

Planning Commission Meeting Minutes

Tuesday January 12th, 2016

Present: Brian Schuch, Chairman
Ernie Covino, Secretary,
Joan Bengtson
Peter Lynch
Brenda Henderson
Anthony Arias, Alternate *(Sat as Regular Member)

FILED IN EAST LYME
CONNECTICUT
Jan 14 2016 AT 3:45 AM PM
KAREN PALAZZO, CLERK
EAST LYME TOWN CLERK

Also Present: Gary Goeschel, Planning Director
Michael Hess, Alternate
Kirk Scott, Alternate
Holly Cheeseman, Ex-Officio
Terry Donovan, Zoning Commission Member

Absent: Rita Palazzo

Mr. Schuch called this Public Hearing of the Planning Commission to order at 7:01 p.m. and sat Mr. Arias as a Regular Member.

I. Pledge of Allegiance

The Pledge was observed.

The Commission added the presentation of Art Carlson, Chairman of Conservation of Natural Resources to the Agenda; the presentation will precede the approval of minutes.

II. Public Delegations

Public Delegations is the time when members of the public are invited to speak to the Commission about certain matters. Issues or concerns related to approved subdivisions under construction (Item VI) and in-house proposals or general topics of discussion (Item VII) are open to comment. Items, referrals, or applications subject to a decision by the Commission, a public hearing, or in litigation may not be discussed. The members of the Commission will not directly answer questions or make comment during delegations.

There were none.

III. Presentation by Art Carlson

Mr. Carlson came forward to impart what the Conservation of Natural Resources has been working on for the last five or six years.

- The Open Space Plan has been updated

- Concerned with the long term ways that we can enhance the protection of our drinking water
- “Open Space” is land that the Public has control over and can walk over; this definition was utilized to remap the open space in Town
- 17% of the Town is open space
- Town does not have history of preserving land- large amount of the 17% is Rocky Neck, Stone’s Ranch and Camp Niantic
- There is a direct connection between open space and the quality of drinking water
- The work of the Conservation of Natural Resources is a developmental process based on science

Mr. Carlson presented a map which plots out the major watersheds and aquifers in Town:

i.e. Niantic River Basin, Pattagansett Lake, Bridebrook Watershed, Four Mile River Watershed.

- An aquifer is underground deposit of sand and gravel that acts like a sponge- very useful
- If contaminated, contaminated for years
- Forests, woodlands and fields deliver the cleanest water

Mr. Carlson detailed how the Conservation of Natural Resources came to rank the attributes of open space by importance.

1. Clean drinking water
2. Access to streams, lakes and the Sound
3. Agricultural lands- ideal to grow rather than import
4. Active/Passive activity- places to walk and play ball
5. Forests block/greenway
6. Ascetics and beauty
7. Cultural and historical preservation
8. Biodiversity

Mr. Carlson detailed how runoff and the increase in impervious surfaces can impact water so it’s no longer as clean.

The criteria for preserving open space emphasize concentrating on watersheds, and obtaining the biggest pieces of land as possible. Chemicals represent a critical danger to our open space and drinking water.

Mr. Carlson explained that the existing so-called aquifer protection zones in Town do not protect all of the water in the watershed; only various parts of the aquifer are protected. The zones concentrate on quantity of water as opposed to quality, and this is not a viable practice for long term protection. It’s a matter of determining the right kind of protection to implement; no one is being lax in their duties.

Mr. Carlson said that our water sampling shows that everything is low with the exception of sodium. The sodium presence is alarming because it illustrates that everything we put on our roads (i.e. we put salt on our roads in the winter months), ends up in our water. Mr. Carlson wondered what the implications would be if someone put a chemical on their lawn and it ended up in our water due to runoff.

Mr. Carlson added that one thing we can do is the creation of artificial wetlands like the rain garden project the Engineering Department completed at Hole in the Wall Beach.

Concluding comments:

- Every time a piece of open space disappears the quality of the water becomes worse
- Economically it is the smartest thing to do as well as the healthiest
- Increases property value

Mr. Carlson asked if there were any questions.

Mr. Covino had him explain the position of the two adjacent water sheds and they discussed why they don't intersect.

The Commission discussed Four Mile River Watershed and Mr. Carlson noted it's near pristine water shed and land by it should be purchased as it becomes available.

Ms. Henderson and Mr. Carlson discussed funding for open space purchases. They discussed the potential of a monetary reserve to purchase land when it becomes available.

