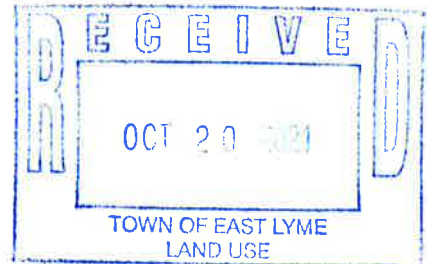


ENGLISH HARBOUR ASSET MANAGEMENT, LLC
1712 Pioneer Avenue, Suite 1939
Cheyenne, Wyoming 82001
(307) 256-7229

October 1, 2021

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



RE: Nottingham Hills Subdivision Phase 5

Dear Mr. Goeschel,

The following is my response to your comments on the above referenced application dated September 23, 2021 that was emailed to me at on Friday September 24, 2021 at 3:43 pm. Ex. A. I have numbered the comments on your letter and my comments will correspond to the number indicated on your letter which is attached as Ex. B. As an initial matter the proposed subdivision is not a Conservation Design Development but rather a Conventional Subdivision which was identified in the Design Report submitted with the Subdivision Application on August 5, 2021. Please add this correspondence to the record of the above referenced matter.

- 1) No response required.
- 2) A new sheet has been added to the plans entitled "Utility and Common Driveway Easement Plan" which provides the thirty foot (30') area required by Eversource. The narrative easement document is being provided by our legal counsel under sperate cover.
- 3) You're and the Town Engineers comments regarding Section 5-2-2(E) and 6-8 Stormwater Management Plan will be addressed at the staff meeting scheduled for this morning, October 1, 2021 at 10:30 am. We disagree with the claim that the report and plan "lack sufficient information to adequately demonstrate the proposed plans meet the subdivision regulations".
- 4) An Erosion and Sedimentation Control Plan narrative has been added to the detail sheet to the plan. In addition, specific erosion control measures to be utilized in the construction of the common driveways has been added to the applicable page(s) of the subdivision plans.
- 5) No Response required.
- 6) I will contact Wendy Brown Arnold at Ledge Light Health District
- 7) Same response as #6

EXM

8) The historical use of this property has been as a Girl Scout Campground. This is evidenced by a Survey titled "Properties of Sheffield Trustee's comprising the Yale Engineering Camp in the Town of East Lyme, Conn. dated January 1937 updated through October 1940 which is attached as Ex. C. In addition, I attach as Ex. D a document entitled "Camp Pattagansett 1936-1986" which chronicles activities and improvements to the property. The property is wooded. There is no indication the property was ever used for farming.

9) No response required.

10) As demonstrated by the attached Ex. E (Design Report CLA Engineers Dated August 5, 2021) and Ex. F (Indigo Land Designs LLC) We have followed the very same process as past applicants regarding Archeological Surveys which is to send to proposed plans to the State of Connecticut Archeologist for review and comment. I have attached our request submitted to the State of Connecticut Archeologist on August 10, 2021 as Ex. G. We question your singling out our application, which like the others, has followed State of Connecticut Archeologists' s Guidelines. It appears you are holding our application to a different and higher standard than that which the Town of East Lyme Planning Commission has historically held numerous others to in this regard.

11. This is not a Conservation Design Development as was addressed earlier in this correspondence.

12. The written statement requested will be submitted in a separate communication.

13. a) This is not a Conservation Design Development

b) The statements that Phase 4 was not a re subdivision, and that the subject parcel, 121 Upper Pattagansett Road, never abutted any parcel of land in the Nottingham Hills Subdivision are both demonstrably false.

c) The fact the developer has changed is not relevant or germane to the legal analysis. The applicant is the second successor developer of the Nottingham Hills Subdivision as the East Lyme Planning Commission by their prior acts and actions is well aware. The Open Space follows the multiple multi Phased Nottingham Hills Subdivision properties not the original developer or the prior successor. The successor developer designation in favor of English Harbour Asset Management LLC was recorded in the East Lyme Land Records prior to submission of the re subdivision application for Nottingham Hills Subdivision Lots 19 & 21. Ex. H.

d) The Nottingham Hills Subdivision has repeatedly, and as part of each of the prior four (4) phases of this subdivision, added additional land to the area of the subdivision that was not part of the prior phases. The current application is no different. The Nottingham Hills subdivision has consistently demonstrated a common plan of development which both you individually and the East Lyme Planning Commission have recognized in the various approvals for prior phases (As well has the State of Connecticut Superior Court) based upon findings of fact determined by the East Lyme Planning Commission, The State of Connecticut Superior Court and yourself. In furtherance, I would direct you to the "FINDINGS" regarding Open Space in the Subdivision/Lot Line revisions of Nottingham Hills Subdivision Lots 19 & 21 dated January 11, 2021., Ex. I, which speaks for itself.

e) A memorandum of law will be submitted to the Planning Commission prior to or at the October 12, 2021 hearing.

M. A. S.

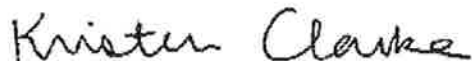
14. See response to #3.

15. The road is currently between 26 +/- feet and 27.5 +/- . An area 25' from the centerline will be added to the plans in the frontage of the eight lots being subdivided. This will not include the remaining area not part of the proposed subdivision. I note for the record that this property has never before been subdivided. Additionally, the Planning Commission has yet to make a finding that "...there may be a need to realign or widen the street...". In this regard and in my opinion, they won't be able to. I would also note that in front of lot 50 and portions of Lot 51 Pattagansett Lake is less than 25' from the centerline in these areas and it is more than highly unlikely, again also in my opinion, the Town would be able to convince the State of Connecticut DEEP or Army Corps of Engineers that the filling of portions of Pattagansett Lake to widen a road already 26' to 27.5' in width in a residential area is necessary.

16. Eversource (Electric) will not produce a plan or electric distribution agreement prior to subdivision approval. We have provided the required area, 30", on the revised plans, however.

17. No response required.

Sincerely,



Kristen T. Clarke P.E., Manager

cc: Paul Geraghty, Esq
J.P. Merein L.S.
Tim May P.E.

EXHIBIT A

From: **Garv Goeschel** <ggoeschel@eltownhall.com>
Date: Fri, Sep 24, 2021 at 3:43 PM
Subject: RE: 121 Upper Patt
To: Paul Geraghty <pgeraghty@geraghtybommano.com>
Cc: Jennifer Lindo <jlindo@eltownhall.com>, Kristen Clarke <kristenclarke@gmail.com>, Alex Klose <aklose@eltownhall.com>, Bill Scheer <bscheer@eltownhall.com>

Paul,

As indicated in my email below, attached are my comments regarding the proposed application. Again, Alex and I are available Wednesday afternoon, September 29, 2021, anytime after 1:00PM. If you need to speak with the Mr. Mulholland he is available Wednesday morning.

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

Best Regards,

Gary

Gary A. Goeschel III

Director of Planning / Inland Wetlands Agent

EXHIBIT B

Town of

P.O. Drawer 519

Department of Planning &
Inland Wetlands

Gary A. Goeschel II, Director of Planning /
Inland Wetlands Agent



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357

Phone: (860) 691-4114

Fax: (860) 860-691-0351

MEMORANDUM

To: East Lyme Inland Wetlands Agency and East Lyme Planning Commission

From: Gary A. Goeschel II, Director of Planning

Date: September 23, 2021

RE: English Harbor Asset Management, LLC c/o Kristen Clarke, P.E., Applicant; Cold Spring Lot Management, LLC c/o John Drabik, Owner; Application for an 8-lot subdivision of land located at 121 Upper Pattagansett Road, East Lyme Assessor's Map 35.0, Lot 44 (aka Nottingham Hills - Phase 5).

Upon review of the above referenced application, supporting documentation, and proposed 5 sheet plan set entitled "Nottingham Hills Subdivision Phase 5, prepared for Kristen T. Clarke, P.E., English Harbor Asset Management, LLC of 1712 Pioneer Avenue, Suite 1939, Cheyenne, WY 82001; Property Owner Cold Spring Lot Management, LLC, of 18 Drabik Road, East Lyme, CT 06333, dated August 3, 2021," prepared by John Paul Merein, L.S. of Gerwick-Merein LLC, 191 Boston Post Road, P.O. Box 565, East Lyme, Connecticut, 06333"; and plan sheet 2 of 2 entitled "Biofilter Retention Pond Rain Garden Layout, prepared for Nottingham Hills Subdivision Phase V, 121 Upper Pattagansett Road, East Lyme, CT 0633, dated September 6, 2021," by Timothy A. May, P.E. of May Engineering, LLC, 1297 Route 163, Oakdale, CT 06370, I offer the following findings:

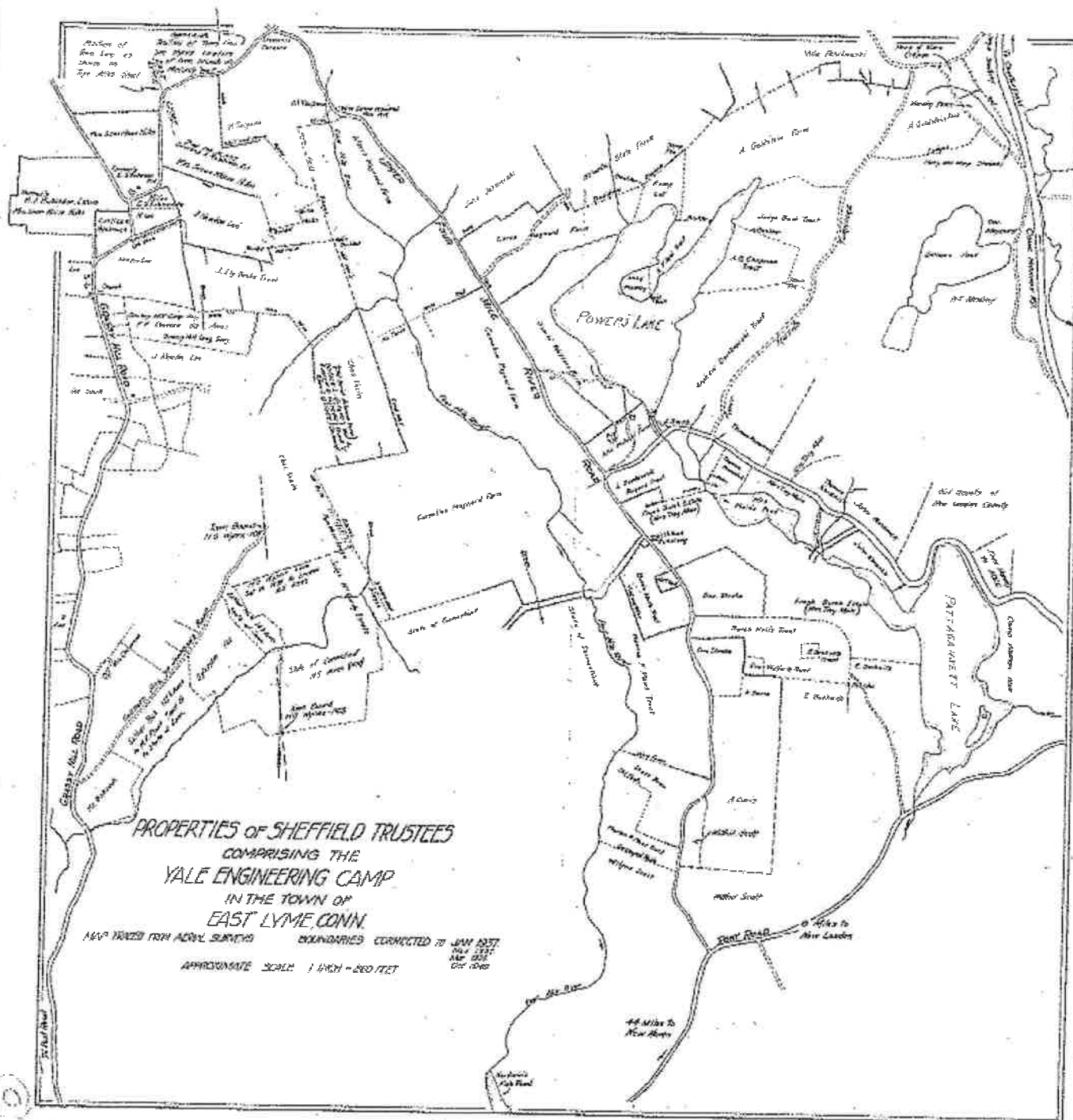
- 1) Section 3-4 Plan of Development: As the proposed Subdivision is located within an R40 and an R40/20 zoning district adjacent to existing residential lots zoned R-40 and R40/20 respectively, the proposed subdivision continues to follow the pattern of development characteristic of the existing residential development. As such, the proposed subdivision conforms to the comprehensive Plan of Development for the Town of East Lyme (POCD) as adopted by the East Lyme Planning Commission.
- 2) Section 4-2-11 Easements and Deeds: Requires copies of all easements and deeds necessary to carry the subdivision plan into effect, conforming to the requirements of these Regulations, including instruments proposed to be executed or delivered after approval of the application shall be submitted. As such, any shared driveway, utility, drainage, or open space easements need to be provided.
- 3) Section 5-2-2(E) and 6-8 Stormwater Management Plan: The Drainage Report prepared by Timothy May, P.E. was received September 8, 2021. Based on the memorandum from Alex Klose, P.E., Town Engineer dated September 23, 2021, suggest the plans and design report lack sufficient information to adequately demonstrate the proposed plans meet the Subdivision Regulations. In addition, pursuant to Section 5-2-2(E) xii, if applicable, properly executed legal documents, including warranty deeds for and transfers of titles to the party designated to maintain and operate the stormwater management system shall be submitted with the final subdivision plan to filed. All such documents shall be acceptable to the Town Attorney and Planning Commission.

- 4) Section 5-2-2(G) Erosion and Sedimentation Control Plan: The proposed Erosion and Sedimentation Control plan needs to show the proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from stormwater runoff on the proposed site base on the best available technology. The proposed Grading and Erosion and Sedimentation Control Plan doesn't show any erosion controls associated with construction of the driveways or the proposed homes. Therefore, the Planning Commission may not be able to certify that the Soil Erosion and Sediment Control Plan complies with the requirements and objectives of this Subdivision Regulations.
- 5) Section 5-3 Construction Sequence Report: The report and plan on sheet 5 of 5 of the plan set provides a general schedule for the development of the proposed lots. The Design report indicates there are no proposed public improvements required and the paving of the common driveways and construction of the rain gardens identified in the stormwater management plan will occur during the construction of the proposed homes.
- 6) Section 5-4 Sanitation Report: No report has yet been submitted.
- 7) Section 5-5 Water Supply Report: No report has yet been submitted.
- 8) Section 5-6 Pesticide Report: The Design Report does not indicate whether the land was ever classified as farmland in accordance with Sec. 12-107c of the CGS or other commercial use involving regular application of pesticides.
- 9) Section 5-7 Coastal Area management (CAM) Site Plan Review: The subject property is not within the Coastal boundary of the Town of East Lyme.
- 10) Section 5-8 Archeological Survey: Archeological Survey (the Design Report indicates it is in process and will be submitted upon completion). Section 5-8 states a survey shall be conducted and a report sent to the State Historic Preservation Office (SHPO) a minimum of 35-days prior to the submission of the subdivision application to the Planning Commission.
- 11) Section 6-2 Lot Design Specifications: The proposed lots appear to be laid out in a manner generally consistent with the specifications of section 6-2 of the East Lyme Subdivision Regulations. However, the proposed plans do not provide a 40-foot wooded or otherwise landscaped buffer along the perimeter of the Conservation Design Development to screen development of the proposed lots from existing contiguous lots pursuant to Section 23.5B 1 of the Zoning Regulations. In addition, Section 23.5B 2 B. of the Zoning Regulations requires in wooded areas where the sense of enclosure is a feature that should be maintained a, a deep "no-build, no-plant" buffer of a minimum of 200-feet shall be respected to preserve existing vegetation. The plans nor the Design Report indicate how the proposed subdivision meets these requirements.
- 12) Section 6-2-6 Energy Efficiency and Conservation: The applicant shall demonstrate to the Commission that in developing the subdivision plan, the use of passive solar energy techniques which would not significantly increase the cost of the housing to the buyer, after any available tax credits, subsidies, and exemptions, has been considered. Such techniques shall maximize solar heat gain, minimize heat loss, and provide natural ventilation during the cooling season. The site design techniques shall include, but not be limited to: (1) house orientation; (2) street and lot layout; (3) vegetation; (4) natural and manmade topographical features; and (5) protection of solar access within the development. A written statement outlining how this requirement has been adhered to has not been submitted.
- 13) Section 6-7 Open Spaces: As the subdivision is being proposed as a Conservation Design Development (CDD), in order to take advantage of the dimensional flexibility offered by the regulations applicants must provide Open Space in accordance with Section 23.6 of the Zoning Regulations. The proposed Subdivision doesn't propose the dedication of Open Space in accordance with Section 23.6 of the Zoning Regulations. As such, the proposed subdivision does not meet the requirements of Section 7-2-1 of the Subdivision Regulations. The proposed application indicates the Open Space requirement has been met through the previous dedication of open space associated with Phase 1, 2, 3, & 4 of the Nottingham Hills Subdivision. However, what is referred to as Phase 4 of the Subdivision, was not

part of any proposed subdivision but, rather it was a part of a zone change and site development plan approval for a multi-family development, not a subdivision. In addition, the subject parcel has never been previously subdivided, is under different ownership than that of the applicant as well as any of the landowners at the time Phases 1, 2, & 3 of the Nottingham Hills Subdivision were made. Further, 121 Upper Pattagansett Road was never shown on any proposed or approved plan as being a part of the Nottingham Hills Subdivision at the time Phases 1, 2 & 3 were proposed. Further, the subject parcel never abutted any of the parcels of land in the previous 3 phases of the Nottingham Hills Subdivision. As such, the Open Space previously provided as a part of the Nottingham Hills Subdivision phases 1, 2, & 3, does not meet the requirements of Section 7-2-1 of the East Lyme Subdivision Regulations to provide Open Space in the subdivision of any parcel of 10 acres or more in area or any subdivision of 4 or more lots for the proposed subdivision of 121 Upper Pattagansett Road referenced above.

- 14) Section 6-8 Stormwater Management and Section 6-9 Requirements Regarding Flooding: Based on the memorandum from Alex Klose, P.E., Town Engineer dated September 23, 2021, the proposed plans and Drainage Report lack sufficient information to adequately demonstrate the proposed plans meet the requirements of Sections 6-8 and 6-9 of the Subdivision Regulations.
- 15) Section 6-10 Street and Roadway Design Specifications: Pursuant to Section 6-10-6 of the Regulations, where a subdivision borders an existing street with less than adequate right-of-way, and the Commission determines that there may be a need to realign or widen the street, the Commission may require the applicant to dedicate land for such future realignment or widening. The proposed plans show a "Parcel 2, Lake Side Parcel of 41,150+/- square feet" in addition to the proposed 8 new lots. However, the plans do not provide a 25-ft right-of-way from the centerline of the existing street, Upper Pattagansett Road (a public Right-of-Way across the subject property) along the frontage of the land to be subdivided pursuant to Section 6-10-7 of the Subdivision Regulations.
- 16) Section 6-17 Underground Utilities: Requires underground electric transmission lines, telephone lines and cable television lines to be installed in each proposed subdivision, unless a waiver is granted in accordance with Section 4-13 of these Regulations. A note should be added to the plans indicating the same. Pursuant to Section 4-2-11, copies or drafts of the proposed easements for the installation of underground utilities need to be provided.
- 17) Section 6-18 Surety: As the Planning Commission may require surety (e.g. performance and maintenance financial guarantees or letters of credit), sufficient to ensure compliance and completion of site improvements with an approved subdivision or resubdivision and any conditions placed thereon, and pursuant to Section 4-2-12 Bond or Cost Estimate—an estimate for the cost of erosion and sedimentation control measures, driveways, rain gardens, and bio-filter/detention/retention pond should be provide. Pursuant to Section 6-18, financial guarantee improvements may include but are not limited to, erosion and sedimentation control measures, drainage, landscaping buffers, utilities, parking, recreational facilities, streets, private streets or roadways, driveways, and sidewalks, or other elements as approved by the subdivision or resubdivision plan. Surety requirements shall conform to the requirements of Section 8 of the East Lyme Subdivision Regulations.

EXHIBIT C



PROPERTIES OF SHEFFIELD TRUSTEES
 COMPRISING THE
YALE ENGINEERING CAMP
 IN THE TOWN OF
EAST LYME, CONN.
 MAP TAKEN FROM ACRYL SURVEYS BOUNDARIES CORRECTED TO JAN 1937
 APR 1937
 MAR 1938
 OCT 1938
 APPROXIMATE SCALE 1 INCH = 250 FEET

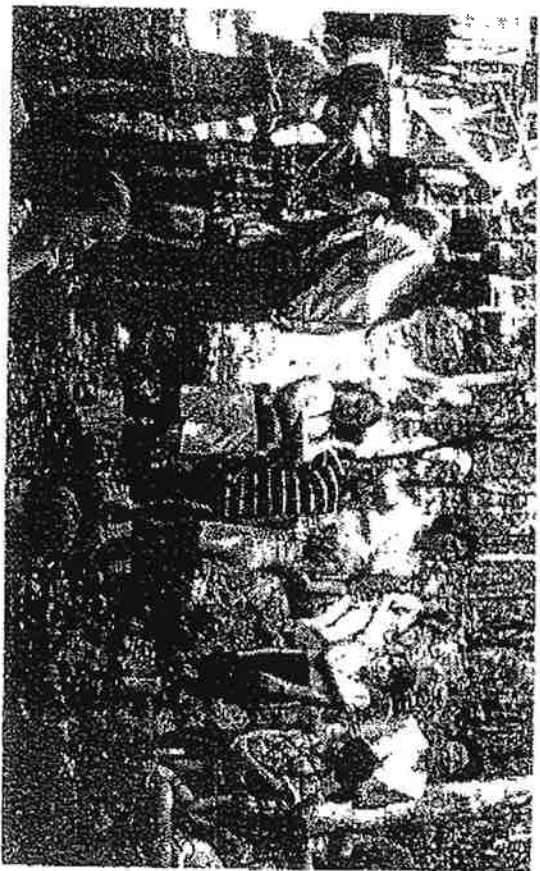
EXHIBIT D

Pattagansett Memories

*Boats sailing gently on the lake,
Girls' voices calling as they cross to swim,
Night sounds: crickets, katydids, locusts,
Early morning bird calls
And squirrels frisking over the tree branches,
Rain pitter-pattering on the tent fly,
Sun sparkling through the oak trees,
Smoke curling up from the evening campfire,
Taps mournfully fills the air.
Peace descends on my camp.*

