

**EAST LYME INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
December 16, 2019
East Lyme Town Hall, 108 Pennsylvania Avenue,
East Lyme, Connecticut
Upper Meeting Room
7:00 p.m.**

Present: Gary Upton, Chairman, Phyllis Berger, Rosemary Ostfeld, Theodore Koch, Don Phimister, Kristin Chantrell, Sandy Gignac, Alt., Doreen Rhein, Alt.

Absent: none

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

Call to Order:

G. Upton called the meeting to order at 7:01

Pledge of Allegiance:

The Pledge of Allegiance was recited.

FILED

December 20, 20 19 AT 8:38 AM/PM
Brooke Stearns ATC
EAST LYME TOWN CLERK

- I. **Additions to the Agenda**-none
- II. **Public Hearings:** -none
- III. **Public Delegations:** none
- IV. **Acceptance of Minutes:**
 - A. **Meeting Minutes of October 21, 2019 Regular Meeting**

MOTION (Berger/ Ostfeld) To approve the minutes of October 21, 2019 Regular Meeting as presented.

Vote: Approved. In favor- Upton, Ostfeld, Berger, Koch, Gignac, Chantrell.
Opposed-none. Abstaining-Phimister
- V. **Ex-Officio Report**-Selectman Dagle welcomed the new members. He stated that the budget season is starting and the Public Safety Building project is moving along and he does not expect any of the work to affect regulated areas.
- VI. **Pending Applications**-none
- VII. **New Business:**
 - A. **2020 Meeting dates**

MOTION: (Chantrell/Gignac) to approve the Inland Wetlands Agency's 2020 meeting dates as presented with changes to the April meeting date from April 13,

2020 to April 6, 2020 and the April site walk date from April 11, 2020 to April 4, 2020. Vote: Approved. In favor- Upton, Ostfeld, Berger, Phimister, Gignac, Chantrell. Opposed-none. Abstaining- Koch

B. Application of Harry Heller, Attorney/Agent for Pazz & Construction, LLC, Owner to conduct regulated activities in the upland review area in association with a proposed multi-family residential community on property identified in the application as N Bride Brook Rd, East Lyme Assessor's Map 09.0, Lot 37-2. Harry Heller, 736 Rt. 32 Uncasville representing Pazz & Construction and the project design engineer, Brandon Handfield, Yantic River Consultants representing the applicant introduced the project.

H. Heller stated the project was a 20-acre parcel located on the westerly side of N. Bride Brook Rd. and the easterly side of Interstate 95. He stated there was no direct impact to the wetlands.

The proposal is to build 108 residential units in 13 buildings. The project has municipal water and sewer access and received approval for sewer capacity to service the project.

H. Heller informed the Agency that the drainage system will be a closed system. The project will be done in phases with the detention basin and access to the project done first. The storm water quality detention basin will be in the southeasterly part of the property. There will be a pretreatment basin in the westerly side of the basin that will handle a 1" rainfall. The water will pass through a permeable berm into the basin which can accommodate all storm events from a two-year storm to the 100-year storm event. There is an outlet culvert from the detention basin to a catch basin in N. Bride Brook Road and then the water will naturally go into Bride Brook.

On the Northeast corner of the parcel the water will sheet off the improved hard surfaces (minus the rooftops in the 3 westerly buildings) and will be picked up by a series of culverts and into the storm water quality detention basin.

The proposed buildings, I, J and M are on the westerly side of the parcel will have indirect activity to the 100 ft. regulated upland review area. Any rainfall other than the rooftops will drain to the paved area and go to the closed drainage system and on to the drainage basin. The rain from the three roofs will drain to a rip rap splash pad along the westerly periphery and to the watercourse and wetlands system to provide recharge to the system.

H. Heller stated the plan is to construct two buildings at a time. He described the erosion and sedimentation plan for the property. The plan calls for sediment vents and wood chip berms on the down gradient side of the property. He stated there will be traps designed to accommodate 134 cubic yards of material for each disturbed acre of the site. The traps have a maintenance plan to be cleared when they are at 50% of capacity. When the area is fully stabilized the area will be graded off.

H. Heller stated the project is an affordable housing project under §8-30g.

There will be curbing to direct storm water to the closed drainage system. He stated he would not be averse to Cape Cod curbing.

