

## Jennifer Lindo

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**From:** Bill Mulholland  
**Sent:** Wednesday, June 24, 2020 12:03 PM  
**To:** Jennifer Lindo  
**Cc:** Gary Goeschel  
**Subject:** FW: Making sure you received this...question on resubdivision rear lot access  
**Attachments:** Deed - 92 Old Black Point Road.pdf; Plot Plans with my split.pdf; ROW letter to Zoning.docx

Jenn open an application file to the Commission. WE will schedule when we know more. Please mark up my white Board with this and Hollister's application.

**From:** Carol York <[byowner@aol.com](mailto:byowner@aol.com)>  
**Sent:** Tuesday, June 23, 2020 10:09 AM  
**To:** Bill Mulholland <[billm@eltonhall.com](mailto:billm@eltonhall.com)>  
**Subject:** Making sure you received this...question on resubdivision rear lot access

Hi Bill,  
Last week I sent all the attached to you. I'm not expecting any action yet, but I just wanted to make sure you received it so I'm not sitting here thinking you had if you didn't.  
Can you let me know a rough timeframe on when you think I could expect an answer from the Aoning Commission? I'm hoping they have their July meeting.  
Thanks!  
Carol York

-----Original Message-----

**From:** Carol York <[byowner@aol.com](mailto:byowner@aol.com)>  
**To:** [billm@eltonhall.com](mailto:billm@eltonhall.com) <[billm@eltonhall.com](mailto:billm@eltonhall.com)>  
**Sent:** Mon, Jun 15, 2020 8:20 am  
**Subject:** Re: question on resubdivision rear lot access

Hi Bill,  
I'm attaching a letter to the Zoning Commission requesting they wave the 25' ownership requirement in section 20.8 and allow the use of an existing 50' ROW. I am also attaching a couple of marked up site plans and my deed.  
Because the resubdivision is simple with just a straight line to break the property apart, and because the ROW already exists, I hope what I've drawn will suffice to describe my request to use the ROW for access. I'll be getting an A-2 survey done for my resubdivision, but I hate to go to the expense if for some strange reason my request to you gets rejected.  
Please let me know that you got this and if there's anything else you think you need so I can get this first step accomplished.  
Thanks!  
Carol

-----Original Message-----

**From:** Bill Mulholland <[billm@eltonhall.com](mailto:billm@eltonhall.com)>  
**To:** Carol York <[byowner@aol.com](mailto:byowner@aol.com)>  
**Sent:** Tue, Jun 9, 2020 8:48 am  
**Subject:** RE: question on resubdivision rear lot access

Zoning requires a minimum 25' right of way for a back lot (See section 20.8 zoning regulations ) and ownership of said right of way. It can be waived by a 2/3 vote of the Zoning Commission. Because we are discussing meets and bounds dimensioning your plan should be submitted as an A-2 survey. However a decent plan with exact dimensioning may be accessible. You will need to submit to me said plan . Upon review of the plan a determination will be made as to whether you need the A-2.

Regarding the request you will use a letter of request. However please note the Zoning Commission has not met in months and I do not anticipate meeting until July. It may be the 9<sup>th</sup>.

**From:** Carol York <[byowner@aol.com](mailto:byowner@aol.com)>  
**Sent:** Monday, June 08, 2020 5:20 PM  
**To:** Bill Mulholland <[billm@eltownhall.com](mailto:billm@eltownhall.com)>  
**Subject:** question on resubdivision rear lot access

Hi Bill,

I spoke with you last week regarding a split I hope to make on my property at 92 Old Black Point Road. Gary Goeschel has been very helpful in laying out what I need to do, but I have a couple of questions from your end.

I will be looking to get permission to use a 50' ROW I currently have over neighboring property as the access rather than 25' of road frontage deeded in my name. I understand a 2/3 vote of the commission is necessary for this? My questions revolve around timing. I'm optimistic and think I will get the board's approval, but if not I don't want to incur engineering/surveyor expenses if I don't have to. Do I need to have a formal plot plan by the surveyor or will my own sketch suffice? I know I need a formal plot plan for the Planning Commission, but not sure if you need it to determine if the ROW is acceptable.

What application do I submit? I found the Lot Line Revision or Lot Split Application Form, but I'm not sure this is appropriate.

I also just emailed Gary asking the timing of the pre-application meeting where all the appropriate boards are involved. Would that meeting come before or after I get approval to use the ROW?

