

# Town of

P.O. Drawer 519

Department of Planning &  
Inland Wetlands Agency

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



# East Lyme

108 Pennsylvania Ave  
Niantic, Connecticut 06357

Phone: (860) 691-4114

Fax: (860) 860-691-0351

## MEMORANDUM

**To: East Lyme Inland Wetlands Agency**

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

**Date: May 18, 2020**

**RE: Inland Wetlands Application – Application of Glenn Knowles, Applicant/Owner**, for the proposed construction of a patio, correction of water runoff and wetlands restoration at property identified as 21 Brightwater Road, Niantic, East Lyme Assessor's Map 5.L9, lot 58.

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In regards to the above referenced application, the East Lyme Inland Wetlands Agency at a meeting held on Monday, February 24, 2020, at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut, directed me to prepare a draft motion for the above referenced application for discussion and a resolution at their next regularly scheduled meeting which was to be held on March 9, 2020. Unfortunately, due to extenuating circumstance the Agency canceled the meeting and set a Special Meeting to discuss the items that were initially scheduled for the March 9, 2020 Meeting. Subsequently, the Town of East Lyme was forced to close its doors to the public as a result of the COVID-19 Pandemic. As a result, the Inland Wetlands Agency has been unable to meet in a public forum to render a final decision on your application. As such, upon discussing the matter with the Inland Wetlands Agency Chairman, Gary Upton, the Vice Chair, Kristen Chantrell, and First Selectman, Mark Nickerson, it was agreed that I, as Agent for the Commission, would approve the proposed work within the upland review area as it will still be consistent with State Statutes and the East Lyme Inland Wetland and Watercourses Regulations. Upon the opening of the Town Hall to the public or the establishment of virtual meetings pursuant to the criteria provided in the Governor's Executive Orders, the Agency will then be able to act on the portion of work within the on-site inland wetlands.

As such, only the portion of work within the 100-foot upland review area as proposed in the above referenced application known as "Application of Glenn Knowles, Applicant/Owner, for the proposed construction of a patio, correction of water runoff and wetlands restoration at property identified as 21 Brightwater Road, Niantic, East Lyme Assessor's Map 5.19, lot 58 was approved with the following conditions to the site plan;

1. Notify conservation officer at least 2 days prior to sitework in order that they may monitor the work.

2. Any proposed Additional work beyond this permit in the wetlands or watercourse or its 100-foot regulated area will require approval from the Inland Wetlands Agency or its certified Agent.
3. Any changes to the site plan listed on this permit require notification to the Inland Wetlands Agent and may require Agency approval- a new plan incorporating said changes shall be given to the Agent before any work begins.
4. No site work shall commence until all applicable conditions are satisfied.
5. Notify Inland Wetlands Agent upon completion of all regulated activities for final inspection and sign off.

In regards to the work proposed within the on-site wetlands, it may only be permitted by the Agency. Therefore, I offer the following:

**FINDINGS:**

**Whereas:** The Agency may find this application to be in conformance with the Inland Wetlands Regulations of the Town of East Lyme and more specifically based on the following:

**Whereas:** In accordance with Section 7.6, the Agency required information to be submitted including but not limited to site plans which show the land which will be affected thereby which shows existing and proposed conditions, wetland and watercourse boundaries, contours, and other pertinent features of the land and the proposed activity;

**Whereas:** In accordance with Section 7, Application Requirements, of the Inland Wetlands Regulations the applicant has provided the all the information required by Section 7.5 and the necessary additional information required by Section 7.6, As such, the application appears to be complete.

**Whereas:** Victor Benni, PE, Town Engineer has reviewed the proposed plans

**Whereas:** Demonstrated by the Memorandum from Victor Benni, PE, Town Engineer to G. Goeschel II, Director of Planning, dated March 6, 2020 indicates the slight increase in stormwater from the site improvements will be mitigated by the inclusion of the proposed rain garden on the upland side of the wetland and the rock flow diffuser at the low point of the on-site wetland addresses the existing erosion potential.

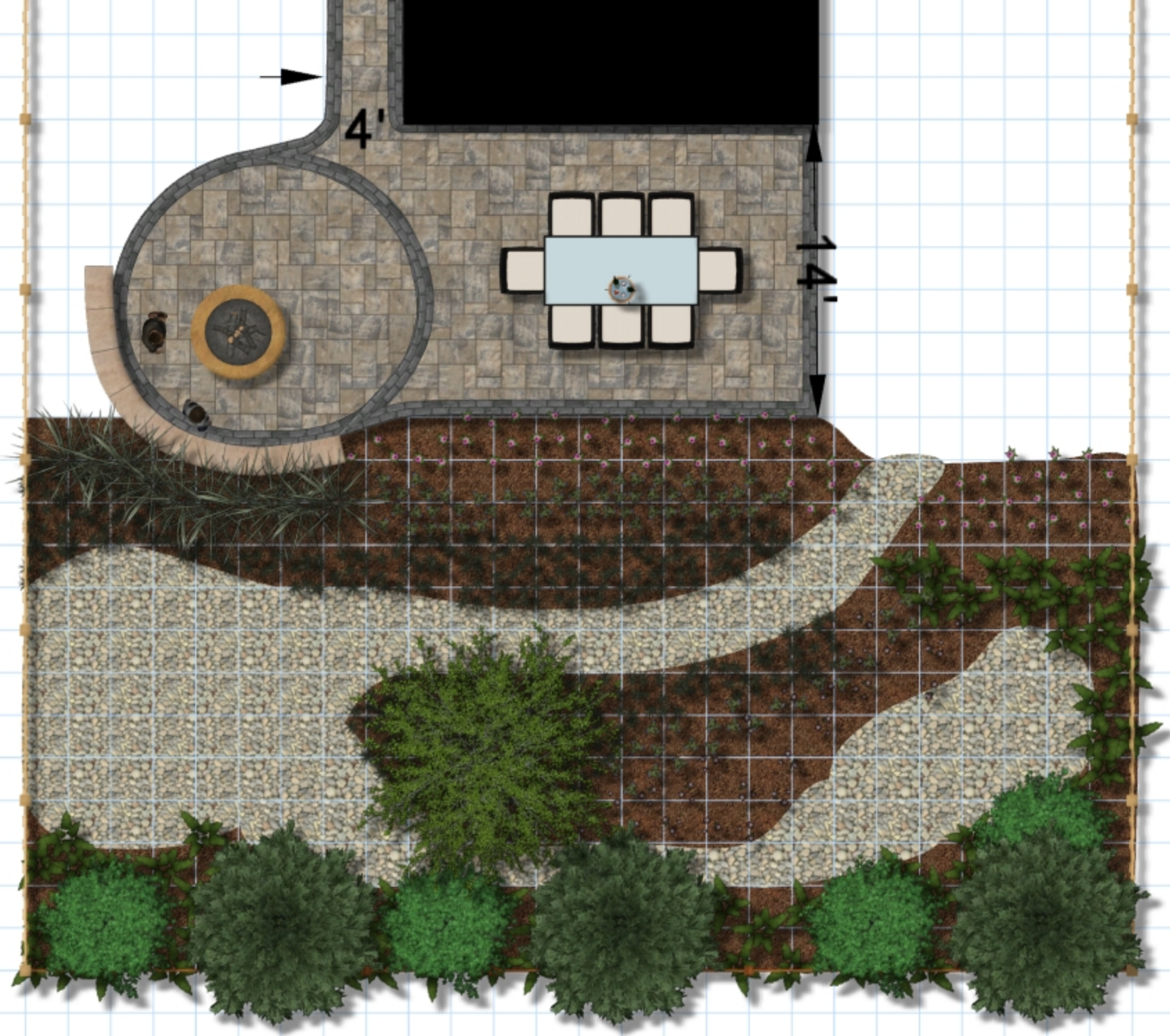
**Whereas:** Indicated in the memorandum from Victor Benni, PE, Town Engineer to G. Goeschel II, Director of Planning, dated March 6, 2020, the proposed modification to the wetlands will accommodate additional water and restore native wetlands plants; and

**Whereas:** The proposed improvements do not change the overall surface runoff flow pattern at the rear portion of the property.

## **SUGGESTED RESOLUTION**

Therefore, based on the Findings in the memorandum from Gary A. Goeschel II, Director of Planning/Inland Wetlands Agent to the Inland Wetlands Agency dated March 30, 2020, and the record before the Agency, I move the Agency APPROVE the Application known as the Application of Glenn Knowles, Applicant/Owner, for the proposed construction of a patio, correction of water runoff and wetlands restoration at property identified as 21 Brightwater Road, Niantic, East Lyme Assessor's Map# 5.19, Lot# 58. This approval is specific to the site development plan submitted as the Application of Glenn Knowles, Applicant/Owner, for the proposed construction of a patio, correction of water runoff and wetlands restoration at property identified as 21 Brightwater Road, Niantic, East Lyme Assessor's Map# 5.19, Lot# 58. Any change in the plan, development plan layout, or any modifications of this approval other than those identified herein shall constitute a new application unless prior approval from the Agency or its Agent is granted.

The applicant/owner shall be bound by the provisions of this Application and Approval.



