

**EAST LYME INLAND WETLANDS AGENCY  
REGULAR MEETING  
Monday, MAY 4th, 2015  
MINUTES**

**PRESENT:** Cheryl Lozanov, Chairperson, Keith Hall, Secretary, Norm Bender,  
Phyllis Berger, Harry Clarke, Joe Mingo

**ALSO PRESENT:** Jason Dismukes, PE, representing the Applicant  
Gary Goeschel, Inland Wetlands Agent  
Marc Salerno, Ex-Officio, Board of Selectmen  
Karen Zmitruk, Recording Secretary

FILED IN EAST LYME  
CONNECTICUT  
May 12, 2015 AT 10:00 AM/PM  
*Karen Zmitruk*  
EAST LYME TOWN CLERK

**ABSENT:** Chuck Reluga, Vice-Chair

**Call to Order**

Ms. Lozanov called the May 4, 2015 Regular Meeting of the East Lyme Inland Wetlands Agency to order at 7:45 PM after the previously scheduled Public Hearing.

**Pledge of Allegiance**

The Pledge was previously observed.

**I. Additions to the Agenda**

Ms. Lozanov asked that they add the Site Walk Minutes from April 11, 2015 to the agenda as Item 3.b.

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

Ms. Lozanov moved to add Item 3.b. to the agenda – Site Walk Minutes – April 11, 2015.

Mr. Hall seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

**II. Public Delegations**

Ms. Lozanov called for Public Delegations.

There were none.

**III. Acceptance of Minutes**

**▪ Regular Meeting Minutes of April 13, 2015**

Ms. Lozanov called for any discussion or corrections to the Regular Meeting Minutes of April 13, 2015.

Mr. Goeschel noted that Mr. Reluga was absent, not present and that Ms. Bradley had moved to Salem although she had not formally sent a resignation to the Town Clerk here.

He then asked for some changes to areas where he was speaking in the minutes:

Page 4 – 6<sup>th</sup> paragraph under Old Business – Change the line that begins: On September 30 to read: Remediation will be conducted and completed on or before September 30.

On page 6 he asked for the following changes:

2<sup>nd</sup> paragraph – two-thirds of the way down; change the line starting with Mr. Dismukes.... to read: Mr.

Dismukes indicated the Town's Agent would be able to (enforce the easement)

3<sup>rd</sup> paragraph – change the second and third lines to read: Mr. Goeschel indicated by definition it is a re-subdivision.....Mr. Goeschel said a Public Hearing is required by the Planning Commission.

4<sup>th</sup> paragraph – first line – change next to normally; 7<sup>th</sup> line – change to read: Mr. Goeschel stated that a report from the IWA is all that is needed. The Agency is not required to have a Public Hearing. Mr. Dismukes felt a detailed site Plan of the home at build-out is required.

Mr. Mingo objected to Mr. Goeschel correcting any of the minutes.

Mr. Clarke asked that they continue on.

Mr. Goeschel said that he would stop there.

**\*\*MOTION (2)**

**Mr. Clarke moved to accept the IWA Regular Meeting Minutes of April 13, 2015 as amended.**

**Ms. Berger seconded the motion.**

**Vote: 4 – 1 – 1. Motion passed.**

**Against: Mr. Mingo**

**Abstained: Mr. Hall**

▪ **Site Walk Minutes of April 11, 2015**

Ms. Lozanov called for any discussion or corrections to the Site Walk Minutes of April 11, 2015.

Ms. Lozanov asked that the date on the top of the page be changed to reflect April 11, 2015.

**\*\*MOTION (3)**

**Ms. Berger moved to accept the IWA Regular Site Walk Minutes of April 11, 2015 as amended.**

**Mr. Hall seconded the motion.**

**Vote: 3 – 1 – 2. Motion passed.**

**Against: Mr. Mingo**

**Abstained: Mr. Clarke, Mr. Bender**

**IV. Ex-Officio Report**

Mr. Salerno reported that the last Board of Selectmen meeting was cancelled. The Board of Finance held a Public Hearing on the budget and made reductions to both Town Government requests and the Board of Ed requested increase. The completion of the Boardwalk has been delayed due to weather and the inability to pour concrete – it is now expected to be open in late September. This is a no-cost delay. The Golden Spur property is to be discussed at the upcoming Board of Selectmen meeting and there will also be a Public Hearing on the request of the Building Official to be able to levy fines.