Thanks again for your help!  
Carol York

Carol York  
PO Box 602  
Canton, CT 06019  
[byowner@aol.com](mailto:byowner@aol.com) 860-605-0336

Dear Bill and East Lyme Zoning Commission members,

I'm asking that the Zoning Commission waive the ownership requirement in section 20.8 of the regulations as it pertains to a resubdivision I will be proposing of my property at 92 Old Black Point Road.

I am hoping to split off a rear lot as shown on the attached plans to build a house for myself. I currently have ingress/egress and utility rights over a 50' ROW also shown on the attached plan and described in my attached deed.

This ROW was reserved by a previous owner of my property when he sold some rear acreage in 1986. This ROW isn't necessary for access to my house, and when looking at the map I think it's clear that the intent was to provide future access to the rear portion of my lot.

I do not have enough of a distance from the existing house to the property line to allow a strip of land to be retained by me for access to the rear lot while conforming to the proper sideyard for the existing house. I have approximately 32' rather than the 40' needed for a 15' side yard and 25' deeded strip for the rear lot.

Because this 50' ROW has existed the past 34 years I don't feel my use of it for access to the rear lot will in any way have an adverse affect on adjacent properties.

Please let me know if you need any additional information to decide on this. If you think it necessary I would be happy to attend a Zoning Commission meeting either in person or if you conduct a meeting online.

Thank you,

A handwritten signature in blue ink that reads "Carol York". The signature is written in a cursive style with a large, looping initial 'C'.

N

Eva Christina Ricci  
N/F

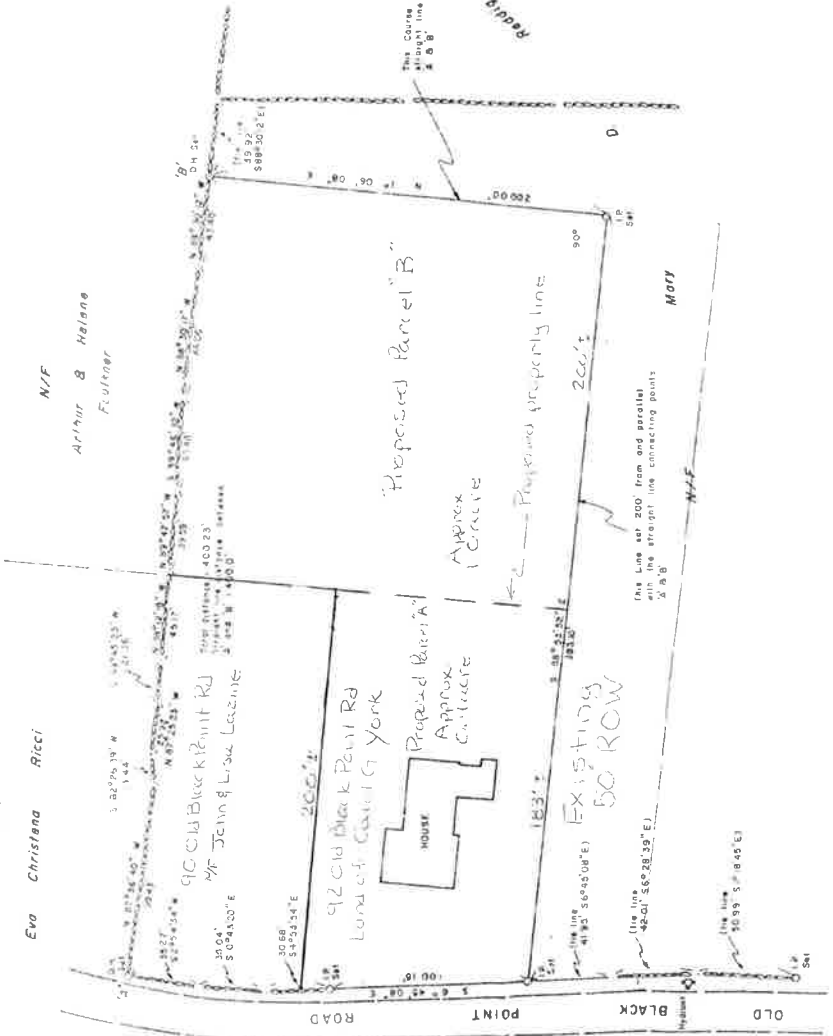
Arthur & Helene  
Fulmer  
N/F

912 Old Black Point Rd  
Land of Carol G York  
Proposed Parcel A  
Approx Collocate



Proposed Parcel B  
Approx Collocate

EXISTING  
50' ROW



This course set at 500 to the  
approx line connecting points  
X & B B

This line set 200' from and parallel  
with the straight line connecting points  
X & B B

RECEIVED FOR FILING  
JUNE 23, 1971 11:46 A.M.  
TOWN CLERK'S OFFICE  
EAST LYME, CONN.  
Christina Ricci



FREDERICK A. RADCLIFFE P.C.  
CONSULTING CIVIL ENGINEER  
500 WESTERN PARK  
CENTERBROOK, CONN.

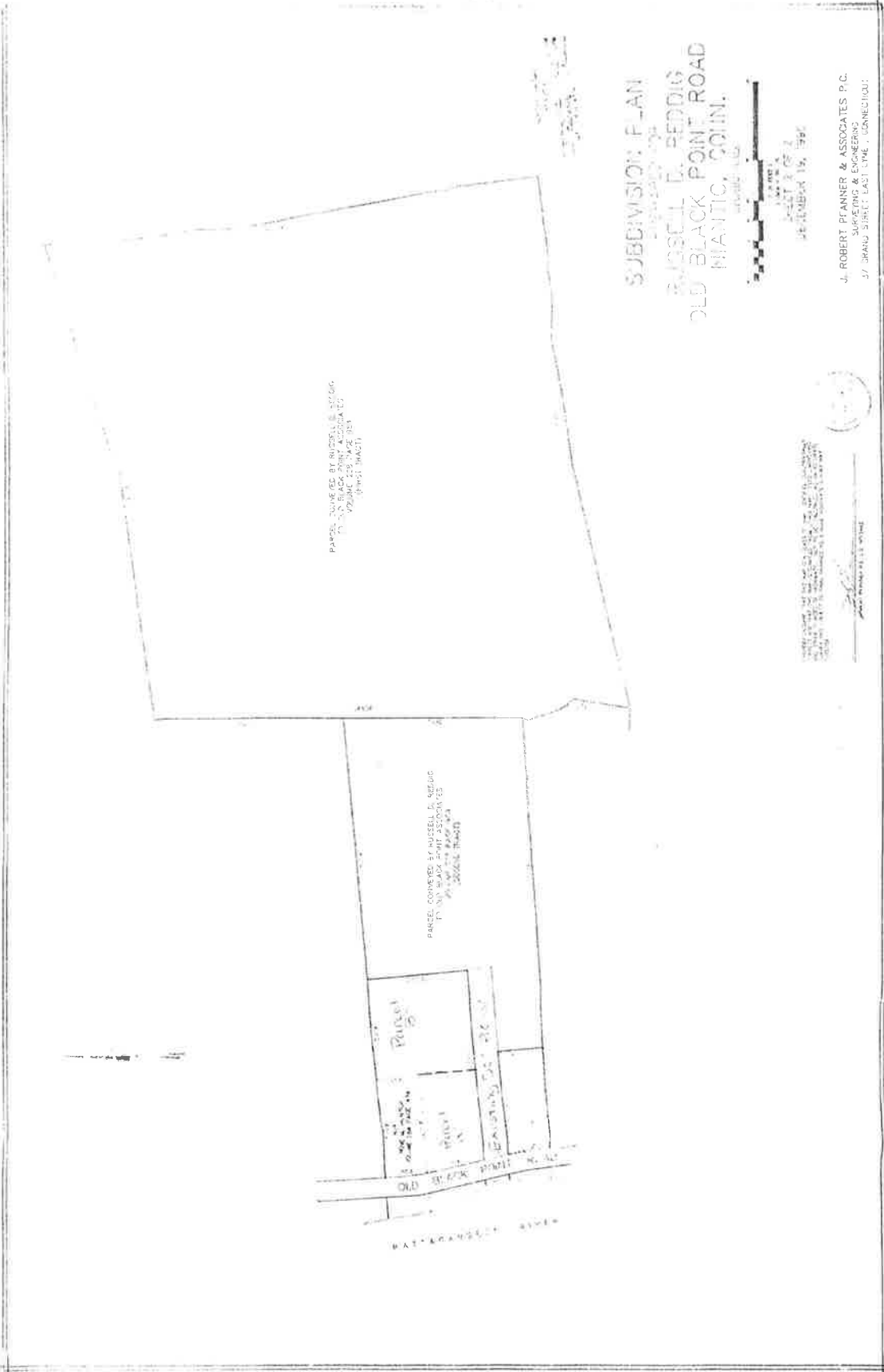
TITLE:  
LAND OF  
VIRGINIA W & RUSSELL D REDDIG  
OLD BLACK POINT ROAD  
EAST LYME, CONN

