

Gary Goeschel

From: Alex Klose
Sent: Tuesday, April 2, 2024 12:02 PM
To: Gary Goeschel; James Bernardo
Cc: Bill Scheer; Bill Mulholland
Subject: RE: Gurley Road - Wetlands Meeting

James,

From engineering:

N/F should read just Formerly the Town of East Lyme, because we know it is not “now” owned since it was abandoned.

I refer to Bill M. about the impact this may have on frontage for the lot. Are you already scheduled for a zoning meeting?

As far as wetlands goes, I have no further comments.

Alex

From: Gary Goeschel <ggoeschel@eltownhall.com>
Sent: Tuesday, April 2, 2024 11:51 AM
To: James Bernardo <jim@jbsurvey.com>; Alex Klose <aklose@eltownhall.com>
Cc: Bill Scheer <bscheer@eltownhall.com>; Bill Mulholland <billm@eltownhall.com>
Subject: RE: Gurley Road - Wetlands Meeting

Jim,
I'll need 2 full size updated hard copies and a pdf of the plan for the file. I would make 11-sets of reduced sized 11x17 to hand out to the commission at the meeting unless, you can drop them off before 4:00PM and we can included with their packets. I think an easement in favor of the neighbor to maintain the culvert under their driveway maybe a good idea. It would clarify who is responsible versus any gentlemen's agreement that has been verbally followed.

Thanks,
Gary

Gary A. Goeschel II
Director of Planning/ Inland Wetlands Agent
Town of East Lyme

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108 Pennsylvania Avenue
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Fax: (860) 691-0351
Mobile: (860) 235-6211

From: James Bernardo <jim@jbsurvey.com>
Sent: Tuesday, April 2, 2024 9:29 AM
To: Alex Klose <aklose@eltownhall.com>
Cc: Gary Goeschel <ggoeschel@eltownhall.com>; Bill Scheer <bscheer@eltownhall.com>; Bill Mulholland <billm@eltownhall.com>
Subject: Re: Gurley Road - Wetlands Meeting

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Hi Alex,

Thanks for sending this information over. I have been able to depict the limit of the discontinuance. It is just west of the end of the pavement.

Are we good with the other revisions that I made? If so, do you need a full-size copy to review?

Gary,

I know its short-notice but what do you need from me for the meeting tonight?

Jim

From: Alex Klose <aklose@eltownhall.com>
Sent: Tuesday, April 2, 2024 9:09 AM
To: James Bernardo <jim@jbsurvey.com>
Cc: Gary Goeschel <ggoeschel@eltownhall.com>; Bill Scheer <bscheer@eltownhall.com>; Bill Mulholland <billm@eltownhall.com>
Subject: RE: Gurley Road - Wetlands Meeting

James,

Please see attached as discussed.

Alex

From: James Bernardo <jim@jbsurvey.com>
Sent: Tuesday, April 2, 2024 8:42 AM
To: Alex Klose <aklose@eltownhall.com>
Cc: Gary Goeschel <ggoeschel@eltownhall.com>; Bill Scheer <bscheer@eltownhall.com>; Bill Mulholland <billm@eltownhall.com>
Subject: Re: Gurley Road - Wetlands Meeting

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Good Morning Alex,

The official listing of Town Roads on file in the clerk's office states that Gurley Road is 0.37 miles. Measured from the Town Line that puts you all the way to the I-95 right of way line. That's what led me to believe that the only portion of Gurley Road that was officially abandoned was that portion "under" I-95 and the right of way of way adjacent to this property was still the Town's.

The other "driveway" is a ROW to 46 Gurley Road. The other pipe culvert was shown on the plans (see attached) and according to my conversations with the grandson of the owner at 46 Gurley Road they have always maintained it.

Jim

From: Alex Klose <aklose@eltownhall.com>
Sent: Tuesday, April 2, 2024 7:33 AM
To: James Bernardo <jjim@jbsurvey.com>
Cc: Gary Goeschel <ggoeschel@eltownhall.com>; Bill Scheer <bscheer@eltownhall.com>; Bill Mulholland <billm@eltownhall.com>
Subject: RE: Gurley Road - Wetlands Meeting

James,

Please depict the current Town ROW limits on the map, there is a description in the ordinance of exactly where it was abandoned. There is also another culvert(s) that are under the driveway the neighbor uses, also on the property of 50 Gurley I believe. Who will be responsible for that culvert(s)? Does the neighbor have an easement to continue to access their property?

