

**EAST LYME INLAND WETLANDS AGENCY  
PUBLIC HEARING I  
Monday, JUNE 8th, 2015  
MINUTES**

The East Lyme Inland Wetlands Agency held a Public Hearing on the Application of Roger Dawson Owner/Applicant for the construction of a single family dwelling and installation of a subsurface septic system at property located at 21 Upper Walnut Hill Road, East Lyme, associated with a one lot re-subdivision on June 8, 2015 at Town Hall, 108 Pennsylvania Ave., Niantic, CT. Chairperson Lozanov called the continued Public Hearing to order at 7:04 PM.

**PRESENT:** Cheryl Lozanov, Chairperson, Chuck Reluga, Vice-Chair, Keith Hall, Secretary, Norm Bender, Phyllis Berger, Harry Clarke, Joe Mingo

**ALSO PRESENT:** Jason Dismukes, PE, representing the Applicant  
Holly Cheeseman, Ex-Officio, Board of Selectmen  
Attorney Edward O'Connell, Town Counsel  
Gary Goeschel, Inland Wetlands Agent  
Karen Zmitruk, Recording Secretary

**ABSENT:** No One

FILED IN EAST LYME  
CONNECTICUT  
June 13<sup>20</sup> 15 AT 10:05 AM/PM  
*Brookline*  
EAST LYME TOWN CLERK

**Pledge of Allegiance**

The Pledge was observed.

**Public Hearing I**

**Application of Roger Dawson Owner/Applicant for the construction of a single family dwelling and installation of a subsurface septic system at property located at 21 Upper Walnut Hill Road, East Lyme, associated with a one lot re-subdivision; Assessor's Map 54.0, Lot 13.**

Ms. Lozanov introduced the members of the Commission, Recording Secretary and Staff. It was noted that this Public Hearing was continued from May 4, 2015. She asked if Mr. Goeschel had any information for them and then called upon the applicant or their representative to present their information.

Mr. Goeschel noted that **Exhibits H, I** (DEEP letter on no fuel oil), **J** (findings of independent soil scientist) and **K** (memo from G. Goeschel dated 6/8/2015) had been added to the record. An independent soil scientist had been hired and indicated that there is no presence of vernal pools and the DEEP had found no evidence of oil spilled on the property.

Jason Dismukes, PE, 241 Torrington Rd., Goshen, CT said that the plan had been revised to depict items from other departments. Also, through Mr. Goeschel an independent soil scientist had been engaged and sent onto the property regarding vernal pools – he indicated that there were no vernal pools. Also, from the last meeting a Commissioner had told a neighbor to call the DEEP regarding oil being spilled on the property and the DEEP came out and found nothing – this documentation is also in the record. He continued that originally they had wanted a waiver of the open space requirement and now they do not need one as they exceed the required amount. The open space will have a deeded (to the Town) conservation easement over that area of the property. This is handled by the Planning Commission as indicated at the last meeting.

Mr. Goeschel noted that the revised plan is **Exhibit L** and that his memo had been entered into the record as **Exhibit K**. He noted that the conservation easement is as Mr. Dismukes has said, a Planning Commission matter and that a third party administers it.

Ms. Lozanov asked if there were any further comments.

**\*\*MOTION (1)**

**Mr. Mingo moved to close the Public Hearing.**

**Mr. Clarke seconded the motion.**

Mr. Mingo said that he wants to see the conservation easement language before they approve anything.

Mr. Dismukes recapped that originally they were seeking a waiver from Planning and that had changed to an easement over the area instead. Further, it is a Planning Commission matter.

Mr. Goeschel explained that originally they did not have to provide any open space and that the spirit of a conservation easement is more restrictive than any of the other regulations.

Ms. Lozanov called for a vote on the motion to close the Public Hearing.

**Vote: 7 – 0 – 0. Motion passed.**

The Public Hearing was closed at 7:27 PM.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary