



LYME CONSERVATION COMMISSION INLAND WETLANDS and WATERCOURSE AGENCIES

June 29, 2016, 7:00 p.m.

The Lyme Inland Wetlands Agency held a special meeting on Wednesday June 29, 2016 at 7:00 p.m., Lyme Town Hall, 480 Hamburg Road, Lyme, CT.

**MEMBERS PRESENT** Paul Armond Chairman, Beverly Crowther, Roger Dill, Pat Crowley, Tom Reynolds, Priscilla Hammond, Ben Kegley, Bernie Gigliotti ZEO, Attorney Mike Carey, and Patsy Turner Secretary.

Absent Member: S. Kurlansky (alternate), S. Hessel (alternate-excused)

**REGULAR MEETING**

Armond made a motion to enter into executive session to discuss pending litigation Simon vs. Inland Wetlands Commission. The motion was moved by Crowther, seconded by Reynolds, and passed unanimously by all members in attendance.

**Executive Session**

**Discuss pending litigation Simon vs. Inland Wetlands Commission.**

The commission entered into executive session at 7:01 p.m.

**Reopen Regular Meeting**

**Discuss (open meeting discussion) potential settlement and possible action of the Simon lawsuit.**

Turner: The commission came out of executive session at 7:37 p.m.

Carey: No votes were taken. Mr. Gigliotti and myself attended and participated in the meeting.

The motion was read into the record: I move to approve the Agreement to Settle presented to the Commission by its legal counsel at tonight's meeting, subject to the changes noted on the legal counsel's copy of the settlement agreement and made as a result of the Commission's discussions during this meeting and subject to such other modifications as might be deemed prudent and non-substantive by the Commission's legal counsel prior to execution of Agreement with the plaintiffs. I also move that the Chairman of the IWWA (Inland/Wetlands and Watercourse Agencies) be authorized to sign the final document on behalf of the IWWA, all of its regular and alternate members, the Town of Lyme, and Mr. Gigliotti, and that the Commission's legal counsel be authorized to submit a motion to the court asking it to approve the executed Agreement to Settle. The reasons for this motion are:

1. The IWWA denied the plaintiffs' application because it was deemed to be incomplete in multiple respects.
2. In response to a request by the Commission for additional information, the plaintiffs submitted revised plans and other documents, including a written vernal pool assessment by the plaintiffs' soil scientist dated April 20, 2016.
3. Based on the information in the recently submitted documents combined with the information, including various expert opinions, received by the Commission during its public hearings on the plaintiffs' application, the IWWA hereby determines that it has sufficient information upon which to base a decision to approve the plaintiffs' application, subject to the terms and conditions set forth in the Agreement to Settle.

Reynolds moved the motion read into the record by Attorney Mike Carey, Crowley seconded, and the motion was passed unanimously.

**Adjournment**

The meeting was adjourned at 7:39 p.m.

Respectfully submitted,

Patsy Turner, Secretary

Received July 6 2016  
and recorded by me 9:00 AM

Attest J. Winger, Town Clerk