*I loved it once.
I miss it now!*

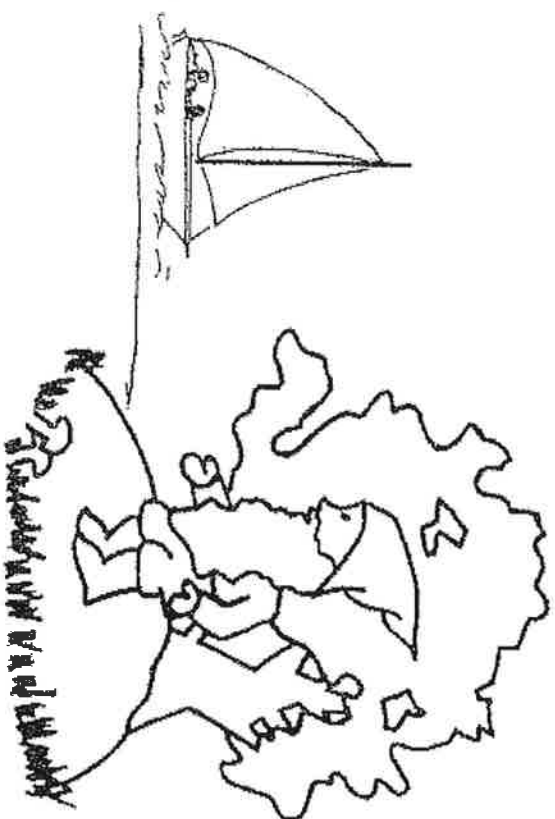
Jane Schmidt



CAMP

PATTAGANSETT

1936-1986



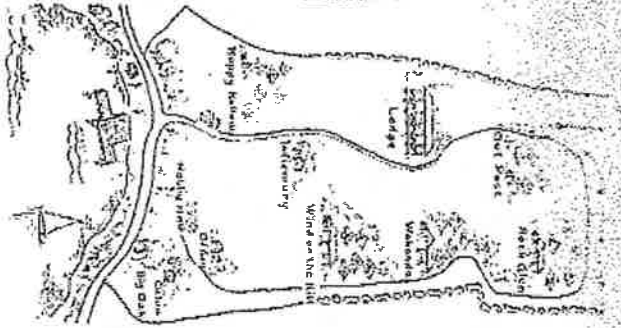
MAJOR CHANGES MADE AT CAMP PATTERSON

1954

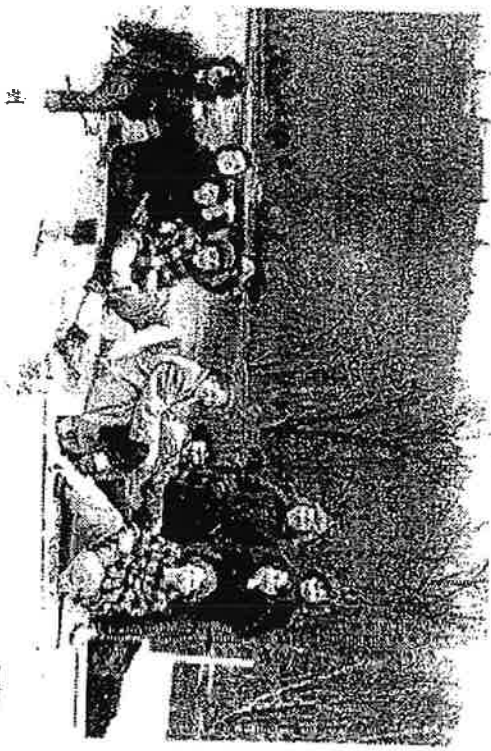
Change

Who Responsible

- 270 lb. of pipe replaced in water well
- New water pump. Details in '54 narrative report.
- Larger transformer
- Tulip tree planted.
- New Canoe--\$200.
- Outrigger light at lodge and outside light at infirmary.
- Ploeking dock extension made.
- New benches in dining hall.
- 1955
- New Lodge door and Cabin back door locks.
- New Office door and lock.
- Flag pole moved from Lodge to field.
- Plywood row boat--\$80.
- Second hand Sail Boat--\$100.00
- Gold Collar
- Kitchen shelter and Hobby Hall.
- Hobby Hall plans.
- New Dolt, "Rock Omen"
- Boathouse stained.
- Infirmary and Office painted.
- Extended water-front.
- New boathouse padlock. Combination 2332.
- Portable telephone extension in office for season.
- Mr. John Bergnauld
- Conn. Power Company
- Mrs. Michael Onuparik
- Old Towne, Kaline, through Mr. Warren Bayouthor of Niantic.
- Mr. James Rainey
- Joan Miller and her Water-front staff.
- Mr. C. Calkins, Green Acres Shop.
- John Katsalf
- Mr. Robert Cross
- Conn. Power Co.
- Through Gordon Fraser.
- Niantic Boat Yard.
- Volunteer help from the Bricklayers' Union, Mr. Nantia.
- Mr. Charles Saunders.
- Mr. Donald Cruise.
- Volunteers--refer to Camp Com. file. Tanks purchased by Mr. Walter Rice, Niantic.
- Junior Camp Committee.
- Volunteer Boy Scout Explorers, Mr. Whitaker, leader.
- Mr. Doyle--Sand load donated.
- Warren Boatman.
- Notify Telephone Company.



Map of Camp Patterson



CAMP PATTAGANSETT'S 50th CELEBRATION PROGRAM

1 to 6 pm

Saturday
Welcome to staff 1936-1986
Time to reminisce, tour camp, swim (2-4) and view
memorabilia in Metcalf Lodge.

4 pm

Barbecue (catered by the daughters of the Four Winds),
stuffed flounder or chicken Bourgeois,
rice pilaf
vegetable medley
rolls & butter beverage

8 pm

Campfire at the Council Ring
by the daughters of the four Winds
Sing-a-long

9 to 11 am

Church Services if your choice in Past Lyme
Troops Arrive
Ceremony of Remembrance and Renewal

12 n

Welcoming Remarks
Acknowledgements
Camp Uniform Fashion Show

2 pm

Song - "Girl Scouts Together"
Presentation of Gifts of Service by Troops
Unveiling of Gnome carving
Song - "On My Honor"

2:30 to 5 pm

Swimming, picnicking and just plain fun!
5:50 pm Good Night, Scouts!

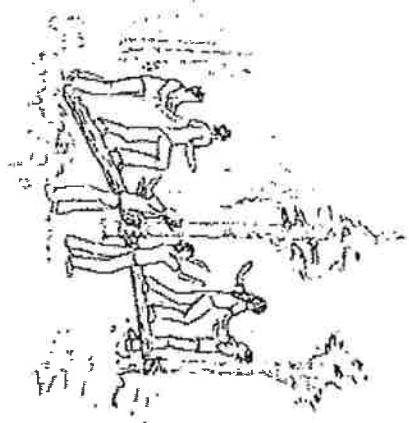
50th ANNIVERSARY COMMITTEE

- Individual Women
Mary J. Hill and Judy Caetano
JoAnn Basso
Sharon Kurdy
Bobbie Farnsworth
Barbara Robinson
Mertha Spruelsenburg

SPECIAL THANKS

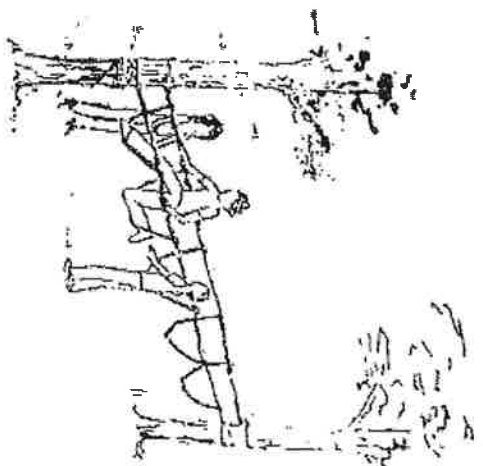
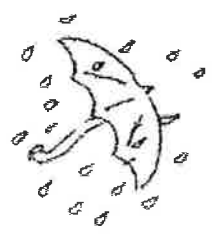
Joy Bissnette For preparing a permanent home for the gnomes.
Marlene Stevens For donating her time on the waterfront.
Troop 3032 of Groton
Troop 3228 and 3108 of Mystic
Troop 02024 (Spec. Int.) For their service as aides.

All who donated to the Joan Briggs Memorial Fund: especially Alora
Croschank Self, who was responsible for the actual creation of
the gnomes.



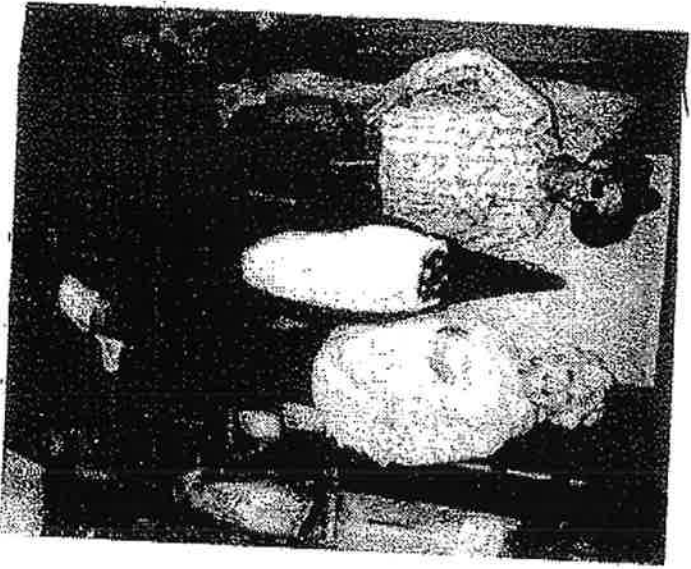
11AV CAMP SONGS

From the shores of Pattagansett Lake
to the heights of upper Windy
We have hiked and had camp fires around the camp
Swimming, crafts and cook-outs too.
He wrote lots of letters to our gnomes
and they answered them all night.
Pattagansett Day Camp is the place
to-o- make our summer bright.



Camp Pattagansett was very fortunate when, seven years ago, a group of gnomes took up residence here. They settled in a hollow of a tree behind the building which is now the office. Good things began happening. Scouts who did good things the camp clean where rewarded with goodies. Campers began to keep notes to the gnomes and received answers. Gnomes are twilights and night creatures. They do their work and play their games during short, sultry summer nights and long cold winter nights. Gnomes can talk with animals and help them when they are sick or wounded.

