

# Town of

**P.O. Drawer 519**

**Department of Planning &  
Inland Wetlands**

*Gary A. Goeschel II, Director of Planning /  
Inland Wetlands Agent*



# East Lyme

**108 Pennsylvania Ave  
Niantic, Connecticut 06357**

**Phone: (860) 691-4114**

**Fax: (860) 860-691-0351**

June 10, 2014

Melanie A. Bachman  
Staff Attorney/Acting Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

**RE: Antares Solar Field- CEASE AND CORRECT T ORDER – 20 Farm Meadow Road,  
Tax Assessor's Map# 52.0, Lot# 126, East Lyme, Connecticut**

Dear Ms. Bachman,

The East Lyme Inland Wetlands Agency at their meeting of June 9, 2014, at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut, voted to re-issue the Cease, Desist and Restore Order for the above referenced project with additional directives and directed me to forward these directives to the Connecticut Siting Council. As such, on behalf of the Town of East Lyme's Inland Wetlands Agency, I respectfully request the Siting Council order Greenskies to make the changes to their Development and Management Plan as directed by the conditions in the Inland Wetlands Agency's Cease, Desist, and Restore Order (attached).

If you have any questions regarding this letter or the re-issuance of the Cease, Desist, and Restore Order please do not hesitate to contact me at (860) 691-4105.

Sincerely,

Gary A. Goeschel II  
Director of Planning /  
Inland Wetlands Agent

cc: Cheryl Lozanov, Chairwomen, Inland Wetlands Agency  
Paul M. Formica, First Selectman  
Ed O'Connell, Esq.  
Robert Landino, Chief Executive Officer, Centerplan Companies  
Ryan McNamara, Project Manager, Centerplan Companies  
Ted Harris, Esq.  
Bill Mulholland, Zoning Official  
Joseph Smith, Building Official

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Town of East Lyme • P.O. Box 519 • 108 Pennsylvania Avenue • Niantic, Connecticut 06375

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**CEASE, DESIST AND RESTORE ORDER**  
**EAST LYME**  
**INLAND WETLANDS AGENCY**

<b>Owner (Respondent):</b> GRE 314 East Lyme, LLC 10 Main Street Suite E Middletown, CT 06457  Ryan C. McNamara, Project Manager Centerplan Construction Company 10 Main Street, Suite D Middletown, CT 06457	<b>Property:</b> 20 Farm Meadow Road East Lyme, CT 06333 Assessor's Map# 52.0, Lot# 126
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**RESPONDENT IS HEREBY ORDERED TO CEASE & CORRECT THE VIOLATION OF THE EAST LYME INLAND WETLANDS AND WATERCOURSE REGULATIONS ON THE ABOVE REFERENCED PROPERTY.**

**AUTHORITY:** The East Lyme Inland Wetlands Agency is duly authorized to carry out and effectuate the purposes and policies of Sections 22a-36 TO 22A-45a, inclusive and has adopted regulations pursuant to 22a-42a of the CT General Statutes.

**COMPLAINT:** The pollution of an onsite inland wetlands and watercourse. More specifically, the deposition of sedimentation within an onsite wetlands and watercourse as a result of stormwater management system failures and failures of erosion and sedimentation controls associated with the construction of a solar field/array on property located at the above referenced address.

Said activity is hereby determined to be a regulated activity as defined by Section 2.1 of the Town of East Lyme Inland Wetland and Watercourses Regulations under the jurisdiction of the East Lyme Inland Wetlands Agency.

**VIOLATION:** In accordance with Sect. 6.1 of the Inland Wetland and Watercourse Regulations of the Town of East Lyme *"No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the East Lyme Inland Wetlands Agency of the Town of East Lyme. Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Agency, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in section 14 of these regulations and any other remedies as provided by law."* Respondent did not obtain any permit under the East Lyme Inland Wetlands and Watercourses Regulations authorizing the regulated activities.

**CORRECTIVE ACTION:** As initially ordered the Respondent shall restore wetlands and upland review area to original condition or better following schedule A Corrective Action Procedure in the Cease, Desist, and Restore Order of April 7, 2014, and further, is directed to:

1. Stabilize all bare and exposed soils with a mat of hydro-seed at, around, and between the rows of panels including the slopes of the detention basins once repaired/reshaped and have additional erosion control measures available and ready to install if high intensity rainfall events are predicted (e.g. hay bales, silt fence, geotextiles and turf reinforcement mats). Allow the use of flocculent logs or crystals in a temporary condition as approved by the Inland Wetlands Agent.

2. Return to the Commission with further information about the need for installing erosion control below the drip edges of solar panel (i.e., crushed stone, turf reinforcement mat, etc.) to reduce erosion and slow channelized flow down-gradient perpendicular to the panels as recommended by Freeman Companies. Further, the developer shall return to the Commission with recommendations for quantitative survival rates for landscaping installed as part of the project.
3. Install check dams along drip edge erosion control, and temporary sediment traps at the end of each drip edge erosion control, prior to discharge to the detention basins. Traps and basins should be cleaned regularly.
4. As noted in the remediation plan, the stabilization of existing sediment now present within the wetland is critical in order to prevent additional downstream sediment migration. These measures which were installed to control the migration of these sediments must be re-inspected and repaired and or improved to accommodate rain events until the sediment removal is complete and adequate vegetation has been established.
5. Follow the sediment removal and the restoration of vegetation plan as proposed by Michael S. Klein in his letter dated April 30, 2014, to Ryan C. McNamara and reiterated June 3, 2014. Such work shall be supervised in the field by a wetland scientist with special consideration in accessing any of the areas with machinery so as not to create greater disturbance and unnecessary impact. In July 2014, following sediment removal Michael S. Klein will do a site walk to determine areas that need to be re-vegetated.
6. Included in the remediation plan the area identified along the woods road to the south of the site. Additional check dams, water bars, or other appropriate measure shall be installed along this woods road to slow the velocity of water down the driveway to help prevent gulling.
7. Remediation and re-vegetation shall be completed by September 30, 2014.

Signed: \_\_\_\_\_

*Cheryl Lozanov*  
Cheryl Lozanov, Chairwomen  
Inland Wetlands Agency

Date: \_\_\_\_\_

*6/10/14*