

Planning Commission Regular Meeting Minutes

Tuesday July 5th, 2016

FILED

Present: Brian Schuch, Chairman
Joan Bengtson
Peter Lynch
Rita Palazzo, Secretary
Brenda Henderson
Kirk Scott, Alternate
Michael Hess, Alternate

July 6 2016 AT 2:45 AM/PM
Lesley A. Blais
EAST LYME TOWN CLERK

Also Present: Holly Cheeseman, Ex-Officio

Absent: Gary Goeschel, Planning Director
Michael Hess, Alternate
Anthony Arias, Alternate

Mr. Schuch called this Regular Meeting of the Planning Commission to order at 7:01p.m.

I. Pledge and Additions to the Agenda

Mr. Schuch led the Pledge. Mr. Schuch asked that the filling of alternate vacancies be added to this evening's agenda.

• ****Motion (1)**

Ms. Bengtson moved to add the filling of alternate vacancies to the Agenda.

Ms. Palazzo seconded the motion.

Vote: 6-0-0. Motion passed.

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 approve 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.

II. Reports

A. Communications

Mr. Goeschel was not in attendance but laid out some correspondence the Planning Commission has received in the member packet. Mr. Schuch said none of the correspondence has to be acted upon tonight.

A. Liaison to Zoning

No Planning Commission Member was able to attend the last scheduled Zoning meeting.

B. Ex-Officio Holly Cheeseman

Ms. Cheeseman detailed the June 14, 2016 Board of Selectmen Meeting; highlights include moving items to Public Hearing, appropriating funds, and the appointment of Blight Officer, Bill Mulholland and Blight Hearing Officer, Ron Stevens.

C. Town Planner Gary Goeschel

Mr. Goeschel was not in attendance.

D. Sub-Committees

a. Sustainable Development and Climate Adaptation

There has been no subcommittee action and there is nothing to report.

E. Chairman Brian Schuch

Mr. Schuch had nothing to report.

III. Approval of Minutes

A. June 7th , 2016 Regular Meeting Minutes

- ****Motion (2)**

Ms. Palazzo moved to approve the Regular Meeting Minutes of the June 7th, 2016 meeting.

Mr. Lynch said he thought the revision of the POCD is due in 2019; Ms. Bengtson explained that the revision takes a good year to work on, that Mr. Goeschel would like it in 2019 so that it can be finished for 2020.

Mr. Lynch seconded the motion.

Vote: 6-0-0. Motion passed.

IV. Alternate Vacancies

Mr. Schuch introduced Sami Yousuf of 43 Jeremy Drive who was in the audience. Mr. Yousuf previously served as a Planning Commission Alternate and has submitted a letter of interest to serve again.

- ****Motion (3)**

Ms. Palazzo moved to appoint Sami Yousuf as a Planning Commission Alternate.

Ms. Bengtson asked if Mr. Yousuf had submitted a resume as well and Mr. Yousuf explained that his resume from two years ago is still on file.

Mr. Scott seconded the motion.

Vote: 6-0-0. Motion passed.

V. Subdivision Regulations
A. Subdivision Review

There were none.

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 no zoning referrals.

VII. Municipal Referrals (CGS 8-24)

- A. Application of the Town of East Lyme, for a Special Permit for a proposed amphitheater at property identified in the application as McCook Point Park, 8 Atlantic Street, Niantic.** The East Lyme Zoning Commission will hold a public Hearing on July 7th, 2016 at 7:30p.m., at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT.

Dave Putnam, Director of Parks and Recreation came forward to detail this project. He explained that Niantic Rotary, the Lions Club and the East Lyme Public Trust have all raised \$20,000 each to construct the amphitheater and the Town will contribute \$15,000. The project has been a part of the Capital Improvement Plan for the last few years and the location and design have been approved by the Parks and Recreation Committee.

Ms. Bengtson asked why the project is moving so fast.

