From: Paul Geraghty

To: <u>Gary Goeschel</u>; <u>Jennifer Lindo</u>; <u>Bill Mulholland</u>

Subject: FW: Lots 19 & 21

Date: Tuesday, October 06, 2020 3:06:00 PM

Attachments: Exhibit A.pdf

Exhibit B.pdf

Nottingham Hills Subdivision - Lots 19 & 20 - 9-23-20.pdf

Gary, As you know, from the emails, for over two weeks I have asked Bill Mulholland to confirm he was in agreement with my position on the Conservation Subdivision, that a three lot conservation subdivision is permissible. That the regulation does not prohibit an applicant form seeking such when there are three or less lots. What it requires is the commission to require an applicant consider such when it is more than three lots. My understanding Bill is on agreement with my analysis. My client had completed the revised plans long ago but had not submitted them while waiting for Mr. Mulholland to respond. Quite frankly they did not want to waste either the planning commissions time or their time to submit what they would hope to be final plans until they received confirmation from Mr. Mulholland so that we would only do this once.

As you indicated during both the July and August Planning Commission meetings the plans for this Lot Line Revisions/Re-Subdivision plans were "substantially complete". Under this set of facts, typically, this is handled by the East Lyme Planning Commission by conditionally approving the application with the requirements of the outstanding conditions. I indicated this to you in my letter dated August 3, 2020, which is part of the record of my clients pending application, and included the legal authority to do so. The commission chose not to proceed down this path.

In any event I will be present for tonight's hearing to update the commission as to where we are. I have attached the plans which were revised per the afore mentioned August 31, 2020 meeting to demonstrate my client continues to be responsive to staff comments. I would also note they include the test hole and perk test locations necessary for Ledge Light Health Districts review. Please let me know how you wish to proceed this evening.

Regards Paul

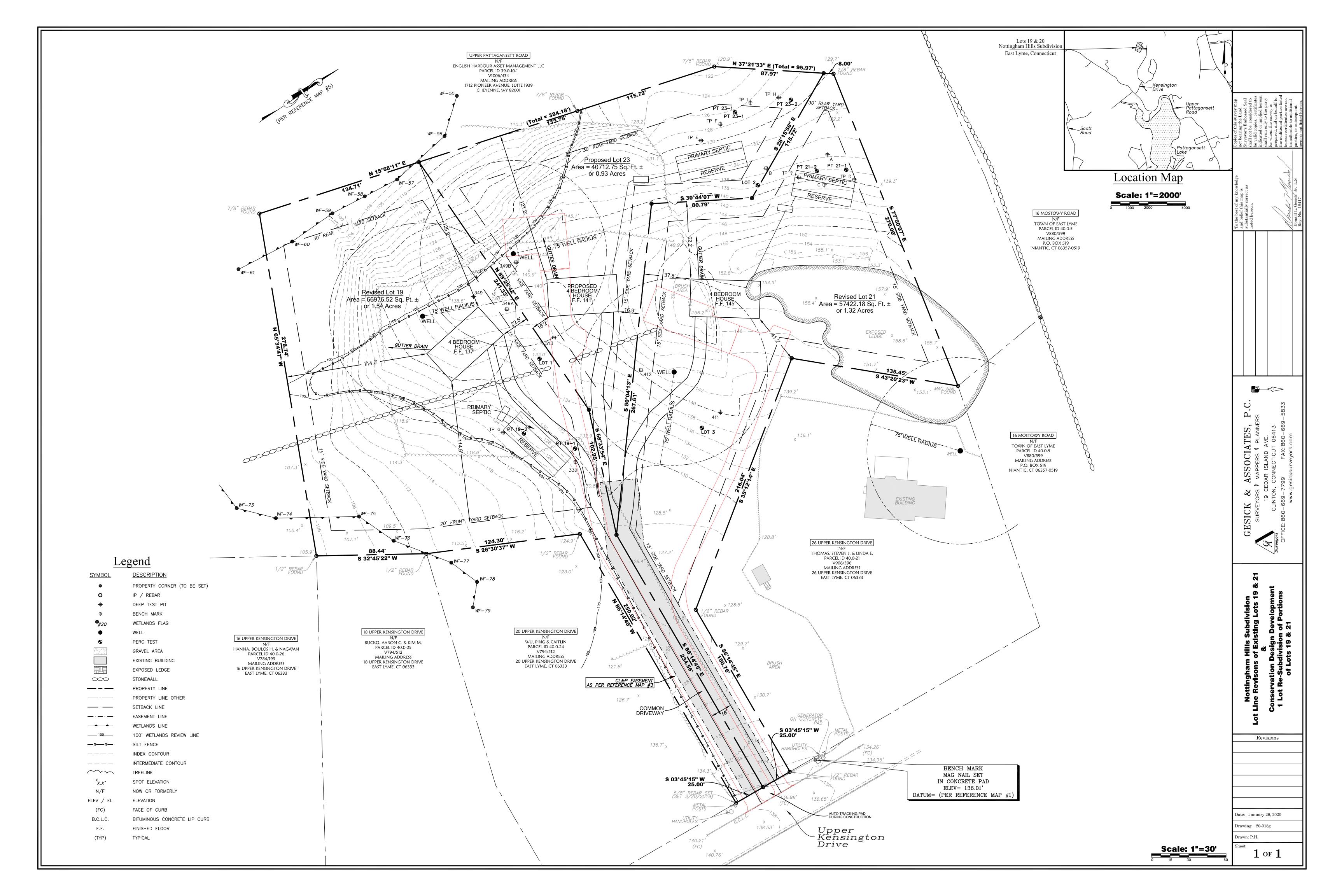
Paul M. Geraghty Geraghty & Bonnano, LLC 38 Granite Street New London, CT 06320 p.860-447-8077 f.860-447-9833

