



TOWN OF OLD LYME

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Minutes – Regular Meeting

September 25, 2023, 7.30pm

Shoreline Community Center

Present: Frank Pappalardo (Chair), Michaëlle Pearson (Secretary), Robert Carlson (Alternate), Jackie Miano (Alternate)

Absent: Paul Orzel, Harry Plaut, Joann Reis Lishing, Frank Maratta

Guests: Paula Melillo, Angelo Faenza, Tani Faenza, Tom Larsen, Carolyn Miranda, Kathleen Tracy, Stephanie Livesey, Frank Noe, Dee Vowles, Jerry Vowles

1. **Call to Order:** Meeting called to order by Chairman Frank Pappalardo at 7:39 pm.
Alternate Robert Carlson appointed for Harry Plaut. Alternate Jackie Miano appointed for Frank Maratta.
2. **Approval of August 2023 minutes. MOTION** to approve: Bob , Jackie seconded. All in favor.

3. **Public Comment:**

Frank Noe, owner of 88 Hartford Avenue (Kokomos), read a letter regarding the Kokomos beach fence, which residents had asked to be pulled back several feet because it renders the beach impassable at high tide. Mr. Noe disagreed, and stated that the fence was not improperly placed, and that he had it surveyed. Noe also said that he has an issue with the Old Lyme Police barricading the entrance to the beach with cones on high-traffic days. Would like Kokomos to be able to park their golf cart in that area. Police have said no. He would like any issues to be brought directly to him as the owner rather than trying to resolve through the tenant Kokomos.

Kathleen Tracy, Hartford Avenue: would like the Miami Beach sandwich board stating “no tents, umbrellas only” removed from Sound View Beach because it is redundant, as the beach signs already state “no tents”. Ms. Tracy said she was unaware that Mr. Noe would be speaking at tonight’s meeting, and would like to reiterate that she and others have been prevented from walking on the beach at high tide because of the Kokomos fence.

4. **Correspondence:** None.
5. **Gateway** Michaëlle Pearson said the Gateway meeting was very short, and mainly focused on choosing which subcommittees members would choose to explore in depth. Subcommittee Topics are: “ Address Blight,” “Build on Family-Friendly Charm,” “Enhance Sound View as a Walkable Village” “Focus on Developing Small Businesses that Meet Local Needs,” and “Positive Outlook on our Shoreline Treasure”.
6. **Summer Review:** Will be completed by January. Recurring themes year after year.
7. **Town Report** is due. Frank Pappalardo will submit a writeup in the next few weeks.
8. **Budget** request is due. We will start pulling this together next meeting. Frank Pappalardo spoke with Resident Trooper Weber about acquiring a generator for concerts and also to serve the Community Center when it is used as a town Area of Refuge. Will also need to order new banners for the street poles, and some more speed humps.



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Dee Vowles asked if there had been any feedback regarding the speed humps. Frank Pappalardo said he'd received a number of emails with positive feedback, and nothing negative. Michaelle Pearson asked when they would be removed and stored for the winter. Frank Pappalardo said in the next few weeks. Also need to budget for portolets for next season. This year's bill was \$9350. Will budgeted \$12,600 for next year.

- Facilities Review:** There have been multiple complaints and photos regarding the Kokomos fence being in the water at high tide. The town ZEO stated that he had no jurisdiction. Needed to get a third party. Sent letter to DEEP asking for review. DEEP said the fence is not in the Coastal Jurisdiction (CJL) area, anything that happens between the CJL and high water mark is in the Public Trust area. Frank Pappalardo said he will draft a reply letter to DEEP. Regardless of where the CJL is, the question remains of the mean high water mark. Once this is resolved the issue is solved. Frank Noe stated that he owned the property and the median high water mark is a moving target. Said he'd move the fence posts down even further toward the water. Frank Pappalardo said that people had complained because they are being prevented from traversing the beach. There's a difference between owning the property and being a good neighbor.

For reference, re Public Trust Area: *"The public trust area includes submerged lands and waters waterward of mean high water in tidal, coastal, or navigable waters of the state of Connecticut. On the ground, the mean high water boundary of the public trust area can often be determined by a prominent wrack line, debris line, or water mark. In general, if an area is regularly wet by the tides, you are probably safe to assume that it is in the public trust. The public trust area is also sometimes referred to as tidelands and is defined as "public beach" by the Connecticut Coastal Management Act, C.G.S. 22a-93(6)." <https://portal.ct.gov/DEEP/Coastal-Resources/Living-on-the-Shore-Brochure/Who-Owns-The-ShoreThe-Public-Trust>*

Pond Road: No new information.

- Other Business:** Bob Carlson stated that the July meeting featured a resident making personal accusations against the Chair of this Commission, which was inappropriate. If that should occur again, the person making those attacks will be asked to remove themselves from the room.

7. MOTION to Adjourn: Bob Carlson, Second Jackie Miano. **All in favor.**

Meeting adjourned at 8.19pm

Respectfully submitted,

Michaelle Pearson, Secretary