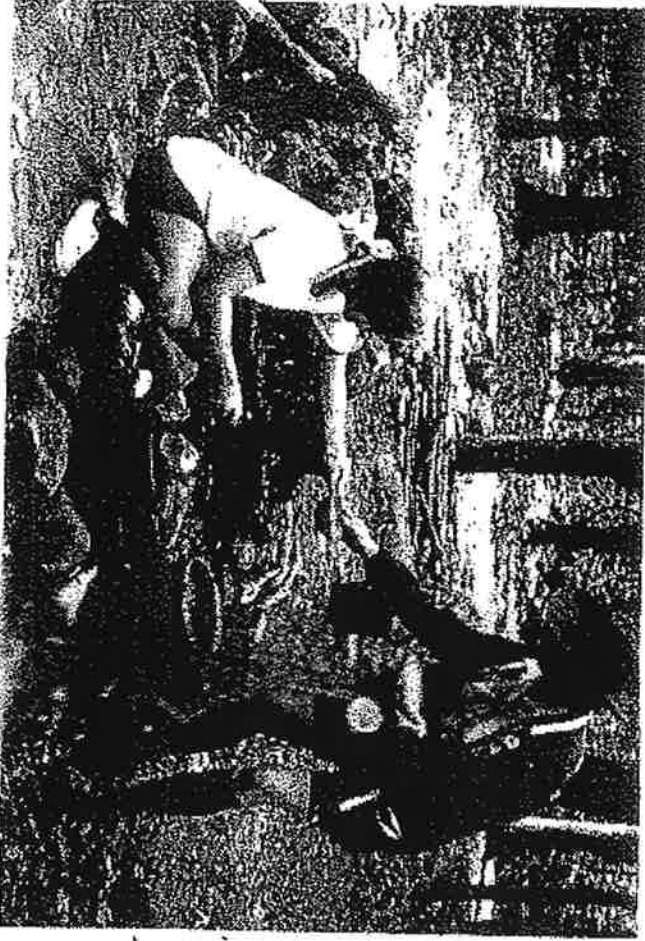
The adult gnome is about 6 inches tall (without cap), he weighs about 10y ounces. The gnomes' life span is about 400 years. Gnomes are very fussy about where they live. Aren't we lucky to have them?



- | | |
|------|---|
| 1936 | New London Council purchased 52 acres of woodland property on Lake Pattagansett in East Lyme. |
| 1937 | Camp site approved by Girl Scouts, local and state authorities. The old camp site of New London Council, Camp Cedarcrest at Gardner's Lake was moved to Lake Pattagansett. Camp fee was \$8 a week for council Girl Scouts. 55 girls participated in three units, Happy Hollow, Outpost, and Wind-on-the-Hill. Camp ran for five weeks. |
| 1938 | New lodge was built to serve 100 girls for meals and recreation. It was dedicated to Francis Miner Graves, founder of Girl Scouting in New London area. |
| 1939 | Camp expanded to seven weeks of operation, first two week session offered. |
| 1941 | Camp fee was \$8.50 for one week. |
| 1942 | Campers had to bring sugar ration book to camp. The camp fee was \$10 and was offered for eight weeks. |
| 1943 | \$1 per week was suggested as ample spending money for Trading Post. A camp Victory Garden food for campers. |
| 1944 | The fee was \$11. You could rent a mosquito net for 10¢. |
| 1945 | \$12 was the fee. Wakonda was the Sailor unit. A new dock was put in place, donated by local Kiwanis Club. |
| 1947 | Fee is now \$14. |
| 1948 | \$14.50 was the fee this year. |
| 1950 | Martin Bremer was a special feature for many sessions. |
| 1951 | \$16.50 was the fee for all sessions are two week periods. |
| 1954 | Fee was \$17.50 and a new camp uniform was required. |
| 1955 | "greenies" (a white blouse with a collar, tie and green shorts, new unit was established, Rock Glen. Established troop was first offered. |
| 1957 | Fee increased to \$19 per week. |
| 1958 | First special program, Senior Week, offered prior to camp. Cook's cabin was completed. 22 acres were added, at a cost of \$2,200. |
| 1960 | Fee was \$22.50, 05 girls per session. Seabees built the shower house for first use. |
| 1961 | 25th reunion was attended by 15 campers. |
| 1962 | New England camp exchange unit. |
| 1963 | Primitive practice patrol of the council for National Senior Roundup was held at camp. |
| 1964 | First camping year after merger to form Connecticut Trails. |
| 1965 | Fee was up to \$26. Colored flashers and green knees socks were added to the camp uniform. |
| 1966 | Outpost unit was closed. Camp capacity was 104. |
| 1967 | Lodge destroyed by fire. |
| 1968 | Council Bike Unit started from here. The new lodge was dedicated to Evelyn Metcalf. Fees fluctuated for special units, averaging \$30 to \$35. |
| 1970 | Senior Services Aide projects were offered. |
| 1971 | Pattagansett Day Camp was established for pavilion was completed for day camp. |
| 1972 | Last year for resident camping. Three sessions held. |
| 1973 | Core staff available on request for troops. |
| 1974 | Introduced family camping. |
| 1975 | Charter Oak Encampments. |
| 1976 | "One From Many" "Life in Colonial America" and referred as Pattagansett Outdoor Club, Charter Oak Weekend, day weeks. |
| 1977 | "From Plymouth ay to Mars." Two sessions of Day Camp, five day weeks. |
| 1979 | Charter Oak weekend. "Land, Sea & Sky." \$11 per girl. Lodge burned again. |
| | First year new lodge officially used. U-Count weekends began, sessions at \$42 per session. Camp became site of annual Indian Lore Troop In-Gatherings. |

- 1980 U-Count "Almost Everything Goes" arts weekend. Senior
- 1981 Summer Seminar held.
- 1982 U-Count program. "When You Wish Upon a Star." career exploration.
- 1983 Camp is now 87 acres. U-Count is "Music Moments." featuring performing arts.

- 1982 Camp is now 87 acres. Junior Roundup was held and first year of resident sailing camp too. U-Count. Singing in the Rain. U-Count. "Music Moments." was performing arts program. U-Count. "Music Moments." was performing arts program. U-Count. "Music Moments." was performing arts program.
- 1983 U-Count. "Your World & Mine." was people program.
- 1984 Discovery Weekend. Formerly U-Count. was a career program.
- 1985 "When I Grow Up." \$110 per session.
- 1986 Discovery Weekend on the outdoors was "Unit n About." \$115 was charged per session for Day Camp.



Aunt Polly

*Mushrooms to eat and collect.
 Mark Twain ~ her hero
 Her one pigtail fell carelessly
 over her left shoulder.
 The Taj belonged to her,
 but she lovingly shared with me,
 And her Eff tree is a legacy
 for us all!*

Poy

*She comes charging
 into camp
 In his red truck,
 which we lovingly call
 the "red alarm clock."
 She growls about
 the weather
 and the work,
 But he fixes everything
 "good as new!"*

Jane Schmidt

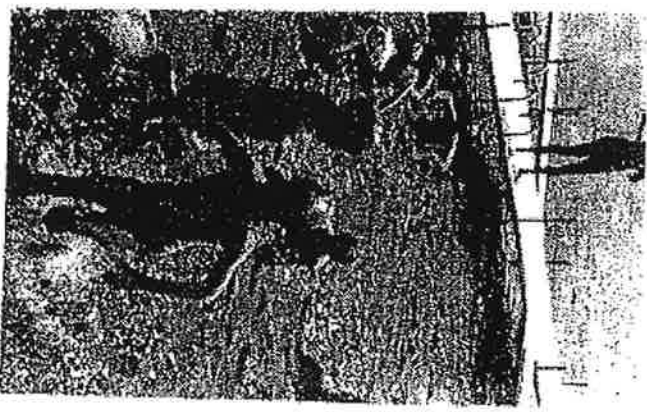


EXHIBIT E

CLA Engineers, Inc.

Civil • Structural • Survey

317 MAIN STREET

NORWICH, CT 06360

(860) 886-1966

(860) 886-9165 FAX

Proposed Residential Conservation Subdivision
Roxbury Road (Map 16.1, Lot 43-1)

Design Report Summary

August 5, 2021

Natural & Cultural Resource Map

A natural & Cultural Resource map is included in the Subdivision Plan Set.

* →

Archaeological Survey

The subdivision plans have been submitted to the State Archaeologist for review. A copy of the review letter will be provided.

Biological Survey

The subject property is not located within a CTDEEP Natural Diversity Database Area (June 2021 map), or critical habitat.

Soil Scientist Report

A wetland and site soils report by Robert Russo is attached that describes the existing onsite soil conditions, wetland characteristics and functions. The development has been approved by the Inland Wetland Agency on January 27, 2020.

Pesticide Report

The current owner has not used the property for farming activities, and has not used pesticides on the property. The owner has indicated that they have no knowledge of the property being used for farming in the past. A review of available historic aerial imagery does not indicate that the property was used for farming. Based on the soil conditions onsite, it is unlikely that the property was used for farming. It does not appear that the property was ever classified as farm land, and in our opinion the use of pesticide on the property is unlikely.

Yield Plan / Conventional Layout

A yield plan / conventional layout map is included in the Subdivision Plan Set.

Cluster/Conservation Design

The proposed subdivision is more than 4 lots and has been designed in accordance with the Conservation Design Development, as required by Section 23 of the Zoning Regulations.

Open Space Report Narrative

The proposed open space was located to help protect the inland wetland system bordering the property and the associated upland areas. The proposal is to leave the open space in its natural state. The location of the open space allows for direct access to Roxbury Road via an existing access strip that will remain with the open space parcel.

The proposed subdivision sets aside 2.94 acres of the total 8.61 acres as open space. The open space calculations and the land characteristic calculations are included in the subdivision plan set and are summarized as follows:

	Required	Provided
Open Space Area:	30%	34.1%
Max. Wetland or Steep Slopes:	50%	38.8%

The method of open space conveyance is to be determined.

Zoning Compliance Chart

A zoning compliance chart is included in the Subdivision Plan Set.

Sewage Disposal Report

The proposed lots will utilize onsite septic systems. Soils testing and site preparation work has been coordinated with the Ledge Light Health District. The subdivision plans have been submitted for review. A copy of the final review/site suitability letter will be provided.

Water Supply Report

The proposed lots will connect to the public water supply water main located within Roxbury Road. The subdivision plans will be submitted to the Town Water Department for review. A copy of the review letter will be provided.

Stormwater Management Plan / Hydrological Report

A drainage and stormwater management report is attached separately. As outlined in the report, there is no proposed increase in peak stormwater flow rates, or runoff volume from the site.

The report summarizes stormwater management requirements during construction and post construction, including operations and maintenance guidance.

An erosion and sedimentation control narrative, stormwater management plan and construction details are included on the subdivision plans. Erosion and sedimentation controls and construction activities will be in compliance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.