Plant	cont. size		quantity
BETULA NIGRA `HERITAGE` - HEAVY	#15	8-10`	1
ILEX VERT. `JIM DANDY`	#5	18-21``	1
ILEX VERTICILLATA `WINTER RED`	#5	42-48``	3
JUNIPERUS VIRGINIANA	#7	-	3
ASTER NOVAE-ANGLIAE `PURPLE DOME`	#2	-	12
ECHINACEA PURPUREA `HAPPY STAR`	#1	-	15
EUPATORIUM `BABY JOE`	#2	-	6
IRIS VERSICOLOR	#1	-	15
RUDBECKIA FULGIDA `GOLDSTURM`	#1	-	12
OSMUNDA CINNAMOMEA/CINNAMON FERN	#1	-	15
CAREX STRICTA	#1	-	21
PANICUM VIRGATUM `SHENANDOAH`	#2	-	5

# Town of

P.O. Drawer 519

Department of Planning &  
Inland Wetlands Agency

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



# East Lyme

108 Pennsylvania Ave  
Niantic, Connecticut 06357

Phone: (860) 691-4114

Fax: (860) 860-691-0351

March 27, 2020

Toby & Glenn Knowles  
21 Brightwater Road  
East Lyme, CT 06375

**RE: Inland Wetlands Application – Application of Glenn Knowles, Applicant/Owner,** for the proposed construction of a patio, correction of water runoff and wetlands restoration at property identified as 21 Brightwater Road, Niantic, East Lyme Assessor's Map 5.L9, lot 58.

Dear Mr. and Mrs. Knowles,

The East Lyme Inland Wetlands Agency at a meeting held on Monday, February 24, 2020, at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut, directed me to prepare a draft motion for the above referenced application for discussion and a resolution at their next regularly scheduled meeting which was to be held on March 9, 2020. Unfortunately, due to extenuating circumstance the Agency canceled the meeting and set a Special Meeting to discuss the items that were initially scheduled for the March 9, 2020 Meeting. Subsequently, the Town of East Lyme was forced to close its doors to the public as a result of the COVID-19 Pandemic. As a result, the Inland Wetlands Agency has been unable to meet in a public forum to render a final decision on your application. As such, upon discussing the matter with the Inland Wetlands Agency Chairman, Gary Upton, the Vice Chair, Kristen Chantrell, and First Selectman, Mark Nickerson, it was agreed that I, as Agent for the Commission, would approve the proposed work within the upland review area as it will still be consistent with State Statutes and the East Lyme Inland Wetland and Watercourses Regulations. Upon the opening of the Town Hall to the public or the establishment of virtual meetings pursuant to the criteria provided in the Governor's Executive Orders, the Agency will then be able to act on the portion of work within the on-site inland wetlands.

Therefore, please consider this correspondence as APPROVAL of only the portion of work within the 100-foot upland review area proposed in your application known as "Application of Glenn Knowles, Applicant/Owner, for the proposed construction of a patio, correction of water runoff and wetlands restoration at property identified as 21 Brightwater Road, Niantic, East Lyme Assessor's Map 5.L9, lot 58 which, is further subject to the following administrative requirements and required modifications to the site plan and other materials submitted in support of this application:

1. Notify conservation officer at least 2 days prior to sitework in order that they may monitor the work.
2. Any proposed Additional work beyond this permit in the wetlands or watercourse or its 100-foot regulated area will require approval from the Inland Wetlands Agency or its certified Agent.
3. Any changes to the site plan listed on this permit require notification to the Inland Wetlands Agent and may require Agency approval- a new plan incorporating said changes shall be given to the Agent before any work begins.
4. No site work shall commence until all applicable conditions are satisfied.
5. Notify Inland Wetlands Agent upon completion of all regulated activities for final inspection and sign off.

This approval is specific to the site development plan submitted as the Application of Glenn Knowles, Applicant/Owner, for the proposed construction of a patio, correction of water runoff and wetlands restoration at property identified as 21 Brightwater Road, Niantic, East Lyme Assessor's Map 5.L9, lot 58. Any change in the plan, development plan layout, or any modifications of this approval other than those identified herein shall constitute a new application unless prior approval from the Agency or its Agent is granted.

The applicant/owner shall be bound by the provisions of this Application and Approval.

If you have any further questions regarding this letter or any of the Inland Wetland Regulations, please do not hesitate to contact me at (860) 235-6211 or [ggoeschel@eltownhall.com](mailto:ggoeschel@eltownhall.com).

Sincerely,



Gary A. Goeschel II  
Director of Planning/  
Wetlands Enforcement Officer

cc: William Mulholland, Zoning Official  
Steven E. Way, Building Official  
Victor Benni, Town Engineer  
Mark C. Nickerson, First Selectman  
Inland Wetlands Agency  
File

# Town of East Lyme

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357



Town Engineer  
Victor A. Benni, P.E.

860-691-4112  
FAX 860-739-6930

To: Gary A. Goeschel II, Director of Planning

From: Victor Benni, P.E., Town Engineer



Date: March 6, 2020

Re: 21 Brightwater Road  
Wetlands Application Review

Information submitted by the Applicant which was considered in this review:

- Written Narrative (Narrative), Assessors Map #5.19 Lot 58, 2020, by: Toby and Glenn Knowles.
- Proposed Site Plan Design, Guy Turgeon, 21 Brightwater Road, Scale: 1"=10', Date: April 19, 2002, Revised to: 2/12/09, by: Gerwick-Mereen LLC.
- Sketch Drawings (Sketches), 21 Brightwater Rd, Knowles, GSK1 As Is, GSK 2 Transition, GSK3 Final.

This office has reviewed the above referenced information and has the following comments:

1. The Narrative indicates that the modification to the wetlands will accommodate additional water and restore native wetland plants.
2. The proposed improvements do not change the overall surface runoff flow pattern at the rear portion of the property.
3. The Narrative demonstrates that the slight increase in stormwater from the site improvements will be mitigated by the inclusion of the proposed rain garden on the upland side of the wetland.
4. The proposed rock flow diffuser at the low point of the on-site wetland addresses the already existing erosion potential.
5. The Wetlands Agency may consider having the Wetlands Agent monitor the site as the work progresses; the Engineering Department is available at your disposal to assist in this matter.



# Wetlands Narrative

Assessors Map # 5.19 Lot 58

# 2020



The purpose of this narrative is to provide the East Lyme Wetland Commission the details of our project to correct a water issue, build a patio, and modify the wetland to accommodate additional water and restore it with native plants.

**Toby and Glenn Knowles**  
21 Brightwater Rd  
Niantic, CT 06357  
(860) 334-0199



Assessors Map # 5.19 Lot # 58

Subject: Written Narrative in Support of Application for Permit East Lyme Inland Wetland Agency

The purpose of this permit application is three-fold:

1. Correct water issues in the lawn and around the house and slab
2. Construct a patio in back of the house
3. Modify the wetland to accommodate additional water and restore with native wetland plants

Four drawings have been provided with this permit application

1. GJK 1 – As Is of 21 Brightwater Rd
2. GJK 2 – Transition of 21 Brightwater Rd
3. GJK 3 – Final of 21 Brightwater Rd
4. Original Site Plan Design by Guy Turgeon

Correct water issues in the lawn and around the house slab

Surface water from the upland neighbor, 23 Brightwater Road passes under the properties fence along with water from the roof, causing puddles in the grass on the left side of the property. At the back right corner of the property, water pools against the foundation from runoff of the house roof. The proposed changes are to add gutters to the back half of the house and pipe the water into the wetlands at the low point of the property. A flow diffuser will be used to mitigate impact to the wetlands from water exiting the pipe. It is estimated that 250 gallons would be directly transiting the pipe in a 1" rain storm. A majority of this water would normally end up in the wetlands area as it is the low point of the property (see Drawing # 4). On the upland side of the house reused top soil from grading and top soil will be brought in to grade the grass area towards the wetland. The grade in the transition from the grass to the wetlands will be lowered to allow water to flow into the wetlands. A gentle swale will be installed to direct the flow of water. A rain garden will be added to the upland side of the wetland to mitigate additional flow of water. The size of the rain garden will be approximately 100 square feet and 8" deep, treating up to approximately 500 gallons water.

Construction of a patio

The location of the patio will be placed directly behind the house and flowing to the back and right of the property. The location of the patio is shown on drawing # 3. The patio will be constructed of UNILOCK pavers. A low wall will be constructed at the edge of the wetlands to provide a defined border from the patio to the wetland area.

Modify Wetland Area to accommodate additional water and restore with native wetland plants

#### Alternative 1:

The existing wetland has a high spot directly in the center. The proposed concept is to better define this high spot and enhance the naturally occurring swales to the north and south of the high spot. A rain garden will be constructed on the upland side of the high spot shown on drawing # 3. The rain garden will extensively be used as a fore bay. The rain garden will be designed and installed using the [Nemo.uconn.edu/raingardens/installation.htm](http://Nemo.uconn.edu/raingardens/installation.htm) web site for rain gardens. There are two naturally occurring swales to the north and south of the high spot. The overflow of the water from the rain garden will be channeled by the existing swale on the north side of the high spot. This will allow the water to flow to the water storage site on the east side of the high spot. The water that flows from the left side of the house via the grass swale will be directed to the existing swale on the southern side of the high spot. This will allow the water to flow to the water storage site of the east side of the high spot as well. Both existing swales in the wetland will be enhanced for better flow and will be filled with river rock. The water storage site will allow rain water to settle and be processed into the ground. The capacity of the water storage site may have to be increased. A flow diffuser of rock approximately 24" wide by 18" deep and 6 feet long will be installed at the low point of the property at the far east point of the wetland. In extreme rainfall it will mitigate any potential erosion to the down land property, 19 Brightwater Road. Sod will be planted on all grass areas that have been disturbed during installation of the patio.

