

PAUL M. GERAGHTYMICHAEL S. BONNANO
JOHANNA McCORMICK
MARK A. DUBOIS'
PATRICIA A. KING**
JONATHAN E. FRIEDLER"

"Also Admitted in New York † Board Certified, Trial Advocate "'Se habla español †† Also Admitted in Massachusetts and North Dakous

July 6, 2020

Via email ggocschei@eltownhall.com

Gary Goeschel Director of Planning Town of East Lyme 108 Pennsylvania Avenue Niantic, CT 06357

Re: Upper Pattagansett Drive English Harbour transfer to East Lyme Land Trust.

Dear Gary:

Thank you for taking the time to meet with me regarding my prior correspondence of January 7, 2020. As discussed there are two items before the Planning and Zoning Commission on July 7, 2020 that my client is seeking the commission to address.

- Release of the Open Space Covenant. The Open Space Covenant recorded in volume
 653 page 355 required the developer and/or its successors to provide up to 30 acres
 open space to the town as part of the development. So far, the developer or its
 predecessors have donated 41.35 acres in open space, Ex. A., thereby satisfying this
 requirement. We are seeking a release of this covenant. My client is in the process of
 transferring to the East Lyme Land Trust an additional 37.99 acres. Part of this
 involves a grant to the land trust by the Connecticut Department of Energy and
 Environmental Protection ("DEEP"). DEEP requires a title insurance policy be
 issued to it as a condition of the grant and requires this encumbrance be removed in
 order to complete the funding. I have attached a copy of the proposed release for
 your review. Ex. B.
- 2. Assignment of the Conservation Easement recorded in volume 870 page 689 of the East Lyme land records from the town to the East Lyme Land Trust. My client is donating the land trust the land encumbered by the conservation easement and we are requesting that the easement by assigned to the land trust. The easement, which was

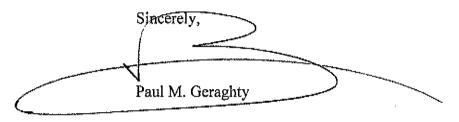
Replies to New London only at:

38 GRANITE STREET, PO BOX 231 NEW LONDON, CONNECTICUT 06320

131 DWIGHT STREET NEW HAVEN, CONNECTICUT 06511

required by the commission as part of its subdivision approval, was never sent to the selectman for acceptance or approval and was solely a condition imposed and adopted by this commission. We are therefore or the opinion that the commission can assign the easement to the land trust. Section 7-3 (C) of the sub-division regulations allows the commission to require easements be given to the land trust or other appropriate organization. Section 7-4 provides that the commission shall accept the particular proposed document. If not accepted by the selectman, which this was not, as it was never approved since it was not forwarded, the documents are to be returned to the applicant. Similarly, in Phase II A of the Nottingham Hills Subdivision a Conservation Easement was recorded in Volume 742 Page 502 of the East Lyme land records, Ex. C that also was not forwarded to the Board of Selectman. Since the property encumbered by this Conservation Easement abuts the property being acquired by the East Lyme Land Trust we are also requesting this easement be assigned to the East Lyme Land Trust. I have enclosed as Ex. D an Assignment of these two Conservation Easements. Finally I enclose a letter from the East Lyme Land Trust agreeing to the assignment of these Conservation Easements. I have enclosed an Assignment of Conservation Easements as Ex. E.

We would propose that the commission approve the assignment of the easements to the land trust. Both the release of the aforementioned covenant and the assignment of easement will be held in escrow by my firm until we actually close the transfer to the land trust and the Department of Energy and Environmental Protection.



cc: English Harbour Asset Management, LLC



OPEN SPACE CALCULATIONS NOTTINGHAM HILLS SUBDIVISION

<u>Phase I</u>

<u>Lot #</u>	Acreage
1	1.71
2	.92
3	1.25
4	1 .39
5	1.23
6	1.21
Phase II	
6	1.34
8	2.21
9	3.09
10	1.95
11	1.71
30	1.29
31	1.34
48	2.96
49	2.11
197 Upper Patt	2.68
Phase III	
12	1.06
13	1.34
14	1.17
15	1.27
16	1.35
17	1.0
18	.93
19 (rear)	2.45
20 21 (rear)	Phase IV
21 (rear) 22	3.12 1.30
24	1.73
25	1.78
26	2.58
27	2.91

28

4.36

Phase IV

20 33.0 29 3.05 32 15.03

Open Space

Aunt Ruth Turnpike

23.2

Phase I

.32 (south side Kensington Drive) 4.24 (Conservation Easement)

Phase II Phase III

N/A

Phase IV

10.63 (Conservation Easement)

2.96 (Conservation Easement)

TOTAL ACRES

LOTS:

107.82

OPEN SPACE:

41.35

EXHIBIT B	

RELEASE OF COVENANT

KNOW ALL MEN BY THESE PRESENTS:

THAT East Lyme Planning Commission for consideration of One and 00/100 (\$1.00) Dollar and other goods and valuable consideration does hereby RELEASE AND REMISE all its rights and title and interest in and to certain Open Space Covenant (s) between New England National, LLC Niantic Real Estate, LLC and the Town of East Lyme and recorded in the East Lyme land records at volume 653 page 335 to the East Lyme Land Trust

IN WITNESS WHEREOF, Torrance Family Limited Partnership has caused these presents to be signed this day of , 2020.

Signed, Sealed and Delivered And in the presence of:

		rown or East Lyme Planning Commission
STATE OF CONNECTICUT)	Notary Public: My Commission Expires
COUNTY OF NEW LONDON)		

EXHIBIT C

Planning (e.L.).

KNOW ALL PERSONS BY THESE PRESENTS, that NEW ENGLAND NATIONAL, LLC and NIANTIC REAL ESTATE LIMITED LIABILITY COMPANY ("Grantors"), for the consideration of One Dollar (\$1.00) and other valuable consideration received to our full satisfaction of the Town of East Lyme, a municipal corporation, ("Grantee"), do give, and grant, and convey unto the Grantee, it's successors and assigns forever, the following:

A conservation easement to have all the force and effect for a "conservation easement" as defined by Section 47-42a of the Connecticut General Statutes for the purpose of retention of the hereinafter described land predominantly in its present natural and open condition in perpetuity.

The land subject to this conservation easement consists of those portions of the land located in the Town of East Lyme, County of New London, and State of Connecticut, which is designated as "Conservation Area" on a map entitled "NOTTINGHAM HILLS RESUBDIVISION PHASE 4 NEW ENGLAND NATIONAL, LLC East Lyme, Connecticut Sheet SD 1", prepared by J. ROBERT PFANNER & ASSOCIATES, P.C. CIVIL ENGINEERS & LAND SURVEYORS, and dated October 20, 2010, Revised 11/18/2010 to be filed in the East Lyme Land Records.

Within the said "Conservation Area", without prior express written consent from the Grantee or unless an alternative easement boundary is proposed and approved by the Planning Commission, or its successor in interest, as part of an application for a permit:

- There shall be no construction or maintenance of buildings, camping accommodations, mobile homes, patios, decks, porches, or other structures except as specifically permitted below;
- There shall be no filling, excavating, dredging, mining or drilling, removal of topsoil, sand, gravel, rock minerals or other materials, nor any change in the topography of the land in any manner, except as specifically permitted below;
- 3. There shall be no removal, destruction or cutting of trees or plants, spraying with biocides, herbicides, or their agents inimical to plant, animal or insect life, grazing of domestic or farm animals, or disturbance or change in the natural habitat in any manner, except as specifically permitted below;
- 4. There shall be no dumping of ashes, trash, garbage, or other unsightly or offensive material, and no changing of the topography through the placing of soil or other substances of material such as land fill or dredging spoils, except as specifically permitted below;
- 5. There shall be no manipulation or alteration of natural water courses, shores, marshes, or other water bodies or activities or uses detrimental to water purity, except as specifically permitted below;

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ISH-B William.
TOWN CLERK OF EAST LYME

- There shall be no operation of motorized vehicles, including snowmobiles, dunebuggies and all terrain vehicles; and
- 7. There shall be no construction, improvement, or upgrading of roads, driveways, parking areas, cartpaths, or footpaths except as necessary to maintain existing footpaths in the current condition or as specifically permitted below.

The provisions of the preceding restrictions notwithstanding, the following uses and activities by Grantors, and their heirs, successors and assigns, and any work or activity otherwise prohibited by the preceding restrictions which is reasonably necessary or appropriate in connection with such uses or activities shall not be prohibited by this Conservation Easement or considered inconsistent with the intent of this grant and are specifically permitted:

- a) The removal of dead, diseased, or damaged trees or other vegetation when such removal is necessary for reasons of safety, to control the spread of disease, or to control obnoxious plant growth such as cat brier, poison ivy, wild grape, oriental bittersweet, or other invasive species, and when such activities are conducted in a manner which will otherwise not be harmful to the remaining plant life; and
- b) Activities associated with an approved inland wetlands permit, such as, but not limited to, wetland mitigation or enhancement, stormwater management, or stormwater discharges.
- c) As to Conservation Area #2, use of the area for drainage and drainage structures, septic systems, wells and/or emergency access over existing accessway to Upper Kensington Drive.

Reserving to the grantor the right to use the servient tenements for any purposes not inconsistent with the restrictions herein granted.

This grant for Conservation Easement is intended to encompass the powers and rights granted pursuant to Sections 47-42a through 47-42c of the Connecticut General statutes as they may be amended from time to time, and the Grantee is hereby granted the right, in a reasonable manner and at reasonable times, to enforce by proceedings of law or in equity the covenants herein above set forth, including, but not limited to, the right to require restoration of the Conservation Easement area substantially to its condition immediately prior to any violation of the restrictions herein contained. The failure of the Grantee to act in any one or more instances to enforce such rights shall not act as a waiver or forfeiture of its rights to take action as may be necessary to insure compliance with the covenants and purposes of this grant; provided, however, nothing herein shall be construed to entitle the Grantee to institute any enforcement proceedings against the Grantors or the owners of the servient tenements for any changes to the Conservation Easement area due to causes beyond the control of the Grantor's or the owners of the servient tenements, such as changes caused by fire, flood, storm, earthquake, insect infestation, wildlife damage, or the unauthorized wrongful acts of third parties.

In the event that the Grantee becomes aware of an event or circumstance of noncompliance within the terms and conditions herein set forth, the Grantee shall give notice of such event or circumstance of noncompliance by certified mail, return receipt

requested, to the owner of the servient tenement of the property involved at his last known address, such notice to contain a request for corrective actions reasonable required to abate such event or circumstance of noncompliance and restore the conservation Easement area to substantially its previous condition.

Failure by the owner of the servient tenement to whom notice has been given to cause discontinuance or abatement or to undertake such other action as may be reasonably requested by the Grantee within thirty (30) days after receipt of notice shall entitle the Grantee to bring an action at law equity in a court of competent jurisdiction to enforce the terms of this Conservation Easement to require the restoration of the Conservation Easement area to substantially its previous condition, to enjoin such noncompliance by appropriate temporary or permanent injunction and/or to seek to recover damages arising from such noncompliance. Such damages, when and if recovered shall be applied by the Grantee first to any necessary corrective action on the Conservation Easement area, then to other damages incurred by the Grantee and arising from such noncompliance. Such damages, when and if recovered shall be applied by the Grantee first to any necessary corrective action on the Conservation Easement area, then to other damages incurred by the Grantee first to any necessary corrective action on the Conservation Easement area, then to other damages incurred by the Grantee and arising from such noncompliance.

If a court of competent jurisdiction determines that an owner of the servient tenement has failed to comply with the terms and conditions of this conservation Easement, the owner shall reimburse the Grantec for any reasonable cost of enforcement, including court costs and reasonable attorney's fees. If such court determines that such owner was in compliance with the terms and conditions of this conservation Easement the Grantee shall reimburse such owner for court costs and reasonable attorney's fees, in addition to any other payments ordered by such court. The Grantors, for themselves, their heirs, successors and assigns, hereby waive any defense of laches with respect to any delay by the Grantee, its successors and assigns, in actions to enforce any restriction to exercise any rights under this grant.

This instrument shall be recorded on the land records to the Town of East Lyme and shall be governed by the laws of the State of Connecticut. In the event that any provision of clause of this instrument conflicts with any applicable law, such conflict shall not effect other provision of this instrument which can be given effect without the conflicting provision, and, to this end, the provisions hereof are declared to be severable.

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IN WITNESS WHEREOF, I have hereun	to set my hand this/ day of
Jan ,2011.	*
7	NEW ENGLAND NATIONAL, LLC
Dawn Delano	By: / gfet/Haff
	Duly Authorized
WILLIAM D. FUDAGY S	H.

EXHIBIT D

CONSERVATION EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that Niantic Real Estate Limited Liability Company ("Grantor"), for the consideration of One Dollar (\$1.00) and other valuable consideration received to our full satisfaction of the Town of East Lyme, a municipal corporation, ("Grantee"), do give, and grant, and convey unto the Grantee, it's successors and assigns forever, the following:

A conservation easement to have all the force and effect for a "conservation easement" as defined by Section 47-42a of the Connecticut General Statutes for the purpose of retention of the hereinafter described land predominantly in its present natural and open condition in perpetuity.

