

FILED IN EAST LYME
CONNECTICUT
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RITA PALAZZO
EAST LYME TOWN CLERK

Planning Commission Public Hearing Minutes

August 4, 2015

Members Present: Ernie Covino, Rita Palazzo, Brian Schuch, Chairman, Joan Bengtson, Francine Schwartz

Also Present: Gary Goeschel, Planning Director, Ed O'Connell, Town Attorney, Michael Hess, Alternate (Sat as Regular Member), Anne Thurlow, Alternate, Rose Ann Hardy, Ex-Officio, Mark Nickerson, First Selectman

Absent: Frank Balantic, Secretary, John Birmingham, Alternate

Mr. Schuch called the continued public hearing to order at 7:03 pm.

Pledge of Allegiance

The Pledge was observed.

I. Public Hearing

- A. **Application of Roger Dawson of 1314 East Las Olas Blvd. Fort Lauderdale FL., 3301, Applicant/Owner;** Application for a 1-Lot Resubdivision of approximately 3.97-acres Zoned RU-80 at 21 Upper Walnut Hill Road, East Lyme, Assessor's Map #54, Lot #13 and associated Waiver Request of the open space requirements under Section 7 of the East Lyme Subdivision Regulations. (Public Hearing Opened July 7, 2015; Must Close by August 11, 2015.)

Mr. Schuch noted that the Agenda refers to Section 7; it should be Section 6 instead.

Mr. Schuch sat Alternate Michael Hess as a regular member for both the public hearing and the regular meeting that follows.

The Commission discussed the site walk they did of this property on July 21st, 2015.

Ms. Bengtson asked if a vernal pool was present on the portion of the property they did not walk.

Mr. Goeschel explained that the Inland Wetlands Agency issued permit 15-10, approved on June 8th, 2015 and detailed the permit conditions. He also detailed the agency's 100 foot purview and the soil scientist, Joseph Theroux, findings which are detailed in his letter (attached.)

Mr. Schuch invited anyone from the audience who wished to speak, to do so.

Tom Gannoe of 27 Upper Walnut Hill Road came forward to share his concerns. Chief amongst his and his wife's concerns are the runoff from the 300 foot paved driveway and the 25 feet between the septic and the wetlands as well as the actual construction itself. He is also concerned with the reconstruction of the old farmhouse; he does not have faith that the Applicant is going to respect the property. He said that it is unfortunate that the Town does not have a blight ordinance.

Mr. Gannoe stated that the Applicant's reputation precedes him. He is aware that the Commission does not want to get into that, but he thinks it is important. He questions what the good in this project is. He said that it's about making a quick buck and that he doesn't feel it will be seen through properly or policed well. He is hopeful that the Commission will consider their concerns.

Mr. Gannoe said that he knows that the Inland Wetlands Agency required that the soil scientist check for vernal pools and that there were none, but his own adjacent property/wetlands were not checked. He said that he and his wife would be happy to pay for a soil scientist to examine their property.

Mr. Schuch asked Mr. Gannoe if he is aware of any conditions which affect the property that are not generally applicable to other land in the area. Mr. Gannoe said he has no doubt that there will be adverse effects and he cited the runoff from the paved driveway and the fact that construction will occur so close to the wetlands.

Mr. Schuch stated that the Commission in granting the waiver can only do so if it will not have a significantly adverse effect upon adjacent property, the environment, or public health and safety. He observed that the presence of a vernal pool on the Gannoe property might be such a concern but that it is within the scope of the Inland Wetlands Agency and not the Planning Commission.

Mr. Goeschel reminded the Commission that the Inland Wetlands Agency issued a permit. The Inland Wetlands Agency felt that the soil scientist's results and investigation was sufficient and met their requirements. In a sense, the vernal pool issue was already addressed. Mr. Gannoe stated that his property was not examined and reiterated his concerns.

Mr. Schuch stated that they are looking for "significant adverse effects." He understands that the Gannoos' feel the construction will lead to adverse effects but our Inland Wetlands Officer has stated that it passed the muster with the Inland Wetlands Agency.

Susan Gannoe of 27 Upper Walnut Hill Road came forward and stated that the investigation of the soil and property occurred during the driest season. Mr. Gannoe said that he feels that the investigation should be broader. Mrs. Gannoe added that you won't truly know that there will be an adverse effect until it happens and by then it will be too late.

