

**EAST LYME INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
APRIL 5, 2022  
7:00 p.m.**

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

**Present:** Kristen Chantrell, Phyllis Berger, Sam Simms, Don Phimister, Gregory McIntire, Diane Gardner,  
**Absent:** Doreen Rhein,

**Also Present:** Gary Goeschel, Director of Planning/Inland Wetlands Agent, Ann Cicchiello, BOS liaison,  
Diane Gardner was seated for Doreen Rhein

**CALL TO ORDER:**

The meeting started at 7:00

**I. PLEDGE OF ALLGIANCE:**

The Pledge was recited.

FILED

APR 13 2022 AT 12:10 AM (PM)  
*[Signature]*  
EAST LYME TOWN CLERK

**II. PUBLIC DELEGATIONS-none**

**III. PUBLIC HEARINGS-none**

**IV. ACCEPTANCE OF MINUTES**

**A. Meeting Minutes March 1, 2022, Regular Meeting**

**MOTION: (McIntire/Berger) to approve the March 1, 2022, Regular Meeting as presented.**

**Vote: APPROVED unanimously**

**V. EX-OFFICIO REPORT:**

A. Cicchiello reported that the BOS has been busy with budget meetings. The BOS heard from the ARPA subcommittee on recommendations for funding. Tomorrow the BOS will take a vote on the proposed appropriations which will go to the BOF and then to town meeting for approval. The Town of East Lyme took over ownership of Riverhead Cemetery in March of 2022 at a town meeting.

**VI. NEW BUSINESS**

**A. Application of the Town of East Lyme, East Lyme Public Works Applicant: Application for a general permit to conduct regular maintenance along town owned public rights of way.**

G. Goeschel explained that the application is basically for all stormwater outfalls, inlets, and outlets. They are looking for approval to maintain those areas.

G. Goeschel clarified that all though the Agency approved the application at the last meeting they should have waited for the 15-day appeal/petition period before the vote for approval was made. He advised they retake the vote.

**MOTION: (Simms/Phimister) to approve the Application of the Town of East Lyme, East Lyme Public Works Applicant: Application for a general permit to conduct regular maintenance along town owned public rights of way. Vote: APPROVED unanimously.**

**B. Application of Pazz & Construction, LLC Application to maintain 2 connex boxes (steel shipping containers) to store equipment: Alfred H. Smith, Owner of 297 Boston Post Road, Assessor's Map # 31.1, Lot #57.**

Attorney, T. Harris, 351 Main Street, for the applicant, stated notice to DEEP was not required because when the Aquifer Protection Agency was established, it was to identify and develop areas for

protection and public water supplies and this parcel is outside this area. Beyond that he looked at the statute which states, notice is only required if the application is in a wetland or watercourse; this application is not in either.

The proximity to the wetlands is approximately 20 feet at its closes point.

G. Goeschel stated that the applicant is abandoning the stockpile use and the use of storing of processed material, so no application is required for that activity.

There is a steel roof structure which connect the two and should be part of the application.

T. Harris confirmed that the end of the connex boxes are 20 feet away from the Upland Review Area (URA) and 132 feet from the water according to the GIS and aerial photos.

The boxes have been in place for approximately six years.

During the site walk it was noticed that large chunks of paint were coming off the boxes and could possibly get into the lake. The applicant is willing to paint the boxes.

**MOTION: (Phimister/ Gardner) to approve the Application of Pazz & Construction, LLC Application to maintain 2 connex boxes (steel shipping containers) to store equipment: Alfred H. Smith, Owner of 297 Boston Post Road, Assessor's Map # 31.1, Lot #57 on the condition that the paint on the ground is cleaned up and the connex boxes be painted and maintained for a reasonable period of time to prevent further deterioration. Vote: APPROVED. In favor- Chantrell, Phimister, Gardner, McIntire, Simms. Opposed-Berger. Abstaining-none**

## VII. PENDING APPLICATIONS-none

## IX. OLD BUSINESS-none

## X. REPORTS

### A. Chairman's Report:

K. Chantrell and G. Goeschel met with the POCD sub-committee and reviewed the recommendations for the Wetlands Agency to implemen. She suggested discussing the recommendations when considering applications and to educate themselves to see if the property is in a flood zone or is prone to flooding or in an aquifer protection zone.

G. Goeschel referred to the previous aquifer protection overlay zones and the recharge areas. He used the Holdrege Nursery property as an example which was in the previous aquifer protection zone and with the changes, is no longer. That property can now have a gas station which it previously could not even though it is very close to a water source.

The members will look at the matrix for future discussion. G. Goeschel suggested reviewing the Natural Resource section of the POCD.

G. Goeschel referenced the proposed regulation changes and where he thinks changes should be made, especially when/what should be in an application and what is a complete application. The role of the WEO and what can be approved by the WEO and what must go before the Agency should be clarified. The Agency would like the regulations and the POCD be an item on the next agenda.

G. Goeschel informed the members of an issue resulting from a Pazz Construction project on North Bride Brook. He stated he was contacted by DEEP concerning turbid water in the stream. They followed the disturbance to the North Bride Brook project. G. Goeschel contact Pazzaglia and walked the site to look for breaches in the silt fence and found one which did not feed into the stream. He then contacted DEEP for an aerial view or map, and it appears it is from a cleared area beyond the tree line on the project site where there was a breach in the silt fence. After reviewing the breach, he could not determine where the water was coming from, it could possibly be a spring or ground water discharging into the stream. Pazzaglia will be fixing the breaches in the silt fence. G. Goeschel will continue to investigate. K. Chantrell read the letter from the East Lyme Commission for Natural Resources, dated February 15, 2022 about the importance of the stream to the alewife.

**B. Inland Wetlands Agent Report**

**i. Administrative Permits & Commission Issued Permits**

G. Goeschel detailed permits he has issued.

**ii. Enforcement-396 Boston Post Rd complaint of clearing, he is pursuing the complaint.**

He is working with the ZEO concerning issues with the Rocky Neck Village and stabilization issues.

The Weiss property was discussed concerning piles of dirt materials.

The condition of 297 Boston Post Road was discussed, and G. Goeschel will discuss with the ZEO.

**C. Correspondence-none**

P. Berger read a statement asking for town issued emails due to the onerous FOI requests. A. Cicchiello said she would bring it up to the BOS. G. Goeschel stated it was his understanding that town emails are being offered to board and commission members for a cost.

**X. ADJOURNMENT**

**MOTION (Berger/Simms) to adjourn at 8:10. Vote: APPROVED unanimously.**

**Respectfully Submitted**

**Sue Spang**

**Recording Secretary**

**2022 Meeting dates: May 3, June 7, July 5, August 2, September 6, October 4, November 1, December 6.**