The land subject to this conservation easement consists of those portions of the land located in the Town of East Lyme, County of New London, and State of Connecticut, which is designated as "Conservation Area Easement" consisting of 4.24 acres and shown on a map entitled "Nottingham Hills Subdivision Phase IIA Niantic Real Estate, LLC East Lyme, Connecticut Sheets 1-10 J. Robert Pfanner & Associates, P.C., April 10, 2004 Rev. through July 10, 2004,"

Within the said Conservation Area Easement, without prior express written consent from the Grantee or unless an alternative easement boundary is proposed and approved by the Planning Commission, or its successor in interest, as part of an application for a permit:

- There shall be no construction or maintenance of buildings, 1 camping accommodations, mobile homes, patios, decks, porches, or other structures except as specifically permitted below;
- There shall be no filling, excavating, dredging, mining or drilling, 2. removal of topsoil, sand, gravel, rock minerals or other materials, nor any change in the topography of the land in any manner, except as specifically permitted below;
- 3. There shall be no removal, destruction or cutting of trees or plants, spraying with biocides, herbicides, or their agents inimical to plant, animal or insect life, grazing of domestic or farm animals, or disturbance or change in the natural habitat in any manner, except as specifically permitted below;
- 4. There shall be no dumping of ashes, trash, garbage, or other unsightly or offensive material, and no changing of the topography through the placing of soil or other substances of material such as land fill or dredging spoils, except as specifically permitted below:

GONVEYANCE TAXES COLLECTED

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- There shall be no manipulation or alteration of natural water courses, shores, marshes, or other water bodies or activities or uses detrimental to water purity, except as specifically permitted below;
- There shall be no operation of motorized vehicles, including snowmobiles, dunebuggies and all terrain vehicles; and
- 7. There shall be no construction, improvement, or upgrading of roads, driveways, parking areas, carripaths, or footpaths except as necessary to maintain existing footpaths in the current condition or as specifically permitted below:

The provisions of the preceding restrictions notwithstanding, the following uses and activities by Grantors, and their heirs, successors and assigns, and any work or activity otherwise prohibited by the praceding restrictions which is reasonably necessary or appropriate in connection with such uses or activities shall not be prohibited by this Conservation Easement or considered inconsistent with the intent of this grant and are specifically permitted:

- a) The removal of dead, diseased, or damaged trees or other vegetation when such removal is necessary for reasons of safety, to control the spread of disease, or to control obnoxious plant growth such as cat brier, poison ivy, wild grape, oriental bittersweet, or other invasive species, and when such activities are conducted in a manner which will otherwise not be harmful to the remaining plant life; and
- Activities associated with an approved inland wetlands permit, such as, but not limited to, wetland mitigation or enhancement, stormwater management, or stormwater discharges.
- c) Activities or improvements as specifically approved by the Planning Commission and shown on the approved subdivision map, including use of such area as access to open space areas.

Except for such restriction, such Conservation Easement areas may be used without hindrance by the owners of the servient tenements.

This grant for Conservation Easement is intended to encompass the powers and rights granted pursuant to Sections 47-42a through 47-42c of the Connecticut General statutes as they may be amended from time to time, and the Grantee is hereby granted the right, in a reasonable manner and at reasonable times, to enforce by proceedings of law or in equity the covenants herein above set forth, including, but not limited to, the right to require restoration of the Conservation Easement area substantially to its condition immediately prior to any violation of the restrictions herein contained. The failure of the Grantee to act in any one or more instances to enforce such rights shall not act as a waiver or forfeiture of its rights to take action as may be necessary to insure compliance with the covenants and purposes of this grant; provided, however, nothing herein shall be

construed to entitle the Grantee to institute any enforcement proceedings against the Grantors or the owners of the servient tenements for any changes to the Conservation Easement area due to causes beyond the control of the Grantor's or the owners of the servient tenements, such as changes caused by fire, flood, storm, earthquake, insect infestation, wildlife damage, or the unauthorized wrongful acts of third parties.

In the event that the Grantee becomes aware of an event or circumstance of noncompliance within the terms and conditions herein set forth, the Grantee shall give notice of such event or circumstance of noncompliance by certified mail, return receipt requested, to the owner of the servient tenement of the property involved at his tast known address, such notice to contain a request for corrective actions reasonable required to abate such event or circumstance of noncompliance and restore the conservation Easement area to substantially its previous condition.

Failure by the owner of the servient tenement to whom notice has been given to cause discontinuance or abatement or to undertake such other action as may be reasonably requested by the Grentee within thirty (30) days after receipt of notice shall entitle the Grantee to bring an action at law equity in a court of competent jurisdiction to enforce the terms of this Conservation Easement to require the restoration of the Conservation Easement area to substantially its previous condition, to enjoin such noncompliance by appropriate temporary or permanent injunction and/or to seek to recover damages arising from such noncompliance. Such damages, when and if recovered shall be applied by the Grantee first to other damages incurred by the Grantee and arising from such noncompliance. Such damages, when and if recovered shall be applied by the Grantee first to any necessary corrective action on the Conservation Easement area, then to other damages incurred by the Grantee and arising from such noncompliance, then to other damages incurred by the Grantee and arising from such noncompliance.

If a court of competent jurisdiction determines that an owners of the servient tenement has failed to comply with the terms and conditions of this conservation Easement, the owner shall reimburse the Grantee for any reasonable cost of enforcement, including court costs and reasonable attorney=s fees. If such court determines that such owner was in compliance with the terms and conditions of this conservation Easement the Grantee shall reimburse such owner for court costs and reasonable attorney's fees, in addition to any other payments ordered by such court. The Grantors, for themselves, their heirs, successors and assigns, hereby waive any defense of laches with respect to any delay by the Grantee, its successors and assigns, in actions to enforce any restriction to exercise any rights under this grant.

This instrument shall be recorded on the land records to the Town of East Lyme and shall be governed by the laws of the State of Connecticut. In the event that

805X 742PAGE 505

any provision of clause of this instrument conflicts with any applicable law, such conflict shall not effect other provision of this instrument which can be given effect without the conflicting provision, and, to this end, the provisions hereof are declared to be severable.

IN WITNESS WHEREOF, I have hereunto set my hand this 184 day of

NIANTIC REAL ESTATE LIMITED

LIABILITY GOMPANY

Joffrey Tortance, its Manager

Duly Author/Sed

Condella R. Graves

STATE OF CONNECTICUT

SS

COUNTY OF NEW LONDON

Personally appeared, Jeffrey Torrance, Manager of Niantic Real Estate, Limited Liability Company, signer and sealer of the foregoing instrument and who acknowledged the same to be his free act and deed and the free act and deed of said limited liability company, before me.

Theodore A. Harris

Commissioner of the Superior

Court

Recorded May 22 20 06 10:30 PM Extles William.

East Lyme Town Clerk

EXHIBIT E

ASSIGNMENT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

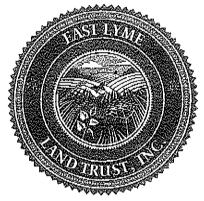
THAT East Lyme Planning Commission for consideration of One and 00/100 (\$1.00) Dollar and other goods and valuable consideration does hereby assigns, transfer all its rights and title and interest in and to certain Conservation Easement(s) dated January 10, 2011 between New England National, LLC Niantic Real Estate, LLC and the Town of East Lyme and recorded in the East Lyme land records at volume 870 page 689 to the East Lyme Land Trust and a Conservation Easement between Niantic Real Estate,, LLC and the Town of East Lyme dated April 18, 2006 and the Town of East Lyme recorded in volume 742 page 502 of the East Lyme land records.

IN WITNESS WHEREOF, Torrance Family Limited Partnership has caused these presents to be signed this day of , 2020.

Signed, Sealed and Delivered And in the presence of:

	Town of East Lyme Planning Commission	
17 10 10 10 10 10 10 10 10 10 10 10 10 10		
STATE OF CONNECTICUT)	Notary Public: My Commission Expires	
COUNTY OF NEW LONDON)		

EXHIBIT F



July 2, 2020

PO Box 831 East Lyme, CT 06333 eastlymelandtrust.com

Kirk Scott, Chairman Town of East Lyme Planning Commission 108 Pennsylvania Avenue Niantic, CT 06357

Re: Assignment of Conservation Easements

Dear Chairman Scott and Members of the East Lyme Planning Commission:

This correspondence shall confirm that the East Lyme Land Trust has requested, and will accept, the Assignment of Conservation Easements provided to the Town of East Lyme by the developer of the Nottingham Hills Subdivision and recorded in the Land Records of East Lyme in Volume 742, Page 502 and Volume 870, Page 689.

uch

Ronald Luich

President

MEMORANDUM

TO:

Gary Goeschel, East Lyme Town Planner

cc: Paul Geraghty, Esq.

FROM:

Kristen Clarke, PE

DATE:

July 7, 2020

RE:

Re-Subdivision - Nottingham Hills Lots 19 & 21

Mr. Goeschel:

Please accept this correspondence as my response to your email dated June 29, 2020 which I enclose as Ex. 1. Please also make this memorandum and its exhibits a part of the record of the above referenced Re-Subdivision Application of Nottingham Hills Subdivision lots 19 & 21.

As an initial matter, we submitted a plan entitled "4-lot re-subdivision of lots 19 & 21 conventional plan" on March 3, 2020 at the same time as our application to comply with the requirements of Section 4-2-4 of the East Lyme Subdivision Regulations. I enclose a copy of the plan as Ex. 2.

Additionally, we provided at the time of application on March 3, 2020

- A) A Map Entitled "Topographic Survey of Lots 19 & 21 Nottingham Hills Subdivision, East Lyme Connecticut, Dated March 26, 2019, Prepared for Property Owner: English Harbour Asset Management LLC, c/o Kristen Clarke P.E., 375 N. Bend Drive, Manchester, New Hampshire, Prepared, Signed and Stamped by Donald L. Gesick Jr. L.S., Reg. No. 18417, Gesick & Associates, P.C., 19 Cedar Island Ave., Clinton, Connecticut 06413". This Map was met and intended to provide the information required by Section 5-2-3C of the Subdivision Regulations. Ex. 3.
- B) A Map Entitled "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, dated February 1, 2019 and revised through 11/8/2019, Prepared, Signed and Stamped by Donald L. Gesick Jr. L.S., Reg. No. 18417, Gesick & Associates, P.C., 19 Cedar Island Ave., Clinton, Connecticut 06413". This map was met and intended to provide documentation and support for the compliance and intent of the Open Space provisions of the Conservation Design Development Regulations, Chapter 23 of the East Lyme Zoning Regulations. Ex. 4.

I would also like to address Mr. Beni's apparent distress over the proposed subdivision plan, and revisions thereto, dated January 29, 2020 being marked" Draft". Under normal and customary practices, at least that I am aware of, a "draft submission" allows us to receive staff comments and make revisions prior to the commission's "first look" at an application's plans. In the case of this application we received staff comments for the first time on June 30, 2020 nearly four months after submission of the initial plans on March 3, 2020. With regards to Mr. Beni's comments purportedly dated 3/30/2020, I would note that there have been two (2) revisions since that date based upon the input from the Inland Wetlands Agency making most of Mr. Beni's comments moot. We will address the remaining minor revisions addressed in Mr. Beni's in our updated plans, will add the revision(s) date and will delete the "DRAFT" reference to alive Mr. Beni's apparent distress. I have attached a copy of the "email trail" regarding Mr. Beni's March 30, 2020 comments as Ex. 11 and would note for the record you apparently had never received Mr. Beni's "comments" either. (see email Goeschel to Beni June 29, 2020; 4:40 p.m.) "Can you forward your March 30th comments to me. I for some reason don't have a copy in the file". The fact their neither of us received them demonstrates a lot.

I would also like to address the fact I have submitted numerous documents to you as Director of Planning via email; cc'd to Jen Lindo, that do not appear in the online "materials" section of the East Lyme Planning Commission web page. It is my understanding all documents making up the record are required to be uploaded. Those documents, exclusive of this email and exhibits, are as follows:

Ex. No.	<u>Date</u>	Subject of Document	# of Pages
1.	June 29, 2020	Email form Gary Goeschel	1
2.	March 3, 2020	Yield Plan	1
3.	March 3, 2020	Cultural Resources Plan	1
4.	March 3, 2020	Lot Line Revision Plan	1
5.	March 16, 2020	Email from Jen Lindo Cancellation of April 7, 2020 Public Hearing	1
6.	March 16, 2020	Letter from Gary Goeschel Notice of rescheduled Public Hearing :May 5, 202	20 1
7.	4/20/2020	Email to Goeschel Re: Abutter (Thomas)	2
8.	4/23/2020	Email re Compliance with 3/16/2020 letter from Goeschel re: site sign, certificate of mailing	46

9.	4/23/2020	Email re: Plan Revisions, Open Space Letter from East Lyme Land Trust	3
10.	6/22/2020	Plan Revisions	2
11.	6/30/2020	Email form Goeschel Beni Plan Comments	2

Mr. Goeschel, We are more than willing and prepared to comply with the East Lyme Subdivision Regulations for this and all other upcoming applications. We believe we have provided you, the Planning Commission and Ledge Light Health District, in good faith, that which is required. As you bore witness, we were more than willing to respond to concerns of the Inland Wetland Agency while navigating that process that they ultimately determined they had no jurisdiction over.

From: kristentclarke@gmail.com, To: jtorra5608@aot.com,

Subject: Fwd: Conservation Design Development - Nottingham Hills Subdivision - 4 Lot Resubdivision of Lots 19 & 21 - January 29, 2020

Date: Mon, Jun 29, 2020 5:42 pm

Sent from my iPhone

Begin forwarded message:

From: Gary Goeschel <ggoeschel@citownhall.com>

Date: June 29, 2020 at 5:14:08 PM EDT

To: "kristentclarke@gmail.com" <kristentclarke@gmail.com>, "pgeraghty@geraghtybonnano.com" <pgeraghty@geraghtybonnano.com>
Ce: Victor Benni <vbenni@eltownhall.com>, "dholmes@llhd.org" <dholmes@llhd.org>, Bill Mulholland <IMCEAEX_O=FIRST+20ORGANIZATION_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=Billm@nampi

Subject: FW: Conservation Design Development - Nottingham Hills Subdivision - 4 Lat Resubdivision of Lots 19 & 21 - January 29, 2020

Kristen and Paul,

Upon cursory review, the revised plan that was recently submitted June 25, 2020, needs to be stamped and signed by a land surveyor and engineer licensed in the state of CT, the "Draft" label removed, and the Revisions block updated to accurately reflect the revision date before staff completes any further review (see Victor's email below).

