



# TOWN OF OLD LYME

[www.oldlyme-ct.gov](http://www.oldlyme-ct.gov)

## Inland Wetlands and Watercourses Commission

52 Lyme Street | Old Lyme, CT 06371

Tel. (860) 434-1605 ext. 234

### MINUTES

#### REGULAR MEETING

#### OLD LYME INLAND WETLANDS AND WATERCOURSES COMMISSION

TUESDAY, JULY 22, 2025

6:00 PM

MEETING HALL – 52 LYME STREET  
OLD LYME, CT

The Old Lyme Inland Wetland and Watercourses Commission held a Regular Meeting on Tuesday, July 22, 2025, in the Meeting Hall at 6:00PM at 52 Lyme Street.

**Present Were:** Rachael Gaudio, Tom Machnik, Scott Basham, Michael Aurelia, Todd Crolius, Peter Friel, Rob Janes

**Absent Were:** Jared Bombaci, John Mesham

**Also Present:** Eric Knapp (WEO), Faly McQuarrie (Land Use Technician), Olindo Nocito, Ron Swaney, Bob Doane (Doane Engineering), Caroline O'Hagan (Indigo Land Design), and about 10 members of the public.

**Chair Gaudio called the meeting to order at 6:00pm.**

#### NEW BUSINESS

1. **25-20. 50 Boston Post Road, Phillip and Susan Beckman, Applicant.** Demolition of existing detached garage and portion of the existing 3-bedroom year-round house, construct a new attached garage and addition and modify the existing roofline.

Caroline O'Hagan from Indigo Land Design was present to explain the application. Wetlands are not located on the property but are within 100ft of the proposed activity. There would be minor filling and grading for the patio and garage. Chair Gaudio asked that the wetlands be flagged prior to the Commission walking the site. A site walk was set for August 5, 2025, at 5:45PM.

2. **WEO Update, 8 Whippoorwill Rd, activity within the regulated area.**

E. Knapp explained that during a site walk in July, a commission member noted that it looked like there was work happening within 100ft of a wetland. He stated that there was an effort to contact the property owner, and he will update as there is more information.

3. **25-21. 129-1 Whippoorwill Road, Open Space Commission, Applicant.** Reopen trail/road for public access and add a 25' boardwalk over a wet area of the trail to make it passable.

Bill Ruel, a member of the Open Space Commission, was present to explain the application to the Commission. The application is for the Ames Preserve which has multiple trails, and their goal is to open the trail again after it was flooded by beaver activity. The trail is currently dry, but they are looking to build a 15ft bridge and boardwalk to ensure safety for



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the public. The Commission set a site walk for August 5, 2025, at 6:00PM. E. Knapp asked where the best place would be, Bill Ruel explained that the Commission should meet on the Whippoorwill side of the trail.

### 4. 25-22. 16 Town Woods Road, Rodney & Deborah Hornbake, Applicant. Construction of a 24' x 24' detached accessory building.

Caroline O'Hagan of Indigo Land Design was present to explain the application to the Commission. There are wetlands on either side of the property and most of the property is within the 100ft review area. The homeowners have opted to remove the basement from their previously approved plan and are looking to add a 24' x 24' accessory building. M. Aurelia asked if this would be a modification to the existing permit, E. Knapp stated that it would not be a modification because the change is quite a difference from the initial application. The Commission decided that they would not be setting a site walk for this property as they have already seen it but agreed to table the conversation until the August meeting.

### 5. 25-23. 40 Flatrock Hill Road, Michael & Elizabeth Lamarre, Applicant. Installation of a gravel access drive on the property with associated utilities for future home.

The property owner, Elizabeth Lamarre, was present to explain the application to the Commission. Chair Gaudio explained the process of the site walk. T. Machnik asked that the driveway location be marked on the property to make it easier for the Commission to view, the property owner noted Wetland flags are still up. A site walk was set for August 5, 2025, at 6:15PM.

## OLD BUSINESS

### 1. 25-11. 9 Tantummaheag Road, Carey Meltzer, Applicant. Application for pond maintenance/restoration – extension request.