EXHIBIT F

SUBDIVISION APPLICATION CHECKLIST

- Original & 1 copy application form
- 12 copies 11" x 17" at no less than 1 inch = 200 feet
- 10 copies of all maps required by Sec 4-1-6 through 4-1-8 and 4-1-12.
- Application Fee
- Waiver Request, if applicable
- Design Report
 - Natural & Cultural Resources Map (4-1-4)
 - * → Archaeological Survey (5-11) *We have contacted Sarah Sportman (Dec 2020) of the Office of State Archaeology and are awaiting a response.
 - Biological Survey *The subject site is not located within a DEEP NDDB area - sec NDDB map attached.
 - Soil Scientist's Report
 - Pesticide Report (5-10)
 - N/A Yield Plan showing Conventional layout
 - N/A Cluster/Conservation Design (for subdivisions > 20 acres)
 - N/A Choice of Design Option Report & Narrative
 - Open Space Report Narrative
 - Zoning Compliance Chart <see zoning table on site plan>
 - N/A Traffic Report (>100 lots & non-residential)
 - Sewage Disposal Report ((5-5)
 - Water Supply Report ((5-6)
 - Stormwater Management Plan / Hydrological Report (5-7)
 - Drainage cales. W/map showing proposed drainage areas
- Record Subdivision Plan (5-1)
- Site Development Plan (Grading & E&S)
- N/A Road Construction (Plan & Profile)
- N/A Construction Plans
- N/A CAM application if applicable
- Easements and Deeds *The applicant is the property owner. Upon property transfer, deeds will be revised accordingly including necessary easement.
- N/A Construction Cost Estimate for Public Improvements
- List of Adjacent Property Owners
- Notification of Adjacent Property Owners (Certificates of Mailing) if public hearing
- Post Sign *Notification will be mailed via Certificate of Mailing and sign will be posted upon the determination of the date of the public hearing.

Review By Others:

- N/A East Lyme Inland Wetlands Agency
- N/A Regional Planning Commission (abuts or straddles an adjacent municipality)
- N/A Adjacent Municipality (abuts or straddles an adjacent municipality)
- N/A Environmental Review Team
- N/A CT Department of Public Health (if located w/in public water supply aquifer protection area)

EXHIBIT G

**Geraghty &
Bonnano, LLC**
Attorneys at Law

PAUL M. GERAGHTY*
MICHAEL S. BONNANO
JOHANNA McCORMICK
MARK A. DUBOIS†
JONATHAN E. FRIEDLER††

*Also Admitted in New York
† Board Certified, Trial Advocate
†† Also Admitted in Massachusetts and North Dakota

August 10, 2021

Via Email: sarah.sportman@uconn.edu
Sarah Sportman
Office of State Archeology
University of Connecticut
354 Mansfield Road
Unit 1176
Storrs, CT 06269

Dear Ms. Sportman:

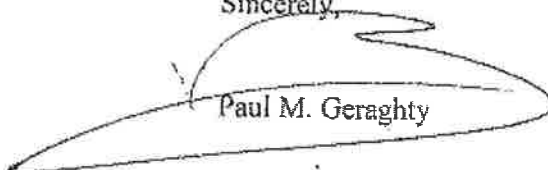
Attached please find the subdivision plans and historical use information my client English Harbour Asset Management, LLC, has submitted to the Town of East Lyme Planning Commission as part of the subdivision application for property known as 121 Upper Pattagansett Road, Assessors Map 35.0-44, East Lyme, Connecticut. The intent of my client is to develop eight (8) residential building lots along Upper Pattagansett Road and to continue to use the remainder of the property in a manner consistent with its use during the past 85+ years as a camp ground.

As is evidenced by the attachments, Ex. A, and the subdivision plans which include the "existing conditions map" there are numerous structures, paved and gravel roads and parking areas and underground utilities on the property that which has been utilized as a Girl Scout Camp since at least 1936.

We would appreciate your review of the attached to determine if an archeological survey is necessary.

Thank you for your assistance and please let me know if you need any additional information.

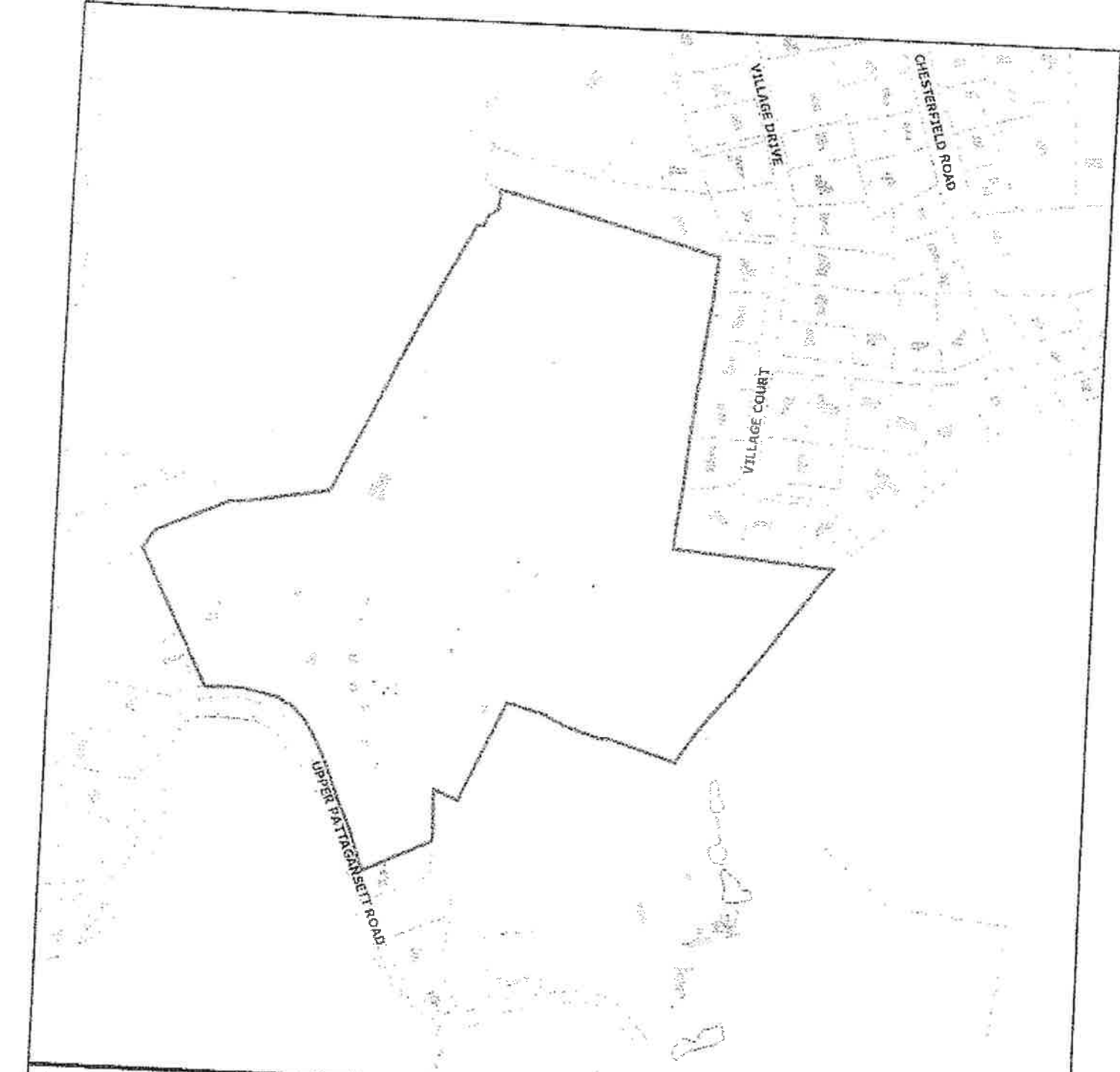
Sincerely,



Paul M. Geraghty

Enc.
CC: client w/o enc.

EXHIBIT A



121 UPPER

5/11/2021 10:30:43

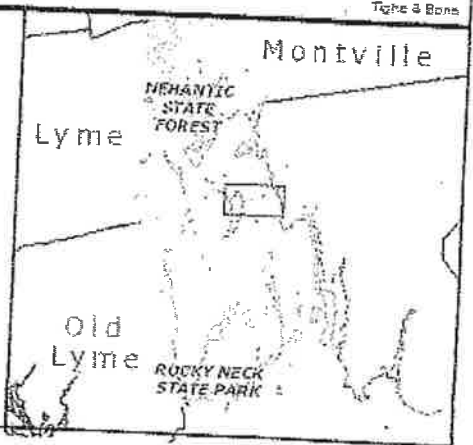
1"=500'

Property Information

Parcel ID	35.0 44
Address	121 UPPER
Sale Price	\$843,146.00



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.



Tyler & Bone

Water Lines

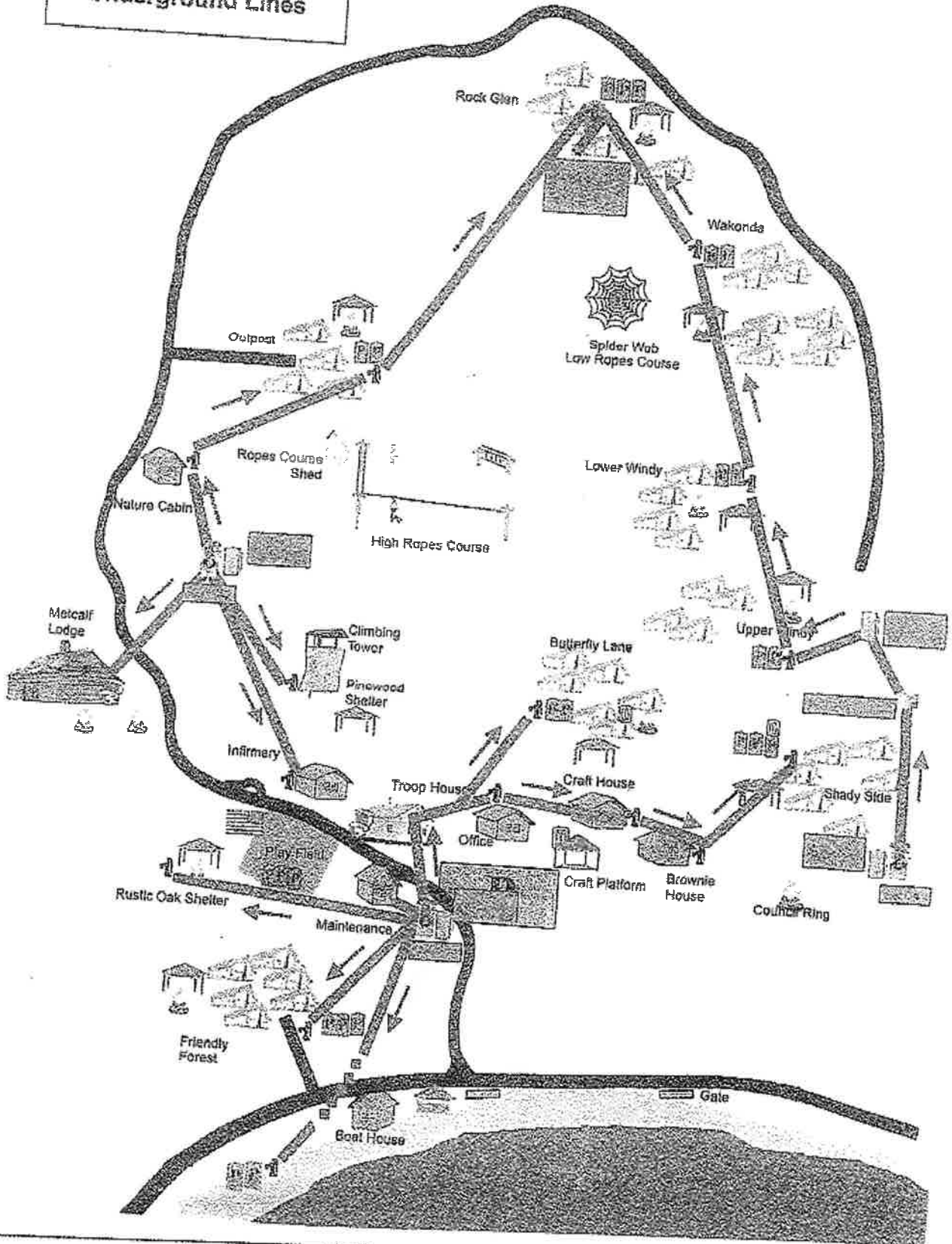
Overground Lines

Underground Lines

Camp Pattagansett

87 Acres

East Lyme, CT



Camp Pattagansett Building Inventory

Metcalf Lodge

Dimensions: 60X40+53X40 (Wood Structure)

Features: 3 common rooms, 3 kitchens, 2 bathrooms, 2 storage rooms and 1 fireplace upstairs. In the basement is a furnace room, storage room oil fired hot air furnace, and water heater. A oil storage tank is also located in the basement.