In addition, you will need to provide a Yield Plan pursuant to section 4-2-4 and a Resource Impact and Conservation Plan pursuant to Section 5-2-2(C). Also, I didn't see any Erosion and Sedimentation control notes on the plan. As such, you will need to provide an Erosion and Sedimentation Control Plan in accordance with Section 5-2-2(G), which requires a narrative on the site plan describing the following:

- 1. The development;
- 2. The schedule for grading and construction activities including:
 - a. Start and completion dates;
 - Sequence of grading and construction;
 - c. Sequence for installation and/or application of soil erosion and sediment control measures;
 - Sequence for final stabilization of the project site.
- 3. The design criteria for proposed soil erosion and sediment control measures and stormwater management facilities;
- The construction details for proposed soil erosion and sediment control measures and storm water management facilities;
- 5. The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities;
- The operations and maintenance program for proposed soil erosion and sediment control measures and stormwater management facilities;
- 7. Identification of a designated on-site individual responsible for installation, monitoring and correction of sediment control plan requirements and authorized to take corrective actions, as required, to ensure compliance with certified plans.

Please note, Section 5-2-2 (G) i. b. 10, requires a certification block Certification block entitled, "Erosion and Sedimentation Control Plan Certified by vote of the East Lyme Planning Commission on (date)" and a space for the signature of the Chairman or Secretary of the Commission. Finally, while there are no public improvements proposed, I would suggest submitting a construction sequence report for the driveway and rain garden. Please advise if you do not have a copy of Mr. Benni's March 30, 2020 review comments and we will get them to you immediately.

If you have any questions regarding this email or any of the Subdivision Regulations, please do not hesitate to contact me.

Thank you, Gary

Gary A. Goeschel B

Director of Planning / Inland Wetlands Agent

Town of East Lyme

PO Box 5191 408 Pennsylvania Avenue | Niantic, Connecticut @6357

Office 860-691-4105 (Fax 860-691-0351

ggoeschel@chownhall.com

From: Victor Benni vbent: Monday, June 29, 2020 4:23 PM
To: Gary Goeschel sgoeschel@eltownhall.com
Ce: Jennifer Lindo jlindo@eltownhall.com
Subject: Contempation Design Development. Not

Subject: Conservation Design Development - Nottingham Hills Subdivision - 4 Lot Resubdivision of Lots 19 & 21 - January 29, 2020

Gary,

I just checked the Plan referenced above and noticed that it is still labelled as a "Draft" plan and the Revisions block has not been updated with a revision date. The Subdivision Plan and Design Report referenced in my comments to you from 3/30/2020 would also need to be updated and submitted for me to complete any future reviews.

Thanks,

Vic

Victor Benni, P.E.

Town Engineer

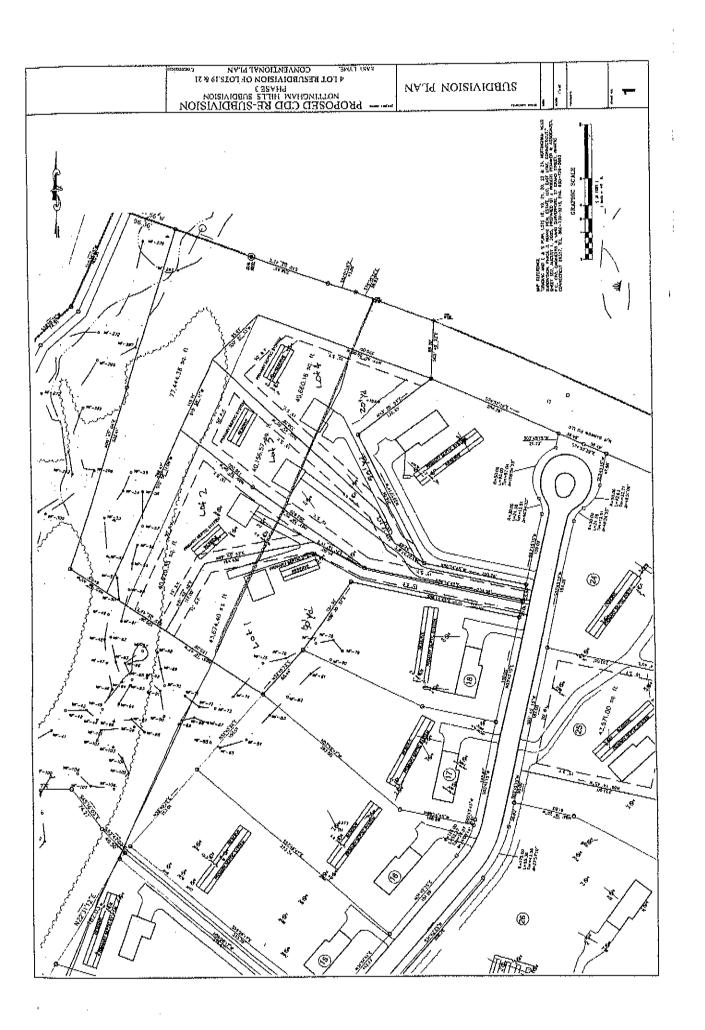
Town of East Lyme

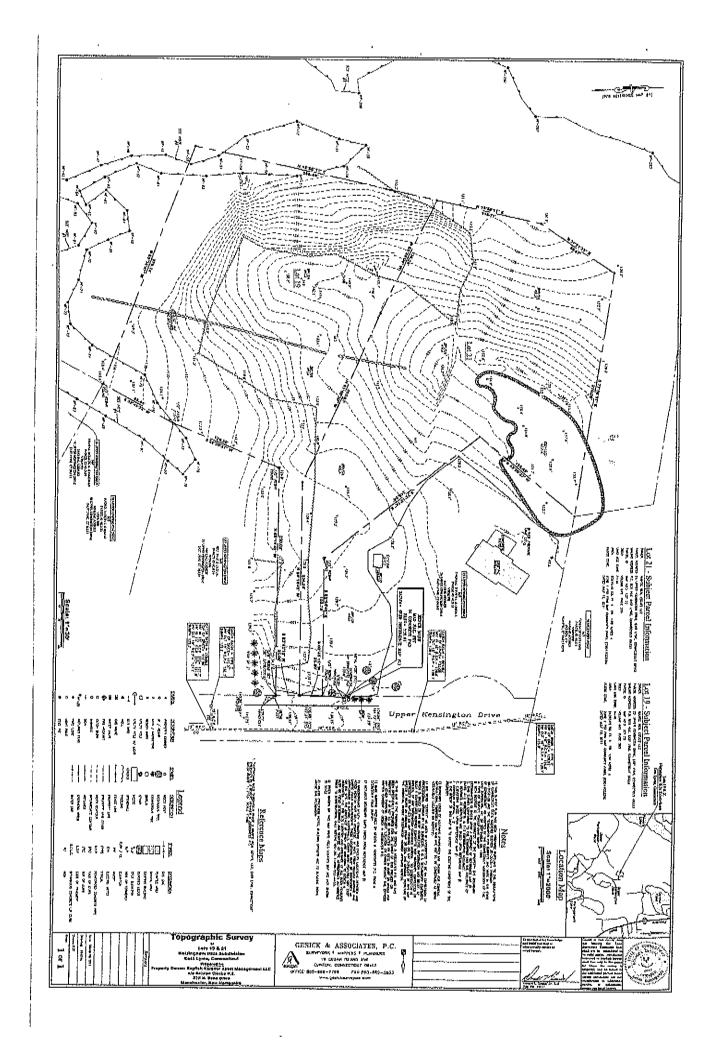
PO Box 519

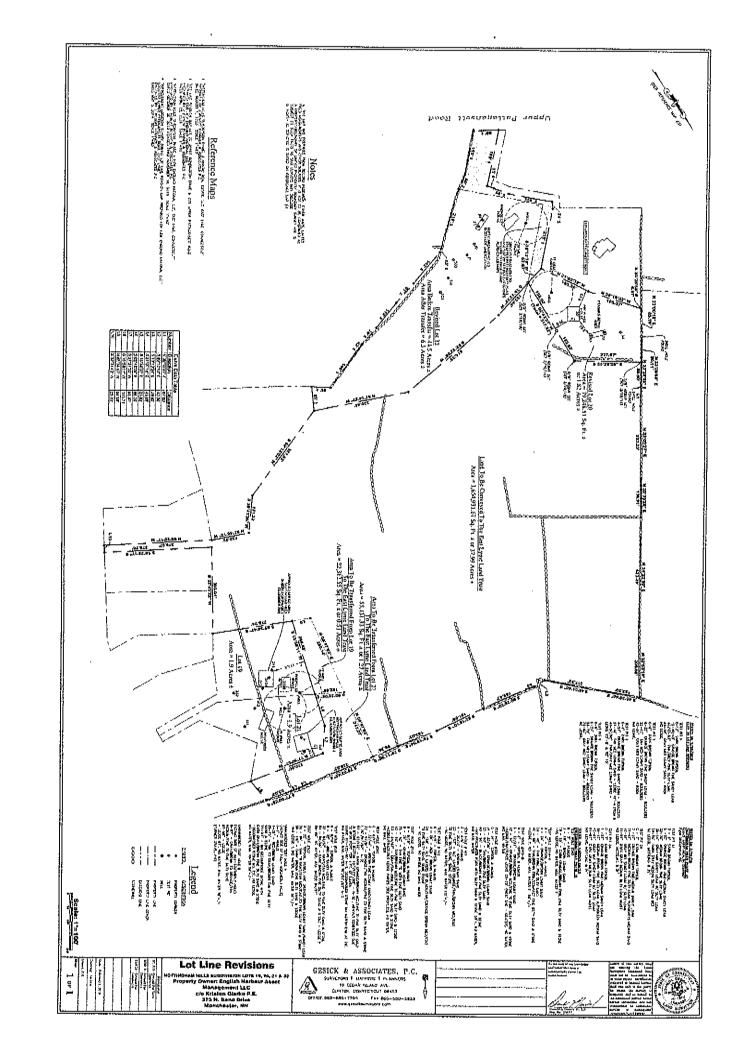
108 Pennsylvania Avenue

Niantic, CT 06357

(860) 691-4112







From: Kristen Clarke <kristentclarke@gmail.com>

To: Jeff <jtorra5608@aol.com>

Subject: Fwd: Nottingham Hills Subdivision Public Hearing Change

Date: Mon, Mar 16, 2020 11:16 am

Sent from my iPhone

Begin forwarded message:

From: Jennifer Lindo <jlindo@eltownhall.com>
Date: March 16, 2020 at 11:13:20 AM EDT

To: "kristentclarke@gmail.com" <kristentclarke@gmail.com>, "Paul Geraghty (pgeraghty@geraghtybonnano.com)" <pgeraghty@geraghtybonnano.com>,

"don@gesicksurveyors.com" <don@gesicksurveyors.com>

Cc: "Jeffrey Torrance (JTorra5608@aol.com)" <JTorra5608@aol.com>, Gary Goeschel

<ggoeschel@eltownhall.com>

Subject: Nottingham Hills Subdivision Public Hearing Change

Good Morning Kristen,

In light of the public health concerns over COVID-19, the Town of East Lyme is cancelling its public meetings of its Boards and Commissions for approximately one month.

Your 4-lot subdivision application for 22 and 24 Upper Kensington Dr was scheduled to be heard on April 7, 2020, and that meeting has been cancelled.

We hope to resume regular meetings in May, the first meeting would be May 5, 2020. We are anticipating to open your public hearing at that time. I have corrected the legal ad and will be sending you a new notification letter.

We apologize for the inconvenience, and appreciate your consideration and patience as we all work together to get through this. Please confirm receipt of this email.

If you have any questions please contact Gary directly.

Be well,

Jennifer

Jennifer Lindo

Administrative Assistant, Land Use

Town of East Lyme

108 Pennsylvania Ave

PO Box 519

Niantic, CT 06357

(860) 691-4114

Fax: (860) 691-0351

Town of

P.O. Drawer 519

Department of Planning



East Lyme

108 Pennsylvania Ave Niantic, Connecticut 06357

Phone (860) 691-4114 Fax (860) 691-0351

March 16, 2020

Via Certified Mail: 7018 0680 0000 9737 3603

Kristen T. Clarke, P.E. 20 Risingwood Dr Bow, NH 03304

RE:

PUBLIC HEARING NOTICE

22 and 24 Upper Kensington Dr, East Lyme, Subdivision

Dear Ms. Clarke,

Please be advised that the above referenced Subdivision application has been re-scheduled for public hearing on May 5, 2020. Pursuant to Section 4-4-3 of the Town of East Lyme Subdivision Regulations as the applicant you shall mail notification of the pending application to at least one owner of each property within 200 feet or less, not more than fifteen days not less than two days before the date set for the public hearing, and evidence of such mailing, in the form of US Post Office Certificates of Mailing shall be submitted for inclusion into the record of the hearing. The applicant is further required to post a sign, at least fifteen days prior to the public hearing.

If you have any further questions please do not hesitate to contact the Director of Planning at (860) 691-4105 or visit the East Lyme Planning Department.

Sincerely

Gary A. Goeschel II

Director of Planning

EXHIBIT 7

From: kristentclarke@gmail.com, To: ggoeschel@eitownhall.com,

Cc: jason@pazzconstruction.com, jtorra5608@aol.com.

Subject: Re: Fw: Upper Kensington Drive in East Lyme

Date: Mon, Apr 20, 2020 2:58 pm

Dear Mr. Goeschel,

We have not spoken to Mr. Thomas however I would like to point out the following to you based on the revised plan I forwarded to you earlier today;

- 1) Each of the 3 lots to be built upon exceed 40,000 s.f. in size
- 2) Lot 4 is being donated to the East Lyme Land Trust, Inc. despite there being no obligations (under the applicable East Lyme Subdivision or Zoning Regulations i.e. CDD) to do so.
- 3) The existing Declaration of Covenants and Restrictions actually requires 2600 s.f. Based upon an 56' x 30' footprint Mr. Pazzaglia can easily provide the the required 2600 s.f. by either adding a second floor or walk out "lower level".
- 4) In addition to the notice of public hearing which will be mailed this week per your 3/16/2020 letter to me we intend to provide a copy of the proposed re subdivision plan which will demonstrate to Mr. Thomas, and all other abutter's that the land directly behind his house (Proposed Lot 4) will remain in "Open Space in perpetuity",

Please feel free to contact me should you require further information.