The purpose of the wetland upgrade is to improve wildlife habitat and native vegetation diversity while better managing water runoff. Native wetland plants will be installed to restore, enhance and create productive wetland. Plants such as Winterberry Holly will provide food for birds during the winter. Grasses such as Carex Amphibola (Creek Sedge) will be planted along the water transition sites for erosion control. Cephalanthus Occidentalis (Button Bush) will be planted because it tolerates flooding and some salt and also has a spicy sent that attracts butterflies and bees. The rain garden will have Iris, Cone Flowers and Asters. Evergreens will be planted at the far North of the property to create a blind from the neighbor at 24 Saltaire Ave. This is our initial considerations for this wetland area. As time progresses other productive plants maybe be introduced. We utilized the Connecticut association of conservation and inland wetlands commission web site for potential plantings. A complete list of plantings can be found in appendix A.

#### Alternative 2:

The do nothing option for this work will not resolve the issues with water in the grass area around the house and water pooling against the slab.

#### Alternative 3:

I have discussed options of installing galley's in the upland area of the wetland to accommodate water runoff from the roof and from property at 23 Brightwater Road. I have dug test wells in the upland and have hit groundwater approximately 18" below grade. This would render the galley's ineffective.

## Appendix A

### Property Plantings

Native plants were selected to replant the wetlands area. Plantings were also selected to aid wildlife. The following plants will be introduced into the wetlands:

#### **Wetland area:**

Winterberry Holly

Rush Grasses

Pickerelweed

Arrow Arum

Red Star Hibiscus

Cardinal Flower

White Cedar

White Birch

Creek Sage

Button Bush

#### **Rain Garden:**

Asters

Iris

Cone Flowers

Day lilies

Sage

Toby and Glenn Knowles

21 Brightwater Rd

Niantic, CT 06357

Assessors Map # 5.19 Lot # 58

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ggoeschel@etownhall.com

# APPLICATION FOR PERMIT EAST LYME INLAND WETLANDS AGENCY

CR# 1492	Office Use Only	
Fee Paid \$210 <sup>00</sup>	Date Submitted 1/21/2020	Application # _____
Date of Receipt 2/24/2020	Date Approved _____	Permit Number _____
Major Impact: YES NO    Public Hearing: YES NO    Agent Approved: YES NO		

Note: In accordance with the Inland Wetland and Watercourses Regulations, Eleven (11) copies of all application materials must be submitted.

1. SITE LOCATION (Street) and Description: 21 BRIGHTWATER RD  
Assessor's Map 5.19 Lot # 58

Note: It is the applicant's responsibility to provide the correct site address, map/lot number for the legal notice. Provide a description of the land in sufficient detail to allow identification of the inland wetlands and watercourses, the area(s) (in acres or square feet) of wetlands and watercourses to be disturbed, soil type(s), and wetland vegetation.

2. APPLICANT: Toby + Glenn Knowles  
Address: 21 Brightwater Rd Phone: \_\_\_\_\_  
Niantic CT 06357 Fax: \_\_\_\_\_  
Business: \_\_\_\_\_ Cell: 860 334-0199  
Email: gknowles1@icloud.com  
Applicant's interest in the land: \_\_\_\_\_

\*\*If the applicant is a Limited Liability Corporation or a Corporation provide the managing member's or responsible corporate officer's name, address, and telephone number.

3. OWNER: Toby + Glenn Knowles  
Address: 21 Brightwater Rd Phone: \_\_\_\_\_  
Niantic CT 06357 Fax: \_\_\_\_\_  
Email: GKNOWLES1@ICLOUD.COM Cell: 860 334 0199

\*\*As the legal owner of the property listed on this application, I hereby consent to the proposed activities. And I hereby authorize the members and agents of the Agency to inspect the subject land, at reasonable times, during the pendency of the application and for the life of the permit.

Owners Printed Name: Glenn J Knowles  
Owners Signature: [Signature] Date: 1/20/20

4. Area of wetland to be disturbed: 900 sq. ft. or ac \_\_\_\_\_  
Area of watercourse to be disturbed: \_\_\_\_\_ sq. ft. or ac \_\_\_\_\_  
Upland review area to be disturbed: \_\_\_\_\_ sq. ft. or ac \_\_\_\_\_

Will fill be needed on site?  Yes No  
If yes, how much fill is needed? 20 - 30 Cubic yards

5. The property contains (circle one or more)  
WATERCOURSE WATERBODY WOODED-WETLAND SWAMP  
FLOODPLAIN OTHER: \_\_\_\_\_  
Description of soil types on site: \_\_\_\_\_  
Description of wetland vegetation: Pepper bush, Blueberry  
Name of Soil Scientist(s) and date of survey: Donald Fortunado

6. Provide a written narrative of the purpose and a description of the proposed activity and proposed erosion and sedimentation controls and other best management practices and mitigation measures which may be considered as a condition of issuing a permit for the proposed regulated activity including, but not limited to, measures to (1) prevent or minimize pollution or other environmental damage, (2) maintain or enhance existing environmental quality, or (3) in the following order of priority: restore, enhance and create productive wetland or watercourse resources. Depending on the complexity of the project, include the following: construction schedule, sequence of operations, drainage computations with pre and post construction runoff quantities and runoff rates, plans clearly showing the drainage areas corresponding to the drainage computation, existing wetland inventory and functional assessment, soils report, construction plans signed by a certified soils scientist, licensed surveyor, and licensed professional engineer.

7. Provide information of all alternatives considered. List all alternatives which would cause less or no environmental impact to wetlands or watercourses and state why the alternative as set forth in the application was chosen. All such alternatives shall be diagrammed on a site plan or drawing. (Attach plans showing all alternates considered).  
Alternative 1: Proposed Plan in narrative  
Alternative 2: DO NOTHING  
Alternative 3: USE OF GALLEY'S in upland

8. Attach a site plan showing the proposed activity and existing and proposed conditions in relation to wetlands and watercourses and identifying any further activities associated with, or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands and watercourses.

9. Provide the name and mailing addresses of adjacent landowners (including across a street). Attach additional sheets if necessary.

Name/Address: Brian Harrington / 23 Brightwater Rd Mantic CT 06357  
Name/Address: Laurene O'LOUGHLIN / 19 Brightwater Rd Mantic CT 06357  
Name/Address: Linda Gesualdi / 24 Saltaire Ave Mantic CT 06357  
William Molloy / 22 Brightwater Rd, Mantic CT 06357



10. Attach a completed DEP reporting form.

*The Agency shall revise or correct the information provided by the applicant and submit the form to the Commissioner of Environmental Protection in accordance with section 22a-30-14 of the Regulations of Connecticut State Agencies.*

11. Name of Erosion Control Agent (Person Responsible for Compliance):

Glenn Knowles

Address: 21 Brightwater Rd  
Niantic CT 06357

Phone: 860 334-0199

Fax: \_\_\_\_\_

Email: gknowles1@gmail.com

Cell: \_\_\_\_\_

12. Are you aware of any wetland violations (past or present) on this property? Yes  No

If yes, please explain: \_\_\_\_\_

13. Are there any vernal pools located on or adjacent (within 500') to the property? Yes  No

14. For projects that do not fall under the ACOE Category I general permit – Have you contacted the Army Corps of Engineers? Yes  No

15. Is this project within a public water supply aquifer protection area or a watershed area? Yes  No

16. If so, have you notified the Commissioner of the Connecticut Department of Public Health and the East Lyme Water and Sewer Department? Yes  No  (Proof of notification must be submitted with your application).

17. Attach the appropriate filing fee based on the fee schedule established in Section 19 of the Regulations.  
Fee: ~~20~~ 210 (Make checks payable to "Town of East Lyme").

18. PUBLIC HEARINGS ONLY: The applicant must provide proof of mailing notices to the abutters prior to the hearing date.

*The undersigned Applicant hereby consents to necessary and proper inspection of the above mentioned property by the East Lyme Inland Wetlands Agency and/or its agents at reasonable times both before and after the permit in question has been granted.*

*The Applicant affirms that the information supplied in this application is accurate to the best of his/ her knowledge and belief. As the applicant I hereby certify that I am familiar with the information provided in this application and I am aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information.*

Printed Name: Glenn Knowles Date: 1/20/20

Signature: 

Please note:

*Above notice to be published in legal section of newspaper having general circulation in the Town of East Lyme. Applicant to pay cost of publication. You or a representative must attend the Inland Wetlands Agency meeting to present your application.*