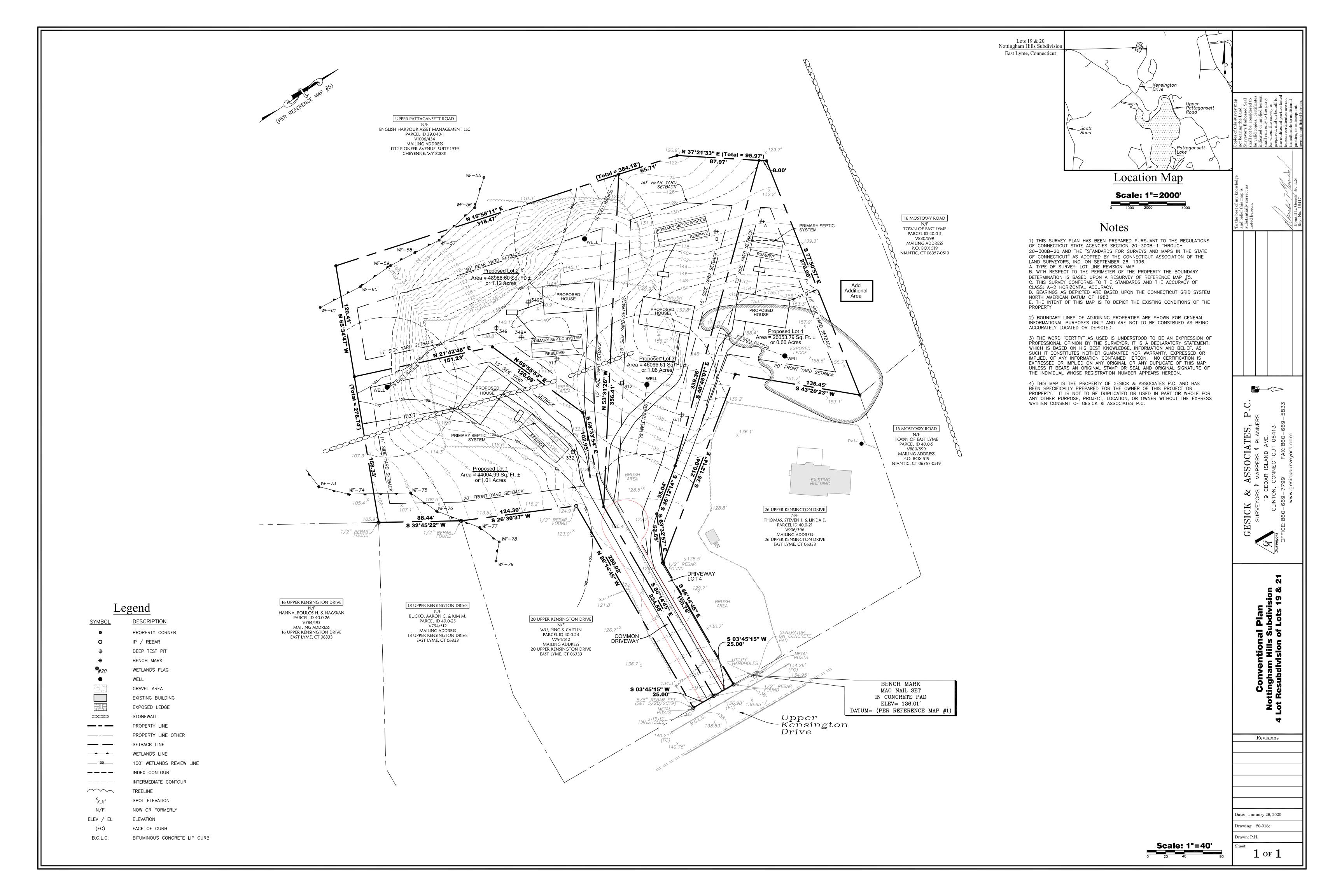
"Please note that among the services that this firm provides is for attempting to collect a debt, and if this communication is in regards to a debt collection, any information obtained will be used for that purpose."

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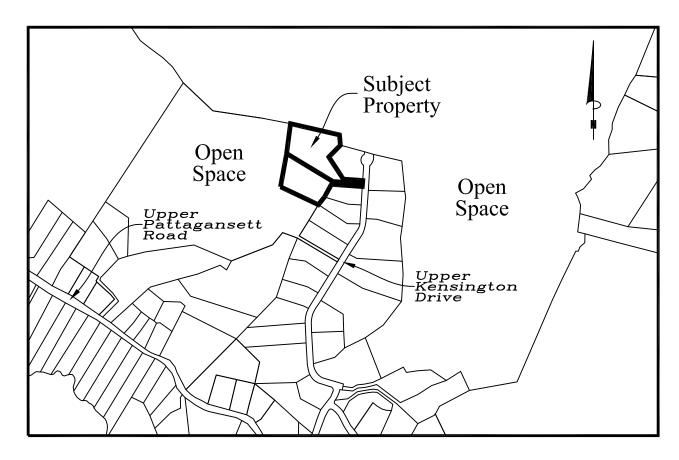


Nottingham Hills Subdivision Lot Line Revisons of Existing Lots 19 & 21

Conservation Design Development 1 Lot Re-Subdivision of Portions of Lots 19 & 21

Reference Maps

- "LOT LINE REVISION MAP LOT 20 UPPER KENSINGTON DRIVE & 239 UPPER PATTAGANSETT ROAD PREPARED FOR NEW ENGLAND NATIONAL LLC." PREPARED BY J ROBERT PFANNER & ASSOCIATES P.C. DATED APRIL 28, 2006 SCALE 1"=80"
- 3. "COMPILATION PLAN MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECT LIGHT AND POWER COMPANY ACROSS THE PROPERTY OF NIANTIC REAL ESTATE, LLC NOTTINGHAM HILLS SUBDIVISION, PHASE 3 UPPER KENSINGTON DRIVE EAST LYME, CONNECTICUT CL&P FILE NUMBER E6247" PREPARED BY J ROBERT PFANNER & ASSOCIATES P.C. DATED OCTOBER 30, 2006 REVISED THRU NOVEMBER 21, 2006 SCALE 1"=80'
- 4. "NOTTINGHAM HILLS SUBDIVISION PHASE 4 NEW ENGLAND NATIONAL LLC, EAST LYME, CONNECTICUT" PREPARED BY J ROBERT PFANNER & ASSOCIATES P.C. DATED OCTOBER 20, 2010 REVISED THRU NOVEMBER 18, 2010 SCALE 1"=80'
- PREPARED FOR NEW ENGLAND NATIONAL LLC."
 LOCATION UPPER PATTAGANSETT ROAD, EAST LYME"
 PREPARED BY J ROBERT PFANNER & ASSOCIATES P.C.
 DATED MAY 5, 2014 SCALE 1"=80"
- "LOT LINE REVISIONS NOTTINGHAM HILLS SUBDIVISION LOTS 19, 20, 21 & 32 PROPERTY OWNER: ENGLISH HARBOUR ASSET MANAGEMENT LLC C/O KRISTEN CLARKE P.E. 375 N. BEND DRIVE MANCHESTER, NH" PREPARED BY GESICK & ASSOCIATES P.C. DATED FEBRUARY 1, 2019 REVISED THRU NOVEMBER 8, 2019 SCALE 1"=100"