Appliances: 3 electric ranges, 3 refrigerators, 3 kitchen sinks, 1 shower, 6 toilets, and 6 bathroom sinks.

Contents: 18-8 foot folding tables, 75 metal folding chairs and 60 sleeping mats

Nature Cabin

Dimensions: 15X18 (Wood Construction)

Features 2 rooms and materials to support nature projects.

Infirmary

Dimensions: 16X20+10X16 (Wood Construction)

Features: treatment area, sickbay area, isolation room, and bathroom.

Appliances: Electric hot water heater, kitchen sink, refrigerator, toilet, and bathroom sink.

Contents: 4 cots with sleeping mats, medical bench, metal locker and medical supplies.

Caretakers House

Dimensions: 24X40 with 16 ½ X 19 ½ deck

Features: 3 bedrooms, living room, kitchen/dining area, bathroom.

Appliances: Oil hot air heater, electric water heater, electric range, refrigerator, dishwasher, kitchen sink, shower, toilet, bathroom sink and air conditioner

Adjacent to house is a metal storage shed, dimensions 5X10.

Office

Dimensions: 20X34 (Wood Construction)

Features: 1 room, fireplace.

Appliances: Electric hot water heaters, 3 door commercial refrigerator (2004) 2 standard refrigerators and a commercial sink.

Craft House/ Trading Post

Dimensions: 16 ½ X 22 ½ + 8X9
(Wooden Construction)

Features 2 room, used for arts and crafts, contains arts and crafts supplies.

Brownie House/Troop Equipment Shed

Dimensions: 18 ½ X 24 ½ + 8X16
(Wooden Construction)

Features: common room, storage room, kitchen, fireplace

Appliances: Refrigerator and kitchen sink

Boat House

Dimensions: 18X18 (Wood Construction)

Features: 1 room, used to store canoes, funyaks, paddle boats, personnel flotation devises, paddles and other waterfront supplies.

Maintenance Facility

Dimensions: 27X50 (Wood Construction)

Features: 2 rooms with electric space heaters, and 2 overhead garage doors.

Contents: Contains all maintenance tools to support the camps. Lawn tractors, PUG, table saws, compressors, electric jack hammers, refrigerator and many small tools. A separate inventory list is available for this building.

Unit Shelters

Dimensions: 14X20 (Wooden Construction)

6- Kitchen Shelters

1- Picnic Shelter

Tent Platforms:

42 singles

1 double

Dimensions: 14X16

Contain 4 cots and mattresses and 1 tent per platform
Contains 8 cots and mattresses with 2 tents

Climbing Tower:

Pavilion

(Wood Construction)

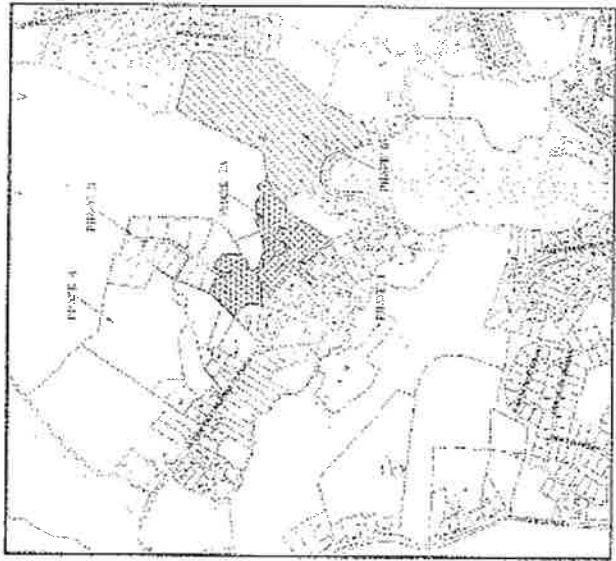
Dimensions: 25X40 (Wood Construction)

PATTAGANSETT PRESERVE AT NOTTINGHAM HILLS

(ALSO KNOWN AS NOTTINGHAM HILLS SUBDIVISION PHASE 5)

NOTICE

- 1. THIS PLAN IS SUBJECT TO THE ZONING ORDINANCES OF THE CITY OF CHEYENNE, WYOMING.
- 2. THIS PLAN IS SUBJECT TO THE SUBDIVISION ACT OF THE STATE OF WYOMING.
- 3. THIS PLAN IS SUBJECT TO THE EASEMENTS AND RIGHTS OF WAY SHOWN ON THE PLANS.
- 4. THIS PLAN IS SUBJECT TO THE EASEMENTS AND RIGHTS OF WAY SHOWN ON THE PLANS.
- 5. THIS PLAN IS SUBJECT TO THE EASEMENTS AND RIGHTS OF WAY SHOWN ON THE PLANS.
- 6. THIS PLAN IS SUBJECT TO THE EASEMENTS AND RIGHTS OF WAY SHOWN ON THE PLANS.
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- 9. THIS PLAN IS SUBJECT TO THE EASEMENTS AND RIGHTS OF WAY SHOWN ON THE PLANS.
- 10. THIS PLAN IS SUBJECT TO THE EASEMENTS AND RIGHTS OF WAY SHOWN ON THE PLANS.

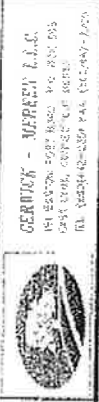


NOTTINGHAM HILLS SUBDIVISION
 PHASE 5
 PREPARED FOR
 KRISTEN T. CLARKE, P.E.
 ENGLISH HARBOR ASSET
 MANAGEMENT LLC
 1712 PIONEER AVENUE, SUITE 1039
 CHEYENNE, WY. 82001



PROPERTY OWNER
 COLD SPRING LOT MANAGEMENT LLC
 18 DRABIK ROAD
 EAST LIME CT. 06233

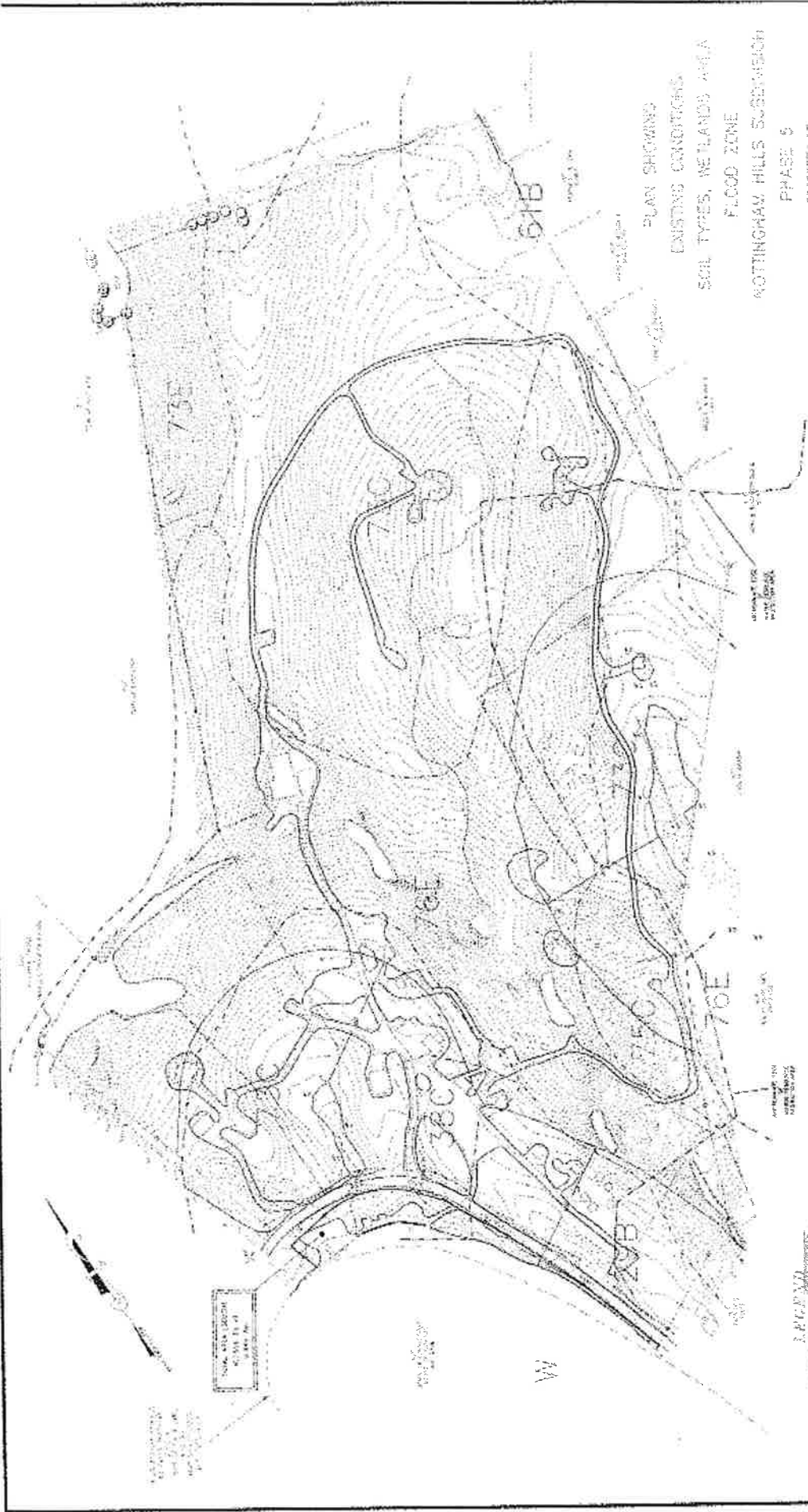
DATE: AUGUST 1, 2008
 SHEET 1 OF 5
 JOB NO. 18-038



APPROVED BY THE CITY FOR
 PLANNING COMMISSION

DATE: _____
 BY: _____
 TITLE: _____

DATE: _____
 BY: _____
 TITLE: _____



PLAN SHOWING
 EXISTING CONDITIONS
 SOIL TYPES, WETLANDS AREA
 FLOOD ZONE
 WOTTINGHAM HILLS SUBDIVISION
 PHASE 5
 PROPERTY OF

