

**EAST LYME INLAND WETLANDS AGENCY  
REGULAR MEETING  
Monday, OCTOBER 6th, 2014  
MINUTES**

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

**ALSO PRESENT:** Attorney Theodore Harris, representing Centerplan  
Ryan McNamara, Project Mgr., Centerplan Construction  
James Cowen, Soil Scientist, Professional Wetland Scientist,  
Environmental Planning Services, LLC  
Gary Goeschel, Inland Wetlands Agent  
Karen Zmitruk, Recording Secretary

**ABSENT:** Phyllis Berger, Norm Bender, Harry Clarke, Kim Barber Bradley,  
Alternate

**Call to Order**

Ms. Lozanov called the October 6, 2014 Regular Meeting of the East Lyme Inland Wetlands Agency to order at 7:06 PM. She introduced the members of the Commission, Inland Wetlands Agent and Recording Secretary.

**Pledge of Allegiance**

The Pledge was observed.

**I. Additions to the Agenda**

Ms. Lozanov asked if there were any additions to the agenda.  
Mr. Goeschel said that there were no additions.

FILED IN EAST LYME  
CONNECTICUT  
OCT 9, 2014 AT 1:35 AM/PM  
*[Signature]*  
EAST LYME TOWN CLERK

**II. Acceptance of Minutes**

▪ **Site Walk Minutes of August 9, 2014**

Ms. Lozanov called for any discussion or corrections to the Site Walk Minutes of August 9, 2014.

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

Mr. Reluga moved to accept the Inland Wetlands Agency Site Walk Minutes of August 9, 2014 as presented.

Mr. Hall seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

▪ **Regular Meeting Minutes of August 11, 2014**

Ms. Lozanov called for any discussion or corrections to the Regular Meeting Minutes of August 11, 2014.

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

Mr. Mingo moved to accept the Inland Wetlands Agency Regular Meeting Minutes of August 11, 2014 as presented.

Mr. Reluga seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

**III. Public Delegations**

Ms. Lozanov called for Public Delegations.

John Blalowans, 61 Walnut Hill Road said that he wanted to thank them for coming out ...

Attorney Harris asked for a moment and cautioned that if this is part of an agenda item that they cannot have people speaking about it as then it turns it into a public hearing.

Mr. Bialowans said that it is about issues with his property caused by the solar farm and that he has spoken to the people responsible and they have not taken care of the problem and he has brought the information here this evening.

Mr. Mingo said that he would make a motion to add the 61 Walnut Hill Road property to the agenda as a discussion item.

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

**Mr. Mingo moved to add 61 Walnut Hill Road to the agenda as a discussion item.  
Mr. Clarke seconded the motion.**

Ms. Lozanov said that she wants to handle this in the best possible way and that she did not feel that it could be discussed at this time.

Attorney Harris said that they are crossing a statutory line.

After further discussion, Mr. Goeschel and Ms. Lozanov said that they would put it on the next agenda and that Mr. Bialowans could submit the information that he had brought with him this evening to Mr. Goeschel however they could not receive the information and discuss it in the same evening. Further, as there was a motion and a second on the floor, Ms. Lozanov called for a vote on the motion.

**Vote: 0 – 4 – 1. Motion failed.  
Abstained: Mr. Mingo**

**IV. Ex-Officio Report**

Mr. Seery reported the following: the Boardwalk is progressing well and they could possibly bring some of the construction materials in by barge to save on costs; the Board of Selectmen appropriated some funds for new radios to replace older ones that no longer worked; they held a Suicide Awareness seminar here last week Tuesday and it was well attended; the Gateway project is progressing with the work on Society Road being a State project; the Elms in Crescent Beach has been closed down and boarded up and now everyone has been placed elsewhere; and lastly an issue with 26 Beckwith Street was brought before a recent Board of Selectmen meeting and has since been condemned and the property cleaned up.

**V. Pending Applications**

- **63 Arbor Crossing, East Lyme, CT – Carrier Enterprises/Orchards at East Lyme, LLC; Carrier Enterprises new home construction on property located at 63 Arbor Crossing, East Lyme, CT. Assessor's Map 29.1, Lot 68.**

Ms. Lozanov called upon the applicant or their representative.

John Paul Mereen, principal with Gerwick & Mereen, LLC said that this is a residential site with no identified wetlands on the property and none being proposed as it is in the upland review area. This is an approved lot from the 1990's.

Mr. Mingo asked about the forest preserve at the back of the property and who would hold the conservation easement on the property.

Mr. Mereen said that there is a conservation easement all around the development as it is a homeowner's association.

Mr. Reluga asked the distance from the corner of the house to the wetlands.

Mr. Goeschel and Mr. Mereen said that it is about 50'.

Mr. Clarke said that there should be some notes on the plan about the forest preserve.

Mr. Goeschel said that their task this evening was to make a determination on whether or not this needed a public hearing.