## CHECKLIST FOR A COMPLETE APPLICATION

- completed application form including Department of Environmental Protection reporting form (green copy)
- A narrative of the purpose and description and methodology of all propose activities;
- Alternatives considered by the applicant, reasons for leaving less than a 10' buffer between clearing and the wetlands. Such alternatives to be diagrammed on a site plan or drawing and submitted to the commission as part of the application;
- Names and mailing addresses of abutting property owners;
- Three copies of approximately 1"=40' scale plans
- Locations of existing and proposed land uses
- Locations of existing and proposed buildings
- Locations of existing and proposed subsurface sewage disposal systems, and test hole descriptions
- Existing and proposed topographical and man-made features including roads and driveways, on and adjacent to the site
- Location and diagrams of proposed erosion control structures
- Assessor map and lot number
- Key or inset map
- North arrow
- Flood zone classification and delineation
- Use of wetland and watercourse markers where appropriate.
- Soil types classification and boundary delineation (flagged and numbered boundary), Soil Scientist's original signature and certification on plans
- Soil Scientist's (or other wetland scientist) report on the function of the wetlands
- Watercourse channel location and flow direction, where appropriate
- 100 ft. regulated area depicted on plans
- Conservation easements where appropriate
- A detailed erosion and sediment control plan which meets requirements set forth in the most recent revision of the *Connecticut Guidelines for Soil Erosion and Sediment Control*, published by the Connecticut Council on Soil and Water Conservation, including:
  - Location of areas to be stripped of vegetation and other unprotected areas
  - Schedule of operations including starting and completion dates for major development phases
  - Seeding, sodding, or re-vegetation plans for all unprotected or un-vegetated areas
  - Location and design of structural sediment control measures
  - Timing of planned sediment control measures
  - Use of wetland and watercourse markers
  - Proper certification on the application documents and plans

In the case of filling in wetlands, watercourses, or regulated upland areas, the following items are necessary:

- Area to be filled
- Volume of requested fill
- Finished slopes of filled areas
- Containment and stabilization measures
- Proposed finished contours
- Evaluation of the effect of filling the wetlands with respect to storage volume and its impact downstream showing before and after development flows, and the evaluation of storm water detention including the existing need for flood control downstream

Other required items:

- Proof of adjoining Town notification, where required;
- All application fees required by Section 16 of these regulations;
- A written narrative detailing how the effects of the applicant's proposed activities upon wetlands and watercourses shall be mitigated.
- A written description of any and all future plans which may be linked to the activities proposed in the current application.
- Address the potential to enhance the current buffer area.
- Review drainage information with Town Engineering
- Mailing requirements for abutters (public hearing only)

**Appendix D - ORDINANCE ESTABLISHING SCHEDULE OF FEES FOR CONSERVATION, PLANNING AND ZONING COMMISSIONS**

- 1.1 Application Fee \*\*
  - 1.1.1 Residential Uses .....\$150.00 Plus \*\$50.00/LOT  
Plus Fee from Schedule A
  - 1.1.2 Commercial Uses .....\$400.00  
Plus Fee from Schedule A
  - 1.1.3 All Other Uses.....\$200.00  
Plus Fee from Schedule A

\*Each lot with regulated activities

\*\*\$60 fee required by C.G.S 22a-27j will be added to the base fees.

- 1.2 Approval by Duly Authorized Agent \*\* \$100.00
- 1.3 Appeal of Duly Authorized Agent Decision .....\$300.00
- 1.4 Significant Activity Fee \$300.00
- 1.5 Public Hearing Fee
  - 1.5.1 Single Residential \$200.00
  - 1.5.2 Commercial/Industrial/Multi-Family \$450.00

1.6 Complex Application Fee.....Actual Cost

The Inland Wetlands Agency may charge an additional fee sufficient to cover the cost of reviewing and acting on complex applications. Such fee may include, but not be limited to, the cost of retaining experts, to advise, analyze, review, and report on issues requiring such experts. The Agency or the duly authorized agent shall estimate the complex application fee, which shall be paid pursuant to section 19.1 of these regulations within 10 days of the applicant's receipt or notice of such estimate. Any portion of the complex application fee in excess of the actual cost shall be refunded to the applicant no later than 30 days after publication of the agency's decision.

- 1.7 Permitted and Nonregulated Uses :
  - 1.7.1 Permitted Uses as of-Right .....\$0.00
  - 1.7.2 Nonregulated .....\$0.00
- 1.8 Regulation Amendment Petitions.....\$500.00  
(Does not include Notices or Regulation Advisories from DEP)
  - 1.8.1 Map Amendment Petitions.....\$500.00  
Plus Fee from Schedule B
- 1.9 Modification of Previous Approval: .....\$100.00
- 1.10 Renewal of Previous Approval .. .....\$100.00
- 1.11 Monitoring Compliance Fee .....\$100.00

1.12 SCHEDULE A. For the purpose of calculating the permit application fee, the area in schedule A is the total area of wetlands and watercourses and the upland review area upon which a regulated activity is proposed.

SQUARE FEET of AREA

- 1.12.1. Less than 1,000 .....\$0.00
- 1.12.2. 1,000 to 5,000 .....\$250.00
- 1.12.3. More than 5,000.....\$750.00

1.13 SCHEDULE B. For the purpose of calculating the map amendment petition fee, linear feet in schedule B is the total length of wetlands and watercourses boundary subject to the proposed boundary change.

LINEAR FEET

- 1.13.1. Less than 500 .....\$0.00
- 1.13.2 500 to 1,000.....\$250.00
- 1.13.3 More than 1,000 .....\$750.00

- \* LEGEND \***
- STONE WALL
  - FENCE
  - IRON PIN
  - MERESTONE
  - EDGE OR ROCK
  - EXISTING CONTOUR
  - PROPOSED CONTOUR
  - UTILITY POLE
  - TEST HOLE
  - PERC TEST
  - SILT FENCE
  - HAY BALES
  - CONFIRMING TEST HOLE

**PROPOSED ACTIVITY AND IMPACT**  
For  
21 Brightwater Road

The project area consists of approximately 0.113 acres (4,945 s.f.) of which 0.09 acres (4,000 s.f. +/-) is a wetland area. The site is located approximately 500' west of East Shore Drive. The proposed project is for the improvement of an existing lot to serve a driveway and a single family residential home. Municipal water and sewer will serve the existing lot.

**Fill Within Wetlands -**  
Activities within wetlands will cover an area of approximately 1,998 s.f. This area is to be disturbed for the construction of a single family residence. Of the 1,998 s.f., 665 s.f. will be used to construct a single family home.

A zoning variance was granted on June 28, 2003 allowing the first floor only to be reduced to 15' This variance does however allow the limits of disturbance to be moved forward 5' resulting in a net reduction of disturbed wetlands.

The impacts due to filling the wetlands will be minimal. The area associated with this activity will require an approximate replacement and additional fill of approximately 20-30 c.y.

The fill material to be used shall consist of only clean, native natural earthen and rock materials. No manmade materials, such as, but not limited to, asphalt or concrete, organics, stumps, metal, debris, garbage or other objectionable material shall be allowed. No chemical reaction of deposited materials is anticipated.

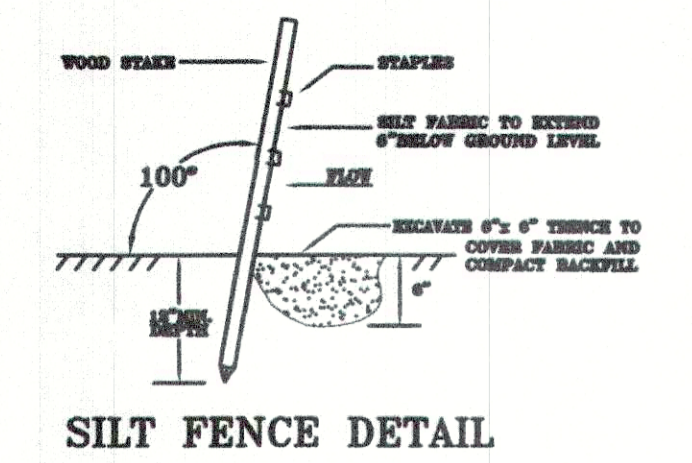
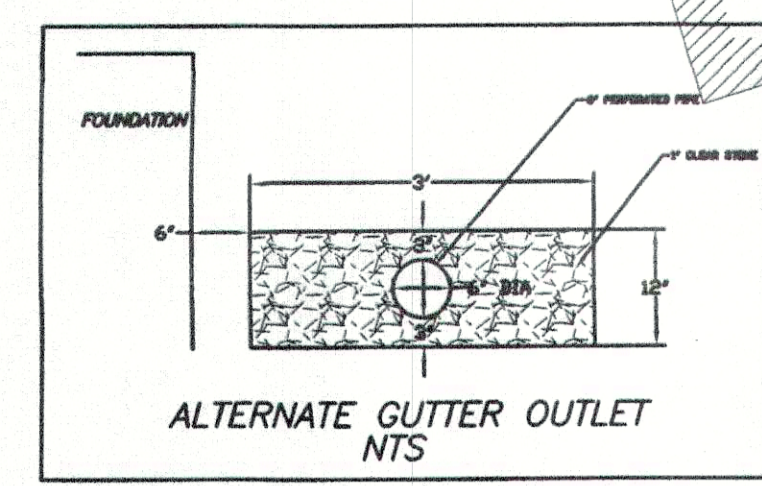
There is no change of the designated flood ways or flood plains. There will be no change of the flood hazard zones. There will be no quantifiable changes to flood storage volumes. No quantifiable or significant changes or effects are anticipated on groundwater, surface water recharge or discharge, nor will the proposed fill areas affect runoff patterns. The included areas proposed for fill have little biological function and will not significantly alter the functionality of the area.

A larger alternative house was previously considered. This proposed reduced house plan has been chosen to minimize disturbance to the wetlands. The applicant believes that the only reasonable use for this existing residentially zoned lot is a single family home. It is logical to assume from the delineated wetlands on this lot that the lots immediately to the east and west either previously, or currently contain wetlands. The construction of a small single family home is consistent with the adjacent lots, it is believed that no other prudent and feasible alternatives exist.

