

**Planning Commission Regular Meeting Minutes  
Tuesday January 9th, 2018**

Present:

Rita Palazzo  
Kirk Scott  
Brenda Henderson  
Peter Lynch  
Don Phimister, Alternate (\*Arrived at 7:08 p.m. and Sat as Regular Member)  
Kathryn L. Johnson, Alternate (\*Sat as Regular Member)

Also Present: Gary Goeschel, Planning Director  
Marc Salerno, Ex-Officio  
Terence Donovan, Zoning Liaison  
Bill Scheer, Deputy Director of Public Works

Absent: Thomas W. Fitting Jr.

Ms. Palazzo called the Planning Commission to order at 7:05 p.m.

**I. Pledge**

Ms. Palazzo led the Pledge.

**MOTION (1)**

**Mr. Scott motioned to move Mr. Scheer's presentations to the beginning of tonight's Agenda.**

**Mr. Lynch seconded the motion.**

**Vote: 5-0-0, Motion passed.**

**FILED**

**II. Additions to the Agenda**

There were none.

**III. Call for Public Delegations**

There were none.

**IV. Municipal Referrals (CGS) 8-24**

*No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such*

Jan 12 2018 AT 8:05 AM/PM  
Kathryn Johnson  
EAST LYME TOWN CLERK

*action has been referred to the commission for a report. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefore shall be recorded and transmitted to the legislative body of the municipality.*

**A. Request of the Town of East Lyme;** Application for a Special Permit for the construction of seasonal water and sewer lines to Cini Park, a sewer grinder pump, concrete ramps for restroom access, an outdoor shower, an electrical connection and a portable restroom trailer to serve Cini Park and the adjacent beach at 22 Main Street, East Lyme. East Lyme Assessor's Map 12.2, Lot 3.

Bill Scheer, Deputy Director of Public Works, came forward and presented the Commission with a rendering of where the proposed bathroom will be located at Cini Park.

Mr. Phimister arrived at 7:08 p.m. and Sat as a Regular Member.

Mr. Scheer explained the original plan involved a concrete bunker style bathroom but is no longer a possibility since FEMA changed the flood zone to a V Zone (wave velocity); regulations will not allow a building to be constructed at the lower elevations that exist in the parking lot. The Town has decided to install a portable restroom trailer which can be removed during storms and during the winter.

Mr. Scheer said the trailer will be parked next to the concrete platform, and will appear as if it is a permanent restroom structure, and will follow the same operational schedule as the hole-in-the-wall and McCooks restrooms. The trailer itself will be industrial but nice and include a shower and drinking fountain.

Ms. Palazzo asked how far above ground the trailer will be and Mr. Scheer estimated it will be around 8 feet above ground.

Mr. Lynch asked if the restroom will have handicap access and Mr. Scheer said it will.

Mr. Lynch asked if there will be handicap access from the beach and Mr. Scheer explained that the beach is the domain of Parks and Recreation but the bathroom will be fully handicapped accessible from the parking lot.

Ms. Johnson asked if pre-existing pipes will be utilized for the water and sewer lines.

Mr. Scheer said pipes will be run from Niantic Transmission all the way down.

Ms. Henderson asked the dimensions of the trailer and Mr. Scheer said 28 X 8 Feet adding that the installation is not an easy process, and very complicated.

Mr. Goeschel said he would recommend the Commission send a favorable recommendation to the Board of Selectmen.

**MOTION (2)**

**Mr. Scott motioned to approve the project and forward a favorable resolution to the Board of Selectmen for the construction and installation of seasonal water And sewer lines to Cini Park, a sewer grinder pump, concrete ramps for restroom Access, an outdoor shower, an electrical connection and a portable restroom trailer to serve Cini Park and the adjacent beach at 22 Main Street.**

**Mr. Lynch seconded the motion.**

**Vote: 6-0-0, Motion passed.**

**B. Request of the Town of East Lyme;** Application for a Special Permit for a public park, consisting of a granite "Welcome to Niantic" sign, a raised platform of decorative pavers, granite curbing, concrete sidewalks, relocation of the Rotary clock, planting areas, grass and trees at 224 Main Street, East Lyme Assessor's Map 12.1, Lot 113.

Mr. Scheer came forward and detailed the proposed park plans for the former Mobil Station at 224 Main Street:

- A raised terrace or platform
- A "Welcome to Niantic" sign with pillar
- Granite curbing
- Small plants
- Circular open area with blue stone
- Backless benches so people can look at the Town or the water
- The top of the platform will not obstruct the view
- New black chain link fence to replace the current Amtrak fence
- Engraved bricks
- Low shrubbery in front of terrace

Mr. Lynch asked why the sign will say "Niantic" when we're "East Lyme" and Mr. Scheer explained the wording has been vetted by the Vision Committee.

Mr. Lynch asked if we can get the State to take down the signs in front of this and Mr. Scheer said he is working on this.

Mr. Scott asked what the time frame is and Mr. Scheer said they're hoping to have all the approvals in line on February 1st and weather permitting, begin construction in March; the hope is to have the project completed for Memorial Day.

Mr. Goeschel asked about using beachstone instead and Mr. Scheer said he doesn't like beachstone since it only lasts 75 years or so due to exposure to salt.

**MOTION (3)**

**Mr. Scott** moved to approve the project and forward a favorable resolution to the Board of Selectmen for a public park, consisting of a “Welcome to Niantic” sign, a raised platform of decorative pavers, granite curbing, concrete sidewalks, relocation of the Rotary clock, and landscaping at 224 Main Street, East Lyme.

**Mr. Lynch** seconded the motion.

**Vote: 6-0-0, Motion passed.**

**V. Reports**

**A. Communications**

There were none.