Kristen T. Clarke P.E.

On Mon, Apr 20, 2020 at 11:06 AM Gary Goeschel <ggoeschel@eltownhall.com> wrote:

Do you know if anyone from your team has spoken to the individual at the end of the cul-de-sac regarding the re-subdivision application?

Gary A. Goeschel II Director of Planning/Inland Wetlands Agent Town of East Lyme

PO Box 519 108 Pennsylvania Avenue Niantic, CT 06357 Office: (860) 691-4105

Fax: (860) 691-0351 Mobile: (860) 235-6211

From: Stephen Thomas <sithomas2010@gmail.com>

Sent: Sunday, April 19, 2020 6:55 PM

To: Gary Goeschel

Subject: Upper Kensington Drive in East Lyme

Hello, I live at 26 Upper Kensington Drive in East Lyme. I understand that there were 2 lots behind my house that was supposed to use a shared driveway. Now I see a sign about a proposed sub division. Would you have any more detailed information? When we bought our lot we were told all homes needed to be on a minimum on I acre and when I spoke to the owner last year he told me he was shrinking the lots and selling the rest to the East lyme land trust so it is a little bit of a shock to me that there is a proposed sub dividing in an area in

which there were only 2 lots. When we built our house there were minimum square footage requirements and such 2700 sq feet. Is he putting in a bunch of small houses with no property?

Any info would be greatly appreciated.

Regards,

Stephen Thomas

EXHIBIT 8

MEMORANDUM

VIA EMAIL

TO:

Gary Goeschel, East Lyme Town Planner

Paul Geraghty, Esq. Jason Pazzaglia

FROM:

Kristen Clarke, P.E.

DATE:

April 23, 2020

RE:

Re-Subdivision: Nottingham Hills Re-Subdivision Plan Lots 19 & 21

Attached please find the following per your letter to me dated March 16, 2020:

1. Picture of site sign installed on subject property on April 17, 2020. Ex. 1

- 2. Notices of mailing to 200' abutters together with the Town of East Lyme GIS generated 200' abutters list and applicable assessor's field cards. Ex. 2
- 3. A courtesy copy of the abutter's package mailed on April 23, 2020. Ex.3.

Please submit and include the enclosed into the record of the above referenced application.

Thank You.

EXHIBIT 1



EXHIBIT 2

NOTTINGHAM HILLS SUBDIVISON

Lots 19 & 21 - 200' Abutters List

Niantic Real Estate LLC P.O. Box 452 East Lyme, CT 06333

Nicole L. Blanchard 17 Upper Kensington Drive East Lyme, CT 06333

Town of East Lyme P.O. Box 519 Niantic, CT 06357

Steven J. & Linda F. Thomas 26 Upper Kensington Drive East Lyme, CT 06333

English Harbour Asset Management LLC 1741 Pioneer Avenue, suite 1939 Cheyenne, WY 82001

Wu Ping & Caitlin 20 Upper Kensington Drive East Lyme, CT 06333

Aaron C. & Kim M. Bucko 18 Upper Kensington Drive East Lyme, CT 06333

HOOMSETT 1328 HOOMSETT RD STE 45 HOOMSETT, NH 03106-9716 324814-0114 (800)275-8777 04723/2020 02.40 PM

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First-Class Mail®	1	\$1.60	第1-60
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			\$20,50
Total:			

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From Paul Geraghty Es & 38 Granife Street New London, cT06320

APR 2 3 2020

Note Blanchaud 17 upper Kensington Dr. East Lyny ct 06333

Postmark Here

PS Form 3817, April 2007, PSN 7530-02-000-9065

UNITED STATES
POSTAL SERVICE •

Certificate Of Mailing

To pay fee, affix stamps or migter postego here

Pau Geraghty, Esq. 38 granite street New London, CT 06320

Aaron C. ¿ Kim M Bucko 18 Upper Kunsnigtin Dr. East Lyne, CT 00333 Postmark Here 3 2(1)(1)

PS Form 3817, April 2007 PSN 7530-02-000-9065

UNITED STATES

Certificate Of Mailing

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7000 Paul Geraghty Egg.
38 Granito Street
New Lundon, LT 06320

*645 5 3 3050

20 upper kinsington Dr. East Lynne, cr 06333

Postmark Here

Rew Looden GT 06320

Niontic Real Estate UC P.O. BOX 452 East Lynu. UT 06333 ostmerk Hero

PD Form **3817**, April 2007, PSN 7530-07-000-9065

UNITED STATES
POSTAL SERVICE »

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New London, CT 06320

English Harbour Asset Mandretter 1741 Proneer Quenus, swife 1939 Cheyene, WY 82001

PS Form 3817, April 2007 PSN 7530-02-000-9055

UNITED STATES
POSTAL SERVICE •

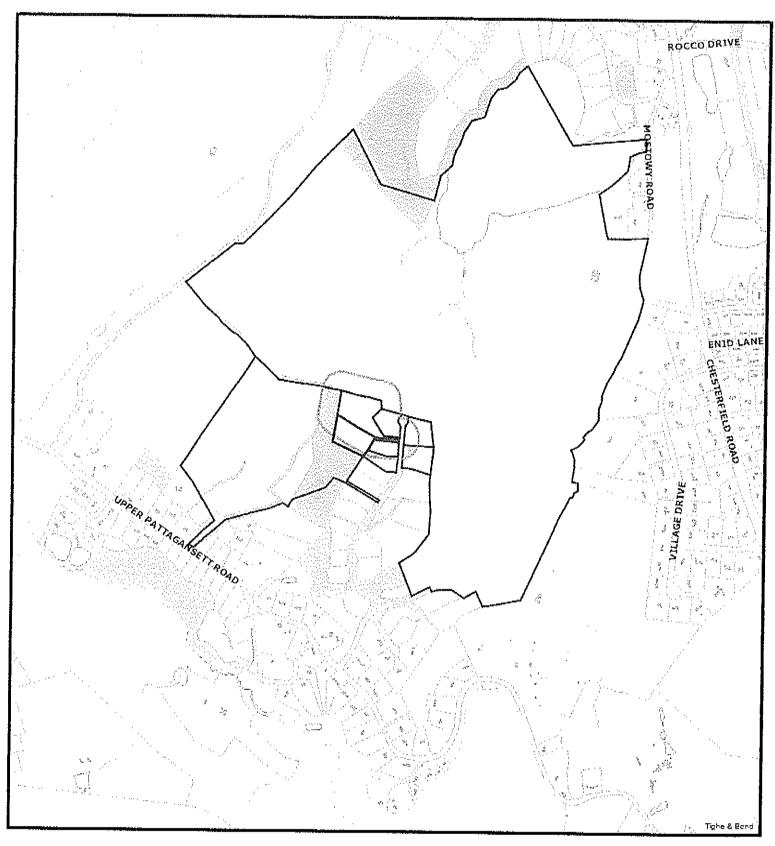
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May Geraghty Egg.
38 Granife Strut D.
New London CT 06320

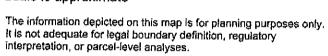
Steven J: Linda F Thomas alo upper Linsington DC. East Lyme, CT 06333 Postmark Haraliyo

PS Form 3817, April 2007, PSN 7530-02-000-9065



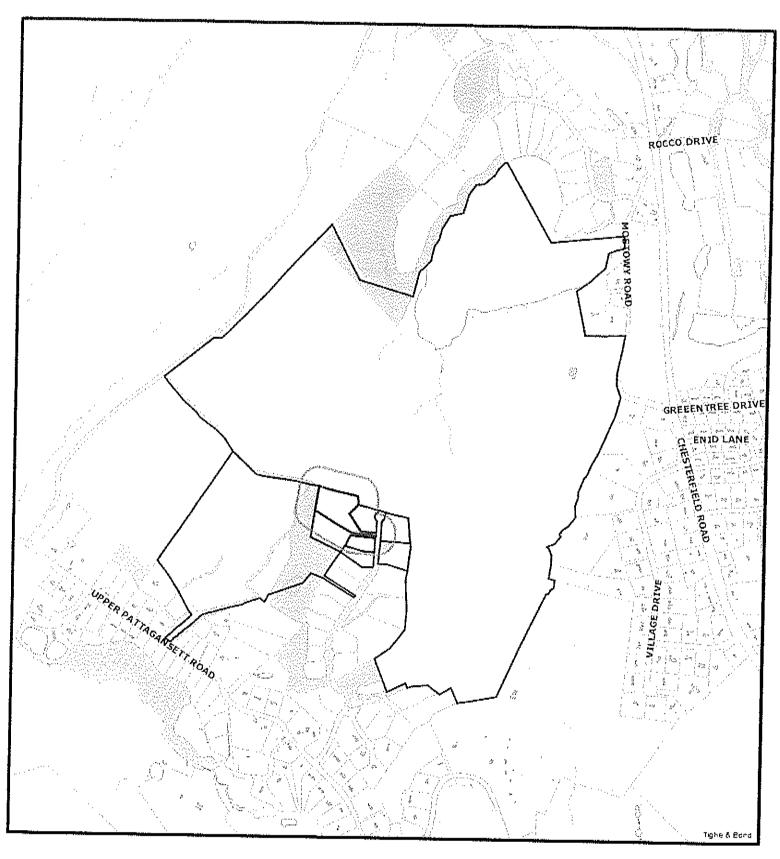
3/19/2020 5:24:01 PM

Scale: 1"=1000' Scale is approximate









3/19/2020 5:22:28 PM

Scale: 1"=1000' Scale is approximate





The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

15 UPPER KENSINGTON DR

Location 15 UPPER KENSINGTON DR

Mblu 40.0/19///

Acct# 009475

Owner NIANTIC REAL ESTATE LLC

Assessment \$105,560

Appraisa! \$150,800

PID 101882

Building Count 1

Current Value

Appraisal					
Valuation Year Improvements Land Total					
2016	\$0	\$150,800	\$150,800		
	Assessment				
Valuation Year	Improvements	Land	Total		
2016	\$0	\$105,560	\$105,560		

Owner of Record

Owner

NIANTIC REAL ESTATE LLC

Sale Price

\$0

Co-Owner Address

PO BOX 452

Certificate

EAST LYME, CT 06333

Book & Page 849/300

Sale Date

05/27/2010

Instrument

03

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
NEW ENGLAND NATIONAL LLC	\$0	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	802/ 754	03	05/30/2008
NIANTIC REAL ESTATE LIMITED	\$0		694/ 107	04	01/07/2005

Building Information

Building 1: Section 1

Year Built:

Living Area:

O

Replacement Cost:

\$0

Building Percent Good:

Repla	icen	nent	Cost
220 1	Den	recla	ation:

	٠		٠	
•	с	ı	1	

Less Depreciation: \$0					
Building Attributes					
Field Description					
Style	Vacant Land				
Model					
Grade:					
Stories;					
Occupancy	A CONTRACTOR OF THE CONTRACTOR				
Exterior Wall 1					
Exterior Wall 2					
Roof Structure:					
Roof Cover					
Interior Wall 1					
Interior Wall 2					
Interior Fir 1					
Interior FIr 2					
Heat Fuel	VVV				
Heat Type:					
AC Type:					
Total Bedrooms:					
Total Bthrms:					
Total Half Baths:	,				
Total Xtra Fixtrs:					
Total Rooms:					
Bath Style:					
Kitchen Style:					

Building Photo



(http://images.vgsl.com/photos2/EastLymeCTPhotos/\01\01\32/28.JPG)

Building Layout

(http://images.vgsi.com/photos2/EastLymeCTPhotos//Sketches/101882_98

Building Sub-Areas (sq ft)	<u>Legend</u>
No Data for Building Sub-Areas	

Extra Features

Extra Features Legens	i
No Data for Extra Features	

Land

Land Use

Use Code

1300

Description

RES ACLNDV MDL-00

Zone

R40 0060

Neighborhood Alt Land Appr

No

Category

Land Line Valuation

Size (Acres)

1.78

Frontage Depth

Assessed Value

\$105,560

Appraised Value \$150,800

Outbuildings

Outbuildings Legend	1
No Data for Outbuildings	
	1

Valuation History

Appraisal				
Valuation Year Improvements Land Total				
2019	\$0	\$150,800	\$150,800	
2018	\$0	\$150,800	\$150,800	
2017	\$0	\$150,800	\$150,800	

Assessment				
Valuation Year	Improvements	Land	Total	
2019	\$0	\$105,560	\$105,560	
2018	\$0	\$105,560	\$105,560	
2017	\$0	\$105,560	\$105,560	

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17 UPPER KENSINGTON DR

Location. 17 UPPER KENSINGTON DR

Mblu 40.0/20///

Acct# 009476

Owner BLANCHARD NICOLE L

Assessment \$407,120

Appraisal \$581,600

PID 101883

Building Count 1

Current Value

Appraisal					
Valuation Year Improvements Land Total					
2016	\$430,800	\$150,800	\$581,600		
	Assessment	/umited/deskilde/deskilde/deskilde/deskilde/deskilde/deskilde/deskilde/deskilde/deskilde/deskilde/deskilde/desk			
Valuation Year Improvements Land Total					
2016	\$301,560	\$105,560	\$407,120		

