

Committee of Old Lyme Shared & Internal Sewer Infrastructure Project

February 18, 2026

Town of Old Lyme  
52 Lyme Street  
Old Lyme, CT 06371  
Attn: First Selectman Martha Shoemaker

Town of Old Lyme Water Pollution Control Authority  
52 Lyme Street  
Old Lyme, CT 06371  
Attn: Chairman

Re: Notice of Commencement of Construction of Shared Infrastructure

Dear First Selectman and Old Lyme WPCA Chairperson:

On January 31, 2026, the Connecticut Department of Energy and Environmental Protection (“DEEP”) issued final Construction Authorizations to Award approval letters (“Award Letters”) for the Old Lyme Shared Infrastructure Project and the internal infrastructure projects of Old Colony Beach Club Association (“OCBCA”), Old Lyme Shores Beach Association (Old Lyme Shores), Miami Beach Association (“Miami Beach”) and each of their respective Water Pollution Control Associations (collectively, the “Associations”). As you know, you were copied on each of these letters from DEEP.

As a result of the Associations having received all necessary authorizations from their respective members and governing bodies and the applicable bond resolutions that have been adopted by the Associations, and upon receiving the Award Letters, the Associations are proceeding with construction of the Shared Infrastructure Project and each of their respective internal infrastructure projects. The Associations have notified the winning bidders of the various project components and are in the process of finalizing construction contracts.

On September 25, 2020, the Town of Old Lyme and the Old Lyme Water Pollution Control Authority (collectively, the “Town”) joined the Associations and signed the Beach Associations’ Cost-Sharing Agreement for the Sewer Project (the “CSA”). On October 22, 2020, the Town and the Associations signed an agreement setting forth the conditions precedent to the Town becoming a full party to the CSA, all of which conditions the Town subsequently satisfied. As a result, the Town is a full party to the CSA, as amended by the “Agreement to Add the Town of Old Lyme to Beach Associations’ Cost Sharing Agreement for Sewer Project”. According to the CSA, the Town is responsible for the “Town’s

Proportionate Share” of the costs of the Shared Infrastructure Project, which is 29.7% of the project capital costs.

To date, the Town paid \$66,000, which was the Town’s Proportionate Share as of the date the Town joined the Shared Infrastructure Project. That cost included the Town’s share of acquiring real estate at 73 Portland Avenue for the pump station along with certain easements and related expenses that had been incurred as of when the Town joined the CSA.

With all authorizations in place and commencement of construction expected to begin in Spring 2026, the Associations are notifying the Town of the following pursuant to the CSA:

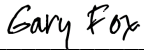
- We will be billing the Town for the Town’s Proportionate Share, or 29.7% of costs of final design and construction of the Shared Infrastructure Project, as the costs are incurred that require shared contributions from the Associations and Town, net of costs covered by Clean Water Fund or other funds provided by DEEP.
- The Associations are working with DEEP to transition various interim funding obligations (“IFO”) from design to construction IFOs. We will be making all necessary arrangements with assistance from DEEP and bond counsel to ensure we secure the necessary financing of the Shared Infrastructure Project. We will endeavor to notify the Town when important decisions are being made and the Town is welcome to participate as appropriate.
- The Committee will be meeting more frequently now that the Shared Infrastructure Project is commencing the construction phase and we welcome the Town’s participation and vote in accordance with the CSA. Please let us know of the individual appointed by the Town to serve as the voting member of the Committee.

Finally, the Associations are aware that the Town conducted a referendum in December with respect to the internal infrastructure project for the portions of the Town of Old Lyme known as Soundview Beach and Miscellaneous Area B, and we are aware of reports that the referendum was rejected. Nonetheless, the Town remains party to the CSA and the commitments of the Town are valid, binding and enforceable and the Associations look forward to the Town’s continued compliance with its contractual obligations.

We look forward to the Town’s continued cooperation.

Sincerely,


THE MIAMI BEACH ASSOCIATION

Signed by:  
By:   
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Name: Gary Fox  
Title: President

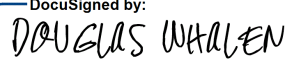
THE MIAMI BEACH ASSOCIATION WATER POLLUTION CONTROL AUTHORITY

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By:   
2D2A0F4B2C3E4C1...  
Name: Scott Boulanger  
Title: Chairman

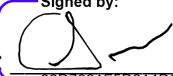
OLD LYME SHORES BEACH ASSOCIATION

Signed by:  
  
By: \_\_\_\_\_  
8DE906726E1144F...  
Name: John Cunningham  
Title: President

THE OLD COLONY BEACH CLUB  
ASSOCIATION

DocuSigned by:  
  
By: \_\_\_\_\_  
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Name: Douglas Whalen  
Title: Chairman

THE OLD COLONY BEACH CLUB  
ASSOCIATION WATER POLLUTION  
CONTROL AUTHORITY

Signed by:  
  
By: \_\_\_\_\_  
88D7091F5D014D6...  
Name: Frank Noe  
Title: Chairman

CC: Glenn Santoro, Esq., Robinson & Cole LLP  
Bruce A. Chudwick, Esq., Shipman & Goodwin LLP  
Michael P. Carey, Esq., Suisman Shapiro