Jason Dismukes PE, representing the Applicant, came forward and stated that they went through an exhaustive review on the possible impact on the property, for the Inland Wetlands Agency. No vernal pools were found. Inland Wetlands, Zoning and Ledge Light Health District all believe that they comply. In terms of hardship, through conversation with Town Engineer, Victor Benni, they determined that the clearing of trees for the creation of a rain garden would be too detrimental and burdensome.

Ms. Bengtson asked Mr. Dismukes about the trees he pointed out during the site walk that will be cut down. He clarified that he was speaking of all the trees that would have to be cut down to accommodate a rain garden.

Mr. Schuch explained that Mr. Dismukes is saying that if they were in strict compliance with the regulations a lot of trees would have to be cut down and that qualifies as an exceptional difficulty or hardship.

Mr. Dismukes said that in terms of conditions which affect the property that are not generally applicable to other land in the area, the answer would be the grade or slope needed to create a rain garden.

The Commission discussed the driveway and runoff with Mr. Dismukes.

Mr. Dismukes and Mr. Schuch discussed what would happen with the storm water if a 100 year storm occurred. Mr. Goeschel said the water would most likely be absorbed by the wetlands because it is only a difference of inches.

The Commission further discussed storm water regulations and storm water management.

Mr. Goeschel said that to protect the wetlands, their storm water plan seems like a viable alternative to a rain garden. If the Commission chose not to approve the waiver, the Applicant would have to build a rain garden and go before the Inland Wetlands Agency again.

Mr. Dismukes stated that it is likely that it will not be the current owner that develops the property. In answer to the neighbor's concern regarding the quality of construction, bonds exist to protect the Town from shoddy contractors. He added that he was told that construction on the house was halted due to an insurance dispute which will soon be resolved, and construction will then continue.

Mr. Gannoe said why complete this resubdivision given the wetlands and uniqueness of the property. He said that the resubdivision is contrary to the area.

Mr. Goeschel said that it is the landowner's right to apply for a resubdivision of his lot.

Mr. Dismukes observed that there has been a lot of comments about the concern for the wetlands. He noted that the wetlands are already highly disturbed. He recounted that the former owner had dug a pond for his cattle which was wetlands violation number one; the pond was filled at the behest of Mr. Gannoe, which was wetlands violation number two. This became part of the record during the Inland Wetlands Hearing.

Ms. Schwartz asked about the frontage requirements. Mr. Dismukes pointed out the lot lines for the Commission.

The subdivision regulations as they relate to the POCD were discussed. The POCD goal of maintaining neighborhood character was also discussed.

Ms. Bengtson said that she is still really concerned about the wetlands. She added that we don't know the condition of the existing house.

Mr. Goeschel stated that the wetlands are not our purview.

Mr. Goeschel presented the Commission with his memorandum (Exhibit L- attached.)

- **Motion (1)**

Mr. Covino moved to close the public hearing.

Ms. Palazzo seconded the motion.

Vote: 6-0-0. Motion passed.

The public hearing was closed at 8:20 pm.

Respectfully Submitted,

Brooke D. Stevens
Recording Secretary



JOSEPH R. THEROUX

~ CERTIFIED FORESTER/ SOIL SCIENTIST ~
PHONE 860-376-6842 ~ FAX 860-376-6821
P.O. Box 32, VOLUNTOWN, CT, 06384

FORESTRY SERVICES ~ ENVIRONMENTAL IMPACT ASSESSMENTS
WETLAND DELINEATIONS AND PERMITTING ~ EIS/SITE MONITORING
WETLAND FUNCTION/VALUE ASSESSMENTS

8/14/14

MR. JIM BERNARDO
BERNARDO SURVEYING LLC
102-A SPITHEAD RD.
WATERFORD, CT. 06385

RE: WETLAND DELINEATION, 21 UPPER WALNUT HILL RD. E. LYME, CT.

DEAR MR. BERNARDO,

AT YOUR REQUEST I HAVE DELINEATED THE INLAND WETLANDS/WATERCOURSE ON THE ABOVE REFERENCED PROPERTY.

THESE WETLANDS HAVE BEEN DELINEATED IN ACCORDANCE WITH THE STANDARDS OF THE NATIONAL COOPERATIVE SOIL SURVEY AND THE DEFINITIONS OF WETLANDS AND WATERCOURSES AS FOUND IN THE CONNECTICUT STATUTES, CHAPTER 440, SECTION 22A-38.