E. Knapp explained that the property owner is requesting an extension until the August meeting, at which time no further extensions may be given. T. Machnik made a motion to approve the extension. M. Aurelia seconded the motion. The motion passed unanimously.

### 2. 25-15. 240 Whippoorwill Rd, Al & Christine Bond, Applicant. Application to replace the existing pavilion.

Bob Doane of Doane Engineering was present to explain the application to replace an existing gazebo. Mr. Doane explained that building would be used for the Christmas tree farm business. E. Knapp noted that this application came in first in May and that the applicants are looking for an agricultural exemption. E. Knapp noted that the Commission must make a determination of no jurisdiction if they believe the building is for agricultural/farming. E. Knapp read the regulations of the agricultural/farming definition into the record.

Chair Gaudio asked how it would be related to the Christmas Tree Farm operation. Mr. Doane explained it would be a meeting place for customers where transactions would take place. The applicant would prefer a rectangular building rather than fixing the rotting gazebo. R. Janes asked if they are using the current pavilion as a part of their operations. Mr. Doane stated he was not sure of the current purpose.



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The Commission's counsel, E. Cassella read the relevant portion of Connecticut General Statute Section 1-1 (q), which defined "farm". As the definition included structures used as part of the farm's sale operations, the Commission was able to conclude that the proposed structure was part of the farming operations and therefore exempt from needing a permit, as set forth in Section 4.1 of the Regulations. T. Machnik made a motion of no jurisdiction; R. Janes seconded the motion, the motion passed unanimously.

**3. 25-16. 234 Whippoorwill Road, Timothy Seckla, Applicant.** Application to replace the existing outbuilding (shed) with larger structure, approx. 16'x36'.

Timothy Seckla was present to explain his application to the Commission. He expressed that they are looking to take the current outbuilding down and create a larger structure. The shed would be placed on a four-inch monolithic foundation pour. T. Machnik made a motion to approve as submitted. T. Crolius seconded the motion. The motion passed unanimously.

**4. 25-17. 64 Grassy Hill, Fedus Engineering LLC, Applicant.** Application for proposed 12'x45' first floor addition, a 370 sq. ft. second story addition, plus a 398 sq. ft. loft, and a new septic system.

No one from Fedus Engineering was present. Norton Wheeler of Mystic River Building was present to explain the application. The property owner is looking to make this home their permanent residence. The structure will be closer to the lake and the septic system will be replaced entirely. T. Machnik asked about the location of the septic, the Commission reviewed the site plan as submitted by Fedus Engineering, LLC. R. Gaudio made a motion to approve the application. R. Janes seconded the motion with standard conditions. The motion passed unanimously.

**5. 16 Neck Road & 2 Sharon Drive,** Discussion of status violation and appropriate next steps.

E. Knapp stated he visited the property yesterday with the applicant, their soil scientist, and two representatives of Nathan Jacobson and Associates. He stated that no new material regarding the violation has been submitted to the Land Use Department and no bonds have been submitted. Olindo Nocito was present to inform the Commission of the status of the property. Mr. Nocito explained that they regraded both sides of the road and planted grass that has been growing, their engineer made some recommendations for adding silt fencing and haybales so those were placed the morning of July 22, 2025, and silt is not getting worse with the absence of major storms, Mr. Nocito handed out new photos taken to the Commission. Mr. Nocito has not placed a 20 ft buffer per the recommendation of his soil scientist, Richard Snarski. E. Knapp stated that he asked that the area of the wetlands be noted on a deed, so any new property owner note the area of conservation. Nocito stated the Snarski is preparing a drawing of where the silt needs to be removed and where the area has grown back and may not need to be treated.

Nocito stated they lost their financing and are working on refinancing and should be up and running in the next few weeks. He stated that if bonds were taken it would essentially put them out of business. E. Knapp reminded the Commission that the reason the bond was increased was because the applicant had not supported any efforts of progress



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by the June meeting thus the bond was increased to the full \$100,000 amount. Chair Gaudio asked why they were not present at the last meeting and why they have not cleaned out the catch basins in the interim. E. Knapp restated the reason for the bond is to ensure that the town has the money to repair the site should it not be fixed properly. Nocito stated he does not see the purpose in clearing the catch basins when he still had 800ft of road to pave and that the site is a work in progress.