Location Map

Scale: 1"=800'

- 1) THIS SURVEY PLAN HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTION 20-300B-1 THROUGH 20-300B-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF THE LAND SURVEYORS, INC. ON OCTOBER 26, 2018.
- A. TYPE OF SURVEY: TOPOGRAPHIC SURVEY B. WITH RESPECT TO THE PERIMETER OF THE PROPERTY THE BOUNDARY DETERMINATION IS BASED UPON A RESURVEY OF REFERENCE MAP #6.
- . THIS SURVEY CONFORMS TO THE STANDARDS AND THE ACCURACY OF CLASS: A-2 HORIZONTAL & T-2 TOPOGRAPHIC ACCURACY. D. BEARINGS AS DEPICTED ARE BASED UPON REFERENCE MAP #1 E. ELEVATIONS BASED UPON REFERENCE MAP #1
- F. CONTOUR INTERVAL = 2'G. THE INTENT OF THIS MAP IS TO DEPICT THE EXISTING CONDITIONS OF THE

2) BOUNDARY LINES OF ADJOINING PROPERTIES ARE SHOWN FOR GENERAL INFORMATIONAL PURPOSES ONLY AND ARE NOT TO BE CONSTRUED AS BEING

PROFESSIONAL OPINION BY THE SURVEYOR. IT IS A DECLARATORY STATEMENT, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF. AS SUCH IT CONSTITUTES NEITHER GUARANTEE NOR WARRANTY, EXPRESSED OR IMPLIED, OF ANY INFORMATION CONTAINED HEREON. NO CERTIFICATION IS EXPRESSED OR IMPLIED ON ANY ORIGINAL OR ANY DUPLICATE OF THIS MAP UNLESS IT BEARS AN ORIGINAL STAMP OR SEAL AND ORIGINAL SIGNATURE OF THE INDIVIDUAL WHOSE REGISTRATION NUMBER APPEARS HEREON.

BÉEN SPECIFICALLY PREPARED FOR THE OWNER OF THIS PROJECT OR PROPERTY. IT IS NOT TO BE DUPLICATED OR USED IN PART OR WHOLE FOR ANY OTHER PURPOSE, PROJECT, LOCATION, OR OWNER WITHOUT THE EXPRESS WRITTEN CONSENT OF GESICK & ASSOCIATES P.C.

5) JASON PAZZAGLIA IS THE INDIVIDUAL RESPONSIBLE INSTALLATION, MONITORING AND CORRECTION OF ALL EROSION AND SEDIMENTATION CONTROL

6) UTILITY EASEMENT DEPICTED ON SHEET 3 IS TAKEN FROM REFERENCE MAP #3 AND ALSO RECORDED IN THE EAST LYME LAND RECORDS DRAWER 6 #441 AND VOLUME 794 PAGE 510.

7) LOTS 19, 21 & 23 SHARE A COMMON DRIVEWAY & UTILITY EASEMENT IDENTIFIED IN THESE PLANS. IN ADDITION A MAINTENANCE AGREEMENT IS RECORDED IN VOLUME PAGE OF THE EAST LYME LAND RECORDS.

Zoning Compliance Chart

APPROVED BY THE EAST LYME PLANNING COMMISSION			
Chairman / Secretary			
Approval Date			
Filling Dateline			
Expiration Date			

ZONE = RU40 (CONSERVATION DESIGN DEVELOPMENT)						
	REQUIRED	REVISED LOT 19	PROPOSED LOT 23	REVISED LOT 21		
MINIMUM LOT SIZE	NONE REQUIRED	66976.52 Sq. Ft.	40712.75 Sq. Ft.	57422.18 Sq. Ft.		
MINIMUM FRONTAGE	NONE REQUIRED	25.00'	0.00'	25.00'		
MINIMUM FRONT YARD	10'	114.6'	N/A	N/A		
MINIMUM SIDE YARD (NORTH)	15'	22.5'	16.9'	41.2'		
MINIMUM SIDE YARD (SOUTH)	15'	114.0'	16.2'	37.8'		
MINIMUM REAR YARD	30'	125.9'	121.2'	62.2'		
MAXIMUM BUILDING COVERAGE	25%	1680 Sq. Ft. (2.5%)	1680 Sq. Ft. (4.1%)	1680 Sq. Ft. (3.5%)		
MAXIMUM BUILDING HEIGHT	30'	<30'	<30'	<30'		
EXISTING LOT SIZE	N/A	84295.05 Sq. Ft.	N/A	80816.40 Sq. Ft.		

Sheet Index Sheet 1 - Title Sheet Sheet 2 - Existing Conditions Survey Sheet 3 - Subdivision Plan & Site Plan Sheet 4 - Septic & Well Plan Sheet 5 - Site Plan With Alternative House Locations Sheet 6 - Details

ROSION AND SEDIMENTATION CONTROL PLAN CERTIFIED BY VOTE OF HE EAST LYME PLANNING COMMISSION ON Not Required Per Town of East Lyme Subdivision Regulations 5.2.2G

