



TOWN OF OLD LYME

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, JUNE 24, 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, June 24, 2025, in the Meeting Hall at 6:00PM at 52 Lyme Street.

Present Were: Rachael Gaudio (remote), John Mesham, Scott Basham, Todd Crolius, Rob Janes, Michael Aurelia

Absent: Tom Machnik, Jared Bombaci, Peter Friel,

Also Present: Eric Knapp (WEO), William McCoy (Counsel), Ron Swaney (applicant), approximately 10 members of the public.

John Mesham called the meeting to order at 6:02PM.

M. Aurelia made a motion to add reading and approval of minutes to the agenda. R. Janes seconded the motion. The motion passed unanimously.

NEW BUSINESS

1. **25-16. 234 Whippoorwill Road, Timothy Seckla, Applicant.** Application to replace existing outbuilding (shed) with larger structure, approx. 16'x36'.

The applicant was not present to explain the application to the Commission. A site walk was set for Monday, July 7, 2025, at 5:30PM.

2. **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.

Greg Fedus (Engineer) presented the application to the Commission for an addition to the home as well as replacing the existing septic system with new, compliant system. A site walk was set for July 7, 2025, at 5:00PM.



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3. **25-18. 49 Biscayne Blvd, Jilliane Borrelli, Applicant.** Application to replace stairs and build a small deck.

Al Borrelli (applicant) presented remotely via Teams to the Commission the application to replace stairs and build a small deck. A site walk was set for Monday, July 7, 2025, at 5:45PM.

4. **25-19. 15 Whippoorwill Road, Jonathan B. Wilder and Laurie J. Smith, Applicant.** Application to install a 10x20 foot shed west of the garage.

Jonathan Wilder (applicant) appeared before the Commission to present his application. Mr. Wilder explained there is a vernal pool in the yard and that they are looking to have a Klotters Farms shed placed in their yard. J. Mesham asked about the vernal pool, Mr. Wilder stated that classes from Connecticut College have visited the site in the past to study the vernal pool. A site walk was set for Monday, July 7, 2025, at 5:15PM.

5. **WEO Reports – Use of Pesticides in State Waters for Sigman Property/Tidal Wetlands, 14 Longacre Lane, Old Lyme.**

E. Knapp explained that the application received from DEEP for pesticide use in state waters is more of a courtesy because the application is outside of the Commission's jurisdiction, but the Commission is allowed to return comments if they wish. M. Aurelia asked about the time period for comments to be made, which is 30 days. The Commission has until July 17, 2025, to return comments to DEEP.

R. Gaudio arrived at the meeting at 6:20.

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

J. Mesham explained that this is a proposal to change the fee schedule and update the Wetlands application, which has not been done in many years. E. Knapp explained that the new fee schedule would help to cover costs, share the cost of hiring professionals for certain applications with the applicant as well as have the applicant pay for re-noticing legal notices for public hearings or decisions in The Day. J. Mesham stated he was in favor of adopting the fee schedule as proposed. R. Janes expressed the same sentiment. M. Aurelia questioned how the fee schedule generates money for the town. He stated that he would like to see a larger increase in application fees to account for site inspections, and time organizing applications for Land Use Staff. M. Aurelia requested an additional month to look over the proposed fee schedule/application to make recommendations.

M. Aurelia made a motion to table the discussion until the July Regular Meeting on July 22, 2025. J. Mesham seconded the motion. The motion passed unanimously.



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7. Changes to IWWC Statutes and Watercourse Buffers.

M. Aurelia explained the new bills relating to Inland Wetlands and Watercourse Commissions. One requires all Commission members to obtain training within their four year term. The second establishes a buffer more specific to watercourses. This was an informational briefing for the Commission.

OLD BUSINESS

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

E. Knapp explained the applicant has submitted a request for an extension of their application and they have waived the automatic approval. R. Gaudio made a motion to table discussion regarding this application until the July Regular Meeting. J. Mesham seconded the motion. The motion passed unanimously.

2. 24-32. 308-1 Mile Creek Road, LLC, Applicant, 304 & 308-1 Mile Creek Road. Violation status report.