Alex

From: James Bernardo <jjim@jbsurvey.com>
Sent: Monday, April 1, 2024 6:57 PM
To: Alex Klose <aklose@eltownhall.com>
Subject: Fw: Gurley Road - Wetlands Meeting

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From: James Bernardo <jjim@jbsurvey.com>
Sent: Monday, April 1, 2024 6:55 PM
To: aklose@eltownhall.com
Cc: Gary Goeschel <ggoeschel@eltownhall.com>
Subject: Fw: Gurley Road - Wetlands Meeting

Hi Alex,

I apologize for the delay in responding to your concerns. Below is an email that I sent Gary regarding the Gurley Road ROW. I apologize for not including you in the response.

Attached is modification I propose to mitigate the drainage run-off from the driveway. I propose to cross-pitch the driveway to the down-slope side. I added a riprap slope along the bend in the driveway to reduce flow velocities and then added a rain garden at the toe of the slope prior to discharge into the wetlands.

Regarding the maintenance of the culvert, since it provides primary access to 50 Gurley Road I believe it would be the responsibility of the property owner to maintain. We can include such a note on the plan if needed.

Please let me know your thoughts. We have a wetlands meeting Tuesday evening.

Respectfully,

James Bernardo, LS

Managing Member

James Bernardo Land Surveying, LLC

sUAS Certified Pilot

New London County Director-Connecticut Association of Land Surveyors (CALs)

102A Spithead Road

Waterford, CT 06385

860-447-0236 office

From: James Bernardo <jim@jbsurvey.com>
Sent: Monday, April 1, 2024 5:13 PM
To: Gary Goeschel <ggoeschel@eltownhall.com>
Cc: dipietro@rihomes.cc <dipietro@rihomes.cc>
Subject: Re: Gurley Road - Wetlands Meeting

Hi Gary,

My apologies, I thought I was waiting for additional written comments from Alex.

Regarding the Gurley Road abandonment, The Town of East Lyme, Board of Selectmen officially abandoned the west end of Gurley Road on January 17, 1973. There is nothing mentioned regarding the

disposition of the land where the Road was to be abandoned. This may be a legal question for the Town Attorney. However, the ownership in fee of the land within the Right of Way may be irrelevant, CTGS Sec. 13A-55 States:

Sec. 13a-55. Right-of-way of property owners bounding a discontinued or abandoned highway or a highway any portion of which is discontinued or abandoned. *Property owners bounding a discontinued or abandoned highway, or a highway any portion of which has been discontinued or abandoned, shall have a right-of-way for all purposes for which a public highway may be now or hereafter used over such discontinued or abandoned highway to the nearest or most accessible highway, provided such right-of-way has not been acquired in conjunction with a limited access highway.*

It would appear from this statute that the property at 50 Gurley Road would "have a right of way for all purposes" over the abandoned portion of Gurley Road.

If this is still a concern, these are legal questions that could be answered by the Town attorney.

Jim

From: Gary Goeschel <ggoeschel@eltownhall.com>
Sent: Monday, April 1, 2024 11:24 AM
To: James Bernardo <jim@jbsurvey.com>
Cc: dipietro@rihomes.cc <dipietro@rihomes.cc>
Subject: RE: Gurley Road - Wetlands Meeting

Hello Jim,

I'm corresponding in response to your email below. Attached is my previous email to you which, I've forwarded an email from our Town Engineer, Alex Klose, regarding his concerns as I have not received a formal Memorandum from him.

As always, if you have any questions, regarding this email or the attached, please do not hesitate to contact me.

Best Regards,
Gary

Gary A. Goeschel II
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Town of East Lyme

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Mobile: (860) 235-6211

From: James Bernardo <jim@jbsurvey.com>
Sent: Monday, April 1, 2024 9:47 AM
To: Gary Goeschel <ggoeschel@eltownhall.com>

Cc: dipietro@rihomes.cc

Subject: Gurley Road - Wetlands Meeting

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Good Morning Gary,

I understand that there is a wetland meeting Tuesday night. When might I expect the comments from the remaining departments? I'm running out of time to make any revisions to the plan before the meeting tomorrow night.