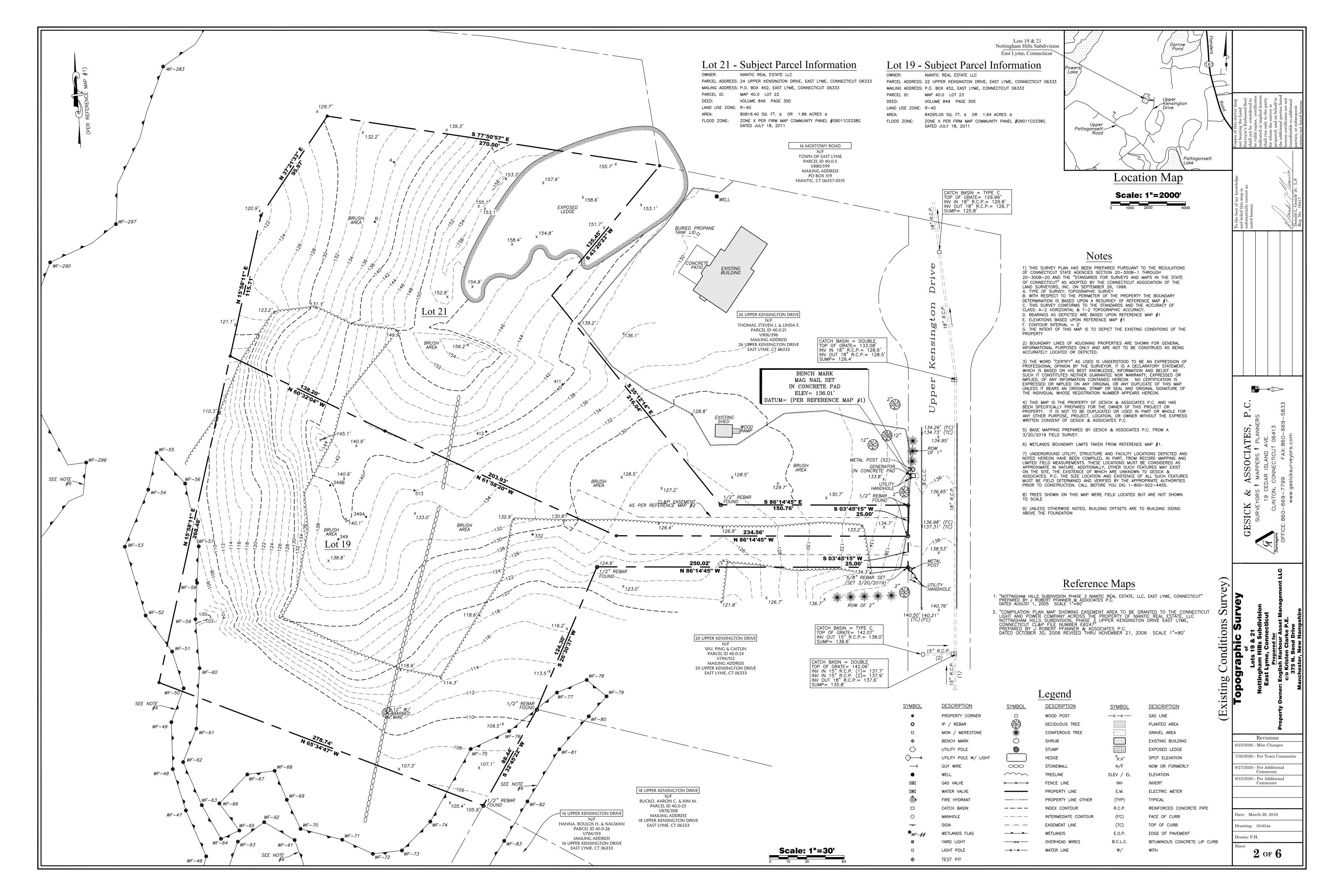
Revisions 7/30/2020 - Per Town Comment 8/27/2020 - Per Additiona