Mr. Arias asked if ball fields hurt an aquifer and Mr. Carlson commented that a rain garden protects it.

Mr. Carlson asked the Commission if it rained on a parking lot and forest which they would want to drink from.

Mr. Lynch asked if gravel was a better choice than asphalt and Mr. Carlson said it is.

Mr. Goeschel detailed the 2004 Storm Management Plan and explained best management practices have been actively encouraged since then. He added that rain or water gardens need maintenance and it can be daunting to establish responsibility.

Mr. Carlson said that we are lucky to have a good Town Planner.

IV. Approval of Minutes

A. December 8th, 2015 Special Meeting Minutes

- ****Motion (1)**

Mr. Covino moved to approve the Special Meeting Minutes of December 8th, 2015.

Ms. Bengtson seconded the motion.

Vote: 4-0-2. Motion passed.

Mr. Arias and Mr. Lynch abstained from the Vote due to their absence from the meeting.

V. Subdivisions and Resubdivisions

A. Acceptance Of Peach Lane, Orchards at East Lyme

Mr. Goeschel imparted that the Developer (the Carriers') have requested that the Town accept the road because the public improvements have been completed. The As-built drawing requirement has been reviewed and signed off on by Victor Benni, Town Engineer (Exhibit 1.)

Mr. Goeschel explained that the request is for where the road intersects with Arbor Crossing on the north side of the subdivision. Mr. Goeschel pointed out the road on a map.

He recommended sending a favorable recommendation to the Board of Selectmen to accept the road. The As-builts verify that all public improvements have been completed.

Mr. Arias asked if the completion date for the subdivision was known and Mr. Goeschel said 2018.

Ms. Bengtson said it was her understanding that the Town Attorney was going to be here so they could ask questions. Mr. Goeschel said that was in regards to the proposed subdivision regulation changes and that Mr. O'Connell was unable to attend tonight's meeting.

Ms. Bengtson expressed concern over whether the subdivision regulation changes have been adopted by the Board of Selectmen and the corresponding literature revised.

Mr. Goeschel explained that the decision has to be based on the current regulations and that the Board of Selectmen don't have to adopt them.

The intent of the POCD is that revisions go before the Board of Selectmen and Town Meeting. The Planning Commission has the authority to accept the bond. The Developer is not asking for a reduction of the amount of the letter of credit and will therefore have sufficient money in the bond for completion.

- ****Motion (2)**

Mr. Covino moved that the East Lyme Planning Commission recommend that Peach Lane be accepted as a Town road based on the determination of the Engineering department and the memorandum by Victor Benni, Town Engineer dated January 6, 2016.

Mr. Arias seconded the motion.

Vote: 6-0-0. Motion passed.

B. Subdivisions Overview/Dashboard

Mr. Goeschel said there was nothing to report and that he is working on it with the intern.

VI. Zoning Referrals (CGS 8-3a)

Proposed changes in zoning regulations or boundaries shall be referred to the Planning Commission for a report that shall contain the findings of the planning commission on consistency of a proposed regulation or boundary changes with the Plan of Development and any other recommendations the Planning Commission deems relevant. Failure of the Planning Commission to report prior to or at the hearing shall be taken as approval of such proposals. The report of the Planning Commission regarding such proposal shall include the reasons for the commission's vote and shall be incorporated into the records of any public hearing held thereon by the Zoning Commission. A proposal disapproved by the Planning Commission may be adopted by the Zoning Commission by a vote of not less than two-thirds of all the members of Zoning Commission.

There were none.

VII. 8-24 Referrals

There were none.

VIII. Old Business

A. Plan of Conservation and Development (POCD)

Mr. Goeschel said there are no changes to the bylaws the Commission discussed at the last meeting.

- ****Motion (3)**

Mr. Arias moved that the East Lyme Planning Commission accept the bylaws as revised and discussed at the last meeting.

Mr. Covino seconded the motion.

Vote: 6-0-0. Motion passed.

IX. New Business

There was none. The Town Attorney was not present for procedural review.

X. Reports

A. Chairman

Mr. Schuch welcomed the new Commission members.

B. Ex-Officio- Holly Cheeseman

Ms. Cheeseman detailed the last Board of Selectmen Meeting. The amendment to the Ordinance prescribing fees for building and demolition permits that the Board of Selectmen approved was discussed. Ms. Cheeseman also detailed the I.C.E. Program Grant, the vacancy appointments and the life saving awards that will be issued to Officer Cutillo and Officer Priest.