Owner of Record

Owner

BLANCHARD NICOLE L

Sale Price

\$606,000

Co-Owner Address

17 UPPER KENSINGTON DR

Certificate

Book & Page 998/78

EAST LYME, CT 06333

Sale Date

06/19/2018

Ownership History

Ownership History						
Owner	Sale Price	Certificate	Book & Page	Sale Date		
LAUBACH KAWEL B & LESLIE	\$616,500	7.	916/ 717	06/25/2013		
STAUB DWIGHT D & JUDITH	\$180,000		759/ 136	11/20/2006		
NIANTIC REAL ESTATE LIMITED	so		694/ 107	01/07/2005		

Building Information

Building 1: Section 1

Year Bullt:

2010

Living Area:

3,717

Replacement Cost:

\$457,607

Building Percent Good:

94

Replacement Cost

Less Depreciation:

\$430,200

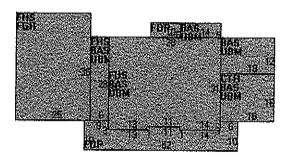
Less Depreciation:	\$430,200			
Building Attributes				
Field	Description			
Style	Colonial			
Model	Residential			
Grade:	Good +			
Stories:	2			
Occupancy	1			
Exterior Wall 1	Vinyl Siding			
Exterior Wall 2				
Roof Structure;	Gable/Hip			
Roof Cover	Asph/F Gls/Cmp			
Interior Wall 1	Drywall/Sheet			
Interior Wall 2				
Interior Fir 1	Hardwood			
Interior Fir 2				
Heat Fuel	Oil			
Heat Type:	Forced Air-Duc			
АС Турв:	Central			
Total Bedrooms:	5 Bedrooms			
Total Sthrms:	3			
Total Half Baths:	1			
Total Xtra Fixtrs:	3			
Total Rooms:	9			
Bath Style:	Modern			
Kitchen Style:	Modern			

Building Photo



(http://images.vgsi.com/photos2/EastLymeCTPhotos/\01\01\34/46.jpg)

Building Layout



(http://images.vgsl.com/photos2/EastLymeCTPhotos//Sketches/101883_98

	Building Sub-Areas (sq ft)		
Code	Description	Gross Area	Living Area
BAS	First Floor	1,909	1,909
FUS	Upper Story, Finished	1,167	1,167
FHS	Half Story, Finished	1,068	641
СТН	Cathedral Ceiling	288	Q
FGR	Garage	900	o
FOP	Porch, Open, Finished	467	0
UBM	Basement, Unfinished	1,909	0
		7,708	3,717

Extra Features

	Extra Features Legend	l
;	No Data for Extra Features	

Land

Land Use

Land Line Valuation

Use Code

1010

Description

Single Fam MDL-01

Zone

R40

Neighborhood

0060

Alt Land Appr

Νo

Assessed Value

Depth

Frontage

Size (Acres)

\$105,560

Appraised Value \$150,800

1.73

Outbuildings

Category

	177. 7. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1						
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #	
SHD1	SHED FRAME		17.174	80 S.F.	\$600	1	

Valuation History

Appraisal						
Valuation Year improvements Land Total						
2019	\$430,800	\$150,800	\$581,600			
2018	\$430,800	\$150,800	\$581,600			
2017	\$430,800	\$150,800	\$581,600			

Assessment						
Valuation Year	Improvements	Land	Total			
2019	\$301,660	\$105,560	\$407,120			
2018	\$301,560	\$105,560	\$407,120			
2017	\$301,560	\$105,560	\$407,120			

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16 MOSTOWY RD

Location 16 MOSTOWY RD

Mblu 40.0/5///

Acct# 005337

Owner EAST LYME TOWN OF

Assessment \$3,548,230

Appraisal \$5,068,900

PID 7864

Building Count 1

Current Value

Appraisal						
Valuation Year Improvements Land Total						
2016	\$0	\$5,068,900	\$5,068,900			
	Assessment	1974 - 2476-2476-2476-2476-2476-2476-2476-2476-	-			
Valuation Year	Improvements	Land	Total			
2016	\$0	\$3,548,230	\$3,548,230			

Owner of Record

Owner

EAST LYME TOWN OF

Co-Owner DA

DARROW POND PROPERTY

Address

PO BOX 519

NIANTIC, CT 06357-0519

Sale Price

Certificate

Book & Page 880/599

Sale Date

12/02/2011

\$0

Instrument 15

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
TRUST FOR PUBLIC LAND DBA	\$0		880/ 592		12/02/2011
WEBSTER BANK NA	\$0		814/ 407	18	12/22/2008
DARROW POND LLC	\$5,600,000		678/ 643	13	07/29/2004
NEW ENGLAND NATIONAL LLC	\$0		449/ 135	03	04/01/1998

Building Information

Building 1: Section 1

Year Built:

Living Area:

0

Replacement Cost:

\$0

Valuation Year	Improvements	Land	Total
2019	\$0	\$5,068,900	\$5,068,900
2018	\$0	\$5,068,900	\$5,068,900
2017	\$0	\$5,068,900	\$5,068,900

Assessment					
Valuation Year improvements Land Total					
2019	\$0	\$3,548,230	\$3,548,230		
2018	\$0	\$3,548,230	\$3,548,230		
2017	\$0	\$3,548,230	\$3,548,230		

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26 UPPER KENSINGTON DR

Location 26 UPPER KENSINGTON DR

Mblu 40.0/21///

Acct# 009477

Owner THOMAS STEVEN J & LINDA E

Assessment \$319,200

Appraisai \$456,000

PID 101884

Building Count 1

Current Value

Appraisal						
Valuation Year Improvements Land Total						
2016	\$302,600	\$153,400	\$456,000			
	Assessment					
Valuation Year	Improvements	Land	Total			
2016	\$211,820	\$107,380	\$319,200			

Owner of Record

Owner

THOMAS STEVEN J & LINDA E

Sale Price

\$132,000

Co-Owner Address

26 UPPER KENSINGTON DR

Certificate

Book & Page 906/396

EAST LYME, CT 06333

Sale Date

01/25/2013

Ownership History

Ownership History							
Owner Sale Price Certificate Book & Page Sale Date							
MOORE JEFFREY J	\$0		883/ 784	01/30/2012			
NEW ENGLAND NATIONAL LLC	\$o		883/ 782	01/30/2012			
NIANTIC REAL ESTATE LIMITED	\$0		694/ 107	01/07/2005			

Building Information

Building 1: Section 1

Year Built:

2013

Living Area:

2,624

Replacement Cost:

\$309,436

Building Percent Good:

97

Replacement Cost

Less Depreciation:

\$300,200

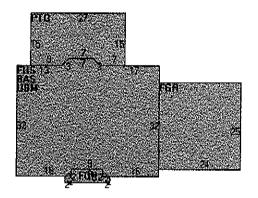
Building Attributes				
Field	Description			
Style	Colonial			
Model	Residential			
Grade:	Good			
Stories:	2			
Occupancy	1			
Exterior Wall 1	Vinyl Siding			
Exterior Wall 2				
Roof Structure:	Gable/Hip			
Roof Cover	Asph/F Gls/Cmp			
Interior Wali 1	Drywall/Sheet			
Interior Wall 2				
interior Fir 1	Hardwood			
Interior FIr 2	Carpet			
Heat Fuel	Gas			
Heat Type:	Forced Air-Duc			
AC Type:	Central			
Total Bedrooms:	3 Bedrooms			
Total Bthrms:	2			
Total Half Baths:	1			
Total Xtra Fixtrs:	, , , , , , , , , , , , , , , , , , ,			
Total Rooms:	7			
Beth Style:	Modern			
Kitchen Style:	Modern			

Building Photo



(http://images.vgsi.com/photos2/EastLymeCTPhotos/\01\01\58/40.jpg)

Building Layout



(http://images.vgsi.com/photos2/EastLymeCTPhotos//Sketches/101884_98

	Legend			
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,312	1,312	
FUS	Upper Story, Finished	1,312	1,312	
FGR	Garage	600	0	
FOP	Porch, Open, Finished	44	Q	
PTO	Patio	387	٥	
UBM	Basement, Unfinished	1,312	0	
		4,967	2,624	

Extra Features

Extra Features Legend						
Code Description Size Value Bidg #						
FPL	FIREPLACE	1 UNITS	\$1,400			

Land Use

Use Code

Description

Single Fam MDL-01

Zone

R40

Neighborhood 0060 Alt Land Appr No

Category

1010

Size (Acres)

1.30

Frontage

Depth

Assessed Value \$107,380

Land Line Valuation

Appraised Value \$153,400

Outbuildings

	Outbuildings <u>Legend</u>							
Code	Description	Sub Code	Sub Description	Size	Value	Bldg#		
SHD1	SHED FRAME			144 S.F.	\$1,000	1		

Valuation History

Appraisal						
Valuation Year	improvements	Land	Total			
2019	\$302,600	\$153,400	\$456,000			
2018	\$302,600	\$153,400	\$456,000			
2017	\$302,600	\$153,400	\$456,000			

Assessment						
Valuation Year	Improvements	Land	Total			
2019	\$211,820	\$107,380	\$319,200			
2018	\$211,820	\$107,380	\$319,200			
2017	\$211,820	\$107,380	\$319,200			

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UPPER PATTAGANSETT RD

Location UPPER PATTAGANSETT RD

Mblu 39.0/10-1///

Acct# 009495

Owner ENGLISH HARBOUR ASSET

Assessment \$221,410

Appraisal \$316,300

PID 102020

Building Count 1

Current Value

A						
Appraisal						
Valuation Year	Improvements	Land	Total			
2016	\$0	\$316,300	\$316,300			
	Assessment		APPENDING AND APPENDING APPENDIN			
Valuation Year	Improvements	Land	Total			
2016	\$0	\$221,410	\$221,410			

Owner of Record

Owner

ENGLISH HARBOUR ASSET

Co-Owner

MANAGEMENT LLC

Address

1712 PIONEER AVE

SUITE 1939

CHEYENNE, WY 82001

Sale Price

Certificate

Book & Page 1015/ 786

Sale Date

08/07/2019

Instrument

06

\$0

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
ENGLISH HARBOUR ASSET	\$0		1006/ 434	03	12/21/2018
NEW ENGLAND NATIONAL LLC	\$0		745/ 136	03	06/13/2006
	\$0				

Building Information

Building 1: Section 1

Year Built:

Living Area:

0

Replacement Cost:

\$0

Building Percent Good:

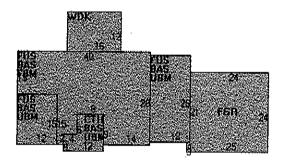
Field	Description
Style	Colonial
Model	Residential
Grade:	Good
Stories:	2
Occupancy	1
Exterior Wall 1	Vinyt Siding
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Fir 1	Hardwood
Interior Fir 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
АС Туре:	Central
Total Bedrooms:	4 Bedrooms
Total Bihrms;	3
Total Half Baths:	1
Total Xtra Fixtrs:	4
Total Rooms:	10
Bath Style:	Modern
Kitchen Style:	Modern

Building Photo



(http://images.vgsi.com/photos2/EastLymeCTPhotos/\01\01\32/33.JPG)

Building Layout



(http://images.vgsl.com/photos2/EastLymeCTPhotos//Sketches/101887_9£

	<u>Legend</u>		
Code	Description	Gross Area	Living Area
BAS	First Floor	1,456	1,456
FUS	Upper Story, Finished	1,348	1,348
CTH	Cathedral Ceiling	108	0
FBM	Basement, Finished	856	0
FGR	Garage	579	0
UBM	Basement, Unfinished	600	0
WDK	Deck, Wood	192	0
		5,139	2,804

Extra Features

Extra Features Legend					
Code Description Size Value Bidg #					
FPL	FIREPLACE	1 UNITS	\$1,300	1	

Building Percent Good: Replacement Cost

Less Depreciation: \$0

Building Attributes						
Field Description						
Style	Vacant Land					
Model						
Grade:						
Stories:						
Occupancy						
Exterior Wall 1						
Exterior Wall 2	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
Roof Structure:						
Roof Cover						
Interior Wall 1	7.7					
Interior Wall 2	1141					
interior Fir 1						
Interior Flr 2						
Heat Fuel						
Heat Type:	// // // // // // // // // // // // //					
AC Type:						
Total Bedrooms:						
Total Bthrms:						
Total Haif Baths:						
Total Xtra Fixtrs:						
Total Rooms:						
Bath Style:						
Kitchen Style:						

Building 1 : Section 1

Year Buift:

Living Area:

Replacement Cost: \$0

Building Percent Good:

Replacement Cost

Less Depreciation: \$0

Building Attributes			
Field Description			
Style	Vacant Land		
Model			
Grade:	5. 4		
Stories:	771.17mm		
Occupancy			

0

Building Photo



(http://lmages.vgsi.com/photos2/EastLymeCTPhotos/\01\00\67/40.jpg)

