

**EAST LYME INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
APRIL 2, 2024
7:00PM**

EAST LYME TOWN HALL, MAIN MEETING ROOM

Present: Kristen Chantrell, Don Phimister, Doreen Rhein, Phyllis Berger, Gregory McIntire, Ryan Williams, Tom Kalal Alt.

Absent: Leonard Salter [Sworn in 4/3/2024]

Also Present: Gary Goeschel II, Inland Wetlands Agent, Ann Cicchiello, BOS Liaison

T. Kalal was seated.

Chair Chantrell called the meeting to order at 7:11pm.

I. PLEDGE OF ALLEGIANCE

The pledge was recited during the previous meeting.

II. PUBLIC DELEGATIONS

Mike McCormick, 10 Brookfield Dr - referenced the earlier Show Cause Hearing Respondent at Park Lane and noted the gentleman's name was spelled wrong. McCormick's own research suggested the Respondent was perhaps a UCONN police officer who owns several undeveloped properties in Connecticut, and suggested the Respondent's address was also incorrect.

Chantrell asked if a green mailing receipt was received, Goeschel replied no.

III. PUBLIC HEARINGS - NONE

IV. ACCEPTANCE OF MINUTES

A. Meeting Minutes of March 5, 2024

MOTION: (Phimister/Berger) to approve.

Vote: APPROVED unanimously, 7;0.

V. EX-OFFICIO REPORT

Anne Cicchiello detailed the March 20th Board of Selectmen Meeting [See Attachment A], stating the East Lyme Police Department was awarded Tier 3 accreditation by the Connecticut Law Enforcement Accreditation Program, and hoped to assist other departments as well. Cicchiello discussed the March 16 ribbon cutting for the re-dedication of the Planetarium, and recommended it as a great place for kids. Cicchiello then detailed the Community Center Feasibility Study plan to renovate the library and placed precedence on public input through a survey available around town and on the website.

RECEIVED FOR RECORD
EAST LYME TOWN CLERK
2024 APR 10 2:00 PM
Cecilia Williams
TOWN CLERK

Cicchello reported on the Zoning Commission Public Hearing on property located at 91 Boston Post Rd. Chantrell clarified this was a conceptual site plan, Goeschel agreed and stated he provided staff comment. Cicchello concluded her report stating the budget will hopefully be finalized on Thursday.

Rhein questioned whether the town garage would be moved, Cicchello replied they were trying to find another location for school busses. Chantrell noted the excess water on recently redone Little League Fields possibly originating from the bus garage. Plans for erosion sediment control and possible bus locations were discussed.

VI. NEW BUSINESS - NONE

VII. PENDING APPLICATIONS

A. 201 Old Black Point Road, Old Black Point Association, Inc., Applicant; Robert Ferreira, Owner; Application for the demolition of existing beach cabanas and decking, and reconstruction according to FEMA and ADA standards. *(Date of Receipt 3/5/2024; Date to Render Decision 5/8/2024)*

Joe Wren of Indigo Land Design, LLC referenced the commission's recent Site Walk of the subject property, and added not much had changed on the plans. Wren discussed the driveway, and noted a reduction in impervious surface on the lower portion.

Berger questioned whether special septic was required for this location, Wren replied no, as the soil is mainly fine and medium sand as evidence from earlier testing detailed on page 2 of the revised plans presented. Chantrell asked the commission if there were more questions, all replied no.

MOTION: (Mcintire/Phimister) to approve.

Vote: APPROVED unanimously, 7;0.

B. 50 Gurley Road, James Bernardo, L.S., Applicant; Douglas C. Hoagland, Owner; Application to construct a single-family dwelling and associated appurtenances within 300-feet of an inland wetlands and watercourse *(Date of Receipt 2/6/2024; Date to Render Decision 4/10/2024)*

Bernardo began his presentation delineating changes made to the plan based on commission and staff reviews. Bernardo worked with Alex Klöse, Town Engineer for pretreatment of runoff from the driveway, and added the rain garden would help with excess runoff.

Bernardo noted the driveway easement with a parcel of land that was abandoned by Town Ordinance, then discussed next steps in finding ownership of this parcel.