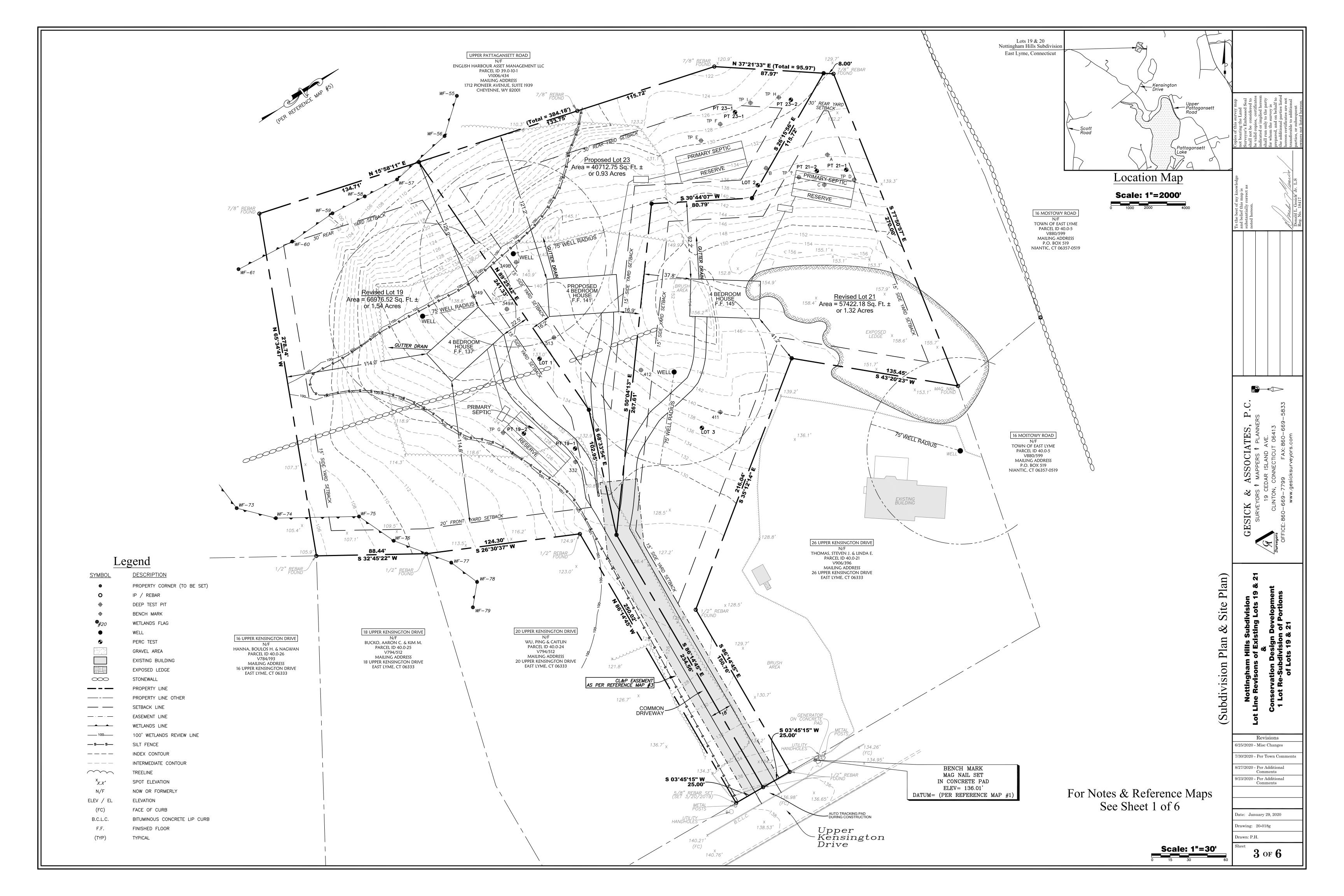
ate: January 29, 2020

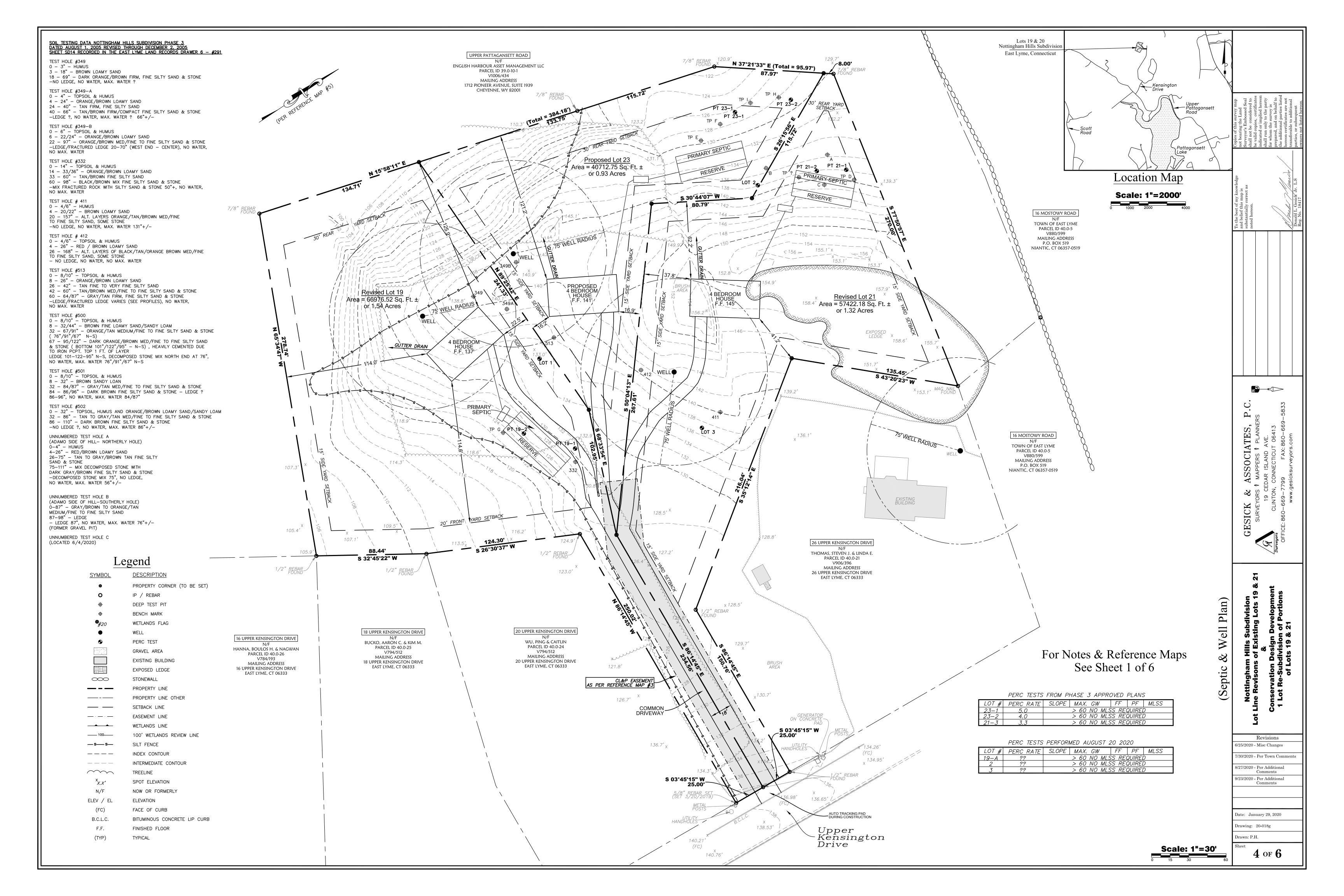
rawn: P.H.