Building Layout

(http://images.vgsl.com/photos2/EastLymeCTPhotos//Sketches/7864_8178

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	-

Building Photo



(http://images.vgsi.com/photos2/EastLymeCTPhotos//default.jpg)

		 		g Layout		
Exterior Wall 2			(http://ima	agas.vgsl.com/photos2/EastLymeC	TPhotos//Sketches/	7864
Roof Structure	;			Building Sub-Areas (sq		
Roof Cover				political Sub-Areas (sq.	it) <u>Le</u>	gend
Interior Wall 1				No Data for Building Sub	-Areas	
Interior Well 2					Name and the second	
Interior Fir 1						
Interior Fir 2						
Heat Fuel						
Heat Type:						
AC Type:						
Total Bedrooms	S:		-			
Total Bthrms:						
Total Half Baths	s;		*			
Total Xtra Fixtrs	S:		"			
Total Rooms:		 	***			
Bath Style:						
1						
Kitchen Style:						**************************************
Kitchen Style:		Extra Featu	res		L.	saarc
Kitchen Style:		Extra Featu No Data for Ex				<u> </u>
Kitchen Style:		and the state of t			Ls	Saeur
Kitchen Style:		No Data for Ex		tion	Las	29811
kitchen Style: ktra Features and Use	903V	No Data for Ex	tra Features	tion 301.55	Las	898nc
kitchen Style: ktra Features and Use lse Code escription	903V MUNICIPAL MDL-00	No Data for Ex	tra Features Land Line Valua Size (Acres) Frontage	301.55 0	L.	29800
kitchen Style: ktra Features and Use	903V MUNICIPAL MDL-00 SU-E	No Data for Ex	tra Features Land Line Valua Size (Acres) Frontage Depth	301.55 0 0		eganc
nd and Use escription one elighborhood It Land Appr	903V MUNICIPAL MDL-00 SU-E	No Data for Ex	tra Features Land Line Valua Size (Acres) Frontage	301.55 0		Eggin
kitchen Style: ctra Features and Use les Code lescription one	903V MUNICIPAL MDL-00 SU-E 0040	No Data for Ex	tra Features Land Line Valua Size (Acres) Frontage Depth Assessed Value	301.55 0 0 \$3,548,230		RGBI II
Kitchen Style: Atra Features and Use See Code Sescription one elighborhood It Land Appr	903V MUNICIPAL MDL-00 SU-E 0040	No Data for Ex	tra Features Land Line Valua Size (Acres) Frontage Depth Assessed Value	301.55 0 0 \$3,548,230		egan (
ind Use secription one eighborhood it Land Apprategory	903V MUNICIPAL MDL-00 SU-E 0040	No Data for Ex	tra Features Land Line Valua Size (Acres) Frontage Depth Assessed Value Appraised Value	301.55 0 0 \$3,548,230		6 P. 175 San An
Kitchen Style: ctra Features and Use see Code escription one elighborhood It Land Appr sategory	903V MUNICIPAL MDL-00 SU-E 0040	No Data for Ex	tra Features Land Line Valua Size (Acres) Frontage Depth Assessed Value Appraised Value	301.55 0 0 \$3,548,230		Seuc

Appraisal

Replacement Cost

•	.up.			
Į	ess	Den	reci	ation:

Œ	۸

Less, Depreciation: 50				
Buildir	ng Attributes			
Field Description				
Style	Vacant Land			
Model				
Grade:				
Stories:				
Occupancy				
Exterior Wall 1				
Exterior Wall 2	A. A. A. B.			
Roof Structure:				
Roof Cover				
Interior Wall 1				
Interior Wall 2				
Interior Fir 1				
Interior Fir 2				
Heat Fuel				
Heat Type:				
АС Туре:				
Total Bedrooms:				
Total Bthrms:				
Total Half Baths:				
Total Xtra Fixtrs:	** \ 1.10***********************************			
Total Rooms:				
Bath Style:				
Kilchen Style:	11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			

Building Photo



(http://images.vgsl.com/photos2/EastLymeCTPhotos/\01\01\32/53.JPG)

Building Layout

(http://images.vgsi.com/photos2/EastLymeCTPhotos//Sketches/102020_98

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Extra Features

	3
Extra Features <u>Legend</u>	ĺ
No Data for Extra Features	

Land

Land Use

Use Code

1300

Description

RES ACLNDV MDL-00

Zone

R40 0050

Neighborhood Alt Land Appr

No

Category

Land Line Valuation

Size (Acres)

36.02

Frontage Depth

Assessed Value \$221,410

Appraised Value \$316,300

Outbuildings

	Outbuildings <u>Lege</u>	nd
	No Data for Outbuildings	
-		

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$0	\$316,300	\$316,300
2018	\$0	\$351,800	\$351,800
2017	\$0	\$351,800	\$351,800

Assessment				
Valuation Year Improvements Land Total				
2019	\$0	\$221,410	\$221,410	
2018	\$0	\$246,260	\$246,260	
2017	\$0	\$246,260	\$246,260	

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20 UPPER KENSINGTON DR

Location 20 UPPER KENSINGTON DR

Mblu 40.0/24///

Acct# 009480

Owner WU PING & CAITLIN

Assessment \$323,470

Appraisal \$462,100

PID 101887

Building Count 1

Current Value

Appraisal				
Valuation Year	(mprovements	Land	Total	
2016	\$311,200	\$150,900	\$462,100	
Assessment				
Valuation Year	Improvements	Land	Total	
2016	\$217.840	\$105,630	\$323,470	

Owner of Record

Owner

WU PING & CAITLIN

Sale Price

\$157,000

Co-Owner Address

20 UPPER KENSINGTON DR

Certificate

ELSTINGE STATES

Book & Page 794/ 512

EAST LYME, CT 06333

Sale Date 01/24/2008

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
NIANTIC REAL ESTATE LIMITED LIABILITY CO	\$0		694/ 107	01/07/2005

Building Information

Bullding 1 : Section 1

Year Built:

2008

Living Area:

2,804

Replacement Cost:

\$336,866

Building Percent Good:

92

Replacement Cost

Less Depreciation:

\$309,900

Building Attributes

Land

Land Use

Land Line Valuation

Use Code

1010

Description

Single Fam MDL-01

Zone

R40

Neighborhood Alt Land Appr

0060 No

Category

Frontage

Size (Acres) 0.93

Prontag Depth

Assessed Value \$105,630

Appraised Value \$150,900

Outbuildings

Outbuildings

Legend

No Data for Outbuildings

Valuation History

Appraisal				
Valuation Year	lmprovements	Land	Total	
2019	\$311,200	\$150,900	\$462,100	
2018	\$311,200	\$150,900	\$462,100	
2017	\$311,200	\$150,900	\$462,100	

Assessment				
Valuation Year	Improvements Land			
2019	\$217,840	\$105,630	\$323,470	
2018	\$217.840	\$105,630	\$323,470	
2017	\$217,840	\$105,630	\$323,470	

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18 UPPER KENSINGTON DR

Location 18 UPPER KENSINGTON DR

Mblu 40.0/ 25/ / /

Acct# 009481

Owner BUCKO AARON C & KIM M

Assessment \$355,950

Appraisal \$508,500

PID 101888

Building Count 1

Current Value

*200				
Appraisal				
Valuation Year	Improvements Land Total			
2016	\$357,700	\$150,800	\$508,500	
Assassment				
Valuation Year	lmprovements	Land	Total	
2016	\$250,390	\$105,560	\$355,950	

Owner of Record

Owner

BUCKO AARON C & KIM M

Sale Price

\$502,440

Co-Owner Address

18 UPPER KENSINGTON DR

EAST LYME, CT 06333

Certificate

Book & Page 878/308

Sale Date

10/25/2011

Instrument (

07

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
NEW ENGLAND NATIONAL LLC	\$0		878/ 306	03	10/25/2011
NIANTIC REAL ESTATE LLC	\$0		849/ 300	03	05/27/2010
NEW ENGLAND NATIONAL LLC	\$0		802/ 754	03	05/20/2008
NIANTIC REAL ESTATE LIMITED	\$0		694/ 107	04	01/07/2005

Building Information

Building 1 : Section 1

 Year Built;
 2011

 Living Area:
 3,669

 Replacement Cost:
 \$375,131

Building Percent Good:

Replacement Cost

Less Depreciation:

\$356,400

95

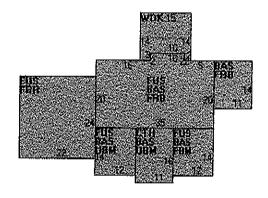
Less Depreciation:	\$355,400	
Building Attributes		
Field	Description	
Style	Colonial	
Model	Residential	
Grade:	Good	
Stories:	2	
Оссиралсу	1	
Exterior Wall 1	Vinyl Siding	
Exterior Wall 2		
Roof Structure:	Gable/Hip	
Roof Cover	Asph/F Gls/Cmp	
Interior Wall 1	Drywall/Sheet	
Interior Wall 2		
Interior Flr 1	Hardwood	
Interior Fir 2	Carpet	
Heat Fuel	Oil	
Heat Type:	Forced Air-Duc	
АС Туре:	Central	
Total Bedrooms:	4 Bedrooms	
Total Bthrms;	3	
Total Half Baths;	1	
Total Xtra Fixtrs:	2	
Total Rooms:	8	
Bath Style;	Average	
Kitchen Style:	Average	

Building Photo



(http://images.vgsi.com/photos2/EastLymeCTPhotos/\01\01\32/34.JPG)

Building Layout



(http://images.vgsi.com/photos2/EastLymeCTPhotos//Sketches/101888__98

Building Sub-Areas (q ft)	<u>Legend</u>
Code	Description	Gross Area	Living Area
FUS	Upper Story, Finished	1,584	1,584
BAS	First Floor	1,386	1,386
FRB	Fin Ralsed Bamt	874	699
СТН	Cathedral Celling	176	0
F8M	Basement, Finished	168	0
FGR	Garage	528	0
ψВМ	Basement, Unfinished	344	0
WDK	Deck, Wood	190	0
		5,250	3,669

Extra Features

				2007
41.22		tra Features		<u>Legend</u>
Code	Description	Size	Value	Bldg#

ED!			Ţ=======	<u></u>
⊢ ₩ <u>'</u> "	FIREPLACE	1 UNITS	\$1,300	
			· ·	1.

Land

Land Use

1010

Use Code Description

Single Fam MDL-01

Zone

R40

Neighborhood 0060 Alt Land Appr

No

Category

Land Line Valuation

Size (Acres)

1.00

Frontage

Depth

Assessed Value \$105,560

Appraised Value \$150,800

Outbuildings

Outbuildings	1
<u> </u>	1
No Data for Outbuildings	1
	ļ

Valuation History

	Appraisal		
Valuation Year	Improvements	Land	Total
2019	\$357,700	\$150,800	\$508,500
2018	\$357,700	\$150,800	\$508,500
2017	\$357,700	\$150,800	\$508,500

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$250,390	\$105,560	\$355,950
2018	\$250,390	\$105,560	\$355,950
2017	\$250,390	\$105,560	\$355,950

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EXHIBIT 3

MEMORANDUM

TO:

Town of East Lyme

Niantic Real Estate, LLC

English Harbour Asset Management, LLC

Nicole L. Blanchard Steven & Linda Thomas

Wu Ping & Caitlin Aaron & Kim Bucko

FROM:

Kristen Clarke, P.E.

DATE:

April 23, 2020

SUBJECT: Re-Subdivision of Nottingham Hills Subdivision Lots 19 & 21

On behalf of our client Pazz and Construction LLC, we are required by the Town of East Lyme Subdivision Regulations Section 4-4-3 to provide you notice of the Public Hearing scheduled for May 5, 2020, Ex. A, due to the fact your property is located with 200 feet of property being subdivided, Ex. B.

We have also enclosed the following:

- 1. A copy of the proposed four lot re-subdivision plan. Ex. C. Please note that proposed lot 4 (Highlighted in Green) is being donated to the East Lyme Land Trust, Inc. ("ELLT") for open space. This lots abuts the nearly 38 acre parcel of land that ELLT will be closing the purchase of next month, Ex. D.
- 2. A copy of the letter from the East Lyme Land Trust, Inc. accepting the proposed donation of Lot 4, Ex. E.

Should you have any questions regarding the enclosed please feel free to email me at kristentclarke@gmail.com.

EXHIBITA

Town of

P.O. Drawer 519
Department of Planning



East Lyme
108 Pennsylvania Ave
Niantic, Connecticut 06357

Phone (860) 691-4114 Fax (860) 691-0351

March 16, 2020

Via Certified Mail: 7018 0680 0000 9737 3603

Kristen T. Clarke, P.E. 20 Risingwood Dr Bow, NH 03304

RE: PU

PUBLIC HEARING NOTICE

22 and 24 Upper Kensington Dr, East Lyme, Subdivision

Dear Ms. Clarke,

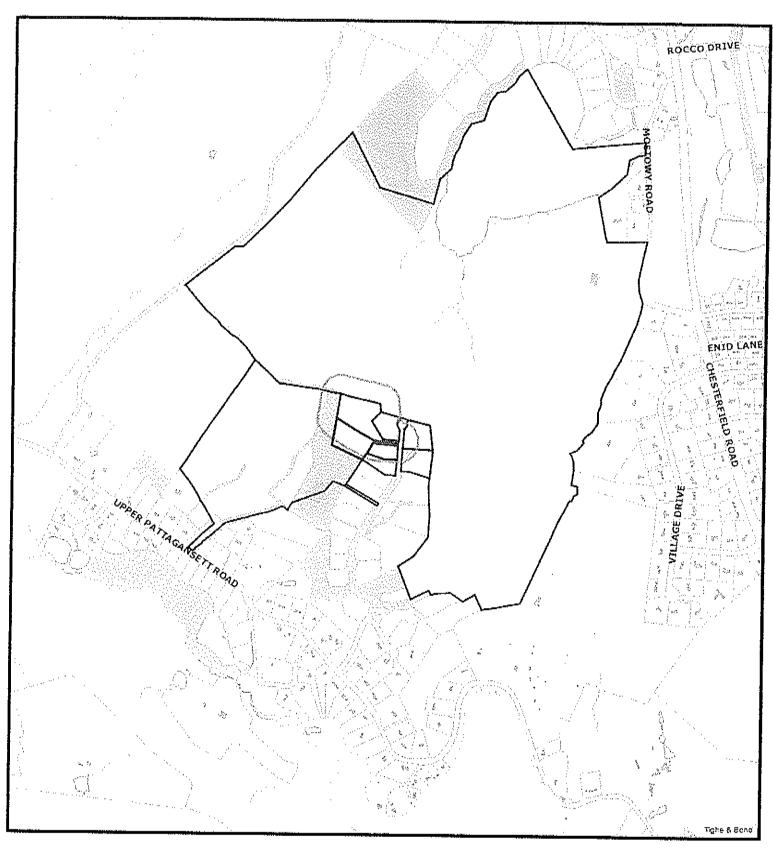
Please be advised that the above referenced Subdivision application has been re-scheduled for public hearing on May 5, 2020. Pursuant to Section 4-4-3 of the Town of East Lyme Subdivision Regulations as the applicant you shall mail notification of the pending application to at least one owner of each property within 200 feet or less, not more than fifteen days nor less than two days before the date set for the public hearing, and evidence of such mailing, in the form of US Post Office Certificates of Mailing shall be submitted for inclusion into the record of the hearing. The applicant is further required to post a sign, at least fifteen days prior to the public hearing.