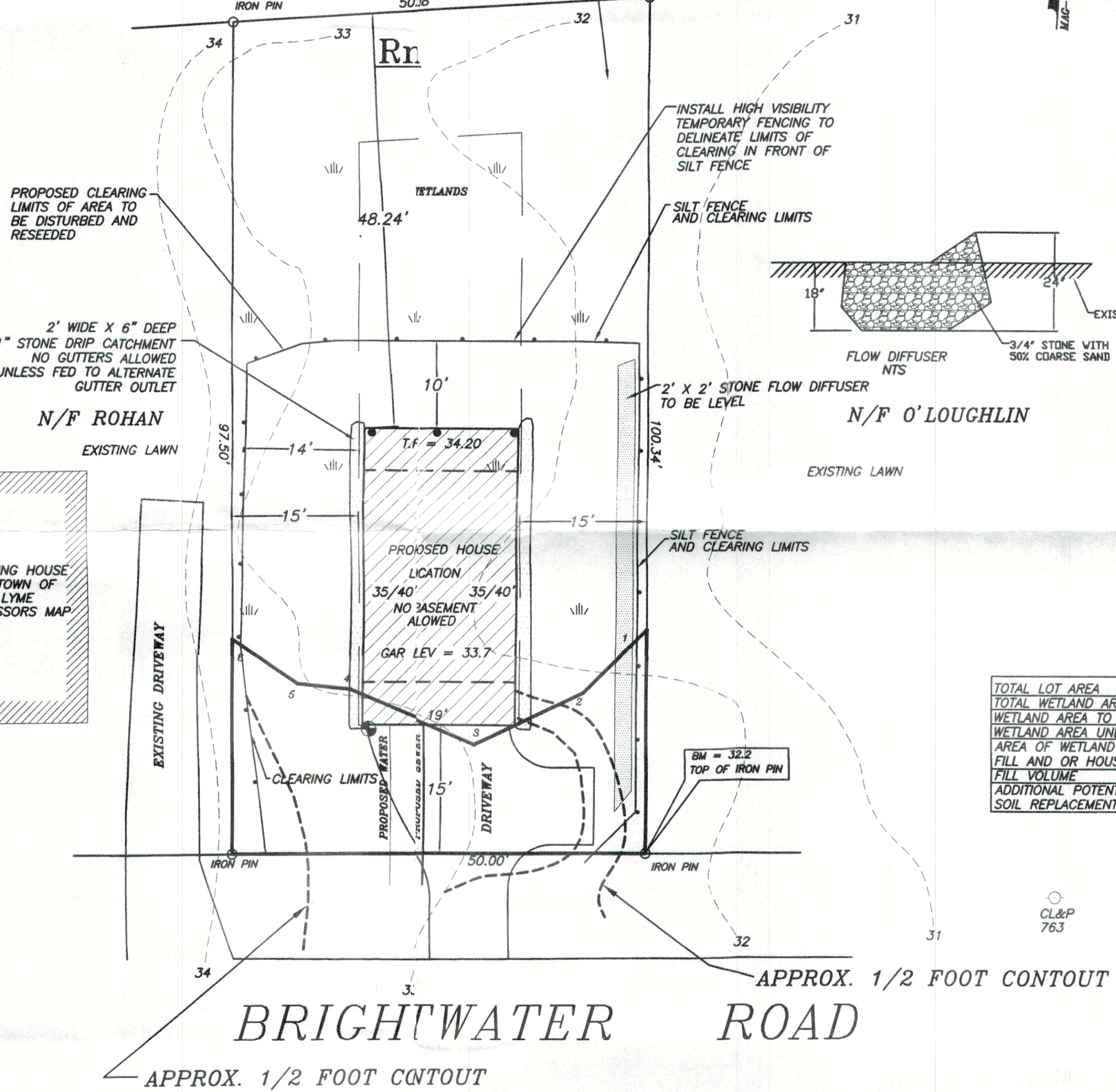
**CONSERVATION COMM. PERMIT CONDITIONS**

1. The permit noted plans are revised as follows:
  - a. Proposed 1/2 foot contours are to be added to plans in areas of proposed grading.
  - b. The material excavated from the footings will be stockpiled in the middle of the construction area. Appropriate erosion and sedimentation controls protecting the stockpiled material shall be clearly shown on the plan.
2. The setbacks shall be as shown on the plan.
3. The Erosion & Sedimentation Control notes on the plan shall be strictly adhered to.
4. The footprint of the house (inclusive of the front and rear stairs, decks and patios) shall not exceed 665 square feet. Final construction drawings must be approved by the Conservation Commission or its agent prior to construction.
5. Notify Conservation Agent at least 2 days prior to construction to inspect erosion controls.
6. Notify Conservation Agent upon construction completion to sign off on permit.
7. Changes to the plan will require additional approval; a new plan will be submitted prior to construction.
8. Additional work beyond the permitted activities will require approval from the Commission or its agent.
9. A narrative shall be provided detailing the types and sizes of the construction equipment that will be utilized. The narrative shall include methods of construction and equipment locations to ensure the 10' limit of disturbance of the rear of the house is not exceeded. The narrative shall include that a mini-excavator will be used to ensure work can be done in the 10' limit of disturbance is not exceeded.
10. The concrete truck shall be "washed off" in the middle of the construction area or off site.
11. A permanent fence shall be constructed along the 10' limit of disturbance line to prevent inadvertent intrusion into the wetland. The type of fence must be reviewed by the Commission or its agent prior to construction. Permanent conservation tags shall be affixed to the fence. The tags will be supplied by the Conservation Enforcement Officer.
12. Remove the invasive plant species from the wetland to remain. Retain a wetland scientist to advise which plants should be removed and proper methods for removal. Grubbing shall not be allowed, i.e. disturbing the soil by mechanically removing the roots.

1. Preconstruction meeting - A preconstruction meeting with the Town Environmental staff. Applicant and the on-site construction supervisor are to be present.
2. Limits of clearing - Limits of general clearing shall be clearly marked in the field by licensed surveyor. Clearing limits, as established on the Zoning Compliance site plans, (which must reflect all limits established by the East Lyme Conservation Permit), shall be inspected and approved by Town staff. Clearing of trees and other vegetation may begin only if there is no grubbing or stumping activities involved. These activities will be allowed only after the completion of item 3, installation of erosion control barriers.
3. Installation of E & S Controls - Installation of E & S Controls, including:
  - a. installation of silt fence to be installed.
  - b. no construction activity shall begin without proper installation of appropriate E & S Measures.
  - c. installation of High Visibility clearing limit fence
4. Stump and Topsoil Removal - Remove stumps, strip and stockpile topsoil, burying of stumps or boulders will not be allowed. Stockpiling of material may not take place on the site due to limited storage area.
5. Drive way and Rip rap swale Installation-
  - a. install driveway
  - b. install rip rap for swale
6. In general residential house construction shall be conducted as below;
  - a. Install erosion control
  - b. Foundation work followed by work on the structure. Temporary Dewatering: Foundation footings to be excavated, poured and back filled between June 15 and December 1. Should Dewatering be necessary pump suction shall be placed in 1" stone with discharge pumped to a minimum size 10' X 15' dirtbag or approved equal. Solid bag shall be placed in vicinity of proposed driveway and underlain with aggregate or straw per manufacturers recommendations.
  - c. Install site utilities.
  - d. Finish grade lot, loam and seed.
  - e. Complete all other details for Zoning Compliance Certificate prior to the issuance of any C.O. Foundations and house construction shall be as shown on each Zoning compliance plan as prepared and submitted at time of building permit application.
7. Finish Loam & Seed - Finish loaming and seeding of all disturbed areas. Final stabilization of disturbed and graded areas shall be finished with loam and seed. Loam (topsoil and subsoil) shall be placed at a minimum depth of 4". A fertilizer mix shall be provided as follows: Fertilizer may be applied at a rate of 7.5 lb. per 1,000 s.f. of 10-10-10 or natural (manure) fertilizers may be substituted with lime applied at a rate of 180 lb. per 1,000 s.f. (4 tons per acre, or as suggested after soil testing). The recommended seeding dates are between April 15 through June 15 and Aug. 15 through Oct. 15. Seed mixes may vary within the site, but in general will conform to the following mixtures:
  - Permanent Vegetative Cover - General; disturbed areas shall be seeded with .45 lb. per 1,000 s.f. (20 lb. per ac.) of creeping red (Pennlawn, Wintergreen); .05 lb. per 1,000 s.f. (2 lb. per ac.) of red top (Streaker, Common), and .45 lb. per 1,000 s.f. (20 lb. per ac.) of Tall fescue (Kentucky 31) or smooth Bromegrass (Saratoga Lirech) trefoil with inoculant or an approved equal substitute.
  - Temporary Vegetative Cover: Temporary Seeding shall be required of all disturbed areas during all phases of construction.
8. Erosion Control Agent - Responsibility for installation of the above work shall belong to the owner. The owner shall designate an on-site agent, to be approved by the Town, prior to any excavation, who shall be responsible for ensuring to the town that actual measures taken comply with the certified plan prior to any construction. The contact person for the E & S measures is Guy Turgeon (860-642-6904).
9. Inspection and Maintenance: All of the above measures shall be inspected on a weekly basis by the onsite agent. The contractor shall make daily inspections of all E & S controls. Inspection of control measures shall be done immediately after any significant adverse weather conditions. If control measures become nonfunctional, action shall be taken to restore the effectiveness of the measures. Should significant breach of any barriers occur and result in the deposition of sediment beyond said barrier, excess sediment shall be removed as directed by the Town Environmental or Zoning Officer. All control measures shall be inspected for proper operation and replaced as necessary. All measures shall remain in place, inspected by the on-site agent, and maintained by the owner until the Zoning Officer is satisfied that the associated site has been stabilized.
10. Erosion and Sedimentation Control Replacement - All erosion control measures shall be upgraded or replaced sooner than scheduled if they exhibit any marked signs of deterioration failure or inadequacy. As hay bales generally have a relatively short life span they should only be used where they will be required for 60 days or less. Hay bales shall be replaced at least every three months (sooner if there are any signs of deterioration). Silt fence that is intended to be in place for periods greater than three months shall have U.V. resistance of 80% or greater.