Brandon Handfield informed the members that there is an intermittent watercourse on the property which flows onto private property.

The road and cull-d-sac will be private roads.

G. Goeschel reviewed the memo from town engineer Victor Benni, specifically items 5, landscaping plan which H. Heller agrees to, item 8 and item 11, E&S controls and bond.

G. Goeschel read the definition of significant activity and informed the members that if the project is deemed to meet the definition of significant activity, then they can choose to hold a public hearing.

MOTION: (Ostfeld/Chantrell) to hold a Public Hearing for application of Pazz & Construction, LLC, Owner to conduct regulated activities in the upland review area in association with a proposed multi-family residential community on property identified in the application as N Bride Brook Rd, East Lyme Assessor's Map 09.0, Lot 37. Vote: Approved Unanimously.

MOTION: (Chantrell/Phimister) to hold the Public Hearing application of Pazz & Construction, LLC, Owner to conduct regulated activities in the upland review area in association with a proposed multi-family residential community on property identified in the application as N Bride Brook Rd, East Lyme Assessor's Map 09.0, Lot 37, on January 13, 2020 and a site walk on January 11, 2020. Vote: Approved Unanimously.

C. Application of Mel Wiese, Agent for Roxbury Road LLC, Owner, for a Determination of Permitted/Non-Regulated Activity for a proposed 6-lot residential conservation subdivision at property identified in the application as Roxbury Road, East Lyme Assessor's Map 16.1, Lot 43.

Kyle Hobbert, CLA Engineers representing the applicant described the property as south of the town's Transfer Station and across from Riverview. He stated the property is 61 acres with a proposal for two frontage lots and 3 lots accessed by a common driveway. There is municipal water access and on site septic systems will be installed. K. Hobbert stated there are no wetland or watercourse or regulated upland review areas that will be disturbed. The area has previously been flagged for wetlands and confirmed by B. Russo, soil scientist at CLA. The perimeter will have hay bales for E&S controls.

Members asked about the history of the property and the loam pile that has been the subject of an enforcement action. K. Hobbert stated that the pile in question was determined to be outside of the upland review area.

The property is proposed as a conservation sub-division, 8.2 acres will be for residential housing and 2.9 acres will be set aside for conservation.

K. Hobbert stated as there was no impact to the wetlands or the upland review area, the applicant was looking for a determination of Permitted/Non-Regulated Activity.

D. MOTION: (Berger/Upton) to require an application to the Inland Wetlands Agency for Roxbury Road LLC, Owner, for a Determination of Permitted/Non-Regulated Activity for a proposed 6-lot residential conservation subdivision at property identified in the application as Roxbury Road, East Lyme Assessor's Map 16.1, Lot 43. Vote: Approved. In favor-Berger, Upton, Ostfeld, Chantrell. Opposed-Phimister, Koch, Gignac. Abstaining-None.

VIII. Old Business: None

IX. Reports

A. Chairman's Report-none

B. Inland Wetlands Agent Report

Redlined version of the Inland Wetlands regulations were given to members.

1) Administrative Permits Issued-none

2) Commission Issued Permits-none

C. Enforcement

- 1. Notice of Violation; 297 Boston Post Road; Al Smith Owner, Jason Pazzaglia, Other; Outside storage of equipment, construction materials, and the stockpiling of earthen materials including but not limited to yard debris within 100 feet of a watercourse without or in violation of an Inland Wetlands Permit.**

Jason Pazzaglia submitted a letter to the Agency stating he would work with G. Goeschel to move equipment and items out of the regulated areas. He would like G. Goeschel to come to the property and consult as to the plan moving forward. He understands this issue has gone on too long and will work to clean up the area in the next 30 days.

The Agency stated that if not cleaned up to the satisfaction of G. Goeschel an order will be issued.

- 2. Notice of Violation: 103 West Main Street, Brookfield Estates Condominiums; C/O Thames Harbor Real Estate, LLC; Removal of vegetation and the deposit of yard and tree waste within 100-feet of an inland wetlands and watercourse.**

G. Goeschel stated he expects the work to be done by the next meeting.

A. Correspondence-none

X. Adjournment

MOTION: (Berger/Chantrell) to adjourn at 8:41 Vote: Approved Unanimously.

Respectfully Submitted

**Sue Spang
Recording Secretary**