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

**Mr. Mingo moved that this application should go to public hearing.  
No Second – Motion does not carry – no public hearing.**

**\*\*MOTION (5)**

**Mr. Mingo moved that the application for 63 Arbor Crossing is complete.  
Mr. Clarke seconded the motion.**

Mr. Mingo said that he wants edits to the plan.

Mr. Hall asked about the potential of moving the house closer to the road rather than having it line up with the house adjacent to it. He said that should be explored.

Mr. Mingo said that he does not think that there is a significant impact to the wetlands.

Ms. Lozanov called for a vote.

**Vote: 1 – 3 – 1. Motion failed.**

**For: Mr. Mingo**

**Against: Mr. Hall, Ms. Lozanov, Mr. Reluga**

**Abstained: Mr. Clarke**

Mr. Goeschel said that the applicant would be back next month and could respond to the items that were brought up this evening.

**VI. New Business**

**▪ State Project No. 104-164, I-95 Resurfacing and Safety Improvements**

Mr. Goeschel stated that this project ends at the Rocky Neck connector and that the State is just advising them of the project. Further, he believed that it was already underway.

**VII. 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.**

Attorney Theodore Harris, representing Centerplan recapped that they have been before this Commission many times and that the remediation has been completed and they will see that reported on tonight. He said that of concern to everyone has been the issue of stabilization of the site and they work that has been done appears to be working.

James Cowen, Soil Scientist, Professional Wetland Scientist, Environmental Planning Services, LLC said that he was before them during the permitting process and has been back since then. He said that he has made a number of site visits and revised the plan mid-summer and since that time there has been continued re-vegetation and growth. He noted that he was on-site four times during the month of September as the major concern was stabilization and the removal of sediment and the re-vegetation of areas. He reviewed his report dated October 1, 2014 (copy attached). He said that with this years' dry conditions that it would not have worked to plant during the month of August and that September worked out much better as they did get some precipitation. In one major area they planted over 1000 shade tolerant plants. In total they installed over 3100 plants and utilized a custom seed mix of wet and dry that would also continue to grow in the fall.

Ms. Lozanov asked that Mr. Cowen speak to the restoration area around the solar panels where there was erosion and gullies.

Mr. Cowen said that they have been working with Centerplan on this and they have made improvements. The critical areas have been addressed and it has been a progressive process.

Ms. Lozanov asked about preventing future erosion and about the product that was stock piled.

Mr. Cowen said that he has been in consult with them on all of the work.

Ryan McNamara, from Centerplan said that they do not have any current plans to utilize any of the materials on-site that were stock piled.

Mr. Goeschel asked about the stone linings and if that compromised any capacity.

Mr. McNamara said that effort was made to over excavate those basins by 8' to 12' to allow for extra capacity in them.

Mr. Goeschel asked about the two trash racks –

Mr. McNamara said they would be installed and that they had done other things on-site – they have regarded the entire array and seeded it and the growth has now taken off; they brought in stone and re-enforced the check dams, basins and swales to slow the water down. They have clear water in the bottom of the basins and clear water discharging. The road goes around the entire site area.

Ms. Lozanov asked how they would monitor this.

Mr. McNamara said that they would be active on the property and that the storm water permit states that after every one-tenth inch of rain that they visit the site.

Mr. Goeschel said that it is his opinion that they have done a good job of stabilizing the site and that they leave the Cease & Desist in place and re-visit the site in the spring.

Attorney Harris noted that at the last meeting that they had discussed Ms. Bengtson's neighboring property and the cleaning of the culvert.

Mr. Goeschel said that it seems to be within the scope of the Cease & Desist. He added that the same tributary runs down and to Mr. Bialowans property to the pond.

Attorney Harris said that is something that they would have to review and discuss with Mr. Bialowans to make a determination on it.

Mr. Goeschel said that he would sit in on this discussion and work with them on it.

Attorney Harris thanked the Commission for their patience in this matter.

The Commissioners agreed that clean up work on Ms. Bengtson's and Mr. Bialowans property could be done under the purview of the Cease & Desist.

**\*\*MOTION (6)**

**Mr. Mingo moved to allow Centerplan Construction Co and GRE 314 East Lyme, LLC to do any agreed upon mitigation under the purview of the Cease & Desist on the neighboring properties.**

**Mr. Reluga seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

**VIII. Chairman's Report**

Ms. Lozanov said that she did not have anything to report.

**IX. Wetland Enforcement Officer Report**

▪ **Gateway Development**

Mr. Goeschel reported that he has been on the Gateway site often and that he does not see any issues there and that they have been good with. He said that he has informed them that he wants the slopes stabilized for winter.

▪ **Administrative Permits Issued**

Mr. Goeschel said that today he issued a permit for a shed at 11 Morris Lane and had emailed the owners a copy of the approved permit. It will be included on his next report.