FLUORESCENT PINK FLAGS LABELED WETLAND DELINEATION WITH A CORRESPONDING LOCATION NUMBER DELINEATE THE BOUNDARY OF THE INLAND WETLANDS.

FLAG SERIES WF- 1 THROUGH WF- 17 DELINEATE THE BOUNDARY OF A SMALL WETLAND AREA ALONG THE NORTHERN PROPERTY BOUNDARY. AN INTERMITTENT WATERCOURSE FLOWS FROM THIS WETLAND TO THE EAST OFF THE PROPERTY. NO FLOWS WERE NOTED AT THE DATE OF THIS REPORT.

THESE WETLAND SOILS HAVE FORMED AS A RESULT OF PROLONGED WETNESS FROM A SEASONALLY HIGH PERCHED WATER TABLE AND ARE CHARACTERIZED BY LOW CHROMA COLORS WITHIN 20 INCHES OF THE SURFACE AND SHALLOW REDOXIMORPHIC FEATURES.

IN CONCLUSION, IF YOU HAVE ANY QUESTIONS CONCERNING THE DELINEATION OR THIS REPORT, PLEASE FEEL FREE TO CONTACT ME.

THANK YOU,

JOSEPH R. THEROUX
CERTIFIED SOIL SCIENTIST
MEMBER SSSSNE, NSCSS.

Town of

P.O. Drawer 519

Department of Planning &
Inland Wetlands

*Gary A. Goeschel II, Director of Planning /
Inland Wetlands Agent*



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357

Phone: (860) 691-4114

Fax: (860) 860-691-0351

MEMORANDUM

To: East Lyme Planning Commission

From: Gary A. Goeschel II, Director of Planning

Date: August 4, 2015

RE: Application of Roger Dawson of 1314 East Las Olas Blvd. Fort Lauderdale Fl., 33301, Applicant/
Owner; Application for a 1-Lot Resubdivision of approximately 3.97-acres Zoned RU-80 at 21
Upper Walnut Hill Road, East Lyme, Assessor's Map# 54, Lot# 13 and associated Waiver Request
of the Stormwater requirements under Section 6 of the East Lyme Subdivision Regulations.

Upon review of the above referenced application, supporting documentation, and proposed subdivision plans entitled "Resubdivision Plan – Lot ID, 54/13, Prepared for Quick Time, LLC, 21 Upper Walnut Hill Road, East Lyme, Connecticut; dated 12-2-14, and revised through 7/7/15 , prepared by Jason Dismukes, P.E. of Jason Dismukes, LLC, Goshen, Connecticut, Sheet 1 of 1" and "Subdivision Plan-Lot Layout, property of Roger Dawson for Property located at 21 Upper Walnut Hill Road, Town of East Lyme-County of New London-Connecticut, dated October 16, 2014 and revised through 5/28/15 prepared by James Bernardo, L.S. of James Bernardo Land Surveying, LLC, Waterford, Connecticut, Sheet 1 of 1" below are my findings:

WAIVER REQUEST

In regards to the evaluating the Waiver Request from Sections: Sec 6-8 against the Waiver criteria in Section 4-9 of the Subdivision Regulations, I found the following:

FINDINGS

Whereas: Pursuant to Section 4-12 of the East Lyme Subdivision Regulations, only as specifically authorized within the Regulations may the Commission waive certain requirements by a three-quarters vote of all members, when it is demonstrated that strict compliance will cause an exceptional difficulty or undue hardship. Also, the applicant must submit a waiver request in writing at the time of application and the Commission must require a public hearing.

Whereas: At the time of application, the applicant provided a waiver request in writing from Section 6-8 of the Subdivision Regulations.

Whereas: The Commission commenced a Public Hearing and received testimony on July 7, 2015 and conducted a Site Walk on July 20, 2015. The Public Hearing for said application was continued to August 4, 2015 **closed** at the Commission's August 4, 2015 meeting. The Commission has reviewed the application and received testimony from the applicant and the public. Town staff also provided the Commission with comment concerning this applications compliance with local requirements and regulations.