SCALE 1" = 40' DATE 6/10/71 SHEET 1 OF 1

1" = 40' DATE 6/10/71 SHEET 1 OF 1

1" = 40' DATE 6/10/71 SHEET 1 OF 1

PR.5 # 161



1. Entire interest in real property located in the Town of East Lyme Connecticut described as follows:

First Piece: 92 Old Black Point Road

A certain tract of land with buildings thereon on the easterly side of Black Point Road in the Town of East Lyme, County of New London, State of Connecticut, bounded and described as follows:

Beginning at the southwest corner of land now or formerly of Gordon S. and Irene M. Hunter, on the easterly highway limit of Black Point Road; and thence running easterly by the southerly side of said Hunter land a total distance of two hundred (200) feet; and thence running northerly eighty-five (85) feet along said Hunter land to land now or formerly of Arthur and Helene Faulkner; and thence running easterly two hundred (200) feet along said Faulkner land to land now or formerly of Old Black Point Associates; and thence running southerly, forming an interior angle of 90° with the last described course, two hundred (200) feet by land now or formerly of Old Black Point Associates; and thence running westerly by a line forming an interior angle of 90° with the last described course by other land of Old Black Point Associates four hundred (400) feet, more or less, to the easterly highway limit of Black Point Road; and thence running northerly by said highway limit of Black Point Road one hundred fifteen (115) feet, more or less, to the point of beginning.

Being a portion of the premises described in a warranty deed from May D. Reddig to Russell D. Reddig and Virginia W. Reddig dated December 2 1970 and recorded in Volume 128, page 485 of the East Lyme Land Records.

Second Piece: Vacant lot located on Old  
Black Point Road

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A certain tract of land west of Old Black Point Road in the Town of East Lyme, County of New London, State of Connecticut, bounded and described as follows:

Beginning on the westerly highway limit of Old Black Point Road at the southeast corner of land now or formerly of Gordon S. and Irene M. Hunter; and thence running westerly by said Hunter land to the waters of Pattagansett River; and thence running southerly by the waters of Pattagansett River, one hundred fifteen (115) feet, more or less, to a point on the westerly extension of the southerly boundary of land of Russell Reddig and Virginia W. Reddig, as described in deed from May D. Reddig to Russell Reddig and Virginia W. Reddig on file in the land records of the Town of East Lyme; and thence running easterly by said westerly extension of the southerly line of Reddig land on the easterly side of Old Black Point Road to the westerly highway limit of Old Black Point Road; and thence running northerly by said westerly highway limit of Old Black Point Road one hundred fifteen (115) feet, more or less, to the point and place of beginning.

Said southerly line of other land of Reddig on the east side of Old Black Point Road is shown on map entitled "Land of Virginia W. & Russell D. Reddig, Old Black Point Road, East Lyme, Conn. dated 6-10-71" on file in the Office of the Town Clerk of East Lyme.

Being a portion of the premises described in a deed from May D. Reddig to Russell D. Reddig and Virginia W. Reddig dated July 13, 1971 and recorded in Volume 131, page 390 of the East Lyme Land Records.

Third Piece: Right-of-Way

The right to pass and repass on foot and by vehicle and to install utilities in, under, and over a 50-foot wide strip of land located in the Town of East Lyme, county of New London, and State of Connecticut, owned now or formerly by Old Black Point

Schedule A cont'd

50' ROW

Associates, extending easterly from Old Black Point Road for a distance of 383 feet, more or less, for the benefit of property of Russell D. Reddig and Virginia Reddig lying north of said strip of land, and for the benefit of property formerly of Russell D. Reddig, now or formerly of Morgan Seelye.

Said right to pass and repass was reserved by Russell D. Reddig in a warranty deed to Old Black Point Associates dated December 23, 1986 and recorded in Volume 228, page 954 of the East Lyme Land Records.

The First Piece and Second Piece are shown on a map or plan entitled, "Subdivision Plan Prepared for Russell D. Reddig Old Black Point Road, Niantic, Conn. Scale 1" = 80' Sheet 2 of 2 December 19, 1990 J. Robert Pfanner & Associates, P.C.," which map is on file in the Office of the Town Clerk of East Lyme in Drawer 5, #161.

Reference is made to a Probate Certificate of Jointly-Owned Property dated 7-28-94 at Volume 378, Page 313, and a Probate Certificate of Descent and Distribution at Volume 378, Page 314.

Recorded June 15 2006  
230 AM PM Esther B. Williams  
East Lyme Town Clerk

RECORDED EAST LYME TOWN CLERK  
NOT RECORDED  
PAGE 332  
VOLUME 745