▪ **Enforcements**

Mr. Goeschel said that he has been working with the solar Farm as indicated previously.

▪ **Correspondence**

There was none.

**ADJOURNMENT**

**\*\*MOTION (7)**

**Mr. Mingo moved to adjourn this Regular Meeting of the East Lyme Inland Wetland Agency at 8:52 PM.**

**Mr. Reluga seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

October 1, 2014

Ryan C. McNamara  
Project Manager  
CENTERPLAN Construction Company  
10 Main Street, Suite D  
Middletown, CT 06457

**RE: Sediment Deposit Stabilization  
Antares Solar Farm  
Grassy Hill Road, East Lyme**

Dear Mr. McNamara:

At your request, Environmental Planning Services (EPS) has reviewed the previously identified sediment deposition areas (see Figure 1) and provided technical assistance during implementation of the wetland restoration plan. EPS Certified Professional Wetland Scientists visited the site on September 9, 16, 22, and 26, 2014. Since vegetation has continued to fill in the sediment areas fewer plants were deemed necessary. All planted and seeded areas were mulched with weed-free straw.

**Sediment Deposition Area 1:** No additional measures were necessary.

**Sediment Deposition Area 2:** The area has been planted, seeded and mulched with straw.

**Sediment Deposition Area 3:** This area has been planted, seeded and mulched with straw. A small sediment deposit was removed from the stream and a haybale installed in the flowpath that is upgradient of the streambank to minimize further sedimentation into the stream.

*custom  
seed mix of  
wet + dry - all  
shade  
tolerant  
able to  
grow  
fall*

**Sediment Deposition Area 4:** The sediment deposits were removed. Areas of concentrated flow and the streambank were planted and the entire area was seeded and mulched with straw. Hay bales were installed at the lower end of areas of concentrated flow to minimize further deposition into the stream until vegetation stabilizes the area.

**Sediment Deposition Area 5:** The sediment deposits near the stream were removed. The streambank and low slope was planted, the entire area seeded, and mulched with straw.

Although not specifically part of the wetland restoration effort, we also observed the areas within the approved limits of disturbance. We recommend that any un-vegetated areas on the perimeter slope should be seeded with New England Conservation/Wildlife Mix at 25 lbs/acre, with ryegrass added.

89 Belknap Road  
West Hartford, CT 06117  
Phone 860-236-1578 Fax  
michael.klein@epsct.com

116 Smith Road  
East Haddam, CT 06423  
Phone 860-873-9119 Fax  
eric.davison@epsct.com

138 Mystic Road  
North Stonington, CT 06359  
Phone 860-535-0625 Fax  
james.cowen@epsct.com

[www.epsct.com](http://www.epsct.com)

The conditions in these areas are illustrated in the attached photographs. In our judgment, the approved wetland restoration plan has been satisfactorily completed. Please feel free to contact us if we can provide further assistance in this matter.

Yours truly,

A handwritten signature in cursive script that reads "James R. Cowen".

submitted electronically

James R. Cowen  
Registered Soil Scientist  
Certified Professional Wetland Scientist



Sediment Area 2: well vegetated, seeded and mulched only, 9/26/14



Sediment Area 3 flow path: planted, seeded, and mulched, 9/26/14





Sediment Area 4: planted, seeded, and mulched, 9/26/14



Sediment Area 4: sediment removed, planted, seeded, and mulched, 9/26/14



Sediment Area 4 at edge of stream: planted, seeded, and mulched, 9/22/14



Sediment Area 5 mid slope: planted, seeded, and mulched, 9/26/14



Sediment Area 5 low slope: planted, seeded, and mulched, 9/26/14



Reinforced splashpad above Sediment Area 5, 9/26/14

## LIST OF PLANTS USED IN REMEDIATION

Quantity	Description
100	<i>Caltha palustris</i> plugs - Marsh Marigold
108	<i>Carex crinita</i> plugs - Fringed Sedge
173	<i>Carex stricta</i> plugs - Tussock Sedge
276	<i>Eurybia divaricata</i> Plug - White Wood Aster
50	<i>Iris versicolor</i> plugs - Purple Flag Iris
100	<i>Lobelia cardinalis</i> plugs - Cardinal Flower
30	<i>Packera aurea</i> goldenrag wort plug
100	<i>Zizia aurea</i> plugs-Golden Alexander
350	<i>Carex crinita</i> - Fringed Sedge 2" plug
200	<i>Carex vulpinoidea</i> - Fox Sedge 2" plug
600	<i>Cinna arundinacea</i> , Stout Wood-reedgrass 2" plug
200	<i>Calamagrostis canadensis</i> - Blue Joint Grass 2" plug
300	<i>Elymus riparius</i> - Riverbank Wild Rye 2" plug
200	<i>Aster divaricatus</i> - White Wood Aster 2" plug
300	<i>Glyceria striata</i> - Fowl Manna Grass 2" plug