

# Town of East Lyme

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357

ZONING COMMISSION

PUBLIC HEARING

July 7, 1994

ITEM 1 ONLY: FOSTER CONSTRUCTION CO. APPLICATION.

PRESENT: Wayne Fraser, Chmn.; Paul Formica, Secy.;  
William Dwyer, Athean Cone, Sharon Baroni.  
Norman Peck III arrived later in the meeting.  
Alternate: Shawn McLaughlin.

Also Present: Zoning Enforcement Officer Bill  
Mulholland. Donn Jourdan, Ex-Officio Rep; and  
Town Counsel Robert Marrison.

ABSENT:

Paul Smith and Chris Mullaney (Alternates)

Wayne Fraser, Chairman, called the meeting to order at  
6:35 p.m. and asked Shawn McLaughlin, Alternate, to sit in  
for Norman Peck III.

1. Application of Foster Construction Company, Inc. for a  
Special Permit to excavate gravel from a portion of property  
known as 282 Flanders Rd., East Lyme, Ct., further identified  
as Lot #1 on East Lyme Tax Assessor's Map 68.

Mr. Fraser read several letters and notices in regard to this  
application.

1. Letter from Mark Carlino, Conservation Officer, stating the  
Inland Wetlands does not apply to this property on Flanders Rd.

2. Letter from Planning Commission: They stated they were unable  
to thoroughly review the plan for gravel excavation as they would  
like to see test wells on the property, and they would like vege-  
tative screening. They recommended that Section 6 of the East  
Lyme Plan of Development re: Aquifers be reviewed.

3. Copy of Legal Ad for this hearing.

Representing the Applicant:

Andy Woodstock was present for Foster Construction, asking  
for a Special Permit to excavate gravel.

Bill Dwyer, Commission member, asked him what he meant by  
saying the majority of the questions regarding this application  
have been answered.

Filed In East Lyme Town  
Clerk's Office

July 11, 1994 AT 11:50 <sup>AM</sup> PM  
*Lesley A. Blair*  
East Lyme Town Clerk

Mr. Woodstock said the Wetland Certification has now been done. The fueling pad has now been shown on the plan. The installation of test holes now show on the plan as Test Holes #'s 1,2,3 and 4.

He said Hole #1 is 12.3 ft. above ground water.

Hole #2 is 6 ft. is above ground water.

Hole #3 is 8 ft.6" above " "

Hole #4 is 6 ft. 7" above " "

He said vegetative screening is to be maintained, as the vegetative screening remains intact there.

Mr. Mulholland said this application was referred to Planning because the property is located in an aquifer.

Shawn McLaughlin asked about the amount to be stockpiled. Mr. Woodstock said about 4600 cu. yards will be moved off site.

Sharon Baroni asked about the hours of operation. He replied it will be five days a week, 7:30 a.m. to 4:30 p.m. The application is for two years, with about 20 trips a day.

The Zoning Officer said he is satisfied with the application. A screening plant will be erected, and will be explained further.

Mr. Foster said they will be using conventional equipment-a payloader. He said the screening plant is not a permanent plant and is not on a foundation. It is very movable, he said.

Mr. Mulholland said in regard to the entrance, there is a shared entrance, and they have permission to use the right of way.

Mr. Peter Brouwer, 27 Oswegatchie Rd., Waterford, said it is not a right of way. The owners own this property, and he has owned it for 25 years. It belongs to the Estate of John Brouwer.

Mr. Dwyer was concerned about traffic at the entrance.

Speaking in Favor of the Application:

Peter Brouwer said he had a garden center there, and they averaged 100 to 200 cars a day, and they had no problems there for 25 years.

David Jamieson, owner of Pools Inc. at 280 Flanders Rd., said he would like consideration given to the adverse effect this might have on his business. He said the egress of 20 trucks a day could have an adverse effect on his business. He said Mr. Foster should think about using a gravel pit in back of his property (Foster's). He said he directly abuts the property and is concerned with the width of the area of the road where they have to pass each other.

Mr. David Butler, Whistletown Rd. spoke in favor of the permit and said many trucks travel to Senkow's gravel pit on Whistletown Rd. with no problems.

Mr. Woodstock said the ROW is 30 ft. and widens to 50 ft. as you get by Pools Inc.

Mr. Foster said he will be happy to keep the dust down by using calcium chloride and water on the ROW.

In answer to a question, Mr. Foster said 8 ft. is the standard width of trucks, and there will be maybe 20 loads per day.

Mr. Fraser declared the hearing closed at 7:30 p.m.  
Mr. Norman Peck arrived near the end of this hearing.

A five minute recess was declared before Item 2. of the hearing.

Attest:

*Elizabeth J. Taylor*  
Elizabeth J. Taylor  
Recording Secretary