**FLOOD ZONE C**  
(AREAS OF MINIMAL FLOODING) N/F CESUALDI  
PER FEMA FLOOD PANEL #090096 0014D



TOTAL LOT AREA	=	4,945 S.F.
TOTAL WETLAND AREA	=	4,027 S.F.
WETLAND AREA TO BE DISTURBED	=	1,998 S.F.
WETLAND AREA UNDISTURBED	=	2,029 S.F.
AREA OF WETLAND LESS DUE TO FILL AND OR HOUSE CONSTRUCTION	=	786 S.F.
FILL VOLUME	=	20-30 C.Y.
ADDITIONAL POTENTIAL BELOW GRADE SOIL REPLACEMENT	=	117 C.Y.

ZONING COMPLIANCE CHART BLACK POINT BEACH ASSOCIATION ZONING		
	REQUIRED	PROVIDED
LOT AREA	8,000 S.F.	4,945 S.F.*
MIN. LOT FRONTAGE	60 FT.	50 FT.*
MIN. FRONT YARD SETBACK	20 FT.	15 FT. **
MIN. SIDEYARD SETBACK	15 FT.	15 FT.
MIN. REAR YARD	15 FT.	48.24 FT.
MAXIMUM BUILDING COVERAGE	25%	13.4 %
MAXIMUM BUILDING HEIGHT	27 FT.	27 FT

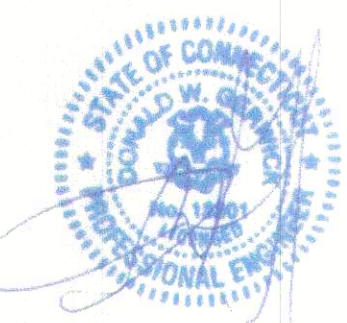
\* PRE-EXISTING NON CONFORMING LOT  
\*\* VARIANCE APPROVED BY BLACK POINT BEACH CLUB ZONING BOARD OF APPEALS ON JUNE 28, 2003

I DELINEATED THE INLAND WETLAND AND WATERCOURSE BOUNDARY ON THIS PROPERTY. I AM OF THE OPINION THAT THE WETLAND BONDARY WHICH I MARKED ON THE PROPERTY IS SHOWN CORRECTLY ON THIS MAP.

Donald Fortunato, Certified Soil Scientist #2278

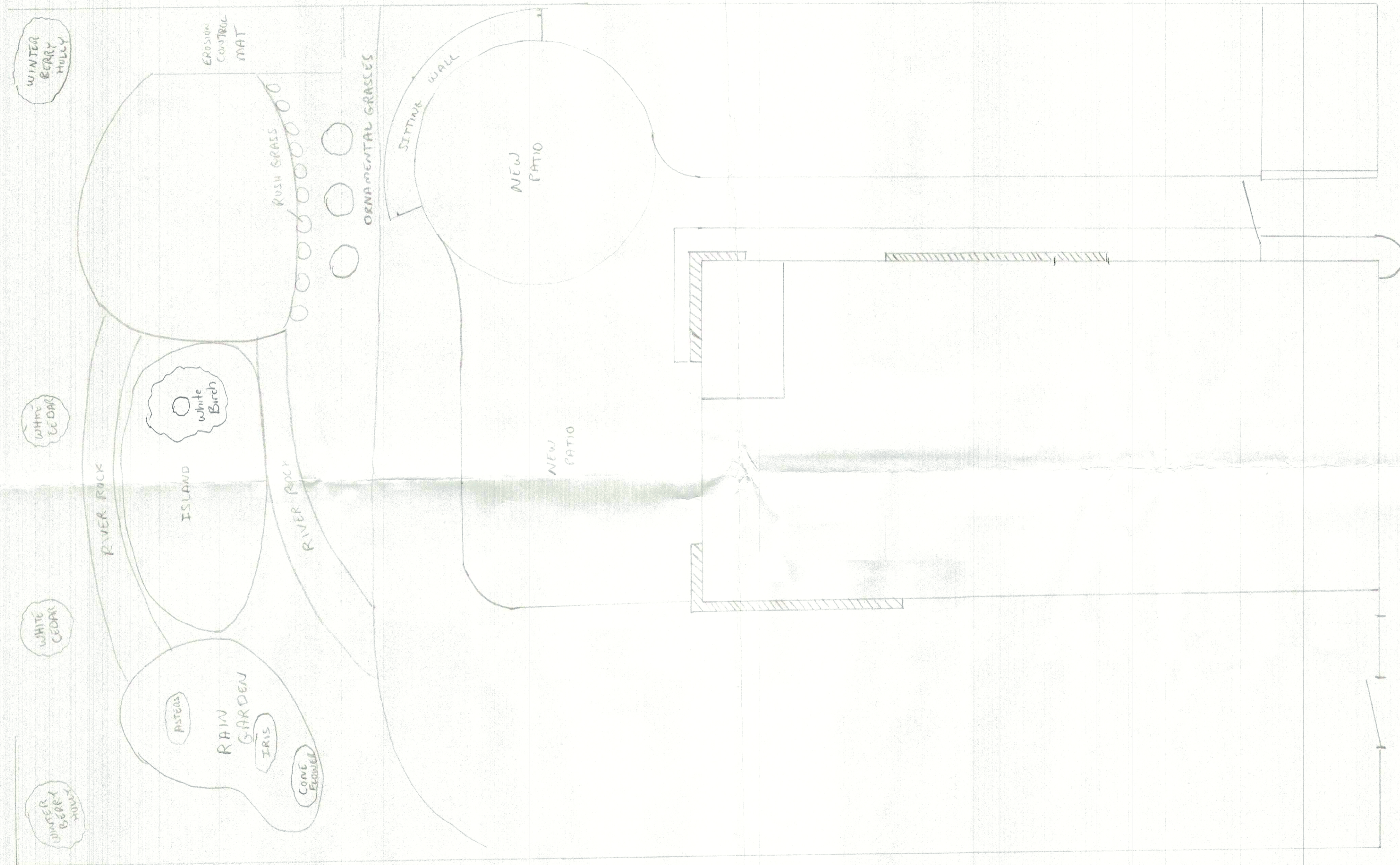
DATE:

THIS PLAN IS THE ORIGINAL WORK OF THE ENGINEER WHO OBTAINS SOLE OWNERSHIP. ALL PIES ARE FOR USE OF THE CLIENT. NO COPIES OF THIS PL MAY BE MADE WITHOUT THE PERMISSION OF THE ENGINEER, NOR IS THIS PLAN CONSIDERED VALID WITHOUT THE ORIGINAL SEAL AND SIGNATURE OF THE ENGINEER.