Further, the Commission shall not grant a waiver unless it finds the following conditions are met:

- (1) The waiver has been requested in writing by the applicant in the application submission;
 - As previously stated, at the time of application the applicant provided a waiver request in writing.
- (2) The property for which the waiver is sought is affected by conditions, which affect the property and are not generally applicable to other land in the area;
 - The subject property is an existing lot located in a Rural Residential (R-80) zone and currently developed with a single family dwelling. The existing lot as well as the proposed lot will have a well and septic. In addition, the parcel contains an area of wetlands adjacent to the rear and east of the lot. These conditions generally apply to other land in the area. As the requested waiver consists of waving a site design standard, Exhibit "B" indicates the proposed project will generate "modest run-off" and describes several measures that have been proposed to prevent adverse effects to wetlands and downstream flooding. Further, as evidenced by Exhibit "I" a memo from Victor Benni, P.E., Town Engineer to G. Goeschel, Director of Planning dated June 24, 2015, the applicant has met all the exemption requirements as stated in Section 6-8-7 of the East Lyme Subdivision Regulations.
- (3) Physical features of the property or its location causes exceptional difficulty or unusual hardship in meeting the requirements of these Regulations;
 - The parcel contains an area of wetlands to the rear and east of the lot. As the subject parcel has already been part a previous subdivision, it was subsequently disturbed and developed. I am uncertain that the wetlands to the rear and east of the property create an exceptional difficulty or unusual hardship. However, as evidenced by Exhibit "B" the proposed subdivision will not generate large volumes of concentrated run-off and the applicant has satisfied the Town Engineers concern as it pertains to run-off and potential downstream flooding.
- (4) The granting of a waiver will not have a significantly adverse effect upon adjacent property, the environment, or the public health and safety;
 - The granting of this waiver would not have a significantly adverse effect upon adjacent property, the environment, or the public health and safety as evidenced by Exhibit "B" and Exhibit "K" East Lyme Inland Wetlands Agency Permit Number 15-10, which permits the construction of a single family dwelling and installation of a subsurface septic system associated with the proposed 1-lot resubdivision.
- (5) The granting of the waiver will not be in conflict with the Plan of Conservation and Development;
 - The proposed plan proposes the construction on the portion of the parcel best suited for development, minimizes grading and excavation, it protects environmentally sensitive areas such as wetlands by implementing best management practice such as erosion and sedimentation controls. Further, it will not increase the density any more than is allowed under the existing Zone of RU-80 as each lot will meet the 80,000 square foot minimum as required by the Zoning Regulations. As such, the proposed plan would be consistent with POCD Chapter 3, Section 3.1.1 Single-Family Housing. As such, the granting of the waiver will not be in conflict with the Plan of Conservation and Development.
- (6) Where it is proposed to vary any engineering standard contained in these Regulations, a report from the Town Engineer has been requested and considered by the Commission;

- The Commission has received a report from the Town Engineer.
- (7) The requested waiver is the minimum deviation from the requirements of these Regulations necessary to permit subdivision of subject land.
- The applicant is requesting to waive the Stormwater Requirements of Section 6 of the Subdivision Regulations. In my opinion, as this is the only waiver being sought and as evidence by Exhibit "B" the proposed development will generate modest run-off versus large concentrated volumes that are typically associated with large lot subdivisions and road construction and will not exacerbate any downstream flooding, it is the minimum deviation from the requirements of the Subdivision Regulations necessary to permit the subdivision of the subject land.

In granting a waiver, the Commission must state upon its record, the reasons for granting any waiver. Note the word "reasons" is plural. Also, the granting or denial of a Waiver is a separate action of the Commission which, in my opinion, requires a separate motion and must occur prior to the approval or denial of a subdivision application. The following is proposed language for such a motion:

MOTION FOR THE WAIVER REQUEST:

The Commission Moves to GRANT/DENY the Waiver request from Section 6-8-1 through 6-8-6 associated with the Application submitted as Application of Roger Dawson of 1314 East Las Olas Blvd. Fort Lauderdale Fl., 33301, Applicant/ Owner; Application for a 1-Lot Resubdivision of approximately 3.97-acres Zoned RU-80 at 21 Upper Walnut Hill Road, East Lyme, Assessor's Map# 54, Lot# 13 based on the above Findings indicated in the Memorandum from Gary A. Goeschel II, Director of Planning, dated August 4, 2015, and the following additional reasons:

- (1)
- (2) , etc....

