

**East Lyme Planning Commission  
Regular Meeting  
March 5, 2019  
7:00 PM**

**Present:** Kirk Scott-Chairman, Lawrence Fitzgerald-Secretary, Peter Lynch, Michelle Williams  
Thomas Fitting Jr., Don Phimister,

**Absent:** Kathryn Johnson, Alt.

**Also Present:** Gary Goeschel, Planning Director, M. Salerno, Ex-Officio

K. Scott called the meeting to order at 7:05.

**I. ROLL CALL AND PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. ADDITIONS TO THE AGENDA-none**

**III. CALL FOR PUBLIC DELEGATIONS-none**

**IV. REPORTS**

**A. Communications**

A letter from the SE CT Housing Alliance requesting an opportunity to meet with the Planning Commission to present updated information on affordable housing in the region. The Commission will invite them to the next regularly scheduled meeting in April.

**B. Zoning Representative**

No report. D. Phimister will attend the next Zoning Commission meeting.

**C. Ex-Officio:** Mark Salerno informed the members the purchase of the proposed Public Safety property was approved at a town referendum. He stated the town is now deliberating the fiscal 2019/2020 budget.

**D. Planning Director:** Gary A. Goeschel II.-no report

**E. Sub-Committees**

• **Walkability**

D. Phimister met with G. Goeschel and he is identifying where the greatest needs for sidewalks and other infrastructure.

• **Plan of Conservation and Development (POCD) Steering Committee**

M. Williams stated the committee had just met and received good background information which will help them as they develop the POCD. All meetings of the POCD committee will be the 3<sup>rd</sup> Wednesday of the month.

• **East Lyme Subdivision Regulations**

G. Goeschel has started preliminary research on the current regulations for conflicts and open space regulations. He will provide a rough draft for the next meeting.

**F. Chairman: Kirk Scott-no report**

FILED

Mar 6 20 19 AT 3:10 AM (PM)

*[Signature]*  
EAST LYME TOWN CLERK

**V. APPROVAL OF MINUTES**

- a. **December 4, 2018 Regular Meeting Minutes**
- b. **February 5, 2019 Regular Meeting Minutes**

**MOTION: (Lynch/Fitzgerald) to approve minutes of December 4, 2018 and February 5, 2019 as presented.**

**Vote: Approved-December 4, 2018. In favor- Scott, Fitzgerald, Lynch, Phimister and Fitting. Opposed-none. Abstaining-Williams.**

**MOTION: (Lynch/Fitzgerald) to approve minutes of February 5, 2019 as presented.**

**Vote: Approved-February 5, 2019. In favor- Scott, Fitzgerald, Lynch, Williams. Opposed-none. Abstaining-none**

**VI. PUBLIC HEARINGS-none**

**VII. SUBDIVISIONS/RE-SUBDIVISIONS-(PENDING)**

- A. Application of J. Robert Pfanner, LS, Agent for Left Rail Properties, Owner; Application for a 4-lot Subdivision of approximately 6.58+ \_ acres of land Zoned RU-40 at 44 Lovers Lane, East Lyme, Assessor's map #30.3 Lot # 93 (Date of Receipt: 2/11/19; Render Decision by 4/17/19)**

R. Pfanner presented members with the updated planting plan. He stated there is already a substantial vegetation buffer along the property line. A driveway will be installed and the area that is disturbed by construction will be planted with 5 evergreens.

G. Goeschel read from his memorandum dated February 5, 2019. It is his opinion the application meets the regulations and the POCD. G. Goeschel and V. Benni, P.E. for the Town of East Lyme went to the site and manually dug holes with an auger. He concurred with the application that the soils were sandy in the area of the proposed retention basin.

**MOTION: (Williams/Lynch) Approve Application known as Application of J. Robert Pfanner, LS, Agent for Left Rail Properties, Owner; Application for a 4-lot Subdivision of approximately 6.58+ \_ acres of land Zoned RU-40 at 44 Lovers Lane, East Lyme, Assessor's map #30.3 Lot # 93 which, is further subject to the following administrative requirements and required modifications to the site plan and/or other materials submitted in support of this application:**

1. Site specific septic design plans shall be submitted for each individual lot in a 1" =20 or 1" =30 scale at the time of making an application for a building permit.
2. An Erosion & Sedimentation Control bond in an amount of \$8,000 shall be posted with the Town in a form acceptable to the Town of East Lyme Planning Commission prior to the start of any site work including but not limited to clearing, grubbing, filling and grading.
3. Contact the Planning Director to inspect the installation of erosion and

- sedimentation controls within 2-days prior to the start of any construction.
4. The applicable items above shall be accomplished prior to the filling of the subdivision on land records, or other documentation of planning approval and no site work shall commence until all applicable conditions are satisfied.