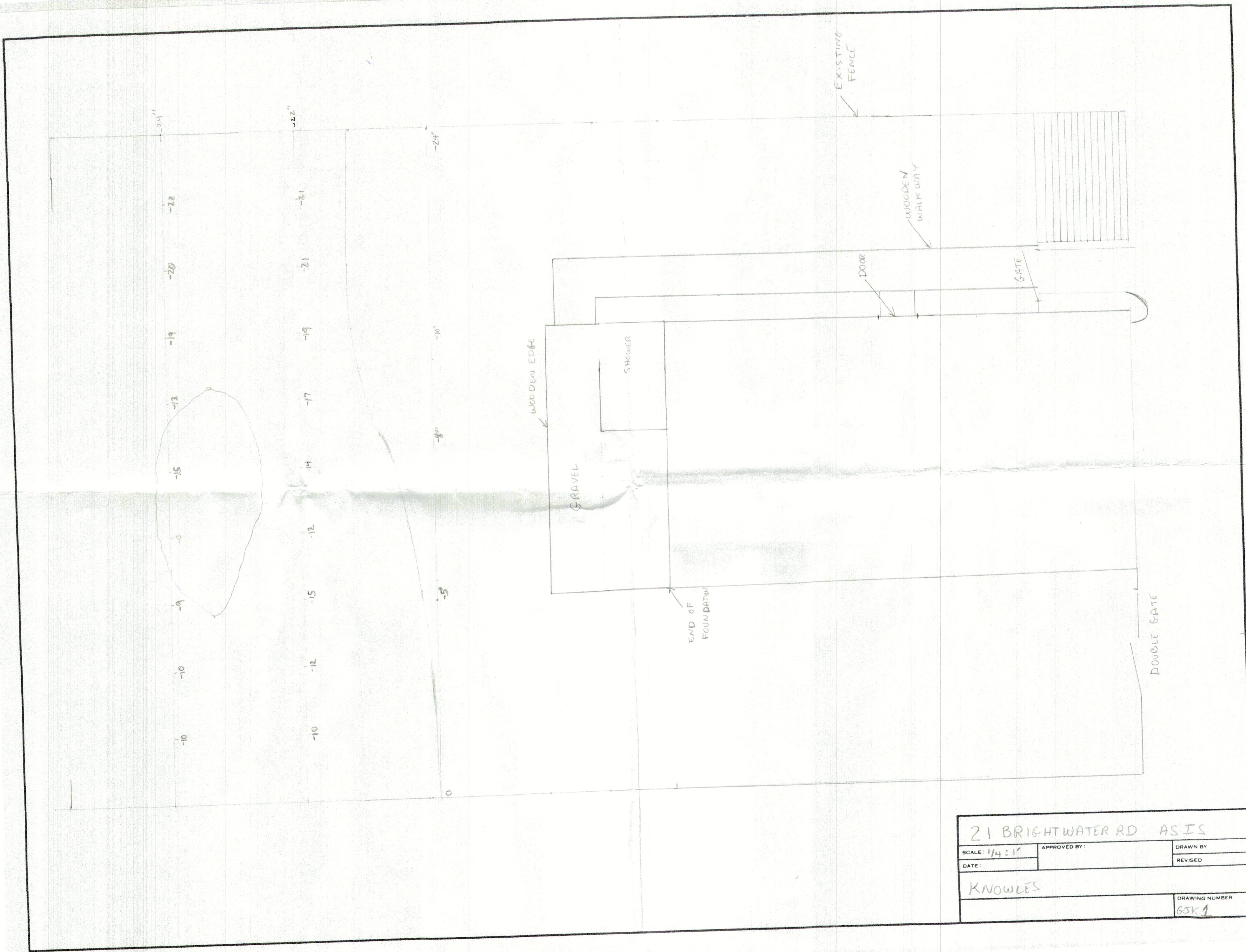


**PROPOSED SITE PLAN DESIGN**  
**GUY TURGEON**  
21 BRIGHTWATER ROAD  
ASSESSORS MAP # 5.19 LOT # 58  
NIANTIC, CONNECTICUT

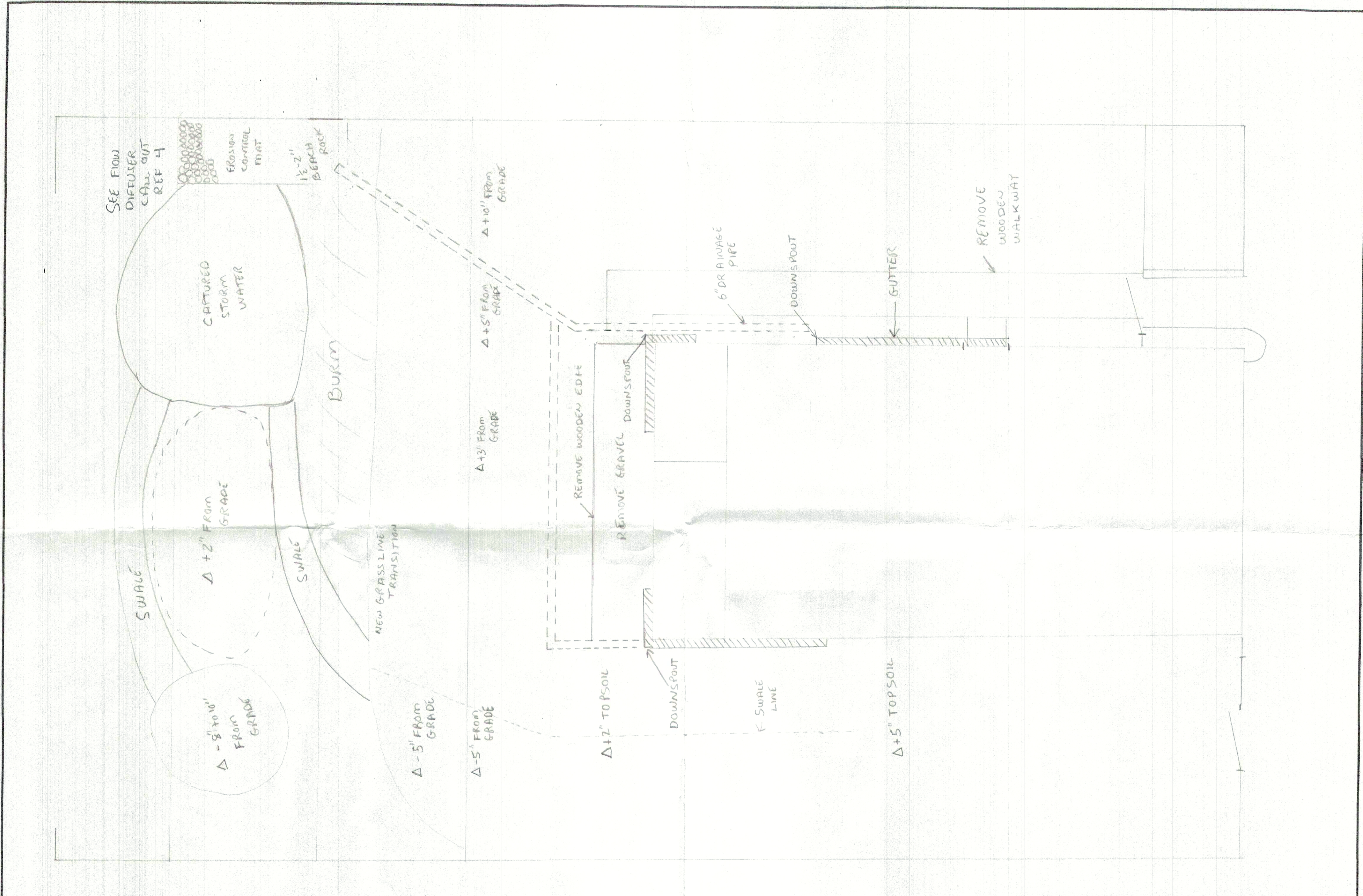
SCALE: 1" = 10'  
DATE: APRIL 19, 2002  
REV: 5/1/02 6/28/02 8/05/02 9/20/02 7/21/03 2/12/09  
**GERWICK-MEREEN LLC**  
P.O. BOX 539 163 BOSTON POST ROAD  
WATERFORD, CONNECTICUT 06385  
TEL. 860-442-2201 JOB NO. 01-136  
DWG:TLG:\DWC PROJECTS\GENERAL SITE PLANS\TURGEON 01-136\01136SP.DWG



21 BRIGHTWATER RD FWAL		
SCALE:	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
KNOWLES		DRAWING NUMBER
		65K3



21 BRIGHTWATER RD AS IS		
SCALE: 1/4" = 1'	APPROVED BY:	DRAWN BY
DATE:		REVISED
KNOWLES		DRAWING NUMBER
		GSK 1



21 BRIGHTWATER RD - TRANSITION		
SCALE:	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
KNOWLES		DRAWING NUMBER
		65X2

**LEGEND**

STONE WALL	—
FENCE	—
IRON PIN	○
MERESTONE	—
EDGE OR ROCK	—
EXISTING CONTOUR	—
PROPOSED CONTOUR	—
UTILITY POLE	—
TEST HOLE	—
PERC TEST	—
SILT FENCE	—
HAY BALES	—
CONFIRMING TEST HOLE	—

**EROSION & SEDIMENTATION CONTROL**  
For  
21 Brightwater Road

No variation from these plans of any activity within wetlands shall be allowed unless prior approval is obtained from The East Lyme Conservation Commission or its agent. No significant changes of any other part of the plan should be made without contacting the East Lyme Zoning Offices to ensure that such changes do not affect the Zoning Compliance Permit.

Anticipated project commencement is estimated to be about Mar. 1, 2003 for the house construction. Construction activities will consist of the installation of the drainage pipe for the driveway crossing and rip rap. While it is difficult to accurately anticipate all construction activities that may affect sequencing of construction work, the following major activities are intended to be sequenced as follows:

**Construction Sequence**

1. Preconstruction meeting - A preconstruction meeting with the Town Environmental staff. Applicant and the on-site construction supervisor are to be present.
2. Limits of clearing - Limits of general clearing shall be clearly marked in the field by licensed surveyor. Clearing limits, as established on the Zoning Compliance site plans, (which must reflect all limits established by the East Lyme Conservation Permit), shall be inspected and approved by Town staff. Clearing of trees and other vegetation may begin only if there is no grubbing or stumping activities involved. These activities will be allowed only after the completion of item 3, installation of erosion control barriers.
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**Temporary Vegetative Cover:**  
Temporary Seeding shall be required of all disturbed areas during all phases of construction.

**PROPOSED ACTIVITY AND IMPACT**  
For  
21 Brightwater Road

The project area consists of approximately 0.113 acres (4,945 s.f.) of which 0.09 acres (4,000 s.f. +/-) is a wetland area. The site is located approximately 500' west of East Shore Drive. The proposed project is for the improvement of an existing lot to serve a driveway and a single family residential home. Municipal water and sewer will serve the existing lot.

**Fill Within Wetlands -**

Activities within wetlands will cover an area of approximately 1,998 s.f. This area is to be disturbed for the construction of a single family residence. Of the 1,998 s.f., 665 s.f. will be used to construct a single family home.

A zoning variance was granted on June 28, 2003 allowing the first floor only to be reduced to 15' This variance does however allow the limits of disturbance to be moved forward 5' resulting in a net reduction of disturbed wetlands.

