

**EAST LYME INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
JULY 12, 2021  
7:00 p.m.**

**EAST LYME TOWN HALL, MAIN MEETING ROOM**

**Present:** Gary Upton, David Schmitt, Phyllis Berger, Kristen Chantrell, Doreen Rhein, Don Phimister,(7:25)

**Absent:** Sandy Gignac Jason Deeble, Alt.,

**Also Present:** Gary Goeschel, Director of Planning/Inland Wetlands Agent

**CALL TO ORDER:**

The meeting started at 7:025

FILED

**I. PLEDGE OF ALLGIANCE:**

The Pledge was recited.

July 14, 20 21 AT 8:03 AM PM

**II. ADDITIONS TO THE AGENDA-none**

Brooke Peterson ATC

EAST LYME TOWN CLERK

**III. PUBLIC HEARINGS-none**

**IV. PUBLIC DELEGATIONS:**

John Bialowans Jr., 61 Walnut Hill Road submitted a letter dated July 12, 2021 addressing a potential wetlands violation near the intersection of Mostoway Road and Route 161. The letter will be added to the file for the property

**MOTION: (Chantrell/Schmitt) to add J. Bialowans letter to correspondence for discussion. Vote: APPROVED unanimously.**

**V. ACCEPTANCE OF MINUTES**

**A. Meeting Minutes June 14, 2021**

**MOTION: (Chantrell/Berger) to approve the June 14, 2021, Regular meeting as amended.**

Change spelling of Kristin to Kristen

**Vote: APPROVED unanimously.**

**VI. EX-OFFICIO REPORT-no report**

**VII. NEW BUSINESS:**

- A. Application of Suzanne P. Choate, P.E., Design Professionals, Inc., for Habitat for Humanity, Owner, to conduct regulated activities, including but not limited to construction of two new proposed single-family dwellings and associated appurtenances at property identified in the application as 99, 101, and 103 S. Beechwood Road, East Lyme Assessor's Map 07.13, Lots 43, 42 and 41.**

S. Choate described the proposed work for three lots, which are each approximately 5000 sq. ft. each with a wetland running through the middle of the lots. Two lots will each have a single family dwelling and the third lot will be for wetlands mitigation.

The ownership was clarified as Habitat for Humanity but the applicant is Howard Hale who is proposing the two residences.

The properties will have pubic sewer services.

**MOTION: (Chantrell/Upton) move that the application should go to public hearing on August 9, 2021 based on the best interest of the neighbors and other interested persons.**

Howard Hale, 100 S. Beechwood Road said he lives across the street from the properties proposed for development and he just wants to clean them up.

S. Choate informed the Agency that 1729 sq. ft. of wetlands will be disturbed and will be mitigated with 1792 sq. ft. of wetlands on the third lot.

**Vote: APPROVED unanimously.**

**B. Application of Charles Hand, Owner, to conduct regulated activities, for the construction of two self-storage units a property identified in the application as 18 Colton Road, East Lyme Assessor's Map 09.0, Lot 11.**

G. Goeschel reported supporting documentation and information were missing from the application, such as storm water quality reports. He said there was the potential of significant impact the way the project is presented at this point.

**MOTION: (Upton/Schmitt) to deny the application as incomplete. Vote: APPROVED unanimously.**

**VIII. PENDING APPLICATIONS-none**

**IX. OLD BUSINESS:**

**A. Public Hearing Sign Requirements**

G. Goeschel presented the text amendment to the Wetlands regulations based on the Zoning regulations signage requirements. He said the language is the same except the wording for Agency and the time frames.

**MOTION: (Upton/Schmitt) to schedule a public hearing on August 9, 2021 for the signage text amendment as presented by G. Goeschel. Vote: APPROVED unanimously.**

**X. REPORTS**

**A. Chairman's Report-no report**

**B. Inland Wetlands Agent Report**

**i. Administrative Permits:**

G. Goeschel reported he investigated the issue of the school bus parking lot and discussed it with the Board of Education. He said the addition to the Middle School received many permits but he could not find one for the bus parking lot. The Middle School will also look at their records pertaining to the bus parking lot. G. Goeschel is looking for a contact at Yankee Gas to discuss replacing the split rail fence. The lack of a fence has increased the number of cars parking there, which results in potential erosion, impacting the wetlands.

Issued permit for single family home

Issued a permit for 51 Boston Post Rd. (Old Lulus) for land alteration of approximately 13,900 sq. ft. associated with demolition of existing building, paved areas and construction of a 7,798 sq. ft. convenience store and refueling center, which is approximately 280 ft. from nearest wetland.

The only proposed work that falls in the URA is the detention basin.

The members were concerned about fuel spills leaking into the wetlands.

G. Goeschel informed the members that the drainage is designed to discharge into the states drainage system which then drains into the Niantic River.

**MOTION: (Upton/Berger) to reject the approval of the application and instruct the applicant to come before the Agency for determination of holding a Public Hearing. Vote: APPROVED unanimously.**

The Weiss property on Roxbury Road, across from the Town Transfer Station. Goeschel reported that he spoke to the owner about the very large topsoil pile. He asked the owner if the amount of disturbance was necessary for test pits. The activity to the zoning official. G. Goeschel 1, that it was and the work was prep work for the approved sub-division.

**MOTION: (Berger/Upton) to issue a Cease and Desist for Mr. Weiss at the building across from the Transfer Station for work being conducted on his site.**

D. Rhein questioned the need for a Cease and Desist without knowing if there was an actual violation. The original wetlands permit was issued under the 100 ft. URA. G. Goeschel stated the Show Cause Hearing had to be held within 10 days of receipt of the notice by the owner; G. Goeschel will time it for the next regular meeting in August.

**Vote: APPROVED. In favor-Upton, Berger, Chantrell, Schmitt. Opposed- Rhein. Abstaining-Phimister.**

#### **Commission Issued Permits-none**

##### **ii. Enforcement**

G. Goeschel reported he issued a Cease and Desist for construction of a dock and raft on Darrow Pond, which is owned by the Town and told the owner it has to come out. The 61 Mostowy Rd./161 demolition discussed by Mr. Bialowans was investigated. The demolition was ordered by the zoning official and the building inspector. G. Goeschel will contact the owner and ask him to stabilize the site and return the site to a vegetative state.

**MOTION: (Upton/Berger) to add addresses to the violations on the agendas as a regular behavior.**  
**Vote: APPROVED unanimously.**

##### **D. Correspondence**

Discussed previously. (Bialowans)

#### **X. ADJOURNMENT**

**MOTION (Schmitt/Phimister) to adjourn at 8:14. Vote: APPROVED unanimously.**

Respectfully Submitted

Sue Spang

Recording Secretary

2021 Meeting dates:

August 9, September 13, October 18, November 8, December 13.