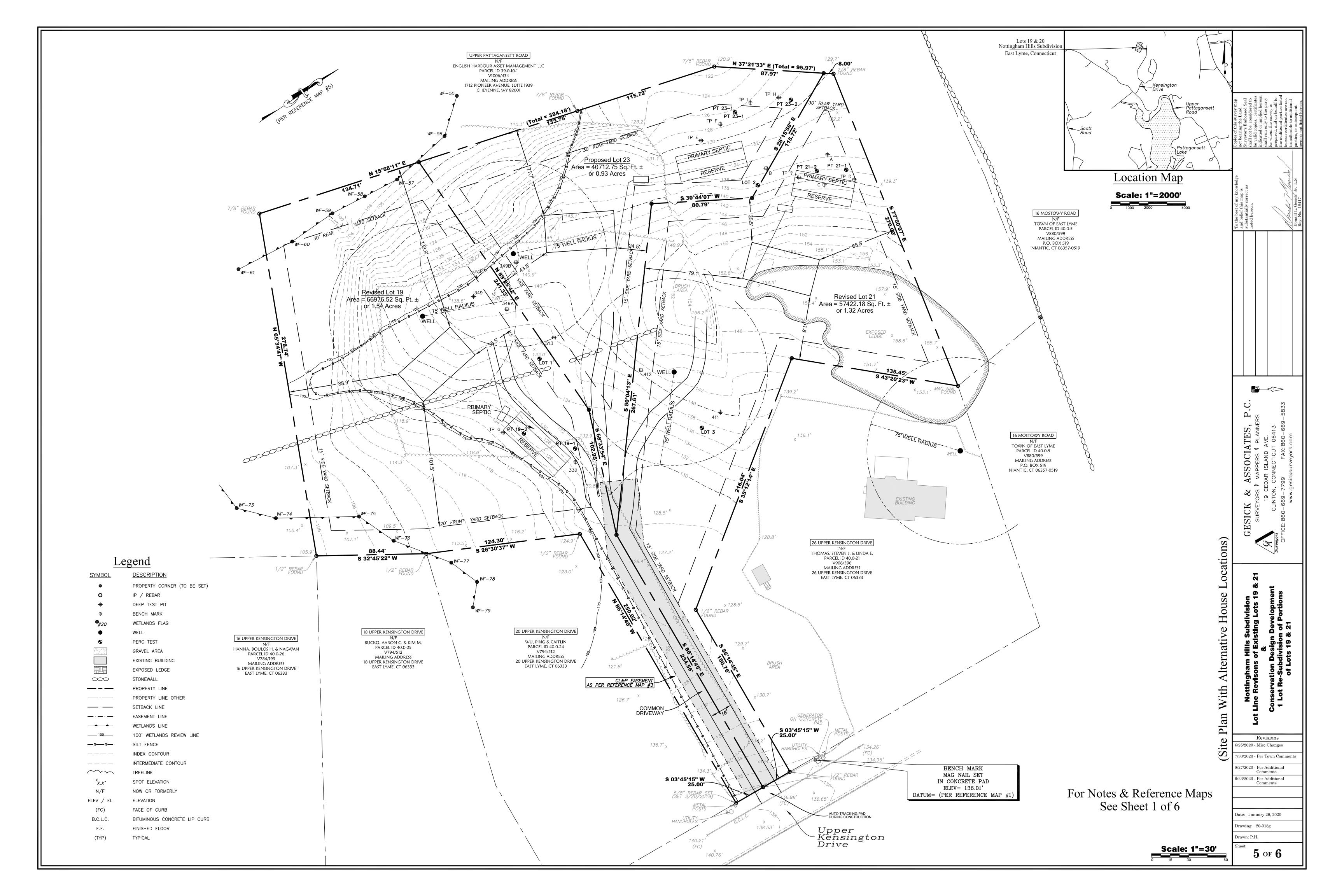
9/23/2020 - Per Additional Comments

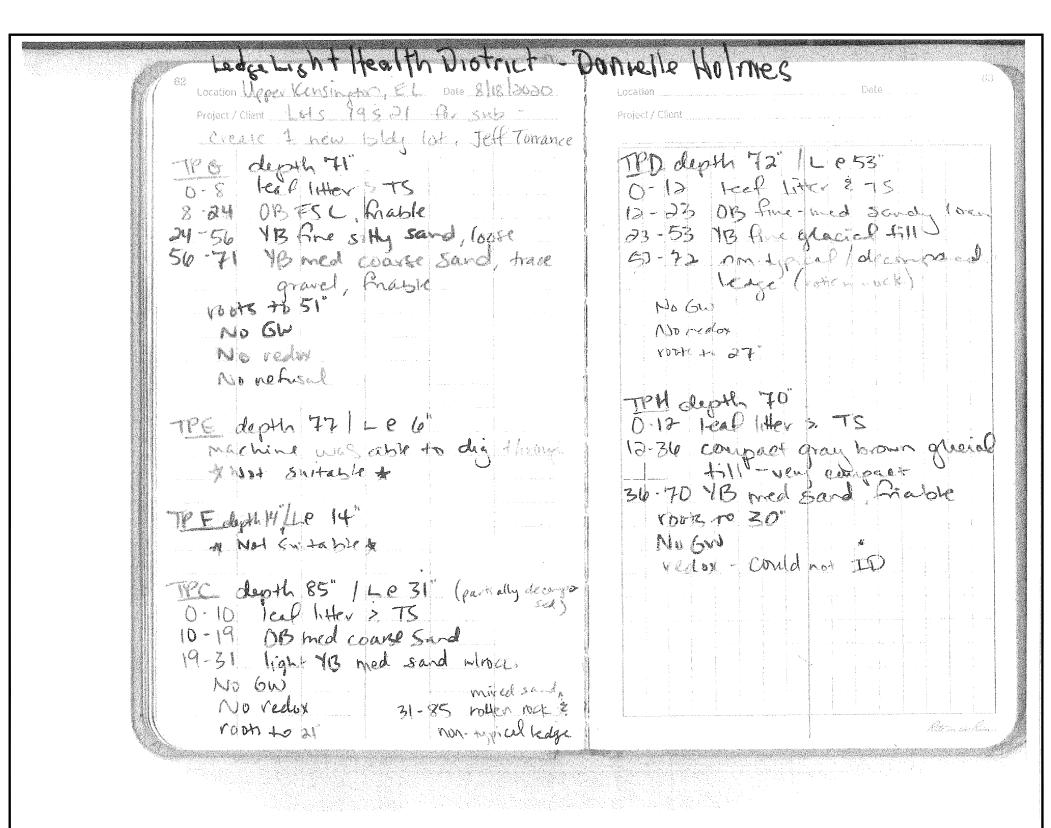
1 of **6**

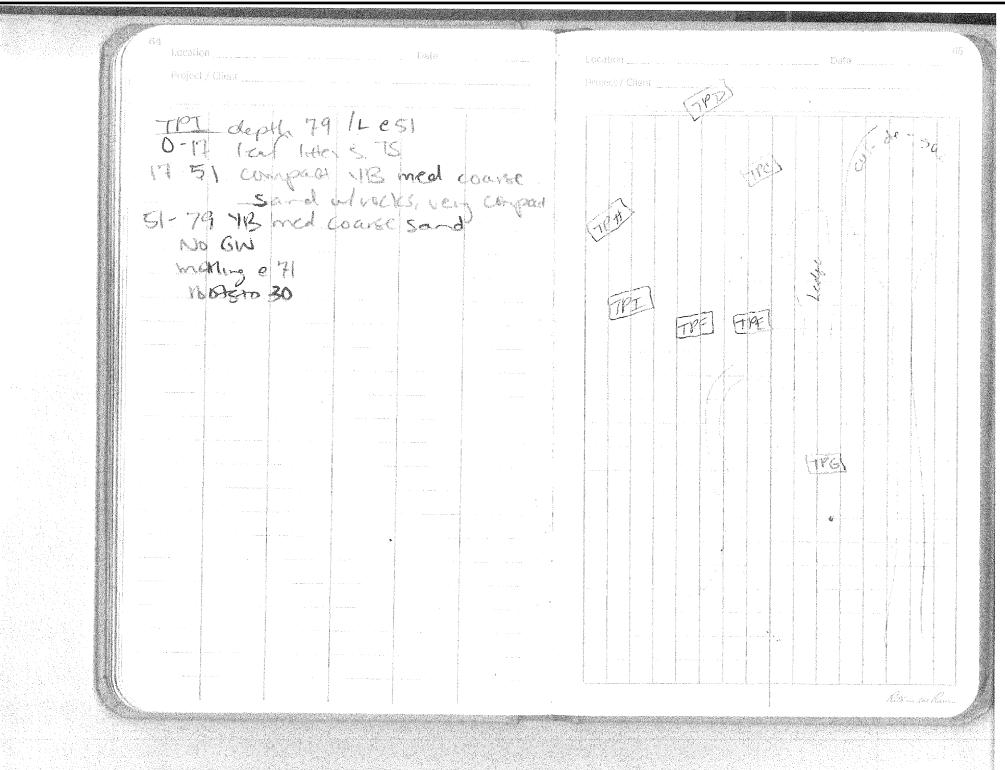












GENERAL CONSTRUCTION SEQUENCE - COMMON DRIVEWAY & RAIN GARDEN

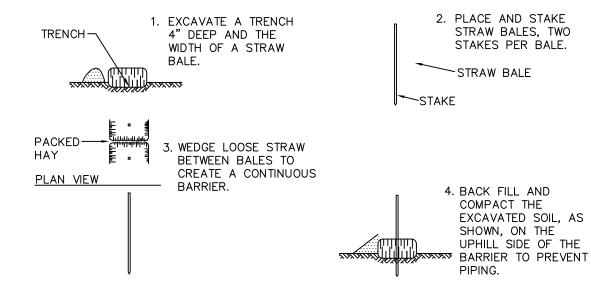
- 1. SECURE ALL NECESSARY PERMITS. NOTIFY "CALL BEFORE YOU DIG" (1-800-922-4455) AT LEAST 72 HOURS PRIOR TO EXCAVATION. SCHEDULE AND ATTEND A PRE-CONSTRUCTION CONFERENCE WITH TOWN STAFF.
- 2. CLEARING LIMITS WILL BE FLAGGED BY ENGINEER PRIOR TO WORK BEING DONE. LIMIT OF WORK ADJACENT TO WETLANDS WILL NOT BE EXCEEDED.
- 3. REMOVE TREES, BRANCHES AND BRUSH WITHIN AREAS TO BE CLEARED, CHIP BRANCHES AND BRUSH FOR USE AS MULCH.
- 4. INSTALL CONSTRUCTION EXIT (ANTI-TRACKING PAD) AND INSTALL SEDIMENT BARRIERS ALONG THE LIMITS OF GRADING AND AT THE LIMITS OF CLEARING FOR TREE PROTECTION.
- 5 CHECK AND REPAIR E&S CONTROLS AS NECESSARY.
- 6. GRUB STUMPS AND REMOVE BRUSH
- 7. STRIP AND STOCKPILE TOPSOIL ONLY IN AREAS TO BE FILLED OR GRADED AND STOCKPILE ON SITE IN AN AREA NOT IN WAY OF CONSTRUCTION, SEED AND MULCH STOCKPILE OR COVER WITH NETTING. PLACE AND STAKE HAY BALES AROUND STOCKPILES.