Goeschel noted that he had spoken with Attorney Zamarka regarding ownership. Goeschel noted the site plan would not automatically be approved after 65 days, and the applicant has asked for an extension. There were no further comments from Town Engineer Klose regarding drainage, and added drainage would be monitored during construction. E&S control plans would be implemented immediately before paving.

Bernardo noted soil had been tested down about ten feet down and was all sand and gravel, well-draining so did not anticipate lots of runoff. McIntire asked whether the driveway would be curved, Bernardo replied no, would just be asphalt pitching towards the downslope side. McIntire questioned how the driveway could direct water towards the rain garden if not curved, Bernardo replied they avoided curving to prevent a channelized flow, then showed where water would concentrate and flow near the bend, added other water should sheet flow to areas below.

Bernardo stated he drafted a letter to the Chair requesting that the application be tabled until the issue regarding ownership of the abandoned lot is resolved.

Goeschel details staff comments, with a favorable review by Ledge Light Health District [See Attachment B], Zoning Official Mulholland's questions regarding lot frontage and build-ability [See Attachment C], and concluded with no further comments from the Fire Marshal. Goeschel suggested weekly reporting during construction to monitor runoff.

MOTION: (Phimister/Berger) to accept extension request for 65 days.

Vote: APPROVED unanimously, 7;0.

VIII. OLD BUSINESS

A. Inland Wetland Watercourse Regulations; Review of Proposed Draft Revisions

Goeschel stated the Regulations needed to be updated and apologized that they were not ready yet.

IX. REPORTS

A. Chairman's Report

B. Inland Wetlands Agent Report

i. Administrative & Commission Issued Permits

a. Report to be provided

ii. Enforcement

- a. NOTICE OF VIOLATION** – 3 Spring Glenn Road, Assessor's Map #4.6, Lot #78, Niantic, Connecticut – Max and Brenda Carter, Respondent

Goeschel stated a silt fence was placed as requested, so this will be removed from the list.

- b. CEASE AND DESIST ORDER** – 14 Park Lane, Assessor's Map #4.7, Lot #23, Niantic, Connecticut – Andrezej Kowalski, Respondent

This was discussed at the earlier Show Cause Hearing.

- c. CEASE AND DESIST ORDER** – 8 Brookfield Drive, Assessor's Map #41.3 Lot #100, East Lyme, Connecticut – Pellumb and Andia Likollari, Respondent

This project was still outstanding. Goeschel spoke with the representative and they were still waiting on a response regarding the proposed house footprint.

Chantrell asked if only two-bedrooms were approved, Goeschel replied there was no LLHD septic design, but only two or three-bedrooms would be allowed due to limited availability of space. Goeschel suggested the agency may request plantings due to length of time and unsurety regarding future plans.

Chantrell noted Latimer Brook was especially high. Goeschel stressed the importance of shade trees. Berger asked if there was a native plantings requirement, Goeschel replied they do not endorse or support planting of invasive species anywhere in CT. Berger noted the native plant requirement in the Zoning Regulations.

- d. NOTICE OF VIOLATION** – 9 Rocco Drive, Assessor's Map #44.0, Lot #19-5, East Lyme, Connecticut – Darrell Vanwagner, Respondent

Goeschel noted this remained a violation as Jason Pazzaglia was unhappy the clearing was not restored with trees to hide the homes. Goeschel was unsure how the agency wished to enforce this violation.

Chantrell clarified that the clearing had been revegetated, Goeschel replied yes but with meadow plants not trees, and added present vegetation is

holding the slope. Chantrell clarified the slope is established and corrected, Goeschel confirmed yes. Rhein asked whether Quailcrest land was undeveloped, Goeschel replied it has one house on former farmland.

e. NOTICE OF VIOLATION – 90-92 Laurelwood Drive, Tax Assessor's Map #7.14, Lot #45, Niantic, Connecticut – Paul Kowal, Respondent

Goeschel noted he had a voicemail from the owner regarding the violation but had not listened to it yet. A mailing was sent out on Monday reissuing the notice regarding runoff into the town road. The owner was advised to contact the engineer who worked on the lots to the north in an effort to redirect water.