RESUBDIVISION APPLICATION

In regards to my review of the above referenced application, supporting documentation, and proposed subdivision plans entitled proposed subdivision plans entitled "Resubdivision Plan – Lot ID, 54/13, Prepared for Quick Time, LLC, 21 Upper Walnut Hill Road, East Lyme, Connecticut; dated 12-2-14, and revised through 7/7/15, prepared by Jason Dismukes, P.E. of Jason Dismukes, LLC, Goshen, Connecticut, Sheet 1 of 1" and "Subdivision Plan-Lot Layout, property of Roger Dawson for Property located at 21 Upper Walnut Hill Road, Town of East Lyme-County of New London-Connecticut, dated October 16, 2014 and revised through 5/28/15 prepared by James Bernardo, L.S. of James Bernardo Land Surveying, LLC, Waterford, Connecticut, Sheet 1 of 1" below are my findings:

FINDINGS

The East Lyme Planning Commission based on the record before it with respect to this application, finds this application to be generally in conformance with the Subdivision Regulations of the Town of East Lyme as based on the following Findings:

Whereas: The Commission received a Subdivision Application on June 2, 2015 from Roger Dawson of 1314 East Las Olas Blvd. Fort Lauderdale Fl., 33301, Applicant/ Owner; Application for a 1-Lot Resubdivision of approximately 3.97-acres Zoned RU-80 at 21 Upper Walnut Hill Road, East Lyme, Assessor's Map# 54, Lot# 13 and the associate Waiver request from Section 6 of the East Lyme Subdivision Regulations

Whereas: The Commission commenced a Public Hearing and received testimony on July 7, 2015 and conducted a Site Walk on July 20, 2015. The Public Hearing for said application was continued to August 4, 2015 closed at the Commission's August 4, 2015 meeting. The Commission has reviewed the application and received testimony from the applicant and the public. Town staff also provided the Commission with comment concerning this applications compliance with local requirements and regulations.

Whereas: The parcel of land constituting the property subject to this application is zoned Rural Residential (RU-80). The properties abutting the site to the south are zoned RU080 and the properties to the west, north, and east are zoned RU-80.

Whereas: The proposed Subdivision is found to meet the requirements of the East Lyme Subdivision Regulations and more specifically, as demonstrated by the following:

Section 3-4 Plan of Development: As the proposed Subdivision is located within a RU-80 zoning district adjacent to existing lots previously approved as part of a conventional subdivision, the proposed subdivision conforms to the comprehensive Plan of Development for the Town of East Lyme (POCD) as adopted by the East Lyme Planning Commission. The proposed subdivision continues following the pattern of development characteristic of the existing residential development.

Section 5-4 Sanitation Report: As indicated in Exhibit "J" correspondence from Kim White, Sanitarian to Jason Dismukes, PE dated July 1, 2015 indicates both lots are suitable in their current condition to support a septic system.

Section 5-5 Water Supply Report: As indicated in Exhibit "J" correspondence from Kim White, Sanitarian to Jason Dismukes, PE dated July 1, 2015 indicates both lots are suitable in their current condition to support a well.

Section 5-2-2(E) and 6-8 Stormwater Management Plan: As indicated in Exhibit "I", Memo from Victor Benni, P.E., Town Engineer, dated June 24, 2015, indicates the proposed design meets the intent of the stormwater regulations and all of the exemption requirements as stated in Section 6-8-7. The Engineering Department does recommend an Erosion & Sedimentation bond in the amount of \$4000.00 dollars be posted for the installation of the graded drainage swale, level spreader, and to secure the site.

Section 5-2-2(G) Erosion and Sedimentation Control Plan: The proposed Stormwater Management, Grading and Erosion & Sedimentation Plan as indicated on Exhibit "N", "Resubdivision Plan – Lot ID, 54/13, Prepared for Quick Time, LLC, 21 Upper Walnut Hill Road, East Lyme, Connecticut; dated 12-2-14, and revised through 7/7/15 , prepared by Jason Dismukes, P.E. of Jason Dismukes, LLC, Goshen, Connecticut, Sheet 1 of 1" contains proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site as evidenced by Exhibit "B" and "I", previously noted above. As such, the Planning Commission may hereby certify that the Soil Erosion and Sediment Control Plan complies with the requirements and objectives of this Subdivision Regulation.

Section 5-6 Pesticide Report: There are no known regular applications of pesticides on the subject site. In addition, based on the supporting documentation within the application the subject site was not known to be classified as farm land in accordance with Section 12-107c of the Connecticut General Statutes. As such, the applicant has requested a waiver from Section 4-2-3 (E) Pesticide Report.