- 8. ROUGH GRADE COMMON DRIVEWAY.
- 9. CONSTRUCT RAIN GARDEN. PLANTINGS RECOMMENDED IN THE MONTHS OF MAY OR SEPTEMBER.
- 10. PLACE GRAVE! AND PAVEMENT IN COMMON DRIVEWAY.
- 11. RE-SPREAD TOPSOIL ON SHOULDERS AND DISTURBED AREAS.
- 12. GRADE, LIME, FERTILIZE AND SEED REMAINING !AWN AREAS WITH FORMAL GRASS SEED MIXTURE BY JUNE 1 OR OCTOBER 1 DEPENDING ON ACTUAL CONSTRUCTION SCHEDULE.
- 13. REMOVE EROSION CONTROL DEVICES UPON AUTHORIZATION OF TOWN OFFICIALS.

SOIL AND EROSION CONTROL

- 1. HAY BALES / SILT FENCE ARE TO BE INSTALLED PRIOR TO CONSTRUCTION
- 2. ONLY REMOVE TREES AND VEGETATION NECESSARY FOR CONSTRUCTION.
- 3. PERMANENT SEEDING SHOULD BE DONE AS SOON AS POSSIBLE AFTER CONSTRUCTION FINISHES. LIME AND FERTILIZE. RECOMMENDED SEEDING DATES ARE APRIL 15 TO JUNE & AUG. 15 TO OCT. 1.
- 4. HAY BALES AND SILT FENCE TO REMAIN WHERE PLACED UNTIL ALL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
- 5. NO ERODED SEDIMENT SHALL BE PERMITTED TO LEAVE THE SITE OR WASH INTO THE DRAINAGE SYSTEM.
- 6. IF SEEDING CANNOT MEET RECOMMENDED DATES, TEMPORARY MULCH IS TO BE APPLIED IN ACCORDANCE WITH THE TABLE BELOW.

