

LYME CONSERVATION COMMISSION
INLAND WETLANDS and WATERCOURSE AGENCY
March 28, 2018, 7:00 p.m.

The Lyme Inland Wetlands Agency held a regular meeting on Wednesday, March 28, 2018 at 7:00 p.m., Lyme Town Hall, 480 Hamburg Road, Lyme, CT. (The original meeting was scheduled for March 21, 2018 but was postponed due to snow storm)

MEMBERS PRESENT Paul Armond Chairman, Sue Hessel seated for Tom Reynolds, Beverly Crowther, Priscilla Hammond, Ben Kegley, Pat Crowley, Roger Dill, Ben Kegley, Bernie Gigliotti ZEO, and Patsy Turner Secretary.

Absent Members: S. Kurlansky (alternate), T. Reynolds

Site walk: B. Crowther & P. Crowley

Seat Alternate Member

Armond: Alternate member Sue Hessel was seated for absent regular member T. Reynolds.

REGULAR MEETING

Lyme Land Conservation Trust, Banningwood Preserve, Town Street Tax Map 8 Lot 102; an application to install four cross drains along the red trail and do some regrading to improve erosion control.

Present at the meeting was Don Gerber, Vice President and Stewardship Chairman of the Lyme Land Conservation Trust.

The certified mail return receipts were handed to Mr. Gigliotti for the record and were all accounted for.

Gerber: There are approximately 16 property abutters, the property follows along the land owners on Honey Hill Road. The property is approximately 100 acres and is located north of route 82 between Honey Hill Road and Town Street. Some activities take place in a field and to access the field there are four intermittent streams that cross that area; there are no alternative areas to access the field. To remove the risk of creating damage to the seasonal streams the plan is to install 12" culverts in the four areas. There will be a curtain drain added to location #4 to catch runoff from the hillside. Location #3 (the culvert will be longer than the other locations with the end having rip rap to slow down the water) will be modified by widened the woods road.

Crowther: While on the site walk one could see that the area does flood at certain times of the year, the project being presented in the application makes sense to protect the seasonal streams.

Crowley: The installation of the culverts will help with the erosion coming off the hill.

Gerber: The work was created by Bob Standish (retired Civil Engineer). The people attending functions on the property will park in the parking area off of Route 82. The reason for this project is to stop issues with erosion before they occur with more access being proposed with nicer weather around the corner. A after school program brought 12 children to the property for a nature walk this week.

Armond: The application will be seen again next month.

Gerber: The work will be done by Jim Webb in the driest season possible.

Dill: The culverts should be placed on the downhill side so there are not lipped areas to cause erosion.

Gerber: The rip rap will be placed at the discharge areas. The project is being proposed to take place between July and September of 2018, in the driest season possible.

Keeney Road LLC, Grassy Hill Road Tax Map 52 Lot 22; an application for construction of a shared driveway to serve three lots of a subdivision across a designated wetland and 100 feet of regulated area. This is to replace a previously approved application (2009) which has lapsed.

Pat Crowley was recused from this section of the meeting at 7:18 p.m.

Present at the meeting was Tom Metcalf, PE, LS.

Metcalf: This application is for a renewal of a granted permit from May 20, 2009. (A copy of the original approval letter was handed to the Chairman for review.) The certified return mail receipts were handed to Mr. Gigliotti and were all accounted for.

Dill: Has anything changed with the project?

Metcalf: Mr. Crowley has not started the project which was approved in 2009, so the permit has lapsed. Three lots were to be served by a common driveway which crossed a wetlands area. The activity is confined to Lot#2 of the subdivision. The subdivision portion of the project does not lapse. The details of the wetlands' crossing are shown on the plans; in the narrowest portion of the wetlands area. Alternative locations were investigated and the chosen spot is best suited location for the crossing.

Armond: The beginning section of the driveway looks steep.

Metcalf: For erosion purposed the steep area entering the driveway will be paved as well as the areas with more than a 7% slope, the water coming off the pavement will sheet flow off the surface. There are multiply culverts included in this project 2 at 18" and 2 at 24".

Dill: The culvert needs to be buried deep enough on the downslope as to not impede any fish passage.

Armond: This application will be seen again next month.

Pat Crowley re-entered the meeting at 7:28 p.m.

The commission continued a conversation about the information which should be part of an approval letter (reason for approval or denial) to follow with details in our regulations.

Review of regulation changes resulting from DEEP comments and setting a new public hearing date.

Armond: The draft of this commission's regulations was re-read today.

Gigliotti: The document which was handed to the commission this evening is from Attorney Mike Carey after his review of the regulations; the document also has a Case from the Town of Preston attached regarding tidal wetlands lawsuit. (The court case was described by Gigliotti) The bodies of water (tidal wetlands) which are usually list in our regulations have been removed, due to no longer having jurisdiction. The commission can take a look at the court case just for informational purpose. The applications that this commission will no longer review will now be viewed by the Planning & Zoning Commission under the Gateway Overlay District.

Armond listed examples of applications which will no longer be seen by this commission; things within tidal wetlands. Our regulations state that the Commissioner needs to inform this commission when our regulations don't conform.

Gigliotti: The Planning & Zoning Commission has handles the tidal zones very well in the past. The information from Attorney Carey will be incorporated into the draft regulation.

Armond: Appendix A & B should be left in the regulations; they are strong tools. Ponds can only be called a Farm Pond if it is located on a farm.

Gigliotti: Once the information from Carey is incorporated the revised regulations need to be resubmitted to all the municipalities and DEEP; then the Public Hearing can be scheduled.
Armond: Most of Carey's comments seem to be editorial and can be added.

The commission continued to review Carey's input. (Keep Section 15.12 a-e)
Armond: The commission will mark the document with Carey's input for homework; what you want to keep and what you want to remove. We will discuss this next month.

OLD BUSINESSN/A
NEW BUSINESSN/A

APPROVAL OF OUTSTANDING MINUTES

A motion was made by Armond to approve the minutes of the February 2018 meeting.
Hessel moved the motion, seconded by Crowther, and the minutes were accepted.

Adjournment

The meeting was adjourned at 8:10 p.m.
Respectfully submitted,

Patsy Turner, Secretary