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Via Email billm@eltownhall.com
William Mulholland
Zoning Officer
Town of East Lyme
108 Pennsylvania Avenue
Niantic, CT 06357

Via Email ggoeschel@eltownhall.com
Gary Goeschel
Director of Planning
Wetlands Enforcement Officer
Town of East Lyme
108 Pennsylvania Avenue
Niantic, CT 06357

Re: 91 Boston Post Road/Conceptual Site Plan-8-30g Residential Development

Gentlemen,

Attached please find the following documents which are submitted for the record of the above referenced Conceptual Site Plan Approval application pending before the Town of East Lyme Zoning Commission.

- 1) A. Wetlands Delineation report prepared by Joseph R. Theroux to address a small recently discovered wetlands location and additional wetlands flags along a small portion of the irrigation pond to the northwest property line. We note that the new wetlands flags in these two small areas are not yet incorporated into the existing A-2 Survey but are attached as an exhibit to the delineation report which was also prepared by Mr. Theroux.
- 2) A Wetland function & value and impact assessment report prepared by Joseph R. Theroux.

3) A NDDDB Determination (Number 202400186) received from the Connecticut Department of Energy & Environmental Protection which is submitted to replace the Town of East Lyme GIS NDDDB Map attached as Exhibit B to the Design Report submitted previously.

4) The Storm Water Management Evaluation prepared by Timothy May, P.E. previously provided to the Town Engineer and Deputy Director of Public Works.

I would note that as a matter of Connecticut Law "Conceptual Site Plan Approval" for a set aside residential development under Conn. Gen. Statute 8-30g requires only the following:

1. A Site Plan "describing the developments total number of residential units and their arrangement on the property and the developments roads and traffic circulation, sewage disposal and water supply".
2. The application "meets the affordability requirements as a set aside development as those terms are defined in the statute.

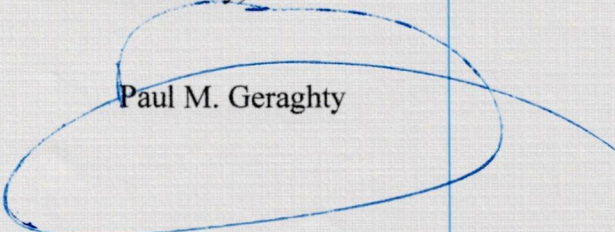
My client has previously submitted the requisite documents required by the 8-30g statute and quite frankly much more than is required at this stage of the permitting process. My client, a professional engineer and PTOE, is well aware of the fact that a Final Site Plan will require further information including, but not limited to, approval from the Ledge Light Health District ("Ledge Light") and or State of Connecticut Department of Health ("CPHC") given the pending application with Ledge Light for a 7500 gpd Septic system pursuant to CPHC Sec. 19-13-B104 a-d.

The purpose of my clients pending Conceptual Site Plan application, as is described in settled case law, is to obtain input into the final design of the proposed project. Accordingly, both the 8-30g Statute and settled case law do not require the detailed plans, reports and studies that may be required for final site plan approval. As the East Lyme Zoning Commission knows from a decision from the Connecticut Superior Court captioned Landmark Development Group v. East Lyme Zoning Commission CV-15-6064232 the Court aptly noted "The Conceptual Site Plan is a common sense land use tool providing for staged planning and early review and benefits all parties by allowing for a determination of whether a proposed project is feasible without the expenditure of great sums of money by the developer and of substantial amounts of time and money by town staff and town volunteers as well as residents interested in the review process".

My client and her development team are available to discuss and address any legitimate concerns and look forward to your professional input.

Sincerely,

Paul M. Geraghty



Cc Kristen Clarke P.E.

Dan Cunningham via email dcunningham@eltownhall.com

Jessica Laroco via email jlaroco@eltownhall.com w/enc.

Tim May P.E.