Jim

ORDINANCE CONCERNING ABANDONMENT
OF A PORTION OF GURLEY ROAD

WHEREAS, the Board of Selectmen, as authority charged with maintenance of highways within the town, has determined that the public does not make use of the portion of Gurley Road hereinafter described, and that public convenience and necessity does not require the town to maintain said portion of Gurley Road as a highway, and

WHEREAS, the Planning Commission has approved the discontinuance of that portion of Gurley Road hereinafter described,

NOW, THEREFORE, the portion of Gurley Road hereinafter described is discontinued as a highway:

Commencing at a point in the southeasterly line of Gurley Road at its intersection with land now or formerly of T. Verity and a right of way; thence run southwesterly along the remains of a stone wall and said land now or formerly of T. Verity, two hundred and twenty-five (225) feet, more or less, to the Riverhead cemetery; and thence run westerly along a stone wall at Riverhead Cemetery, fifty (50) feet, more or less, to a merestone at the right of way of the Connecticut Turnpike; thence run northeasterly along said right of way, one hundred thirty-two and sixty-four hundredths (132.64) feet to an iron bar; thence run easterly along said right of way ninety-five and nine hundredths (95.09) feet to a merestone; thence run northeasterly seventy (70) feet, more or less, along land of Hyde Harmon; thence run southeasterly, fifty (50) feet, more or less, across Gurley Road to the place of beginning.

TM Volume 11, pages 193, 214

ORDINANCE CHANGING NAMES OF CERTAIN HIGHWAYS

To change the names of the following roads as indicated:

<u>Present Name</u>	<u>New Name</u>
Beechwood Road (Gorton Lake)	No Beechwood Road
Beachwood Road (Giants Neck Heights)	So Beechwood Road
Bride Brook Road (Boston Post Rd to Rt 156)	No Bride Brook Road
Bride Brook Road (Giants Neck Beach)	So Bride Brook Road
Cobblers Court (Carriage Hill)	No Cobblers Court
Cobblers Court (Roxbury Park)	So Cobblers Court
Edgewood Road (Smith Cove)	No Edgewood Road
Edgewood Road (Giants Neck Heights)	So Edgewood Road
Ledge Rock Road (No Laurel Hill)	No Ledge Rock Road
Ledge Rock Road (So Laurel Hill)	So Ledge Rock Road
Lee Road (Giants Neck Heights)	No Lee Road
Lee Road (Giants Neck Beach)	So Lee Road
Main Street (Pine Grove)	No Main Street
Pattagansett Road (Giants Neck Beach)	West Pattagansett Rd
Pattagansett Road (Niantic)	East Pattagansett Rd
Pine Street (Saunders Point)	No Pine Street
Pine Street (Pine Grove)	So Pine Street
Society Road (NE of Dean Road)	East Society Road

Society Road (E of Ct Tpke & Bride Brk Rd)	West Society Road
Washington Avenue (Niantic)	No Washington Ave
	(by correction)
Washington Avenue (Crescent Beach)	So Washington Ave
	(by correction)

This ordinance will become effective on January 1, 1974.

TM Volume 11, pages 234 236 345

ORDINANCE ALLOWING BAZAARS AND RAFFLES

The provisions of Sections 7-170 to 7-186, inclusive, of the Connecticut General Statutes, as amended, providing for the operation of bazaars and raffles in the Town, are adopted.

This ordinance shall become effective ten (10) days after publication.

TM Volume 11, pages 231 233

SOIL EROSION AND SEDIMENT CONTROL ORDINANCE

SECTION 1. DEFINITIONS

- 1.1 "Certification" means a signed, written approval by the Planning Commission or its designated agent or the Zoning Commission or its agent, that a soil erosion and sediment control plan complies with the applicable requirements of this ordinance.
- 1.2 "County Soil and Water Conservation District" means the New London County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the General Statutes.
- 1.3 "Development" means any construction or grading activities to improved or unimproved real estate.
- 1.4 "Disturbed area" means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- 1.5 "Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- 1.6 "Grading" means the excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- 1.7 "Inspection" means the periodic review of sediment and erosion control measures shown on the certified plan.
- 1.8 "Sediment" means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site or origin by erosion.
- 1.9 "Soil" means any unconsolidated mineral or organic material of any origin.
- 1.10 "Soil Erosion and Sediment Control Plan" means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to a map and narrative.