood and has never been developed. Mr. Goeschel added this neighborhood predates the Wetlands Commission. Mr. Dagle stated footing drains will have a pump assisted full basement. A little bit underground. There is only a foot of pitch from the road to the garage. The basement has been buried a few feet. Mr. Dagle asked how did you calculate? We are just above the high-water table. Mr. Goeschel felt if the sump pump ran all the time will it create an adverse effect to abutting neighbors. He was informed we do not feel it will. We dug several test pits. We had a soil scientist on site and identified the high-water table. We identified the high-water table. Ms. Berger stated a storm six to seven years ago rain across Giants Neck Road. She asked could you build on flat cement with no basement? She was informed it will be a similar disturbance. Mr. Goeschel recommends to require that we obtain more data and that it be noted on the plan the name of the soil scientist. Mr. Goeschel suggested adding data on a separate sheet signed by the soil scientist. Mr. Goeschel suggested shifting the house south and have a smaller footprint. Discussion with Mr. Mulholland will be needed. Mr. Doran spoke with him regarding the step. Regarding the foot drains under new buildings the code needs a radon escape. Concrete footings can be used to get the building up and the water will escape through the radon and a sump pump in the basement will be needed.

This matter was tabled until more information is given.

C. Leonard Brian McPartlin, Applicant/Owner; Application for construction of a stone wall at 132 North Bride Brook Road, East Lyme Assessor's Map 14, Lot 75.

Mr. Geoschel asked Mr. McPartlin to add a cross section detailing a 45' long wall. The footing drain discharges into the brook. A landscaped retaining wall and 1" of crushed stone was added. The brook was eroding and undermined the bridge giving him access to his home. The retaining wall has already been installed.

This application was tabled until the next meeting of this Agency.

D. Jeremy Kramer, Applicant/Owner; Request for an Extension of time for Permit #14-23 construction of a single-family dwelling and associated appurtenances at 249 Old Black Point Road.

Mr. Goeschel reported he visited the site. Construction has resumed. He spoke to the contractor. There is no reason not to grant an extension of the permit. The wetlands

with 100% vegetation have survived. He has only seeding and landscaping to be completed. Mr. Goeschel did not see any need for additional reports.

MOTION (4): Ms. Berger moved to grant an extension of time for Permit #14-23 for construction of a single-family dwelling and associated appurtenances at 249 Old Black Point Road. Seconded by Ms. Ostfeld. (4-0) Unanimous.

VIII. OLD BUSINESS

It was felt since this Agency is short two members and two alternates, it needs another regular member. Mr. Dagle agreed to discuss this matter with the Board of Selectmen.

IX. REPORTS

A. **Chairman's Report.** The Chairman was unable to be present, and there was no report.

B. Inland Wetlands Agent Report.

1. **Administrative Permits Issued.** There was no report.
2. **Commission Issued Permits.** There was no report.

C. Enforcement

1. **Cease, Desist and Restore Order; 13 Green Valley Lakes Road; Thomas and Kristen Chantrell,** 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 (Agreement to remove by August 31, 2018).
2. **Notice of Violation; 297 Boston Post Road, Alfred Smith, Owner; Jason Pazzaglia, Tenant;** Outside storage of equipment, construction materials, and the stockpiling of earthen materials including but not limited to yard debris, mulch, woodchips, gravel, topsoil and other woody debris within 100-feet of a wetlands and watercourse.

Mr. Goeschel stated he will follow-up on these matters.

D. **Correspondence.** There was no correspondence.

The next meeting of the East Lyme Inland Wetlands Agency will be held on June 10, 2019 at 7 p.m.

X. ADJOURNMENT

MOTION (5): Ms. Berger moved to adjourn the East Lyme Inland Wetlands Agency Regular Meeting of May 6, 2019 at 9:05 p.m. Seconded by Mr. DeRosa. (4-0) Unanimous.

Respectfully submitted,

Frances Gheri, Recording Secretary