M. Aurelia stated he was happy that there was some growth happening but that he would follow the direction of E. Knapp. He also stated he would like to see the site again, and that the applicant would have plenty of time to clean up the site before the Commission would be able to go out there.

The Commission agreed to add a site walk to these properties for August 5, 2025, at 6:30. Ron Swaney was also present to speak on the application about the work being done, stating that they are being proactive about the work being done at the site and that there is nothing going into the wetlands currently. Ron Swaney encouraged the Commission to go out and view the site.

R. Gaudio stated that the applicant had had two months to correct the problem and with a lack of effort, she was not in favor of lowering the bond because it should not be left on the taxpayers of Old Lyme to remediate the violation at this property should the owner/applicant stop working again in the future. The Chair explained that she is not interested in lowering the bond because it should not be up to the taxpayers of Old Lyme to clean up this property if he were to stop correcting the problem again.

Ed Cassella recommended that the property at 2 Sharon Drive should have a new deed created showing a conservation buffer, delineating it for future property owners. On the site and in the deed so that it is a permanent fixture on the property.

R. Gaudio made a motion to table for the conversation until the August meeting. M. Aurelia seconded the motion. The motion passed unanimously.

### **6. Fee Schedule Proposal for the Inland Wetlands and Watercourses Commission.**

M. Aurelia made some recommendations and wanted to clarify that fees associated with grading/filling be a cumulative fee included with the fees for the proposed activity i.e. single-family home/shed. M. Aurelia stated he would like to see the fees be higher than proposed to cover the costs of the Commission for legal notices/advertisements and fees and staff visits to active sites. He also stated that he would like fees to be separated from the application and there be a check list included on the application that would require the DEEP reported form and a GIS map that has the wetlands layer on it to show location of wetlands and activity. M. Aurelia agreed to work with Land Use Staff to create a fee schedule/application. The Commission agreed to table the conversation to the August meeting.

**Chair Gadio made a motion to amend the agenda and accept a new application, 25-24. 308-1 Mile Creek into the record. T. Machnik seconded the motion. The motion passed unanimously.**



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Ron Swaney was present to explain the new application to the Commission. He explained that there is water flooding over where beavers plugged the pipe, water came out around the pipe and created a four-foot trench and will get deeper as the water continues to erode. He has made a design flow with the new pipe being 29% larger than the existing, that would maintain water in the ponds, there would be two sliding grates in the headwall so he would be able to clean the pipes out seasonally. Mr. Swaney explained that the headwall would be built off site and the project would cost about \$12,000 to be made in one day. M. Aurelia asked if they could locate where the work is being done and notice it on a survey the Commission has seen before of the property. WEO Knapp stated that he had forwarded the application to the consulting engineer for review. A site walk was set for August 5, 2025, at 5:30PM.

### 7. 308-1 Mile Creek Road, Violation Status Update.

Ron Swaney provided photos to update the Commission on the status of remediation happening on site. Mr. Swaney explained each photo to the Commission and the work that is done. M. Aurelia requested a final visit be made to the site. Ron Swaney stated that the vegetation is coming back, none of it was seeded but it is all growing again. The Commission decided to set a site walk date at the August meeting and requested that E. Knapp prepare a compliance check list for the next meeting.

### 8. Reading and Approval of Minutes

**June 24, 2025 - Regular Meeting**

R. Gaudio made a motion to approve the minutes as posted, seconded by T. Machnik  
P. Friel abstained. The motion passed unanimously.

### **July 7, 2025 - Special Meeting Site Walk**

T. Machnik made a motion to approve the minutes as posted. T. Crolius seconded the motion. R. Gaudio abstained, the motion passed unanimously.

The Chair made a motion to adjourn at 7:25. T. Machnik seconded the motion. The motion passed unanimously.