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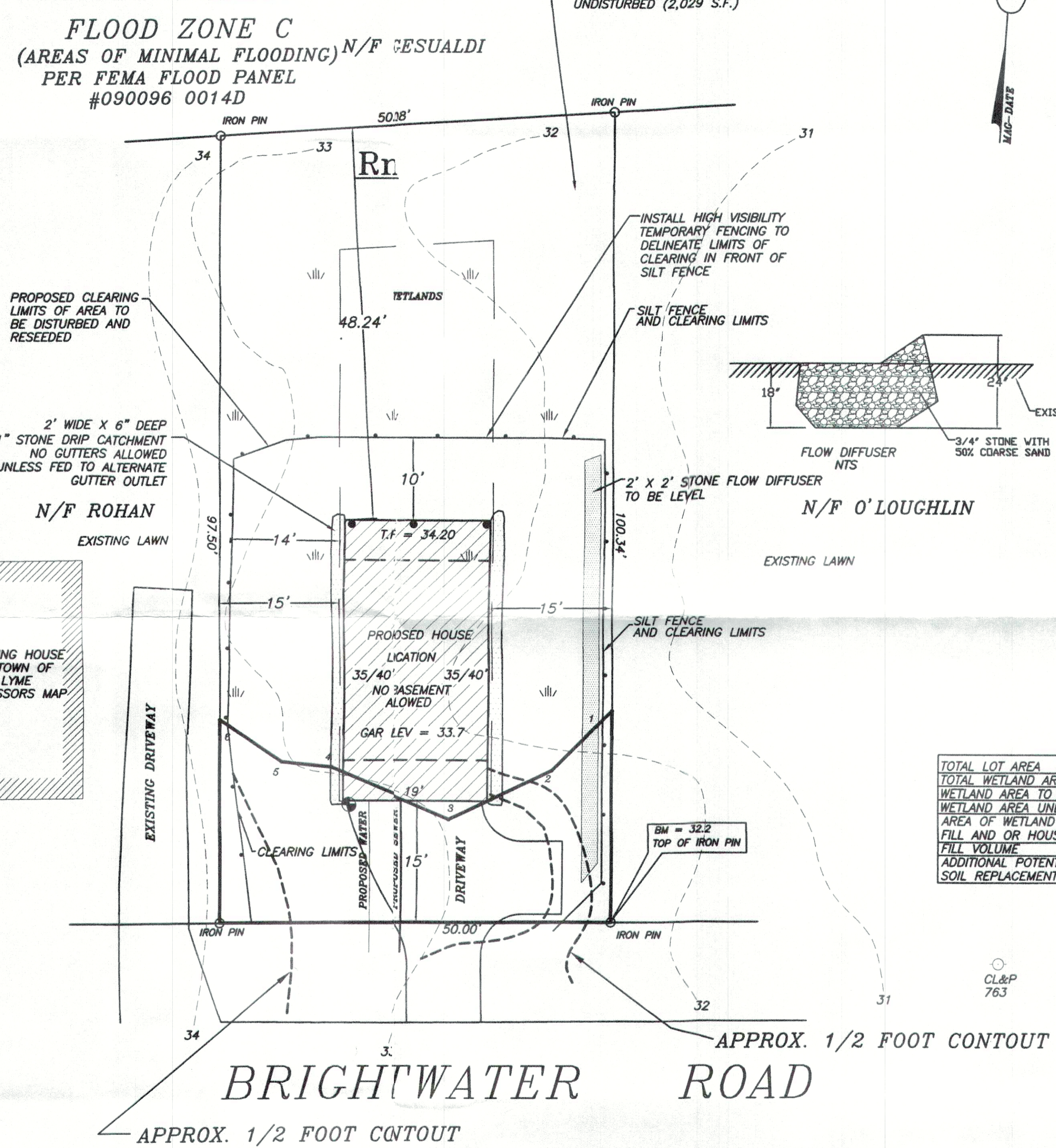
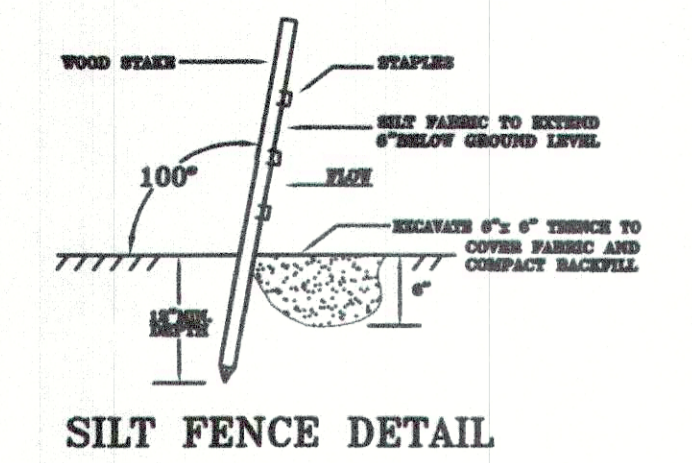
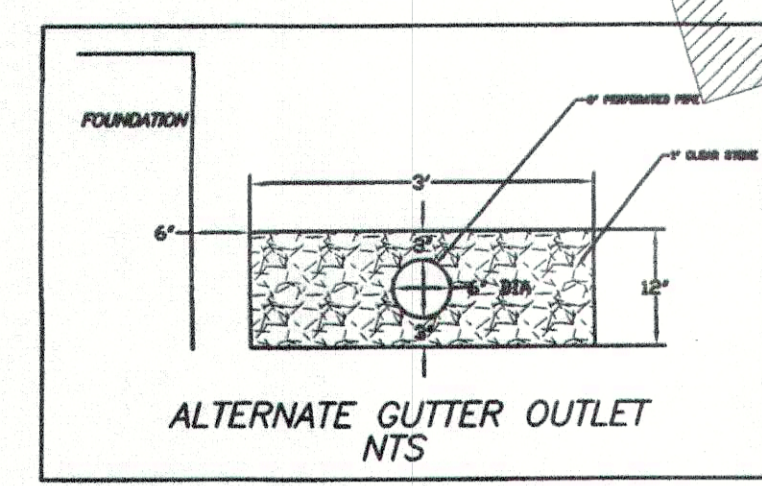
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**CONSERVATION COMM. PERMIT CONDITIONS**

1. The permit noted plans are revised as follows;
  - a. Proposed 1/2 foot contours are to be added to plans in areas of proposed grading.
  - b. The material excavated from the footings will be stockpiled in the middle of the construction area. Appropriate erosion and sedimentation controls protecting the stockpiled material shall be clearly shown on the plan.
2. The setbacks shall be as shown on the plan.
3. The Erosion & Sedimentation Control notes on the plan shall be strictly adhered to.
4. The footprint of the house (inclusive of the front and rear stairs, decks and patios) shall not exceed 665 square feet. Final construction drawings must be approved by the Conservation Commission or its agent prior to construction.
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TOTAL LOT AREA	= 4,945 S.F.
TOTAL WETLAND AREA	= 4,027 S.F.
WETLAND AREA TO BE DISTURBED	= 1,998 S.F.
WETLAND AREA UNDISTURBED	= 2,029 S.F.
AREA OF WETLAND LESS DUE TO FILL AND OR HOUSE CONSTRUCTION	= 786 S.F.
FILL VOLUME	= 20-30 C.Y.
ADDITIONAL POTENTIAL BELOW GRADE SOIL REPLACEMENT	= 117 C.Y.

ZONING COMPLIANCE CHART BLACK POINT BEACH ASSOCIATION ZONING		
	REQUIRED	PROVIDED
LOT AREA	8,000 S.F.	4,945 S.F.*
MIN. LOT FRONTAGE	60 FT.	50 FT.*
MIN. FRONT YARD SETBACK	20 FT.	15 FT. **
MIN. SIDEYARD SETBACK	15 FT.	15 FT.
MIN. REAR YARD	15 FT.	48.24 FT.
MAXIMUM BUILDING COVERAGE	25%	13.4 %
MAXIMUM BUILDING HEIGHT	27 FT.	27 FT

\* PRE-EXISTING NON CONFORMING LOT  
\*\* VARIANCE APPROVED BY BLACK POINT BEACH CLUB ZONING BOARD OF APPEALS ON JUNE 28, 2003

**PROPOSED SITE PLAN DESIGN**  
**GUY TURGEON**  
21 BRIGHTWATER ROAD  
ASSESSORS MAP # 5.19 LOT # 58  
NIANTIC, CONNECTICUT

SCALE: 1" = 10'  
DATE: APRIL 19, 2002  
REV: 5/1/02 6/28/02 8/05/02 9/20/02 7/21/03 2/12/09  
**GERWICK-MEREEN LLC**  
P.O. BOX 539 163 BOSTON POST ROAD  
WATERFORD, CONNECTICUT 06385  
TEL. 860-442-2201 JOB NO. 01-136  
DWG:TLG:\DWG PROJECTS\GENERAL SITE PLANS\TURGEON 01-136\01136SP.DWG

I DELINEATED THE INLAND WETLAND AND WATERCOURSE BOUNDARY ON THIS PROPERTY. I AM OF THE OPINION THAT THE WETLAND BONDARY WHICH I MARKED ON THE PROPERTY IS SHOWN CORRECTLY ON THIS MAP.

Donald Fortunato, Certified Soil Scientist #2278

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