Chantrell asked whether Goeschel had contacted the owner of Soapy Noble regarding the stone wall, Goeschel replied yes and corrections will be made. He added the entire basin in the rear needed to be rebuilt. Kalal discussed the lack of water in the detention basins despite heavy rains.

f. Little Indian Pond, Atlantic Avenue, Niantic; Status Update

Goeschel noted phragmites had been cut on the street side after the Town had completed some work

C. Correspondence - NONE

X. Adjournment

MOTION: (Rhein/Phimister) to adjourn the meeting at 7:55pm.

Vote: APPROVED Unanimously, 7;0.

Respectfully submitted,

Janet Sutherland

Recording Secretary

EAST LYME BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MARCH 20, 2024

IN ATTENDANCE: Dan Cunningham, Ann Cicchiello, Candice Carlson, Rose Hardy, Don MacKenzie and Jason Deeble.

ALSO IN ATTENDANCE: Library Director Lisa Timothy

RECEIVED FOR RECORD
EAST LYME, CT

2024 MAR 26 P 2:18

Mr. Cunningham called the regular meeting of the East Lyme Board of Selectmen to order at 7:00 p.m. and led the pledge of allegiance.

(Signature)
TOWN CLERK

1b. Additional Agenda & Consent Items
There were none.

1c. Delegations

Ms. Hardy stated that in honor of International Women's Day, she wanted to recognize Nancy Willetts and Pat Foley, the first two female members of the Board of Selectmen. Bill Willetts, husband of Nancy, was in attendance to send heartfelt thanks from Nancy; she enjoyed serving the Town for many years. Mike Foley, husband of Pat Foley, spoke on her behalf and expressed the same sentiment; thank you for recognizing these women, and Pat enjoyed the time she spent on the Board.

1d. Approve Minutes

MOTION (1)

Ms. Cicchiello MOVED to approve the Special Budget Meeting Minutes of February 28, 2024, as submitted.

Seconded by Ms. Carlson. Motion passed 6-0.

MOTION (2)

Ms. Cicchiello MOVED to approve the Special Budget Meeting Minutes of March 5, 2024, as submitted.

Seconded by Ms. Hardy. Motion passed 6-0.

MOTION (3)

Ms. Cicchiello MOVED to approve the Special Budget Meeting Minutes of March 6, 2024, as submitted.

Seconded by Ms. Hardy. Motion passed 6-0.

MOTION (4)

Ms. Cicchiello MOVED to approve the Public Hearing Minutes of March 6, 2024, as submitted.

Seconded by Ms. Carlson. Motion passed 6-0.

MOTION (5)

Ms. Cicchiello MOVED to approve the Regular Meeting Minutes of March 6, 2024, as submitted.

Seconded by Ms. Carlson. Motion passed 6-0.

MOTION (6)

DISCUSSION: On page two, Motion 13, the total should be \$0. They reduced the amount by \$200,000 which leaves a \$0 balance in the line item.

Ms. Cicchiello MOVED to approve the Special Budget Meeting Minutes of March 11, 2024, as amended.

Seconded by Ms. Carlson. Motion passed 6-0.

1e. Consent Calendar

MOTION (7)

Ms. Cicchiello MOVED to approve the Consent Calendar for March 20, 2024, in the amount of \$1,7991.81.

Seconded by Ms. Carlson. ABSTAINED; Ms. Hardy. Motion passed 5-1.

2a. Special Appropriation P&R CNRE

DISCUSSION: These liners are important to maintaining and extending the life of the beds of these trucks.

MOTION (8)

Ms. Cicchiello MOVED to approve a special appropriation in the amount of \$1,200 from CNRE fund 32 account 32-08-800-805 to purchase and install bed liners into two Parks and Recreation pickup trucks, EL89 and EL59, and forward to the Board of Finance for approval.

Seconded by Mr. MacKenzie. Motion passed 6-0.

2b. East Lyme Ambulance Fund Amendment to MOA

This matter has been tabled.

2c. Departmental Transfers

This matter has been tabled.

2d. Appointments

There were none.