Ms. Bengtson asked about the deed restrictions for this property and Mr. Putnam responded that the amphitheater will be 520 feet outside the recreation area, and was designed with the deed restrictions in mind.

Ms. Bengtson said that boundaries change and she hopes the boundaries have been verified. Mr. Putnam said he would verify it again and obtain a copy of the deed for her perusal.

Ms. Bengtson asked if the property has been surveyed and Mr. Putnam said that Bob Pfanner did the survey within the last seven years. Ms. Bengtson said she would be more comfortable if the survey were more recent.

Mr. Schuch said the Commission is charged with deeming this application consistent or inconsistent with the POCD and that objectives 5.1, 6.1, 3.3 and 4.2 might all be important in their decision making process.

Mr. Schuch asked Mr. Putnam to detail how the beach landscape has changed over the last few years.

The Commission discussed potential future Parks and Recreation projects, winterizing park bathrooms and the installation of a dog park.

The Commission discussed beach and boardwalk access and Mr. Putnam said the amphitheater will not restrict access in anyway.

Ms. Bengtson said she doesn't think it's for the betterment of the Town. Mr. Putnam responded that summer concerts are already held there.

Mr. Lynch noted how the existing pavilion does not work well for concerts.

Ms. Bengtson said she thinks it's a waste of taxpayer money.

Mr. Putnam said they plan to utilize the amphitheater for movies, summer plays, concerts and so forth. All of the noise will be directed over Long Island Sound and given that they want a family environment, hours of use would be between 6:00p.m. and 8:00p.m.

Ms. Cheseman came forward and explained that this proposal was put on the Capital Improvement Plan three years ago and voted on at Town Meeting by residents, and approved. She said the Commission is charged with deeming the application as consistent or inconsistent with the POCD and should not be discussing items not on the Agenda.

Ms. Cheeseman noted that in regards to bathrooms at Cini Park they would be in a flood zone and need to be raised 12 feet; this is a serious engineering issue.

Ms. Cheeseman observed that if you look at other communities with a similar amphitheater, the experience of the residents as well as visitors are enhanced, and is a plus not a minus.

Ms. Bengtson said she is concerned about the erosion that occurs on the property.

Ms. Bengtson said this application caters to a select seasonal group and not the population at large.

- ****Motion (3)**

Mr. Scott moved that the Application of the Town of East Lyme, for a Special Permit for a proposed amphitheater at property identified in the application as McCook Point Park, 8 Atlantic Street, Niantic is consistent with the 2009 East Lyme Plan of Conservation and Development.

Ms. Palazzo seconded the motion.

- ****Motion (3)**

Mr. Scott amended his motion to include objective 5.1 "To provide park and recreational facilities that meet the diverse needs of the residents and visitors of all ages."

Ms. Palazzo amended her second.

Ms. Bengtson said she thought this was a big mistake and that the application is being rushed through.

Ms. Henderson said she feels a bit rushed but thinks it's an asset to the Town.

Ms. Bengtson reiterated her concerns about the deed restrictions and erosion. Ms. Cheeseman replied that the Zoning Commission will do their due diligence.

- ****Motion (4)**

Mr. Scott again amended his motion to include the comment that the application favors a select group and that the Planning Commission respectfully asks the Zoning Commission to consider their aforementioned concerns.

Ms. Palazzo again amended her second.

Vote: 4-1-1. Motion passed.

Nye: Ms. Bengtson

Abstain: Mr. Lynch

VIII. Old Business

A. Plan of Conservation and Development (POCD): 2019 Update

This has been tabled until the next meeting.

ADJOURNMENT

- ****Motion (5)**

Ms. Bengtson moved to adjourn the Planning Commission Meeting at 8:20p.m.

Ms. Palazzo seconded the motion.

Vote: 6-0-0. Motion passed.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Brooke D. Stevens". The signature is written in black ink and is positioned above the typed name.

**Brooke D. Stevens,
Recording Secretary**