COLD SPRING LOT MANAGEMENT, LLC
 121 UPPER PATAGANNSSETT ROAD
 EAST LYME CT 06333
 SCALE 1" = 10'
 DATE AUGUST 2, 2007

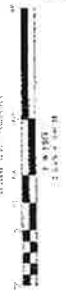
SOIL TYPES

SOIL TYPE	AREA (SQ. FT.)	PERCENTAGE (%)
70A	1,200,000	15.0
70B	1,500,000	18.8
70C	1,800,000	22.5
70D	2,100,000	26.3
70E	2,400,000	30.0
70F	2,700,000	33.8
70G	3,000,000	37.5
70H	3,300,000	41.3
70I	3,600,000	45.0
70J	3,900,000	48.8
70K	4,200,000	52.5
70L	4,500,000	56.3
70M	4,800,000	60.0
70N	5,100,000	63.8
70O	5,400,000	67.5
70P	5,700,000	71.3
70Q	6,000,000	75.0
70R	6,300,000	78.8
70S	6,600,000	82.5
70T	6,900,000	86.3
70U	7,200,000	90.0
70V	7,500,000	93.8
70W	7,800,000	97.5
70X	8,100,000	101.3
70Y	8,400,000	105.0
70Z	8,700,000	108.8

APPROVED BY THE STATE OF CONNECTICUT

DATE: _____

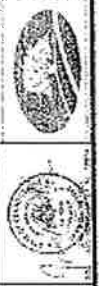
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GRAPHIC SCALE

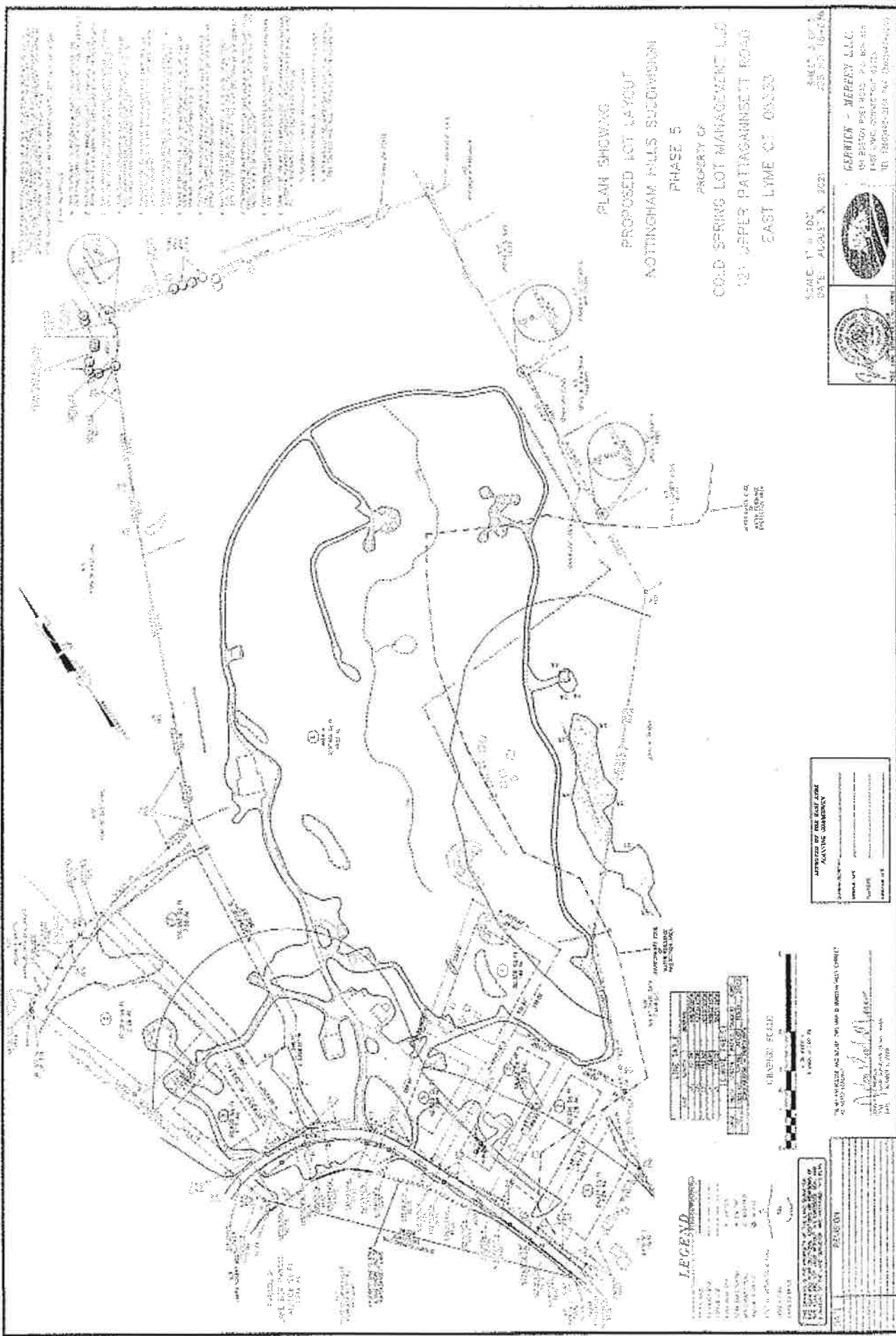
3. P.C.M.A. *Professional Consultants & Associates*

300 MAIN STREET
 SUITE 200
 WESTPORT, CT 06894
 TEL: (860) 426-1111
 FAX: (860) 426-1112
 WWW.PCMA-CT.COM



JEFFREY W. MURREN, P.E.
 10000
 STATE OF CONNECTICUT
 LICENSE NO. 10000

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
 DATE 10/15/2010 BY 60322 UCBAW/STP/STP



PLAN SHOWING
 PROPOSED LOT LAYOUT
 NOTTINGHAM HILLS SUBDIVISION
 PHASE 5
 PROPERTY OF
 COLD SPRING LOT MANAGEMENT, LLC
 120 UPPER PATTINGANSETT ROAD
 EAST LIME CT 06033

SHEET 2 OF 2
 SCALE: 1" = 100'
 DATE: AUGUST 3, 2023

CEPHEUS - MERRILL, LLC.
 150 BOSTON POST ROAD, 7th FLOOR, SUITE 700
 EAST LIME, CONNECTICUT 06033
 TEL: 203-650-2100 FAX: 203-650-2101

APPROVED FOR THE CITY OF EAST LIME

Project No.	
Project Name	
Project Date	
Project Location	

LEGEND

Proposed Lot	---
Proposed Road	---
Proposed Utility	---
Proposed Structure	---
Proposed Pond	---
Proposed Tree	---
Proposed Fence	---
Proposed Sign	---
Proposed Light	---
Proposed Well	---
Proposed Septic	---
Proposed Driveway	---
Proposed Walkway	---
Proposed Deck	---
Proposed Pool	---
Proposed Garage	---
Proposed Shed	---
Proposed Barn	---
Proposed Horse	---
Proposed Dog	---
Proposed Cat	---
Proposed Bird	---
Proposed Fish	---
Proposed Insect	---
Proposed Plant	---
Proposed Animal	---
Proposed Object	---



TO BE MAINTAINED AS PART OF THE MAP & BOUNDARY SURVEY
 TO BE MAINTAINED AS PART OF THE MAP & BOUNDARY SURVEY
 TO BE MAINTAINED AS PART OF THE MAP & BOUNDARY SURVEY
 TO BE MAINTAINED AS PART OF THE MAP & BOUNDARY SURVEY

PROBATION

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PROPOSED PAVING	3
PROPOSED UTILITIES	4
PROPOSED EROSION CONTROL	5



PLAN SHOWING
GRADING AND ELEVATIONS
NOTTINGHAM HILLS SUBDIVISION
PHASE 5
PROPERTY OF
COLD SPRING LOT MANAGEMENT LLC
121 UPPER PATIAGANSETT ROAD
EAST LYME CT. 06030

SCALE 1" = 60'
DATE: AUGUST 3, 2021
SHEET 4 OF 5
JOB NO. ES-022



GERRICK - JERRY LLC
191 HODGES STREET WOODS, CT 06097
TEL: 203-440-0220 FAX: 203-440-0221



1. THE GRADING AND ELEVATIONS SHOWN ON THIS PLAN ARE BASED ON THE DATA SUBMITTED BY THE CLIENT AND THE FIELD SURVEY BY THE ENGINEER. THE ENGINEER HAS ASSUMED THAT THE DATA IS CORRECT AND COMPLETE.

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CONSTRUCTION SPECIFICATIONS

- 1. ALL MATERIALS TO BE USED SHALL BE OF THE BEST QUALITY AVAILABLE.
- 2. ALL MATERIALS SHALL BE TESTED BY AN INDEPENDENT TESTING LABORATORY.
- 3. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
- 4. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES.

WATER PENETRATION RESISTANCE

- 1. ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
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WATER PENETRATION RESISTANCE

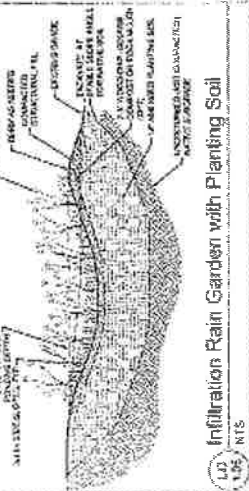
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Infiltration Rain Garden with Planting Soil

10/15 NTS

THIS GARDEN IS TO BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES.

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DETAIL SHEET

NOTTINGHAM HILLS SUBDIVISION

PHASE 5

PROPERTY OF

COLD SPRING LOT MANAGEMENT LLC

121 UPPER PATIAGANSETT ROAD

EAST LYME CT 06330

SCALE: 1" = 100'

DATE: AUGUST 3, 2021

PROJECT NO. 21020

GENERIC - MERCEY LLC
 P.O. BOX 122 19155 231 231 231
 EAST LYME, CONNECTICUT 06330
 TEL: (860) 499-2312 FAX: (860) 499-2312



DATE	REVISION

REVISIONS

PREPARED BY: JENNIFER M. MERCEY
 CHECKED BY: JENNIFER M. MERCEY
 DATE: AUGUST 3, 2021

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EAST LYME, CONNECTICUT 06330

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EXHIBIT H

CORRECTED ASSIGNMENT OF DECLARANT RIGHTS

WHEREAS, NIAN TIC REAL ESTATE LIMITED LIABILITY COMPANY was a developer of a Subdivision known as Nottingham Hills; and

WHEREAS, in conjunction with said development, **NIAN TIC REAL STATE LIMITED LIABILITY COMPANY** prepared and recorded a Declaration of Covenants and Restrictions originally recorded at Volume 614, Page 424 of the East Lyme Land records; and

WHEREAS, said Covenants and Restrictions have been amended from time to time by the said Declarant including an Assignment of Declarant Rights to **NEW ENGLAND NATIONAL LLC** that was recorded at Vol. 802, Page 753 of the East Lyme Land Records; and

WHEREAS, as of the date hereof, the Declarant and the successor Declarant have conveyed substantially all of the lots and remaining undeveloped land in said subdivision to **ENGLISH HARBOUR ASSET MANAGEMENT LLC,** and

WHEREAS, pursuant to Paragraph O of said Declaration, a successor entity which shall receive the conveyance of all or substantially all the remaining unfinished lots shall be deemed the successor declarant with all the rights of the original Declarant in enforcing and/or amending said Declaration; and

NOW THEREFORE, in conjunction with said conveyance, **NIAN TIC REAL ESTATE LIMITED LIABILITY COMPANY** and **NEW ENGLAND NATIONAL LLC,** hereby assign their respective rights as Declarant to **ENGLISH HARBOUR ASSET MANAGEMENT LLC,** with all the powers, rights and authority previously vested in

NIANTIC REAL ESTATE LIMITED LIABILITY COMPANY as the original Declarant
and NEW ENGLAND NATIONAL LLC as Successor Declarant.

