

EAST LYME COMMISSION FOR THE CONSERVATION OF NATURAL RESOURCES
REGULAR MEETING MINUTES
MARCH 13, 2024

RECEIVED FOR RECORD
EAST LYME, CT
2024 MAR 18 A 8:32
Cassidy M. Meehoff
TOWN CLERK

Present: Penny Heller
Don Danila
Laura Ashburn
Mark Christensen
Steve Dinsmore, Alternate
Marjorie Meekhoff, Alternate
Harvey Beeman

I. CALL TO ORDER. Ms. Heller, Chair, called the March 13 East Lyme Commission for the Conservation of Natural Resources meeting to order at 7:00 p.m.

II. SEATING ALTERNATES (IF NECESSARY) A quorum was established.

III. CALL FOR ADDITIONS TO THE AGENDA. There were no additions to the Agenda.

IV. CALL FOR PUBLIC DELEGATIONS. There were no guests.

V. REVIEW OF MINUTES OF FEBRUARY 14, 2024. Ms. Heller asked for additions, deletions or corrections to the February 14, 2024 Minutes.

The following corrections were noted: the last sentence in Section VII to be revised as follows: He agreed to research and pull together existing Town Regulations requiring NDDDB checklists/reviews and bring this information back to the Commission for further discussion." On page 2, the second paragraph, the third sentence to be revised as follows: "Mr. Dinsmore added on commercial projects they are required to do an environmental assessment on large projects." The last sentence of that paragraph is to be deleted.

MOTION (1): Mr. Danila moved to approve the February 14, 2024 Commission for the Conservation of Natural Resources Regular Meeting Minutes, as amended. Seconded by Ms. Ashburn. (5-0) Unanimous.

VI. NEW BUSINESS

- a. **Affordable Housing Development—91 Boston Post Road.** Mr. Danila reviewed the Zoning Commission's website and found this property was listed for a Public Hearing. There is a proposed 25-unit affordable housing located on the east side of Latimer Brook just across the bridge from Tri-Town Plaza. At the present time there is one house at that location. The owner was in poor health and had a reverse mortgage. The property went to public auction and a developer purchased it.

The conceptual site plan is for 25 units for individuals 55 and over. The applicant will only develop two of the 11 acres and the remainder is to be open space. The applicant spoke of having a sod farm near the brook's edge. Mr. Danila did not feel this was consistent with open space or housing development. This property was 9th or 10th on the Open Space priority listing. The applicant stated there are no endangered species on this property. Mr. Danila stated that this is not true. He is working with Save the River-Save the Hills in examining this proposed development. He added that this property would use septic systems. There is also a traffic problem with only one access point onto the Boston Post Road. He asked the Commission to authorize him to speak for this Commission tomorrow night at the Zoning Commission Public Hearing.

MOTION (2): Ms. Ashburn moved to authorize Mr. Danila to speak on behalf of this Commission at the Zoning Commission's meeting on March 14, 2024. Seconded by Mr. Beeman. (5-0) Unanimous.

Mr. Christensen reported the developer did not have the necessary space for a sod farm. Any commercial sod production requires heavy fertilizer and pesticide use, which could create toxic runoff into Latimer Brook. The development will also have 25 units, all using septic systems.

- b. **Community Composting.** Ms. Ashburn informed the Commission that two High School teachers wish to use a company to perform composting at the High School. The company will come and take the compost collected from lunch meals. Ms. Ashburn agreed to support them but not run it. Ms. Ashburn and Ms. Heller will meet with these teachers to determine whether the High School can run a pilot program for the town and possibly other schools. Ms. Heller stated Mr. Bragaw is President of SCRRA and is overseeing development of a state-financed plant that will process compost into fertilizer. Ms. Heller may follow up with him to see if the town will get involved with a town-wide compost collection. She added that state facilities will soon not be able to process all the solid waste shipped from towns and even now there are Connecticut towns shipping waste out of state. So, reducing East Lyme's solid waste by removing organic materials will save the town considerable expense in the future.

VII. OLD BUSINESS

- a. **Plan for Darrow Pond Property.** Ms. Meekhoff stated East Lyme Pollinator Pathways will submit a letter of support for a state grant to further develop hiking trails in this reserve. Ms. Ashburn met with Rich Williams to discuss a proposed educational program. They will meet in April to review the grant application. The funding will be used as an educational tool for children and the community.