3a. Community Center Feasibility Study Presentation

Presentation attached hereto as Exhibit #1. Representatives from Brian Cleveland Architects, ARIS, and MSS were in attendance to present the findings of this study. The study yielded three cost estimate options; Small for \$7,637,25, Medium for \$10,284,559, and Large for \$15,949,218. The building was built in 1988 and is a sound structure and in overall good condition; the roof needs replacement. The Board members agreed that something needs to be done with the building, but that the plans presented were more wants than needs. Initially, they discussed replacing the roof and at least re-figuring the parking area for safety and for more parking spaces. The community overwhelmingly asked for more outside activities at this site, so that will be investigated further. Also proposed was to implement a trail system for students and visitors to travel through the property more easily. It was suggested that a second floor be added to the library to create more gathering and working space while leaving the books on the ground level.

Ms. Timothy stated that there is a survey available to the public; please visit the library, the website, or many businesses around town for the survey information. Mr. Cunningham stated that this study was a very good start to the conversation of what work needs to be done to the community center, as well as ideas for improvements in the future.

3b. Cini Fishing Dock Leases

This matter is tabled.

4a. Ex-Officio Reports

Ms. Carlson reported the following:

- BOE discussed projects that might be covered under the OPIOD settlement funds.

- Short Term Rental subcommittee is waiting for the outcome of the pending court case on this matter. They expect to present to this Board in April or May.

Mr. Deeble reported the following:

- He attended the re-dedication of the Planetarium at the high school; this was a great event.

Ms. Hardy reported the following:

- Zoning Commission discussed a proposed development by Latimer Brook and the possible impact to the wetlands.

Mr. Cunningham reported the following:

- Police Commission discussed that our staff is doing an excellent job at getting the police department certified, and they are working toward federal certification. It was noted that other police departments have sought our assistance in their own efforts to achieve certification.
- They are having an in-depth discussion about the golf cart policy for the beach communities.

4b. First Selectman's Report

Mr. Cunningham reported on the following:

- He attended a Chamber of Commerce event where he and Waterford First Selectman gave State of the Town addresses, outlining the economic picture for their respective towns.
- He attended an event at Rossa Negra where ten women were recognized in honor of International Women's Day. Congratulations to Selectwoman Candice Carlson for being one of the amazing women honored that evening.
- The ribbon cutting for the re-dedication of the Planetarium went very well; they are raising funds to replace the seating.

5. Communications

Communication from VFS, LLC; they are statutorily required to notify the Town of their petition to the CT Siting Council for installation of fuel cells. Attached hereto as Exhibit #2.

6. Public Comments

There were none.

7. Selectman's Response

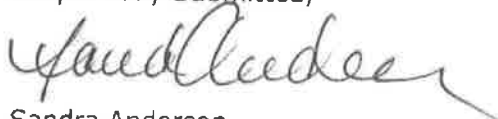
There was none.

MOTION (9)

Ms. Cicchiello MOVED to adjourn the March 20, 2024, regular meeting of the Board of Selectmen at 9:05 p.m.

Seconded by Mr. Deeble. Motion passed 6-0.

Respectfully Submitted,



Sandra Anderson
Recording Secretary



Date: **02/07/2024**

To: **James Bernardo L.S.**

Subject Property: **50 Gurley Rd. East Lyme CT**

Plan Designed by: **Jim Bernardo L.S.** Plan Date: **05/02/2023** Last Revision Date: **02/01/2024** Date Paid: **10/31/2023**
The plan and associated information submitted to our office on **02/05/2024** for a proposed **3 bedroom residential building with private well and private septic** at the above stated property, in the Town of **East Lyme, CT** is:

Approved w/conditions: Complies with the requirements of Section 19-13-B103 of the Connecticut Public Health Code; See conditions below.

Conditions:

1. A confirmation test pit shall be dug and observed by LLHD prior to inspection. This must be done in order to demonstrate >8' to ledge from the bottom of the proposed leaching (perc rate <1min/in). Currently 7.5' demonstrated. Test pit shall be dug to a minimum of 114" from grade.
 - a. If the test pit cannot be dug to 114", then the septic plan must be revised to demonstrate having 150' separating distance to all nearby wells.
2. Septic system area shall be staked and protected during construction, the proposed driveway is extremely close to the proposed leaching.
3. Floor plans only show one floor, this does not include a second story or basement. If the house plans (layout and/or footprint) are to change prior to permit issuance, these updated house plans and an updated septic plan shall be submitted to LLHD for review.
4. Sewer line from house to septic tank shall be inspected prior to the construction of the front porch.
5. PT #2 is labeled as TP #2 on sheet 2 depiction.
6. Stable benchmark adjacent to proposed building and sewage disposal system. Installer should not be required to transfer benchmarks when considerable differences (more than 10' to 15') exist between the benchmark and leaching area. If the benchmark is disturbed prior to construction, the engineer should set another one for construction purposes.