**Vote: Approved Unanimously**

**VIII. ZONING REFERRALS [Connecticut General Statute (CGS)8-3a]**

- A. Request of Brom Builders, Inc; Application for a text amendment to the East Lyme Zoning Regulations Section 5.3.1.3 for Floodplain Management Regulations. (Schedule for Public Hearing by the Zoning Commission for 3/7/19)

G. Goeschel stated the original application was looking for an extensive over hall of the regulations. After he met with the ZEO and the applicant they streamlined the text amendments.

The applicant would like the amendments to allow for hydraulic vents as opposed to breakaway walls. The regulations were reviewed by DEEP and they approve of the language in the amendment. G. Goeschel stated that the vents are allowed by the CT building codes and FEMA Flood Plain Requirements.

(P. Lynch leaves at 7:30)

G. Goeschel finds the text amendments to the Zoning Regulations consistent with the POCD. He stated that the current regulations require that houses in a FEMA flood zone would have to be elevated one foot over base flood elevation. Allowing flood vents would eliminate the need for elevation.

**MOTION: (Fitzgerald/Phimister) the proposed text amendments to the Zoning Regulations are consistent with the town's POCD. Vote: Approved Unanimously.**

- B. Request of Stephen Dinsmore; Application for a text amendment to the East Lyme Zoning Regulation Section 25.5 for keeping of Honey Bees as an accessory use to residential uses. (Schedule for Public Hearing by the Zoning Commission for 3/21/19)

G. Goeschel reminded the members this request for a text amendment to the zoning regulations is similar to one presented in the past. The previous application raised concerns for beekeeping in high density zones. He stated that if the Commission found the amendments consistent then they should recommend standards for beekeeping in high density populations.

The members referred to the CT Beekeepers Association standards for high density population zones:

The keeping of honeybees shall be permitted as an accessory use tot a residential principal use on any lot in accordance with the following hive density restrictions:

1. Lot size of ¼ acre or less: up to two colonies and up to two nucleus colonies shall be permitted.
2. Lots of ¼ acre to ½ acre shall limit the number of colonies to no more than 4

colonies and up to three nucleus colonies.

3. Lots of ½ acre to 1 acre shall limit the number to 6 colonies and up to four nucleus colonies.
4. Lots greater than 1 acre shall not be limited as long as the guidelines on Best Management practices are followed.

Limitations will not be imposed under the following two conditions:

1. If the colonies are situated 100 feet from a property line, or
2. If the adjoining property is undeveloped land

Bees shall be maintained in accordance with Connecticut Best Management practices and the above regulations.

**MOTION: (Williams/Fitting) finds the language is consistent with the POCD.  
Vote: Approved Unanimously.**

**IX. MUNICIPAL REFERRALS [Connecticut General Statute (CGS)8-24]-none**

**X. OLD BUSINESS-none**

**XI. NEW BUSINESS**

- A. Application of Laurie A. Zrenda, Applicant/Owner; Application for a 2-Lot Re-Subdivision of approximately 3.99+- acres of land Zoned RU-40, located at 40 Mostowy Road, East Lyme, Assessor's Map #44, Lot #5 and waiver request from Section 23.6 Open Space of he Zoning Regulations. (Date of Receipt 3/5/19. Pubic Hearing to be scheduled for April 9, 2019)**

No action was taken by the Commission.

- B. Application of J. Robert Pfanner, LS, Agent for Elizabeth Perry, Owner; Application for a 5-lot Subdivision of approximately 12.16+- acres of land Zoned RU-40, located west of West Lane between 32 Brightwater and 30 West Lane, East Lyme, Assessor's Map #2.2, Lot#11. (Date of Receipt 3/5/19; Render decision by 5/9/19)**

Ted Harris presented an overview of the application. He stated they are proposing 5 lots; all the lots are over one acre. There are substantial wetlands on the property which will be put into a conservation easement. Utilities will be public.

The Inland Wetlands Agency will be reviewing the application for regulated activates in the wetlands.

R. Pfanner stated the property is 12 acres with a one foot "grudge strip" along the West Road. They have tried to negotiate with the Black Point Beach Association to allow access to the proposed lots from the road but have not been successful. For this reason, they are proposing two driveways to access the lots. One driveway serves the first two lots and the other driveway serves the remaining 3 lots.

There is a swale on lot 4 to catch the runoff. They will continue the swale that will run the length of the property along West Road. There will be dams along the swale which will eventually go to a catch basin.

He stated they are proposing more open space than the regulations require. They will be presenting more detailed plans for the next meeting.

G. Goeschel asked the applicant if they had considered a private road as opposed to two driveways.

T. Harris stated it would use more land because they would have to grant a 50' right of way and the cost of a road would be considerably more than a driveway.

The applicant stated he would be happy to meet with the town engineer and G. Goeschel to look at options.

The Commission tabled the application to the next meeting.

## **XII. ADJOURNMENT**

**MOTION: (Fitzgerald/Williams) to adjourn at 8:00. Vote: Approve Unanimously**

Respectfully Submitted  
Sue Spang, Recording Secretary