If you have any further questions please do not hesitate to contact the Director of Planning at (860) 691-4105 or visit the East Lyme Planning Department.

Sincerely,

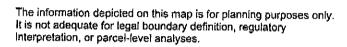
Gary A. Goeschel II Director of Planning

EXHIBIT B



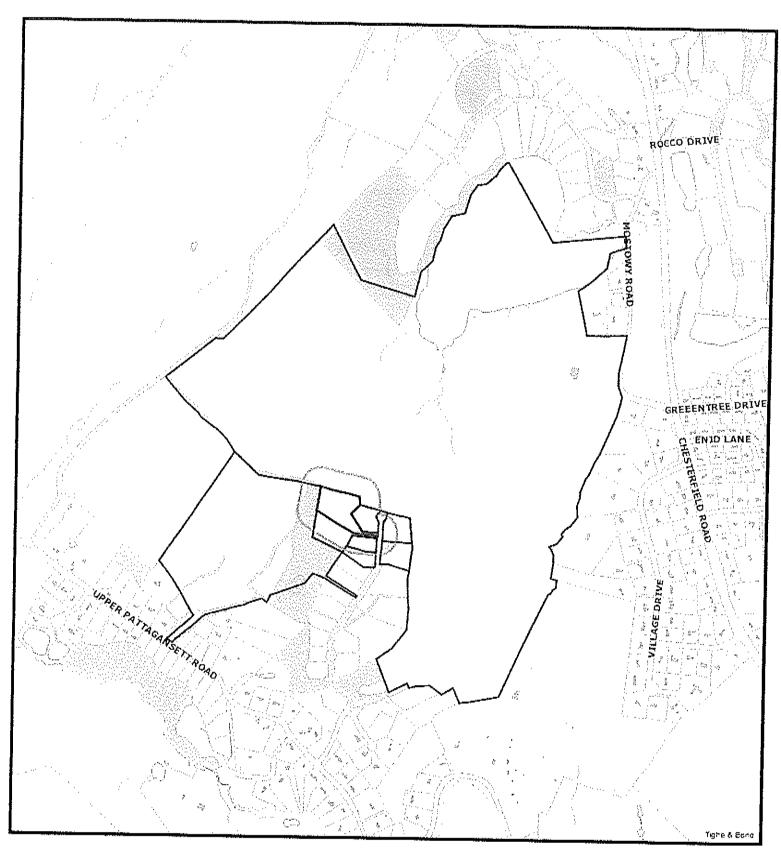
3/19/2020 5:24:01 PM

Scale: 1"=1000' Scale is approximate









3/19/2020 5:22:28 PM

Scale: 1"=1000' Scale is approximate





The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

EXHIBIT C

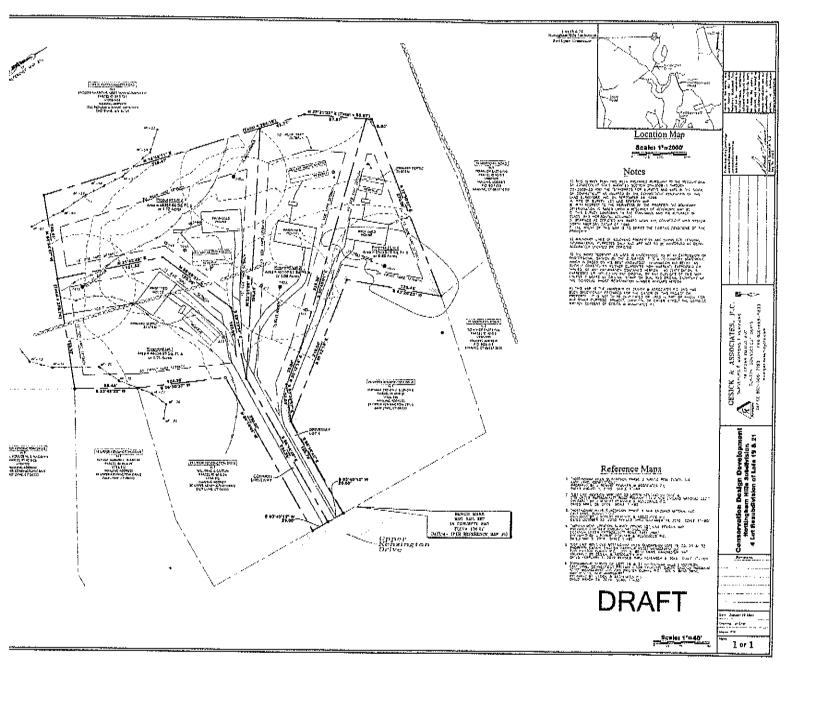
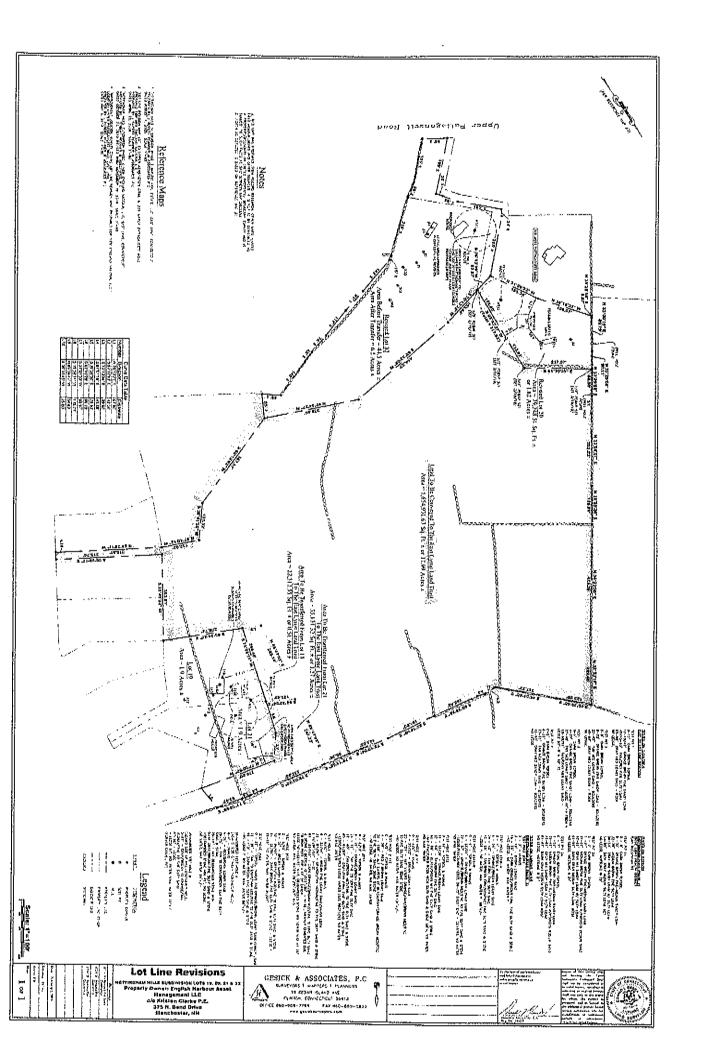


EXHIBIT D





PO Box 831
East Lyme, CT 06333
eastlymelandtrust.com

March 5, 2020

Jason Pazzaglia 172 Boston Post Road East Lyme, CT 06333

Re: Donation of Land

Dear Mr. Pazzaglia:

Please accept this correspondence as notice of the East Lyme Land Trust's acceptance of your and or Pazz Construction LLC's offer to donate the property known as lot #4 identified on a plan for re-subdivision of Nottingham Hills Subdivision lots 19 & 21 presently ending before the Town of East Lyme Planning Commission.

This property abuts land we will be acquiring shortly and will provide us with an additional Public Road access location.

We thank you for your generosity.

Sincerely,

Ronald Luich

President

EXHIBIT 9

MEMORANDUM

TO:

Gary Goeschel-Town of East Lyme Planner Danielle Holmes-Ledge Light Health District Jason Pazzaglia-Contract Purchaser/Applicant

Paul Geraghty, Esq.

FROM:

Kristen Clarke, P.E.

DATE:

April 20, 2020

SUBJECT: Revised Re-Subdivision Plan

Nottingham Hills Subdivision Lots 19&21

Attached is the revised re subdivision plan that incorporates the changes requested by Mr. Pazzaglia:

- 1. The house footprints on all four lots have been changed in size to 56'x30'.
- 2. The lot lines between lots 1&2, 2&3 and 3&4 have been changed to accommodate the new house foot prints.
- 3. Septic areas have been modified as follows:
 - Lot 1 We rotated northeast corner of the proposed system area to match grade contour
 - Lot 2 We moved the system area to conform to this systems already approved feasible area (Lot 19 Phase 3 Approval)
 - Lot 3 No Changes
 - Lot 4 We moved the proposed system area 20' in an easterly direction.

Note As to Lot 4. This lot is being donated by Mr Pazzaglia to the East Lyme Land Trust for Open Space.

Email Addresses:

ggoeschel@eltownhall.com dholmes@llhd.org jpazz17@gmail.com pgeraghty@geraghtybonnano.com



PO Box 831
East Lyme, CT 06333
eastlymelandtrust.com

March 5, 2020

Jason Pazzaglia 172 Boston Post Road East Lyme, CT 06333

Re: Donation of Land

Dear Mr. Pazzaglia:

Please accept this correspondence as notice of the East Lyme Land Trust's acceptance of your and or Pazz Construction LLC's offer to donate the property known as lot #4 identified on a plan for re-subdivision of Nottingham Hills Subdivision lots 19 & 21 presently ending before the Town of East Lyme Planning Commission.

This property abuts land we will be acquiring shortly and will provide us with an additional Public Road access location.

We thank you for your generosity.

Sincerely,

Ronald Luich

President

EXHIBIT 10

MEMORANDUM

TO: Gary Goeschel, East Lyme Town Planner

FROM: Kristen Clarke, P.E.

DATE: June 22, 2020

RE: Re-Subdivision - Nottingham Hills Subdivision Lots 19 & 21

1. We have increased the scale to 1"-30' for easier review.

- 2. We have relocated the house locations on proposed lot 1 further away from the Inland Wetland Upland Review area.
- 3. We have directed the impervious surface drainage from all three proposed lots to the rain garden.
- 4. We have modified the land area to be donated to the East Lyme Land Trust.

Fee Interest . .20 acre
Conservation Easement TBD acres

We will finalize the easement area once I am finished with the Ledge Light Health District permitting for septic/well locations.

5. We have modified the septic and well locations as follows:

Proposed Lot 1: Test hole 332 – no change

Proposed Lot 2: Test hole "B"

Proposed Lot 3: Test hole "A"/perk test (both from 2005 approved plans)

- 6. We have eliminated lot 4 because we can transfer land to the East Lyme Land Trust without creating an additional lot per the Connecticut General Statutes.
- We have extended erosion and sedimentation control (silt fence) to the entirety of the 100' Upland Review area of the Inland Wetlands on or near the subject properties.

EXHIBIT 11

From: Gary Goeschel <ggoeschel@eltownhall.com>

Sent: Monday, June 29, 2020 4:40 PM

To: Victor Benni < vbenni@eltownhall.com>

Subject: RE: Conservation Design Development - Nottingham Hills Subdivision - 4 Lot Resubdivision of Lots

19 & 21 - January 29, 2020

Can you forward your March 30th comments to me. I for some reason don't have a copy in the file.

From: Victor Benni < vbenni@eltownhall.com>

Sent: Monday, June 29, 2020 4:23 PM

To: Gary Goeschel <<u>ggoeschel@eltownhall.com</u>> **Cc:** Jennifer Lindo <<u>ilindo@eltownhall.com</u>>

Subject: Conservation Design Development - Nottingham Hills Subdivision - 4 Lot Resubdivision of Lots 19 &

21 - January 29, 2020

Gary,

I just checked the Plan referenced above and noticed that it is still labelled as a "Draft" plan and the Revisions block has not been updated with a revision date. The Subdivision Plan and Design Report referenced in my comments to you from 3/30/2020 would also need to be updated and submitted for me to complete any future reviews.

Thanks.

Viç

Victor Benni, P.E.

Town Engineer

Town of East Lyme

PO Box 519

108 Pennsylvania Avenue

Niantic, CT 06357

(860) 691-4112

From: Gary Goeschel [mailto:ggoeschel@eltownhall.com]

Sent: Tuesday, June 30, 2020 12:03 PM

Subject: FW: Conservation Design Development - Nottingham Hills Subdivision - 4 Lot Resubdivision of Lots

19 & 21 - January 29, 2020

Paul,

As discussed attached are Victor's comments.

Gary

From: Victor Benni < vbenni@eltownhall.com>

Sent: Tuesday, June 30, 2020 9:04 AM

To: Gary Goeschel <ggoeschel@eltownhall.com>

Subject: RE: Conservation Design Development - Nottingham Hills Subdivision - 4 Lot Resubdivision of Lots

19 & 21 - January 29, 2020

Refer to attachment.

Victor Benni, P.E.

Town Engineer

Town of East Lyme

(860) 691-4112

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 V. Benni

Date:

March 30, 2020

Re:

22 & 24 Upper Kensington Drive - Nottingham Hills

Subdivision Application Review

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

- Topographic Survey of Lots 19 & 21, Nottingham Hills Subdivision, East Lyme, Connecticut, Sheet: 1 of 1, Date: 3/26/2019, by: Gesick & Associates, P.C.
- Subdivision Plan, Proposed CDD Re-Subdivision, Nottingham Hills Subdivision, Phase 3, 4 Lot Resubdivision of Lots 19 & 21, Conventional Plan, East Lyme, Connecticut, Sheet: 1, Date: None Listed, by: No Source Listed.
- "Draft" Conservation Design Development, Nottingham Hills Subdivision, 4 Lot Resubdivision of Lots 19 & 21, Sheet: 1 of 1, Date: 01/29/2020, by: Gesick & Associates, P.C.
- Design Report, 4 Lot Re-Subdivision, Upper Kensington Drive, East Lyme, Connecticut, Submitted with Application.

