

**EAST LYME INLAND WETLANDS AGENCY
SPECIAL MEETING MINUTES
OCTOBER 12, 2023
7:00 p.m.**

EAST LYME TOWN HALL, MAIN MEETING ROOM

Present: Kristen Chantrell, Don Phimister, Gregory McIntire, Sam Sims, Doreen Rhein, Phyllis Berger,
Absent: Leonard Salter, Nancy Kalal Alt., Diane Garner, Alt.
Also Present: Gary Goeschel, Wetlands Officer,

RECEIVED FOR RECORD
EAST LYME, CT
2023 OCT 16 P 1:34
Caulfield
TOWN CLERK

CALL TO ORDER:

The meeting started at 7:08

I. PLEDGE OF ALLGIANCE:

Recited

**MOTION: (Phimister/McIntire) to move enforcement to the beginning of the agenda. Vote:
APPROVED unanimously.**

IX. ii. Enforcement

a. Cease and Desist Order-218,222, 226 Flanders Road, Assessor's Map# 26.1 Lot23, 24, and 26 Niantic, Connecticut; Monaco Ford, Respondent

The growing season is over, and the grass is coming in good, the order should be released.

b. Cease and Desist Order-14 Park Lane, Assessor's Map #4.7, Lot#23, Niantic Connecticut; Andrezej Kowalski, Respondent

There has been no response to the certified mailing. The respondent cleared to the wetlands.

c. Cease and Desist Order-8 Brookfield Drive, Assessor's Map #41.3, Lot #100, East Lyme, Connecticut-Pellumb and Andia Likollari, Respondent.

Ian Cole, soil scientist for the respondent, stated the property was a building lot of record. There is a watercourse through the property running east to west. The applicant is in the process of getting soil testing in preparation for building a house. There are trees that were cut to access the property; they flush cut some of the vegetation using hand tools. The stream can be crossed without impacts. The site is stable. The brush and cuttings are not in the stream channel.

G. Goeschel said he advised the respondent that they would have to apply for a permit for test pits.

I. Cole was advised that the respondent should submit two separate wetlands applications: test pits and construction.

d. Notice of Violation-9 Rocco Drive, Assessor's Map #44.0, Lot #19-5 East Lyme, Connecticut; Darrell Vanwagner, Respondent.

New construction and they cleared down to the existing pond and went over to the neighbor's lots on 11 Rocco Drive and 80 Quailquest. G. Goeschel told the prospective buyer that he would inherit the violation. The certified mailing was returned.

e. Notice of Violation-90-92 Laurelwood Drive, Tax Assessor's Map #7.14, Lot # 45, Niantic, Connecticut; Paul Kowal, Respondent.

Bill Sheer, Town Engineer, suggested a letter to the respondent, advising the respondent to hire an engineer to demonstrate the activity did not affect the watercourse. B. Sheer is concerned that there may be overflow and icing in cold weather.

f. Violation & Mitigatory Applications-21 Heritage Road, Assessor's Map #30.1, Lot #51, East Lyme, Connecticut; 888 Holdings, LLC, c/o Marianne and Joseph Malerba, Respondent.

The building official issued a stop work order. The respondent had recently applied for a permit for a lamp post but did not apply for the work they are now conducting. The respondent is planning on eradicating the water lilies on the lake; G. Goeschel advised that the respondent must get a DEEP permit.

It was G. Goeschel's understanding that the property was going to revert to a single-family home/lot.

g. Little Indian Pond, Atlantic Ave., Niantic; Status Update

DEEP notice to treat pond received.

II. PUBLIC DELEGATIONS:

Matt Guarraia, 6 Brookfield Dr., disagreed with Ian Coles characterization of the property at 8 Brookfield. He said the property was clear cut to build a house. There were chainsaws used not just hand tools. He is concerned that the owner has a disregard for the regulations. Since the trees near the stream were cut there are no frogs in the stream.

M. Guarraia said in a heavy rain event the road floods over and has destroyed homes. He is concerned about the septic system on 8 Brookfield.

The owner of 8 Brookfield told M. Guarraia that he plans to move the entire river or bury the river and use concrete tubes for water flow.

G. Goeschel said there should be no work conducted on the property due to the order. He noted there is a petition on file for a public hearing.

Mike McCormac, 10 Brookfield, showed pictures of the construction debris piled 8ft. high. He had Google map pictures showing the changes between 2016 and 2017. He reported seeing large bucket trucks cutting trees. There is still a large cut tree in the brook.

M. McCormac said when they were considering buying his house they had a septic company come in and inspect the septic tank. He said that when A. Likollari was clearing the property on 8 Brookfield, the heavy equipment he was using crushed the septic tank and the distributor box. The contents were leaking into the soil and most likely the brook.

G. Goeschel spoke to the owner to inform him that he needed a permit to conduct test holes/pits.

III. PUBLIC HEARINGS: none

IV. ACCEPTANCE OF MINUTES

A. Regular Meeting Minutes of September 5, 2023

MOTION: (Sims/Phimister) To approve the Regular Meeting Minutes of September 5, 2023, as submitted. Vote: APPROVED unanimously

V. EX-OFFICIO REPORT

K. Chantrell reported that she spoke to the Agency's Ex-Officio, Ann Cicchiello, who reported that there is a referendum on October 17, 2023, for the town purchase of open space. There are three properties for a total of \$2,350,000. There is \$200,000 coming from the town's open space fund and \$400,000 from an open space grant from the state. She said for a house valued at \$400,000 the yearly additional taxes would be \$17.00, starting in 2025/2026.

VI. NEW BUSINESS-none

VII. PENDING APPLICATIONS-none

VIII. OLD BUSINESS

A. Inland Wetlands and Watercourse Regulations

G. Goeschel said there have been definitions added for, watershed and vegetative buffer.

The Agency discussed adding a requirement for the planting of native species. G. Goeschel will incorporate some of the suggestions from the Conservation and Natural Resources Commission. G. Goeschel said the Public Hearing could possibly be held in January.

IX. REPORTS

A. Chairman's Report-no report

B. Inland Wetlands Agent Report-

i. Administrative Permits & Commission Issued Permits

There have been no permits issued but G. Goeschel will be signing several in the next week.

ii. Enforcement: discussed previously

iii. Correspondence: none

The Agency will reschedule their next meeting for either November 14th or 16th.

X. ADJOURNMENT

MOTION (Berger/Rhein) to adjourn at 8:35. Vote: APPROVED unanimously.

Respectfully Submitted

Sue Spang

Recording Secretary