Notes/Recommendations:

7. Proposed garage shall have no footing/perimeter drains.
8. Footing/perimeter drains and discharge points shall remain >25 to septic system.
9. System length may be shortened to 50LF, which would still meet the required ELA for a 3 bedroom single-family house, MLSS is not applicable.
10. Minimum 6" of cover required over all septic components.
11. Design approved without a garbage grinder or large tub exceeding 100 gallons, if installed septic tank shall be sized accordingly.
12. All newly installed septic tanks shall have an approved non-bypass effluent filter that is rated for the design flow of the SSDS.
13. If a riser cover weighs less than 100 lbs, then the tank cover shall remain in place or a secondary safety lid or device shall be provided. It is recommended that secondary safety lids or devices be utilized for safety reasons even if the riser cover weighs 100 lbs or greater. Secondary safety lids or devices must be installed per manufacturer specifications and should be installed as shallow as possible to facilitate maintenance.

The following are not currently required by CT Public Health Code and/or LLHD Plan Review Policies but are encouraged/recommended to protect the proposed structures, onsite septic system, water treatment discharge system and/or water supply/groundwater.

1. All proposed well arcs should be kept on the property they serve (to allow neighbors full use of their properties) and all well casings should be located at least 10' from driving surfaces and/or structures to prevent future damage and allow for future maintenance of the wells.
2. It is strongly encouraged to keep the original tank covers on all tanks requiring risers to prevent the escape of sewer gases and prevent individuals from falling into tanks.
3. The designer should take into consideration the location of potential future water treatment discharge systems, rain gardens and footing/gutter drain discharge locations.

Additional Requirements and Recommendations:

1. **Installer to submit scaled and/or tied as-built to LLHD upon 30 days of completion with distances to flow line at house, inlet and outlet cover of tank, d-boxes, cleanouts and ends of leaching rows, well, footing/curtain drains and between tie points. In addition, provide the name of installer, date, house location and street/directional arrow.**

***Please note that soils testing indicated on this plan are representative of actual soils conditions and additional deep test pits and percolation tests may be required by the Ledge Light Health District if the building or system location is altered and/or the suitable septic area is limited. Applicant should be aware that subdivision approval IS NOT sufficient for individual lot approval. Each lot must be reviewed by the Ledge Light Health District at the time of building permit application in order to obtain lot approval and issue a septic/well permit.**

Please call me at 860-448-4882 ext 1316 with any questions regarding this matter.

Sincerely,



Joseph Blanchard, REHS/RS
Sanitarian II

Cc: Town of East Lyme Code Enforcement Officials

EAST LYME DEPARTMENT OF PLANNING

SUBDIVISION REVIEW SHEET

TITLE OF PLAN:	Zoning Location Survey, Property of Douglas C. Hoagland, for Property Located at 50 Gurley Road, Town of East Lyme, County of New London, Connecticut, dated May 2, 2023 revised through 2-1-2024, 2-sheet plan set by James Bernardo, L.S. of Bernardo Land Surveying, LLC
DATE RECEIVED:	February 6, 2024
DATE DISTRIBUTED:	February 21, 2024
REVIEW DEADLINE:	February 28, 2024

	Application	Plans	Design Report
WETLANDS ENFORCEMENT OFFICER	✓	✓	✓
LEDGE LIGHT HEALTH DISTRICT	✓	✓	✓
ZONING OFFICIAL	✓	✓	✓
TOWN ENGINEER	✓	✓	✓
UTILITY ENGINEER	✓	✓	✓
FIRE MARSHALL	✓	✓	✓

COMMENTS:

1) who owns the land from the end of Gurley Rd to the lot and do they have an easement?

2) what is area of frontage of the lot being subdivided.

3) what is area of frontage of both lots

REVIEWED BY: WJZ DATE: 3/13/24