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

- 1. All plans (Topographic, Subdivision, Site Plan, & Etc.) shall be signed & sealed by the appropriate professional(s). The Conservation Design Development plan should be updated from "Draft" status. Additional review by the East Lyme Engineering Department will be necessary, based on signed & sealed drawing set.
- 2. The Design Report indicates that the fourth lot will be deeded to the East Lyme Land Trust. The "Draft" Conservation Design Development (CDD) plan conflicts with this scenario, depicting a full single-family residential buildout of Lot 4.
- 3. The Design Report indicates no activity being proposed in the wetlands or the 100' upland review area. The "Draft" CDD plan conflicts with this scenario, depicting a septic tank and leaching area in the 100' upland review area for Lot 2.
- 4. The Design Report indicates that roof drainage "gutters" will be tied into footing drains. This is not an accepted practice; roof drainage shall not tie into footing drain system.
- 5. Update the Subdivision Plan to include symbols and labels for existing and proposed property corners for Lots 1 thru 4.
- 6. Update the Subdivision Plan to include access/utility easement information over Lots 1 & 3, in favor of Lots 2 & 4.
- 7. Update the Subdivision Plan to include more accurate and clear information regarding the building setback lines for all four lots.
- 8. Update the Subdivision Plan to include labels for the proposed buildings, access drives, and Upper Kensington Drive.

- 9. Update the "Draft" CDD plan to include proposed grading, limit of disturbance, proposed driveway(s) extending to Upper Kensington Drive, proposed drive grades & widths, proposed underground utilities, and footing drain & roof drain outlets.
- 10. Update the drawing set to include erosion & sedimentation control measures, E&S Narrative, and E&S details. The following minimum control measures shall be taken into consideration: construction access, silt fence, haybales, temporary haybale check dams, permanent stone check dams, tree protection, stockpiles, and erosion control blankets.
- 11. While updating the drawing set, the Engineering Department recommends that the Applicant incorporate the requirements of the following sections of the Subdivision Regulations:
 - Section 5-2-2(B)ii Topography, indicate slopes between 15% & 25%, and exceeding 25%;
 - Section 5-2-2(D) Subdivision Improvement Plan/Construction Plan;
 - Section 5-2-2(E) Stormwater Management Plan;
 - Section 5-2-2(F) Grading Plan;
 - Section 5-2-2(G) Erosion and Sedimentation Control Plan;
 - Section 6-1-2(G) Stone Walls;
 - Section 6-1-2(M) Slopes;
 - Section 6-2-5 Lot Access:
 - (A) Incorporate drainage into driveway designs;
 - o (B) Paved at appropriate slopes;
 - o (C) 18' width for shared drives;
 - o (D) Bituminous concrete from edge of street to right-of-way line; and
 - o (F) Depict & label all access/utility easements.
 - Section 6-8 Stormwater Management; and
 - Section 6-17 Underground Utilities.

Town of

P.O. Drawer 519

Inland Wetlands Agency

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



Est Lyme

108 Pennsylvania Ave Niantic, Connecticut 06357

Phone: (860) 691-4114 Fax: (860) 860-691-0351

June 30, 2020

Kristen T. Clarke, PE 20 Risingwood Dr Bow, NH 03304

RE: East Lyme Inland Wetlands Determination of Permitted/Non-Regulated Activity East Lyme, Connecticut, Tax Assessor's Map# 40.0 Lot#22 & 23

Dear Ms. Clarke,

The Inland Wetlands Agency reviewed your Application for Determination of Permitted/Non-Regulated Activity for a 4-lot re-subdivision of property at 22 and 24 Upper Kensington Dr at its June 8, 2020 meeting.

The Agency has determined that since no activity is occurring in the upland review, wetland or watercourse, no permit is required.

Please feel free to contact me if you should have any questions regarding this or any other Wetland matter.

Sincerely,

Gary Goeschel, II

Inland Wetland Agent

Town of East Lyme

Planning Commission P.O. Box 519 Niantic, Connecticut 06357

July 10, 2020

Advertising Department The Day Publishing Co. Eugene O'Neill Drive New London, CT 06320 Account #D20604 Planning

20 20 AT 1:45 AM/RM)

BLEST LYME TOWN CLERK

Please publish the following notice on July 15 and July 23, 2020

TOWN OF EAST LYME PLANNING COMMISSION Notice of Public Hearing

The East Lyme Planning Commission will hold a Public Hearing on July 27, 2020 at 7:00PM, via Zoom virtual meeting (meeting instructions below) to consider the following:

- A. Application of Jason Pazzaglia, for Pazz and Construction LLC, Owner; Application and waiver request from Section 23.5 B of the East Lyme zoning Regulations for a 1-lot re-subdivision of 5.29 acres of land within the R-40 zoning district located at 24 Darrows Ridge Rd, East Lyme, Assessor's Map 44.0, Lot 8-31.
- B. Application of Kristen T. Clarke, P.E., for English Harbour Asset Management LLC, Owner; Application for a 4-lot re-subdivision of approximately 3.8± acres of land zoned RU-40, located at 22 and 24 Upper Kensington Dr, East Lyme, Assessor's Map 40.0, Lot 22 and 23.

Join Zoom Meeting https://us02web.zoom.us/j/87994404071?pwd=dUNZVIJmODBIQkV0OERNRXpqamVSZz09

Meeting ID: 879 9440 4071, Meeting Password: 807319, Dial 1 646 558 8656

A copy of the proposed subdivisions is available for public viewing on the East Lyme Website, at eltownhall.com, Government, Boards and Commissions, Planning Commission, Planning Commission 2020 Materials, Planning Commission 2020 Materials July 27, 2020.

https://eltownhall.com/government/boards-commissions/planning-commission/planning-commission-2020-materials/planning-commission-2020-materials-july-27/

The applications are also available for review at the East Lyme Land Use Office.

Kirk Scott, Chairman

47 Eugene O'Neill Drive New London, CT 06320 860-442-2200 www.theday.com

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Gary Goeschel EAST LYME PLANNING COMMITTEE P.O. Box 519 NIANTIC, CT 06357 860-691-4105

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869277

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and waver request from Section 25.3 Bot title East Cybre 20 miling Regulations for 1.29 acres of land within the R-40 zoning district located at 24 Darrows Ridge Rd, East Lyme, Assessor's Map 44.0, Lot 8-31.

8. Application of Kristen T., Clarke, P.E., for English Harbour Asset Management LLC, Owner; Application for a 4-lot re-subdivision of approximately 3.8± acres of land zoned RU-40, located at 22 and 24 Upper Kensington Dr, East Lyme, Assessor's Map 40.0, Lot 23 and 23. Lot 22 and 23.

https://us02web.zoom.us/j/87994404071?pwd=dUNZVIJmODBIQkV00ERNRXpqamV 5Z209

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The applications are also available for review at the East Lyme Land Use Office.

Kirk Scott, Chairman

Total Order Price: \$725.70

Please call your ad representative by 3PM today with any ad changes.

Salesperson: Michelle Savona | Printed on: 7/10/2020 **Telephone:** 860-701-4276 | **Fax:** 860-442-5443

Email: Legal@theday.com

Conservation Design Development

Nottingham Hills Subdivision 3 Lot Resubdivision of Lots 19 & 21

Reference Maps

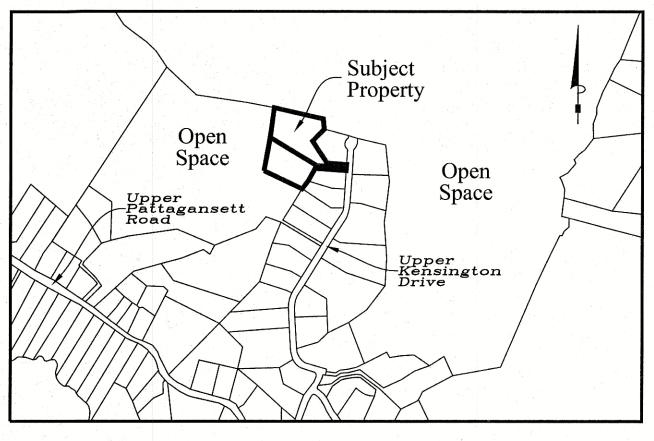
- 1. "NOTTINGHAM HILLS SUBDIVISION PHASE 3 NIANTIC REAL ESTATE, LLC, EAST LYME, CONNECTICUT"
 PREPARED BY J ROBERT PFANNER & ASSOCIATES P.C. DATED AUGUST 1, 2005 SCALE 1"=60"
- 2. "LOT LINE REVISION MAP LOT 20 UPPER KENSINGTON DRIVE & 239 UPPER PATTAGANSETT ROAD PREPARED FOR NEW ENGLAND NATIONAL LLC. 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 CONNECTICUT 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 62477"

 PREPARED BY LEOBERT PEANNER 62 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,
- PREPARED BY J ROBERT PFANNER & ASSOCIATES P.C.
 DATED OCTOBER 20, 2010 REVISED THRU NOVEMBER 18, 2010 SCALE 1"=80

 5. "IMPROVEMENT LOCATION SURVEY ZONING LOT LINE REVISION MAP
- 5. "IMPROVEMENT LOCATION SURVEY ZONING LOT LINE REVISION MAP 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"
- 6. "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
- EAST LYME, CONNECTICUT PREPARED FOR PROPERTY OWNER: ENGLISH HARBOU ASSET MANAGEMENT LLC C/O KRISTEN CLARKE P.E. 375 N. BEND DRIVE MANCHESTER, NEW HAMPSHIRE"
 PREPARED BY GESICK & ASSOCIATES P.C.



Location Map

Scale: 1"=800'

Notes

- 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 SEPTEMBER 26, 1996.

 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.
 C. THIS SURVEY CONFORMS TO THE STANDARDS AND THE ACCURACY OF CLASS: A-2 HORIZONTAL ACCURACY.
 D. BEARINGS AS DEPICTED ARE BASED UPON THE CONNECTICUT GRID SYSTEINORTH AMERICAN DATUM OF 1983
- 2) BOUNDARY LINES OF ADJOINING PROPERTIES ARE SHOWN FOR GENERAL INFORMATIONAL PURPOSES ONLY AND ARE NOT TO BE CONSTRUED AS BEING ACCURATELY LOCATED OR DEPICTED.

E. THE INTENT OF THIS MAP IS TO DEPICT THE EXISTING CONDITIONS OF THE

- 3) THE WORD "CERTIFY" AS USED IS UNDERSTOOD TO BE AN EXPRESSION OF 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.
- 4) THIS MAP IS THE PROPERTY OF GESICK & ASSOCIATES P.C. AND HAS BEEN 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 MEASURES.

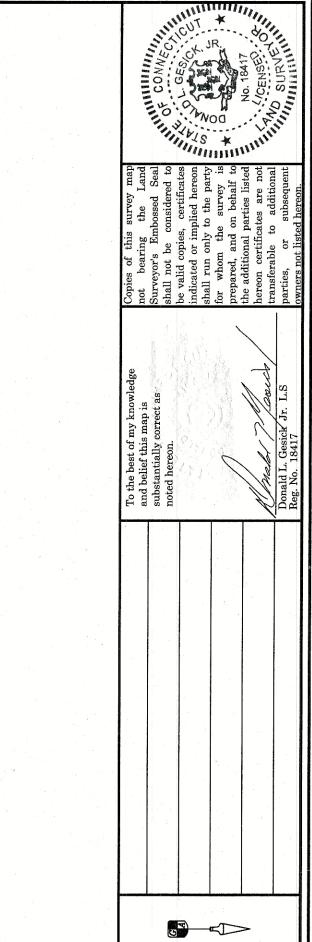
Zoning Compliance Chart

Chairman / Secretary	시 시민과 교회에 대한 사이를 하지만 하는 것이 나왔다. 그
Approval Date	[] - [] - [] - [] - [] - [] - [] - [] -
Filling Dateline	

	ZONE = RU40 (CONS)	ERVATION DESIGN DEV	VELOPMENT)	
	REQUIRED	PROPOSED LOT 1	PROPOSED LOT 2	PROPOSED LOT 3
MINIMUM LOT SIZE	NONE REQUIRED	66977.43 Sq. Ft.	40712.76 Sq. Ft.	47864.39 Sq. Ft.
MINIMUM FRONTAGE	NONE REQUIRED	25.00'	0.00'	25.00'
MINIMUM FRONT YARD	10'	141.1'	N/A	N/A
MINIMUM SIDE YARD (NORTH)	15'	122.2'	16.2'	37.8'
MINIMUM SIDE YARD (SOUTH)	15'	17.4'	16.9'	38.2'
MINIMUM REAR YARD	30'	138.5	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'

Sheet Index
Sheet 1 - Title Sheet
Sheet 2 - Existing Conditions Survey
Sheet 3 - Site Plan
Sheet 4 - Septic & Well Plan

EROSION AND SEDIMENTATION CONTRO THE EAST LYME PLANNING COMMISSIO	OL PLAN CERTIFIED BY VOTE OF
THE BIST ETHIE TO WITH TO COMMISSION	



GESICK & ASSOCIATES, P.C.

SURVEYORS & MAPPERS & PLANNERS

19 CEDAR ISLAND AVE.

CLINTON, CONNECTICUT 06413

FFICE: 860-669-7799 FAX: 860-669-5833

Conservation Design Developmer
Nottingham Hills Subdivision

Revisions
6/25/2020 - Misc Changes

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

1 of 4