Dated this 17th day of March, 2020

NIANTIC REAL ESTATE LIMITED
LIABILITY COMPANY

As to both:

[Signature]
Cheryl R. Gardner

By [Signature], Manager
Jeffrey A. Torrance, Manager

[Signature]
Paul M. Geraghty

NEW ENGLAND NATIONAL LLC

By [Signature], Asst Manager
Jeffrey A. Torrance, Assistant Manager

THIS CORRECTED ASSIGNMENT OF DECLARANT RIGHTS IS FILED AS A
COURTESY TO COUNSEL TO THE CURRENT OWNER OF LOT 29. THE SOLE
CHANGE TO THE ASSIGNMENT DATED DECEMBER 19, 2019 IS THAT IT
INCLUDES A NOTARY SIGNATURE AND ACKNOWLEDGEMENT.

STATE OF CONNECTICUT)
COUNTY OF NEW LONDON)

ss: New London March 17, 2020

On this the 17th day of March, 2020 before me, the undersigned officer,
personally appeared Jeffrey A. Torrance, as Manager of Niantic Real Estate LLC and
Assistant Manager of New England National LLC, known to me (or satisfactorily proven)
to be the persons whose name is transcribed to the foregoing document and
acknowledged same to be her free act and deed, and the free act and deed of the
company, before me.

[Signature]
Notary Public Cheryl R. Gardner
My Commission Expires 9/30/2020



RECEIVED FOR RECORD
Mar 18, 2020 08:12:25 AM
Karen Miller Galbo
BANK CYBER CT

EXHIBIT I

Town of




East Lyme

P.O. Drawer 519
Department of Planning &
Inland Wetlands
Gary A. Goeschel II, Director of Planning /
Inland Wetlands Agent

108 Pennsylvania Ave
Niantic, Connecticut 06357
Phone: (860) 691-4114
Fax: (860) 860-691-0351

MEMORANDUM

To: East Lyme Planning Commission

From: Gary A. Goeschel II, Director of Planning 

Date: January 11, 2021

RE: Continuation of 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.

Upon review of the above referenced application, supporting documentation, and proposed subdivision plan (5-Sheet Drawing Set) entitled "Nottingham Hills Subdivision Lot Line Revisions of Existing Lots 19 & 21 & Conservation Design Development, 1 Lot Re-Subdivision of Portions of Lots 19 & 21 Dated: January 29, 2020, revised to: December 9, 2020", by Donald L. Gesick Jr. L.S., of Gesick & Associates, P.C., 19 Cedar Island Ave., Clinton, Connecticut, I offer the following:

FINDINGS

Whereas: The Commission commenced a Public Hearing on July 27, 2020. The Public Hearing for said application was continued to Commission's meetings of August 4th, August 11th, September 1st, October 6th, October 27th, November 10th, December 1st, and December 10th, 2020.

Whereas: The Commission has reviewed the application and received testimony from the applicant, his professionals, representatives, and the public. In addition, Town staff also provided the Commission with comment concerning this application's compliance with local requirements and regulations.

Whereas: The parcel of land constituting the property subject to this application is zoned RU-40 Rural Residential and the property abutting the site to the north and east (Darrow Pond) is zoned SU-E Special Use Elderly Housing and has been preserved as Town owned open space. The abutting properties to the south and east are Zoned RU-40 Rural Residential.

Whereas: The East Lyme Inland Wetlands Agency determined that "No Permit is Required" as there is no activity occurring in the upland review area, wetlands, or watercourse as evidenced by Exhibit "F".

Whereas: The proposed Subdivision is found to meet the requirements of the East Lyme Subdivision Regulations and the East Lyme Plan of Conservation and Development (POCD) as demonstrated by the following:

Section 3-4 Plan of Development: As the proposed Subdivision is located completely within an RU-40 zoning district adjacent to existing residential lots zoned RU-40 and SU-E, the proposed subdivision continues to follow the pattern of development characteristic of the existing residential development.

As such, the proposed subdivision conforms to the comprehensive Plan of Development for the Town of East Lyme (2020 POCD) as adopted by the East Lyme Planning Commission.

Section 5-4 Sanitation Report: As indicated in Exhibit "BBB" e-mail correspondence from Danielle Holmes, REHS/RS, dated December 10, 2020, indicates the proposed lots are able to be served by subsurface sewage disposal systems.

Section 5-5 Water Supply Report: As indicated in Exhibit "BBB" e-mail correspondence from Danielle Holmes, REHS/RS, dated December 10, 2020, indicates the proposed lots are able to be served by on-site water supply wells.

Section 5-2-2(E) and 6-8 Stormwater Management Plan: As indicated in Exhibit "BB", Memo from Victor Benni, P.E., Town Engineer, dated October 19, 2020, indicates that "Waiver of Stormwater Management Report" demonstrates that the water quality of the receiving aquifer, wetland or watercourse will not be affected and that the proposed development will not cause or exacerbate downstream flooding." As such, the proposed design meets the overall intent of Section 6-8 of the East Lyme Subdivision Regulations.

Section 5-2-2(G) Erosion and Sedimentation Control Plan: As indicated by Exhibit "BB" dated October 23, 2020, memorandum from Victor Benni, P.E., Town Engineer, indicates the proposed Plan was updated to contain generalized Erosion and Sedimentation Control Notes. As such, the appropriate notes, details, and provisions regarding erosion control measures adequate to control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site have been incorporated into the proposed plan. Therefore, the Planning Commission may hereby certify that the Soil Erosion and Sediment Control Plan complies with the requirements and objectives of this Subdivision Regulation.

Section 5-6 Pesticide Report: As evidence by the applicant's testimony during public hearing, there have been no known regular applications of pesticides on the subject site currently or historically. In addition, the site was previously approved for two (2) building lots.

Section 5-8 Archeological Survey: As Evidence by the Design Report in Exhibit "A", the Archeological Survey was provided to the Commission as part of the Nottingham Hills Phase 1 and 3 Subdivision and was incorporated into the public hearing record by testimony of the Applicant. In addition, the site was previously approved for the construction of two (2) single family dwellings. As such, there are no archeological resource issues on the site.

Section 6-2 Lot Design Specifications: As evidenced by Exhibit "CC" correspondence from William Mulholland, Zoning Official, October 23, 2020 and the Exhibit "U" correspondence from Attorney Paul Geraghty, dated August 26, 2020, and Exhibit "KKK" letter correspondence from Mark Zamarra, Esq./Town Attorney, to William Mulholland, Zoning Official, indicate the proposed subdivision meets the lot design specifications under the Conservation Development by Design (CDD) pursuant to Section 23 of the Zoning Regulations as well as Section 6-2 of the East Lyme Subdivision Regulations. Therefore, the proposed subdivision complies with all applicable Zoning Regulations for the purposes of the subdivision of land.

* -7 Section 6-7 Open Spaces: As demonstrated by the Design Report in Exhibit "A", identifies the Nottingham Hills Subdivision as being a division of 107.82- acres and the open space provided totaling 41.35-acres. Based on the subdivision regulation requirement of 30% Open Space, or 32.34-acres, the subdivision had exceeded the required Open Space by 9.1-acres as of the date of the pending application. Subsequent, to the application, the applicant conveyed portions of lot 19, (.51-acres), and Lot 21, (1.27-acres), to the property that was in the process of being conveyed to the East Lyme Land Trust. The combined totaled 37.99-acres which, has been transferred to the East Lyme Land Trust as of December 30, 2020 (Vol. 1046, Pg. 120). Upon recalculating the Open Space, it now totals 79.34-acres of the subdivision's 107.82-acres. As such approximately 73.5% of the subdivision's land is now in open space when only 30% or 32.3-acres is required.



In addition, Exhibit "U" correspondence from Attorney Paul Geraghty, dated August 26, 2020, indicates the Nottingham Hills subdivision has "banked" land to use for Open Space as evidenced in the minutes of the Planning Commission dated November 16, 2010 (see Exhibit "FF") wherein excess Open Space, 10-acres, was provided by agreement with the Town of East Lyme Planning Commission on the condition that it was done so with the reserved right that the 10-acres could be used in future calculations on future applications. Further, pursuant to the Memorandum Dated February 1, 2010 from Mark E. Block, Esq. to G. Goeschel, Director of Planning, as provided in Exhibit "U", correspondence from Attorney Paul Geraghty, dated August 26, 2020, the open space requirement is based on the entire tract and not subsequent re-subdivisions. Therefore, adequate Open Space has not only been dedicated but, has been provided in an amount that exceeds the minimum required under the subdivision regulations. As such, the development has met its Open Space obligations.

Section 6-9 Requirements Regarding Flooding: As demonstrated by Exhibit "Z" Nottingham Hills Re-Subdivision Plan (5-sheet set) dated January 29, 2020 revised to October 19, 2020 which, reduces the proposed division of land from 4-Lots to 3-Lots and Exhibit "BB" dated October 23, 2020, memorandum from Victor Benni, P.E., Town Engineer, the proposed Plan indicates that the Drainage Summary meets the overall intent of Section 6-8 of the East Lyme Subdivision Regulations and the proposed site development will not adversely affect the water quality of downstream water features or exacerbate any downstream flooding.

PROPOSED RESOLUTION

The East Lyme Planning Commission based on the record before it with respect to this application, finds this application to be in conformance with the Subdivision Regulations of the Town of East Lyme as based on the above Findings indicated in the Memorandum from Gary A. Goeschel II, Director of Planning, dated January 8, 2021.

NOW THEREFORE, I hereby Move to APPROVE the application known as the 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, and proposed Subdivision Plan (5-Sheet Drawing Set) entitled "Nottingham Hills Subdivision Lot Line Revisions of Existing Lots 19 & 21 & Conservation Design Development, 1 Lot Re-Subdivision of Portions of Lots 19 & 21 Dated: January 29, 2020, revised to: December 9, 2020", by Donald L. Gesick Jr. L.S., of Gesick & Associates, P.C., 19 Cedar Island Ave., Clinton, Connecticut which, is further subject to the following administrative requirements and required modifications to the site plan and/or other materials submitted in support of this application:

1. An Erosion & Sedimentation Control bond in an amount of \$3000.00 dollars shall be posted with the Town in a form acceptable to the Town of East Lyme Planning Commission prior to the start of any site work including but not limited to clearing, grubbing, filling and grading.
2. Contact the Planning Director to inspect the installation of erosion and sedimentation controls within 2-days prior to the start of any construction.
3. An Application for Right-of-Way Permit shall be filled with the East Lyme Engineering Department prior to the start of any site work.
4. The applicable items above shall be accomplished prior to the filling of the subdivision on the land records, or other documentation of planning approval and no site work shall commence until all applicable conditions are satisfied.