**B. Zoning Representative**

The last Zoning Commission meeting was cancelled due to the weather. Ms. Palazzo asked the membership to let her know if they're unable to attend and she will coordinate coverage.

**C. Ex-Officio: Marc Salerno**

Mr. Salerno shared that the Board of Selectmen approved the appropriations for the projects Mr. Scheer discussed tonight. He explained the Town was able to obtain the Mobil property for less than approved, and the difference will be put towards construction costs.

Mr. Salerno discussed the State budget cuts and how that has impacted the Town so far.

The Board of Selectmen will re-appoint the Planning Commission vacancy since it has been over thirty days; the previous person was not sworn in has decided he is no longer able to serve due to business constraint, and will instead continue to serve as a Zoning Alternate.

**D. Planning Director: Gary Goeschel**

Mr. Goeschel briefly discussed the Planning Commission budget.

**E. Sub-Committees**

**1. Walkability**

**2. Sustainability and Climate Adaptation**

**The Subcommittees have not met yet. Mr. Goeschel will work on the schedule of meetings for the subcommittees.**

**VI. Municipal Referrals (CGS) 8-24**

*Commission for a report that shall contain the findings of the Planning Commission on consistency of a proposed regulation or boundaries 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 the Zoning Commission.*

- A. Application of Theodore A. Harris, Esq., Agent, for Guy's Oil Service Station, Inc., Owner;** Application for a zone change from existing RU-40 to CA of a portion of the properties at 87 W Main Street and W Main Street, East Lyme Assessor's Map 11.3 Lot 101 and East Lyme Assessor's Map 11.1 lot 3.

Mr. Goeschel explained that Guy's Oil eventually plans to erect a new building to house all of their operations but nothing has been formalized yet. They're asking for a zone change since they do not have enough commercial space to renovate their current operation.

The Commission briefly discussed the various commercial businesses in that area.

**MOTION (4)**

**Ms. Johnson moved to find the Application of Theodore A. Harris, Esq., Agent, on Behalf of Guy's Oil Service Station, Inc., Owner for a zone change of a portion of The properties at 87 W Main Street and W Main Street, East Lyme from the existing RU-40 to CA, consistent with the 2009 POCD as amended.**

**Mr. Scott seconded the motion.**

**Vote: 6-0-0, Motion passed.**

The Commission took a comfort break at 7:57 p.m. and reconvened at 8:11 p.m.

- B. Application of Jason Westcott, Esq., Agent for Brian Lepkowski, Owner;** Application for a text amendment to Section 23.5 of the East Lyme Zoning Regulations Buffers.

Mr. Goeschel informed the Commission that he and Mr. Mulholland have discussed forming a subcommittee to tweak the regulations and make them more clear for interpretation. If this amendment were to pass the width of any subdivision buffer would increase from 50 feet to 140 feet, which will interfere with the Cluster Development Designation.

Mr. Goeschel said he doesn't have a full handle on how this would affect the RU-40 Zone; in terms of phased subdivisions this could potentially be an issue. He noted it's hard to quantify the impact, but the RU-40 area is quite large. This item will be going to Public Hearing before Zoning on January 18th, 2017.

Ms. Palazzo said this would be setting a precedent.

Mr. Lynch said he is concerned about the width of the buffer, that it seems extreme. He added that he is a proponent of forming a subcommittee to review the implications of such regulation changes.

**MOTION (5)**

**Mr. Scott moved to find the Application of Jason Westcott, Esq, Agent on behalf of Brian Lepkowski, Owner; for an Application for a text amendment to Section 23.5 Buffers, of the East Lyme Zoning Regulations Inconsistent with the 2009 POCD as amended for the following reason:**

**the new language would increase the road frontage from 50 feet to 130 feet thereby conflicting with chapter 3, Cluster Development Principles and the Commission recommends establishing a subcommittee to investigate existing neighborhood development, clearer language, and clear buffer requirements.**

**Mr. Lynch seconded the motion.**

**MOTION (6)**

**Mr. Scott amended his motion to include that the impact of such changes needs To be clarified, since it is currently unclear.**

**Mr. Lynch amended his second.**

**Vote: 6-0-0, Motion passed.**

**VII. Old Business**

This has been tabled until the next meeting.

**VIII. New Business**

- A. 197 Upper Pattagansett Road, Ann Torrance Applicant/Owner; Request for an extension of time to file Mylars.**

Jeffrey Torrance of 197 Upper Pattagansett Drive came forward to ask for an 90 day extension of time, to file their mylars.

Mr. Goeschel noted that Mr. Torrance visited the Planning office prior to the expiration.

Mr. Torrance noted that they have to put in two septic systems which is complicated; Ledge Light Health District is almost ready for approval, and the delay simply is because the contractor would rather do the necessary digging once weather permits and the snow is gone.

**MOTION (6)**

**Mr. Lynch moved to approve the Request by Ann Torrance for an extension of time to file the Mylars for 197 Upper Pattagansett Road.**

**Mr. Scott seconded the motion.**

**Vote: 6-0-0, Motion passed.**

**IX. Adjournment**

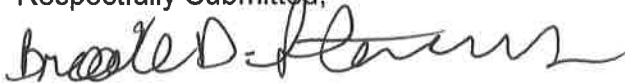
**MOTION (7)**

**Mr. Scott moved to adjourn the Planning Commission Meeting at 9:11 p.m.**

**Ms. Henderson seconded the motion.**

**Vote: 6-0-0, Motion passed.**

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Brooke Stevens".

Brooke Stevens,  
Recording Secretary

Handwritten text, possibly a signature or name, located in the upper right quadrant of the page.