C. Zoning Representative

Nothing to report. The Commission discussed the assignment for the new year.

D. Sub-Committees

- a. Sustainable Development and Climate Adaptation Subcommittee (Staff: G. Goeschel)

Ms. Schwartz is no longer a member so this will have to be addressed in the future. There will be a workshop in the spring.

- b. Subdivision Regulations Bonding Review Subcommittee (B. Schuch, J. Bengtson, Staff: G. Goeschel)

Nothing to report.

E. Staff/Communications

Mr. Goeschel discussed a reported wetland clearing complaint that he dealt with in Black Point.

The DOT is planning to replace the bridge on Route 1 this summer.

ADJOURNMENT

- ****Motion (4)**

Ms. Bengtson moved to adjourn the Planning Commission Meeting at 8:47 p.m.

Mr. Covino seconded the motion.

Vote: 6-0-0. Motion passed.

Respectfully Submitted,

**Brooke D. Stevens,
Recording Secretary**

Town of East Lyme

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357

Town Engineer
Victor A. Benni, P.E.

860-691-4112
FAX 860-739-6930



To: Gary Goeschel, Director of Planning

From: Victor Benni, P.E., Town Engineer

A handwritten signature in black ink, appearing to read 'Victor Benni', is placed to the right of the 'From:' line.

Date: January 6, 2016

Re: Orchards at East Lyme (The Orchards)
Peach Lane & Portions of Arbor Crossing
Certification of Satisfactory Completion of Public Improvements

The Engineering Department has determined that the required public improvements for the above referenced section of the subdivision have been satisfactorily completed. The applicant's surveyor has certified, through the submission of detailed as-built plans that the layout of the line and grade of all public improvements are in accordance with the construction plans for the subdivision.

This determination follows a review, by this department and the East Lyme Water & Sewer Department of the following as-built plans & documentation, certified by the applicant's surveyor, and submitted by Gerwick-Mereen LLC:

As-built Plan Showing Arbor Crossing & Peach Lane, Roadway, Sanitary Sewer & Stormwater Plan & Profile, for Orchards at East Lyme, Carrier Enterprises, Boston Post Road, East Lyme, Connecticut, Scale: 1"=200', Sheet: 1 of 6, Date: September 21, 2015, Job No. 11-006.

Plan Showing Lot Corner Monumentation, Peach Lane & Arbor Crossing, The Orchards at East Lyme, Prepared for Carrier Enterprises, Boston Post Road, East Lyme, Connecticut, Scale: 1"=40', Sheet: 2 of 6, Date: September 21, 2015, Job No. 11-006.

As-built Plan Showing Roadway & Utilities, Arbor Crossing, The Orchards at East Lyme, Prepared for Carrier Enterprises, Boston Post Road, East Lyme, Connecticut, Scale: 1"=40' Horiz., Scale: 1"= 4' Vert., Sheet: 3 of 6, Date: September 21, 2015, Job No. 04-104.

As-built Plan Showing Roadway & Utilities, Peach Lane, The Orchards at East Lyme, Prepared for Carrier Enterprises, Boston Post Road, East Lyme, Connecticut, Scale: 1"=40' Horiz., Scale: 1"= 4' Vert., Sheet: 4 of 6, Date: September 21, 2015, Job No. 04-104.

As-built Plan Showing Roadway & Utilities, Peach Lane, The Orchards at East Lyme, Prepared for Carrier Enterprises, Boston Post Road, East Lyme, Connecticut, Scale: 1"=40' Horiz., Scale: 1"= 4' Vert., Sheet: 5 of 6, Date: September 21, 2015, Job No. 04-104.

As-built Plan Showing Sanitary Sewer & Water Connections, Arbor Crossing & Peach Lane, for Orchards at East Lyme, Carrier Enterprises, Boston Post Road, East Lyme, Connecticut, Scale: 1"=50', Sheet: 6 of 6, Date: September 21, 2015, Job No. 11-006.

Legal Description, Peach Lane & Portions of Arbor Crossing, Date Submitted: December 16, 2015.

Plan Showing Property of The Orchards of East Lyme Development, Inc., To be Conveyed to the Town of East Lyme, Peach Lane & Portions of Arbor Crossing, East Lyme, Connecticut, Scale: 1"=60', Sheet: 1 of 1, Date: September 21, 2015, Job No. 11-006.