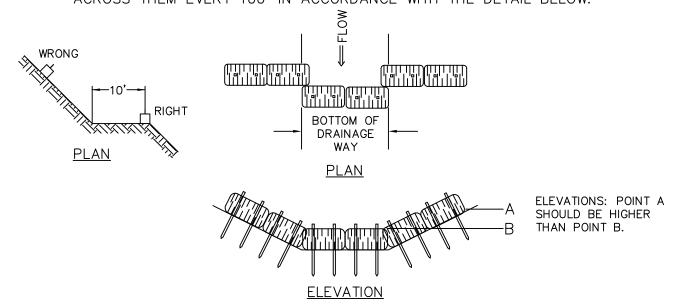
MULCHES	RATES PER 1000 FT	NOTES
STRAW OR HAY 1/2 - 2 TONS PER ACRE	70-90lbs.	FREE FROM WEEDS & COURSE MATTER. MUST BE ANCHORED SPREAD WITH MULCH BLOWER OR BY HAND

- 8. ANY HAY BALES OR SILT FENCE REMOVED DURING CONSTRUCTION SHOULD BE REPLACED EACH NIGHT.
- 9. ANY MATERIAL STOCK PILED SHOULD BE TEMPORARILY SEEDED.



TYPICAL HAY BALE INSTALLATION

- 10. ALL ROAD SECTION EMBANKMENTS, EITHER CUT OR FILL, SHOULD BE STABILIZED AT THE TOE OF THE SLOPE BY STAKED HAY BALES OR SILT FENCE.
- 11. SWALES AND DIVERSION STRUCTURES SHOULD HAVE HAY BALES PLACED ACROSS THEM EVERY 100' IN ACCORDANCE WITH THE DETAIL BELOW.



(Details)

Nottingham Hills Subdivi
Lot Line Revisons of Existing Lo
&
Conservation Design Develo

OCIATES,

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SICK

Revisions
6/25/2020 - Misc Changes
7/30/2020 - Per Town Comments
8/27/2020 - Per Additional
Comments

8/27/2020 - Per Additional Comments 9/23/2020 - Per Additional Comments

Date: January 29, 2020
Drawing: 20-018g

heet 6 OF 6

Scale: 1"=30'

EROSION & SEDIMENT CONTROL

DISTURBANCE OF SOIL SURFACES IS REGULATED BY STATE LAW.
ALL WORK SHALL COMPLY WITH AN APPROVED "EROSION AND
SEDIMENT CONTROL PLAN" TO PREVENT OR MINIMIZE SOIL
EROSION.
THE INSTALLATION AND MAINTENANCE OF EROSION CONTROL

DEVICES IS THE RESPONSIBILITY OF THE LAND OWNER, DEVELOPER, AND THE EXCAVATION CONTRACTOR. TOWN OFFICIALS SHALL BE NOTIFIED IN WRITING OF THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE INDIVIDUAL RESPONSIBLE FOR THIS WORK.

-3. THE CONTRACTOR SHALL USE THE "CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL" (2002), AS AMENDED, AS A GUIDE IN CONSTRUCTING THE EROSION AND SEDIMENT CONTROLS INDICATED ON THESE PLANS. THE GUIDELINES MAY BE OBTAINED FROM THE CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION, STATE OFFICE BUILDING, HARTFORD, CT.06106.

THE CONTRACTOR SHALL INFORM ALL CONSTRUCTION SITE WORKERS ABOUT THE MAJOR PROVISIONS OF THE EROSION AND SEDIMENT CONTROL PLAN AND SEEK THEIR COOPERATION IN AVOIDING THE DISTURBANCE OF THESE CONTROL MEASURES.

5. THE CONTRACTOR SHALL SCHEDULE ALL OPERATIONS TO LIMIT DISTURBANCE TO THE SMALLEST PRACTICAL AREA FOR THE SHORTEST POSSIBLE TIME.

6. THE CONTRACTOR IS RESPONSIBLE FOR THE TIMELY INSTALLATION, INSPECTION, REPAIR OR REPLACEMENT OF EROSION CONTROL DEVICES TO INSURE PROPER OPERATION.

7. THE CONTRACTOR SHALL INSPECT AND REPAIR EROSION AND SEDIMENT CONTROL DEVICES AT THE END OF EACH WORKING DAY AND AFTER EACH STORM.

8. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF UNSATISFACTORY EROSION CONDITIONS NOT CONTROLLED BY THE EROSION AND SEDIMENT CONTROL PLAN AND SHALL INSTALL ADDITIONAL MEASURES AS DIRECTED.

9. FIELD CHANGES TO THE EROSION AND SEDIMENT CONTROL PLAN
SHALL BE MADE ONLY WITH THE APPROVAL OF THE ENVIRONMENTAL
TOWN PLANNER OR AGENT. i.e. LOCATION OF SILT FENCE, STOCKPILE, DE—
WATERING AREA etc.

10. ACCUMULATED SEDIMENT REMOVED FROM EROSION CONTROL DEVICES IS TO BE SPREAD AND STABILIZED IN LEVEL, EROSION RESISTANT LOCATIONS AS GENERAL FILL WITHIN LAWN AND LANDSCAPE AREAS.

11. ALL DISTURBED AREAS NOT COVERED BY BUILDINGS, PAVEMENT OR WOOD MULCH SHALL BE PLANTED WITH GRASS ON 4 IN. TOPSOIL OR 8" SAND.

12. MULCHING: IMMEDIATELY FOLLOWING SEEDING, MULCH THE SEEDED SURFACE WITH STRAW OR HAY AT A RATE OF 70 LBS./1000 SF. SPREAD MULCH BY HAND OR MULCH BLOWER. PUNCH MULCH INTO SOIL SURFACE WITH TRACK MACHINE APPROXIMATELY 2-3 IN. TO ANCHOR.

13. SEEDING: BETWEEN APRIL 1 TO JUNE 1, AND AUGUST 15 TO SEPTEMBER 1. ALL DISTURBED AREAS SHALL BE IMMEDIATELY GRADED AND SEEDED TO PROMOTE STABILIZATION OF SLOPES. SEEDING SHALL BE DONE IN ACCORDANCE WITH THE ARCHITECTS SEEDING AND SLOPE STABILIZATION DIRECTIVES.

- 14. A FABRIC FILTER SOCK SHALL BE USED FOR ANY DEWATERING.
- 15. STRAW EROSION BLANKETS WILL BE USED ON ALL DISTURBED SLOPES OF 25% OR GREATER IN ADDITION TO STANDARD EROSION CONTROL MEASURES.