

# Geraghty & Bonnano, LLC

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July 9, 2020

**Via email [ggoeschel@eltownhall.com](mailto:ggoeschel@eltownhall.com)**

Gary Upton, Chairman  
Inland Wetlands Commission  
Town of East Lyme  
108 Pennsylvania Avenue  
Niantic, CT 06357

Re: 297 Boston Post Road, East Lyme, IWC Connecticut Cease & Desist

Dear Mr. Upton:

This correspondence shall serve notice that I have been retained by Pazz & Construction, LLC with regard to the above cease and desist notice. This letter shall serve as a follow up to my correspondence to Gary Goeschel of July 2, 2020. Section 14 of the East Lyme Inland Wetlands Regulations requires my client be given a hearing within ten (10) days of the notice of violation. The Commission failed to afford my client the opportunity of a hearing within the required time frame.

We therefore deem the cease and desist to be void. I should point out that Al Smith, the owner of the property has been storing vehicles and material on the property prior to the enactment of wetland regulations by the town. More importantly, the activities presently conducted on the site have no impact on the lake which forms the boundary of the property.

Because there is no jurisdiction over my client, we do not intend to appear at the hearing scheduled for July 13, 2020. That said, my client will apply for a permit to conduct activity in the review area in accordance with the East Lyme regulations.

Please feel free to contact me should you have any questions or which to discuss these matter further.

Replies to New London only at:

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Sincerely,

Paul M. Geraghty

cc: Jason Pazzaglia.