- b. **East Lyme NDDB Mapping.** Mr. Beeman provided a brief overview of his review of East Lyme regulations concerning NDDB reviews. He indicated that this is a preliminary review since he will be meeting with Gary Goeschel to review his findings to determine if any Regulation requirements have been missed. He stated that that NDDB reviews stem from the State Endangered Species Act. Under this Act, state agencies are required to ensure that any activity authorized, funded, or performed by the state does not threaten the continued existence of endangered or threated species. In addition, applicants for certain state and local permits may be required to consult with the DEEP-NDDB as part of the permit process. His review found that the current IWA Regulations do not specify the need for an NDDB review. The East Lyme Subdivision Regulation, however, does require a Biological Survey if conducted as a requirement of a Natural Diversity Database Review and/or any recommendations from DEP for avoiding or minimizing impacts to species of special concern and significant natural communities. The need for a Biological Review is also reflected in the Subdivision Application Checklist used in reviewing Planning Commission Applications. Further, the Zoning Regulations Section 23 (Conservation Design Development (CDD)) requires that applicants for CDD shall follow the subdivision regulation application process. A question was raised regarding the definition of a sub-division. Mr. Christianson indicated that a subdivision is the division of a tract or parcel of land into three (3) or more parts. The question remains whether a NDDB review should be required on individual home lots prior to construction. Mr. Beeman indicated that he will provide an update to the commission following his discussion with Gary Goeschel.

VIII.REPORTS AND COMMUNICATIONS

- a. **Communications.** A letter dated February 29, 2024 was received from Shore Design regarding Oswegatchie Hills' Coastal Permit Application to DEEP. Ms. Heller will review this document to see if any actions or response will need to be taken by the Commission.
- b. **Agribusiness Subcommittee.** Mr. Christensen reported the Agribusiness Subcommittee will visit Ledyard Agricultural School in April.

Mr. Tom Kalal has resigned from the Agribusiness Subcommittee because he was appointed to the Inland Wetlands Commission.

Mr. Londregan spoke at the library on February 18, 2024 about his oyster aquaculture business. He hopes to expand his business, possibly to Little Brother Island in Waterford.

On April 6 at 3 p.m. at the library there will be a talk on acquiring local and sustainably grown food.

- c. **SustainableCT Subcommittee.** Ms. Heller reported that the subcommittee met to further discuss actions taken to earn Climate Leadership Certification for the town. The first action will be to have a Zoom Climate Resiliency Workshop on April 15. A

total of 22 people (e.g., town officials, commission members, Niantic Main Street members, and the Crescent Beach Association) have been invited.

- d. **Pollinator Pathways East Lyme (PPEL).** Ms. Meekhoff reported the Town of East Lyme is in the process of applying for a Recreational Trails Grant from the CT DEEP. The project entails developing an Outdoor Education, Conservation and Recreational Center to provide the general public, students and patrons experiential learning and passive recreational opportunities while promoting conservation awareness and improving both mental and physical health. The project includes trail improvement on existing trails, construction of a full accessible trail loop and additional non-ADA Accessible trail loops on the property.

Ms. Meekhoff informed the Commission that on March 8 PPEL members and others attended a public meeting that was held with DOT about the ongoing I-95/Route 161 highway project. She stated that DOT staff gave a great presentation, which clarified many details about this ongoing transportation project.

On March 23 at 2 p.m. at the library PPEL will sponsor a presentation on living with eastern coyotes.

On April 21 at 10 a.m. Ms. Meekhoff will give a presentation on the importance of native plantings and have a working party at the Brookside Farm Museum. UConn Landscape Design students will also attend. The new Assistant Director has written a book on bringing nature home.

- e. **Chairman's Report.** Ms. Heller had nothing to report.
- f. **Ex-Officio Report.** Ms. Hardy was unable to be present and there was no report.

IX. ADJOURNMENT

MOTION (2): Mr. Danila moved to adjourn the March 13, 2024 East Lyme Commission for the Conservation of Natural Resources at 8:05 p.m. Seconded by Ms. Ashburn (5-0) Unanimous.

Respectfully submitted,

Frances Gheri, Recording Secretary