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May 15, 2026

Via Email
Gary Goeschel, Director of Planning
Town of East Lyme
108 Pennsylvania Avenue
Niantic, CT 06357

Via Email
Richard Gordon, Chairman
Town of East Lyme Planning Commission
108 Pennsylvania Avenue
Niantic, CT 06357

Re: Duval Partners, 8-30g Subdivision Application
Holmes Road

Gentlemen,

Please accept this correspondence as my response to claims made with regard to the above referenced application during the May 12, 2026, Planning Commission meeting.

1) Claims regarding the source application fee: The Client's fund check issued for the application fee incorrectly referenced "Jeffrey Torrance" as the provider of these. The reference to "Jeffrey Torrance" was a clerical error made by my law firms' the insertion of an incorrect client code. On Monday May 11, Mr. Nicholas Torrance a member of English Harbour Capital Partners, LLC was in my office as we prepared for the mediation schedule for May 12, 2026, involving the Duval Partners appeal of the East Lyme Zoning Commission zone change north of I-95 which both he and Mr. Harney attended in person. In addition to our preparing for that meditation Mr. Nicholas Torrance provided a check to my firm for the application fee and the plans and documents for the latest application assembled by the applicant. I failed to catch the error prior to delivering those materials to the commission staff.

2) **Ownership of Duval Partners LLC:** As you each should or are aware the Town of East Lyme has been provided with this information in the past in response to previous incorrect claims, assertions and assumptions as to the ownership of Duval Partners LLC, a North Carolina Limited Liability Company ("Duval"). The applicant is willing to consider providing this information, again, to the Commission although I would request the Commission or its representative provide me, in writing, the specific authority within your regulations that would require such a disclosure.

3) **Claims the Submitted Application was Incomplete:** During the May 12, 2026, Planning Commission hearing Mr. Goeschel made the claim that the application was incomplete because it failed to include reports from Ledge Light Heath District. As Mr. Goeschel knows, but simply ignored, it is the obligation of the Commission to refer the submitted application and its support documents including but not limited to the plans submitted to Town Staff and Ledge Light Health District ("LLHD") or the State of Connecticut Health Department ("CT DOH"). It is not a requirement of the Commissions Subdivision Regulations to submit a Ledge Light feasibility report confirming private well & septic approval to demonstrate a "complete" application. It is, rather, the obligation of an applicant to provide a feasible septic design plan, test holes and perc tests necessary to demonstrate "site feasibility" in accordance with the requirements of the Connecticut Public Health Code all of which are contained in the plans submitted with our application. In accordance with the Subdivision Regulations, it only becomes a requirement to provide LLHD or CT DOH approval/report prior to Subdivision approval and not as claimed last evening at the time of application submission. As evidence of this fact I would refer you to the two subdivision applications pending before this Commission located at 29 Upper Walnut Hill Road and 46 Brainard Road each of which reflect that fact that neither LLHD nor CT DOH provided approvals prior to application submission and in fact neither applicant has yet to provide the required reports despite each of these applications pendency for months. To be clear, the application submitted on May 11, 2026, was in fact complete.

4) **Alleged Traffic Issues:** The undersigned and local engineer met with the Town Engineer Alex Klose and Mr. Goeschel in November of 2025 and reviewed prior Traffic Reports prepared by the applicant Kristen Clarke P.E. a Connecticut licensed Civil and Professional Traffic Operations Engineer. Neither Mr. Goeschel nor Mr. Klose had any issues with the findings therein, the site line plans or the Holmes Road Survey Plan. Both Mr. Goeschel and Mr. Klose agreed on the existing access roads i.e., Holmes Road, Upper Walnut Hill Road, Salem New London Turnpike, Mainville Drive, Birch Terrace and Grassy Hill Road met AASHTO guidelines as a low volume road. As this Commission is aware a traffic report is not required unless the total number of proposed lots is 100 or more. This said, the applicant will voluntarily submit an updated traffic report in support of her pending application.

5) **Public Hearing:** The pending subdivision requires no public hearing as the subject property has never before been subdivided. Moreover, the total *new* lots are nineteen (19), not 20 as this existing property is in fact an approved lot as evidenced by the Lot Line Revision Plan Submitted as Exhibit B to my application submission cover letter. The commission did not vote during the May 12, 2026, regularly scheduled hearing to hold a Public Hearing on my client's.

I look forward to your response.

Sincerely,

Paul M. Geraghty