

Town of

P.O. Drawer 519

**Department of Planning &
Inland Wetlands**

*Gary A. Goeschel II, Director of Planning /
Wetlands Enforcement Officer*



East Lyme

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MEMORANDUM

TO: East Lyme Planning Commission

FROM: Gary A. Goeschel II, Director of Planning / Wetland Enforcement Officer 

DATE: June 8, 2026

RE: Application of Kristen Clarke, P.E., Applicant; Duval Partners, LLC, Owner;
Application for an 8-30g, 20-lot subdivision of approximately 12.67-acres of land,
located on Holmes Road across from 25, 27, 29, 31, 33, & 35 Holmes Road, Tax
Assessor's Map#57.0, Lot# 30

Upon review of the above referenced Application, supporting documentation, staff reviews and recent e-mail correspondence from Attorney Paul Gergahty (see Attached), I offer the following findings and comments.

COMMENTS:

1. The proposed plan is being modified to eliminate lots 1-10 as the Ledge Light Health District (LLHD) is not recommending them suitable at this time until additional investigation is completed and monitoring of the groundwater table during the wet season is conducted.
2. E-mail correspondence from Attorney Paul Geraghty, Esq. dated June 8, 2026, indicates the Application is going to be scaled back to lots 11-20.
3. The Design Report submitted with the above referenced application indicates an Application to LLHD was submitted but, according to the attached comments, LLHD still has not received any application for review as of May 29, 2026.

FINDINGS:

Pursuant to Section 5-4 of the East Lyme Subdivision Regulations, a letter from the Health Department must be provided certifying the land to be subdivided and subdivision plans are satisfactory for on-site sewage disposal systems. According to the Design Report submitted with the above referenced application, an Application for Health Department review was submitted to LLHD. However, according to the attached comments from Danielle Holmes, R.S., the LLHD still has not received any application for review as of May 29, 2026. In addition, scaling back the plan to eliminate lots 1-10, in my opinion, constitutes a significant change to the proposed plan and application. As such, pursuant to Section 4-9 of the East Lyme Subdivision Regulations, based on the foregoing, I recommend the Commission find the above referenced application incomplete and offer the Applicant the opportunity to withdraw before taking a vote.

From: [Danielle Holmes](#)
To: [Gary Goeschel](#)
Cc: [Jennifer Muggeo](#)
Subject: Holmes Rd subdivision
Date: Friday, May 29, 2026 2:16:19 PM
Attachments: [Outlook-thk2ma2c](#)
[MEMO 5.29.26.pdf](#)

Hi Gary,

Please see the attached. We met with Paul and Tim on Tuesday, during which they indicated that they would be making formal application to LLHD this week. However, no formal application or fee has been received. Also, we will not be recommending Lots 1 through 10 as suitable at this time as they require additional investigation and monitoring of the groundwater table during the wet season (Feb 1 - May 31). They have missed the window for 2026.

Respectfully,

Danielle Holmes, REHS/RS

Subsurface Sewage Technical Advisory Committee Co-Chair, CEHA

Senior Sanitarian

Ledge Light Health District

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Promoting healthy communities



EAST LYME DEPARTMENT OF PLANNING

SUBDIVISION REVIEW SHEET

TITLE OF PLAN:	Nehantic Highlands, A Conn. Gen. Statute 8-30g Subdivision, Property of Duval Partners, LLC, Holmes Road, East Lyme, CT, Kristen Clarke, P.E. Applicant Sheet 1 of 7, Dated May 1, 2026, prepared by John Paul Mereen, L.S. and Tomothy A. May, P.E., 12 Sheet Plan Set
DATE RECEIVED:	MAY 11, 2026
DATE DISTRIBUTED:	MAY 26, 2026
REVIEW DEADLINE:	JUNE 9, 2026

	Application	Plans
WILLIAM MULHOLLAND, ZONING	✓	✓
ALEX KLOSE, P.E. TOWN ENGINEER	✓	✓
WILLIAM BUNDY, FIRE MARSHAL	✓	✓
DANIELLE HOLMES, LLHD	✓	✓
BEN NORTH, WATER & SEWER COO	✓	✓

PUBLIC HEARING IS ANTICIPATED FOR: JULY 14 2026

As a subdivision application the planning commission has 65-days to render a decision or hold a public hearing. As the subdivision proposes 20-lots, pursuant to section 4-4-3 of the subdivision regulations any subdivision of ten (10) or more lots requires a public hearing. Attorney Geraghty has stated this is an 8-30g subdivision and the Subdivision Regulations are not applicable.

COMMENTS:

Applicant has been asked to submit formal application + review fee to LLHD.
None rec'd as of 5/29/26.

From: [Paul Geraghty](#)
To: [Gary Goeschel](#)
Subject: Re: 237 Upper Pattagansett
Date: Monday, June 8, 2026 10:08:22 AM

Gary, just a heads up. The Holmes Road application is going to be scaled back to lots 11-20. I'll have revised plans to you tomorrow. Paul

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From: Gary Goeschel <GGoeschel@eltownhall.com>
Sent: Wednesday, June 3, 2026 3:01:18 PM
To: Paul Geraghty <pgeraghty@geraghtybonnano.com>
Cc: Bill Mulholland <billm@eltownhall.com>; Janet Sutherland <jsutherland@eltownhall.com>
Subject: RE: 237 Upper Pattagansett

Paul,

If I recall correctly, I think it was a CDD Subdivision. I think the lot line revision would go to the Commission as a Modification of the Subdivision approval. Section 3-8-1 of the Subdivision Regulations requires "the land within the Private Road right-of-way, set forth specifically for access to developed lots along the private road, shall be owned and dedicated to a Common Interest Ownership Association..." I think Section 6-10-3 (H) which, requires a permanent cooperative agreement for the maintenance of the private street/drive, along with the revised plan with the required notes (see Section 6-10-3 (D),(E), (F),& (G)) would be applicable. It sounds like this revision may address an approved deficiency as I recall the driveway being proposed within an easement verses on a separate lot.

Regards,
Gary

From: Paul Geraghty <pgeraghty@geraghtybonnano.com>
Sent: Wednesday, June 3, 2026 10:10 AM
To: Gary Goeschel <GGoeschel@eltownhall.com>
Subject: 237 Upper Pattagansett

Gary, I am just following up on the conversation we had about the access to the lots on this parcel. As you may recall the access is over the first lot as you enter the parcel. A potential buyer has inquired about the first lot as you come in. You may recall I was asking if there would be an issue about making the access a separate parcel, (not a building lot) to be owned by the HOA. The buyer is concerned about the liability of owning it and would prefer it be an HOA. So the question have is do you see an issue if we were to convey it to an HOA and if not do we have to

come to the Planning Commission to do that by way of a lot line revision? I don't have any issue going to the Commission just looking for what you think is the most appropriate. Paul.

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