Section 5-7 CAM Coastal Site Plan Review Required: The subject site is not within the Coastal Management Review Area

Section 5-8 Archeological Survey: As Evidence by Exhibit "D" Archeological Report from Brian Jones, PhD, State Archeologist indicates there is no need to for an archeological survey of the site.

Section 6-2 Lot Design Specifications: The proposed subdivision complies with all applicable Zoning Regulations for the purposes of the subdivision of land as evidenced by Exhibit "H" correspondence form William Mulholland, Zoning Official dated June 11, 2014.

Section 6-9 Requirements Regarding Flooding: As demonstrated by Exhibit "I", Memo from Victor Benni, P.E., Town Engineer, dated June 24, 2015, indicating the proposed design meets the intent of the stormwater regulations.

MOTION FOR THE RESUBDIVISION APPROVAL:

Based on the above Findings indicated in the Memorandum from Gary A. Goeschel II, Director of Planning, dated August 4, 2015, the Commission Moves to APPROVE the application known as Application of Roger Dawson of 1314 East Las Olas Blvd. Fort Lauderdale FL, 33301, Applicant/ Owner; Application for a 1-Lot Resubdivision of approximately 3.97-acres Zoned RU-80 at 21 Upper Walnut Hill Road, East Lyme, Assessor's Map# 54, Lot# 13 and plans entitled "Resubdivision Plan – Lot ID, 54/13, Prepared for Quick Time, LLC, 21 Upper Walnut Hill Road, East Lyme, Connecticut; dated 12-2-14, and revised through 7/7/15, prepared by Jason Dismukes, P.E. of Jason Dismukes, LLC, Goshen, Connecticut, Sheet 1 of 1" and "Subdivision Plan-Lot Layout, property of Roger Dawson for Property located at 21 Upper Walnut Hill Road, Town of East Lyme-County of New London-Connecticut, dated October 16, 2014 and revised through 5/28/15 prepared by James Bernardo, L.S. of James Bernardo Land Surveying, LLC, Waterford, Connecticut, Sheet 1 of 1" which is further subject to the following administrative requirements and required modifications to the site plan and/or other materials submitted in support of this application:

1. A deed restriction to ensure that the level spreader and drainage swale are constructed and maintained in a functional manner. A Note shall be placed on the Record Subdivision Plan with reference to this deed restriction.
2. Pursuant to Section 4-4-10 of the Subdivision Regulations any revisions of the approved construction must be approved by the Town Engineer. Such revisions shall be incorporated on an as-built construction plans and a separate as-built Mylar shall be submitted to the East Lyme Water Department showing the location of all water mains and appurtenances with location ties to all main line valves and shut-off valves.
3. An Erosion & Sedimentation Control bond in the amount \$4000.00 doallars shall be posted with the Town in a form acceptable to the Commission and satisfactory to the Town Attorney or Planning Director.

The above items shall be accomplished prior to the filling of the subdivision on the land records, or other documentation of planning approval and no site work shall commence until all applicable conditions are satisfied.

This approval is specific to the subdivision plan submitted as the application known as Application of Roger Dawson of 1314 East Las Olas Blvd. Fort Lauderdale FL, 33301, Applicant/ Owner; Application for a 1-Lot Resubdivision of approximately 3.97-acres Zoned RU-80 at 21 Upper Walnut Hill Road, East Lyme, Assessor's Map# 54, Lot# 13 and plans entitled "Resubdivision Plan – Lot ID, 54/13, Prepared for Quick Time, LLC, 21 Upper Walnut Hill Road, East Lyme, Connecticut; dated 12-2-14, and revised through

7/7/15, prepared by Jason Dismukes, P.E. of Jason Dismukes, LLC, Goshen, Connecticut, Sheet 1 of 1" and "Subdivision Plan-Lot Layout, property of Roger Dawson for Property located at 21 Upper Walnut Hill Road, Town of East Lyme-County of New London-Connecticut, dated October 16, 2014 and revised through 5/28/15 prepared by James Bernardo, L.S. of James Bernardo Land Surveying, LLC, Waterford, Connecticut, Sheet 1 of 1". Any changes in the subdivision plan other than those identified herein shall constitute a new application and the modifications of this approval and any change in the development plan layout other than those identified herein shall constitute a new application.

The owner/applicant shall be bound by the provisions of this Application and Approval.