Attorney William McCoy was present to represent the applicant to the Commission. Mr. McCoy stated that the mitigation plan was not intended to be a further application but to address concerns they had addressing the permit that was granted to the applicant by the Commission. Mr. McCoy stated they are happy to withdraw their mitigation plan and comply with the decision of the Commission. Mr. McCoy explained that their belief is that the mitigation plan submitted is a better alternative to the original decision to provide a mitigation plan and bonding requirements. There were concerns that some of what is proposed in the original decision may be counterproductive to the longevity of the site but are happy to withdraw and comply with the permit granted. J. Mesham shared statements regarding the site walk and what the Commission witnessed during the visit. J. Mesham stated that there are some concerns about what the slope was before work was done at the suggestion of removing the boulders, and where the millings are as they saw various materials sweeping into the road from rain. J. Mesham stated he was not moved by the mitigation plan. J. Mesham discussed comments from a letter submitted to the Commission by a member of the public stating that a properly sized culvert would alleviate flooding.

M. Aurelia stated that the applicant did not appeal the decision of the Commission. M. Aurelia noted that during the site visit he noticed that the culvert seemed to be failing as the road was flooded and that there were roofing materials mixed in with the millings. He also stated that it seems that the road seems to be eroding around the culvert and that removing the two boulders on the upstream side of the road would weaken it to the point if there was a large storm, the road could potentially wash away. M. Aurelia stated he believes that other than leaving two boulders where the road is threatened, he believes the permit conditions are fine and should be implemented. He also noted he would like to see a more professional analysis of why flooding is happening at the site.



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Mr. McCoy restated that his client is ready to meet the terms and conditions of the original decision. Their proposed mitigation plan was submitted to address concerns about the future of the site. Mr. McCoy also addressed concerns about the site walk. He stated that the purpose was for the Commission to view the site and was not intended for the purpose of gathering any further information on the record as to what is going on at the site, and it concerns them that someone who attended the site walk submitted an evaluation of things after the public hearing was closed. The site walk was not intended to provide further evidence after the public hearing closed.

E. Knapp confirmed that at the present moment there is no open public comment but that the Commission still retains jurisdiction as this is an ongoing matter and they are allowed to receive evidence regarding the application. The Commission would not be relying on any new evidence as they are not changing the pre-existing order. E. Knapp stated he will take the bonding information provided by the Applicant and forward it to the town's engineer to confirm the bond amount. Once the bond is approved by the engineer, work can commence at the site. E. Knapp will then monitor the work and have routine reports back to the Commission.

3. 16 Neck Road & 2 Sharon Drive, Mitigation Plan Update.

E. Knapp stated that per the May 27th meeting, the applicant had until June 27th to submit a \$50,000 bond and they have not done so. The WEO explained that Ron Swaney was at the site doing work around detention basins but that no further erosion control work has been done on the other side of the road. Haybales remain on the site and are deteriorating, and recommended the Commission increase the bond to \$100,000 had they not received any new information about a mitigation plan or payment of the previous bond set. Mr. Swaney explained work that had been done at the site and made a recommendation as to what should be done to correct the violation. E. Knapp asked Mr. Swaney was authorized to be speak on the application. He was not authorized by the applicant. M. Aurelia stated that what Mr. Swaney explained makes more sense than what is currently going on at the site. E. Knapp explained that the Commission needs a written proposal from the applicant for a mitigation plan as well as a drawing or sketch of what the proposal would look like. The Commission needs the applicant to submit this, or someone authorized to make decisions for the site. If no proposals are submitted, then the Commission's next step would be litigation to try to obtain a lien on the property.

J. Mesham made a motion to increase the bond to \$100,000, R. Gaudio seconded the motion. The motion passed unanimously. R. Gaudio stated that if they had not heard from the applicant, Mr. Nocito, they would reach out to the town's attorney regarding litigation.



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4. Reading and Approval of Minutes

Regular Meeting May 27, 2025

Special Meeting June 10, 2025

M. Aurelia made a motion to approve the minutes as posted on the town's website. R. Janes seconded. R. Gaudio abstained. The motion passed unanimously.

J. Mesham made a motion to adjourn the meeting. R. Gaudio seconded the motion. The motion passed unanimously.

The meeting was adjourned at 7:08PM.

THE NEXT REGULAR MEETING OF THE INLAND WETLAND AND WATERCOURSES COMMISSION
IS TUESDAY, JULY 22, 2025, AT 6:00 P.M. IN THE MEETING HALL,
MEMORIAL TOWN HALL, 52 LYME STREET, OLD LYME, CT