**V. Pending Applications**

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

Ms. Lozanov said that they had just continued the public hearing on this application to the June 8, 2015 meeting pending a report from a consultant on vernal pools.

Ms. Lozanov also noted that the dates of submission for the application and other pertinent dates are once again missing from the agenda. She asked that this be corrected and that they are always on the agenda as they are important in how they are to conduct their business.

**VI. Old Business**

- **Cease, Desist & Correct Order – 20 Farm Meadow Road, East Lyme, CT – Centerplan Construction Company and GRE 314 East Lyme, LLC, Owner; Antares Solar Field on property located at 20 Farm Meadow Road, East Lyme, CT, Assessor's Map 52.0, Lot 126, East Lyme, CT**

Mr. Goeschel said that Centerplan and Mr. Klein are present this evening however their Attorney is not as our meeting date changed due to the Annual Town Meeting being held on the second Monday in May. Their Attorney has requested that they discuss this further at their next meeting. They are aware that there are areas that need to be cleaned up and areas around the silt fence that have to be repaired and these are repairs that they had anticipated.

Ms. Lozanov said that it looked like silting into the wetlands had continued and that there was failure of the turf mats.

Mr. Goeschel said that in moving forward they would order them to maintain their basins and to clean them out. As their counsel is unavailable this evening, they did ask for a continuation of discussion to the next meeting. Further, as the IW Agent, he said that he would discuss these issues with them.

- **Cease, Desist & Correct Order – 286 Flanders Road, East Lyme, CT – Gateway Development, East Lyme LLC Owner, Assessor's Map 26.0, Lot 2, East Lyme, CT and -**
- **Cease, Desist & Correct Order – Flanders Road – Gateway Development East Lyme LLC Owner, Assessor's Map 31.0, Lot 1, East Lyme, CT**

Mr. Goeschel said that they had received a report at their last meeting and that the area has been hydro-seeded as a whole and they should see grass soon.

Ms. Lozanov asked when they would be doing the CL &P utility area.

Mr. Goeschel said that would be in August.

## **VII. New Business**

There was none.

## **VIII. Reports**

### **♦ Chairman's Report**

Ms. Lozanov asked once again that they not lose the dates on the agenda and that all of them are kept on as that is their tracking.

### **♦ Inland Wetlands Agent Report**

Mr. Goeschel reported that he met with Centerplan and all others and agreed to walk the Bialowans area – which they did. The letter showing areas of remediation from Mr. Klein to both he and Mr. Fortunato also went to the Attorneys. Mr. Bialowans submitted information that he would like more work done than what was determined. It was suggested that they go out and look at the areas again to determine how much could be removed.

Mr. Mingo asked about collateral damage from heavy equipment in the area.

Mr. Goeschel and Mr. Fortunato said that the largest piece of equipment would be a Bobcat. All of the work is being done within a stream.

Mr. Mingo said that it would be causing more damage by working in a flowing stream.

Ms. Lozanov said that it could be done by hand. She also noted that she questioned some of the erosion that was seen and if it was caused by this event.

Mr. Goeschel said that they did observe fish in the stream and said that he would discuss with Centerplan Mr. Bialowans concerns.

Ms. Lozanov said that she thinks that there has to be a compromise on both sides.

### **♦ Correspondence**

Mr. Goeschel said that today he received a letter to the IWA regarding the Landmark project from the CT Fund for the Environment requesting that Zoning find it incomplete and requesting that IWA sees it. He also passed out copies of Mr. Bialowans information on work that he would like done to the members only.

## **ADJOURNMENT**

### **\*\*MOTION (4)**

**Ms. Berger moved to adjourn this Regular Meeting of the East Lyme Inland Wetland Agency at 8:56 PM.**

**Mr. Reluga seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary