

EASTLYME PLANNING COMMISSION

Special Meeting, April 9, 2019. 7:00 PM

East Lyme Town Hall, Upper Meeting Room
108 Pennsylvania Avenue, East Lyme, Connecticut

CHAIRMAN: Kirk Scott PLANNING DIRECTOR: Gary Goeschel II
SECRETARY: Lawrence Fitzgerald RECORDING SECRETARY: Sue Spang

FILED
APR 10 2019 AT 1:35 AM PM
COURT CLERK
EAST LYME TOWN CLERK

CALL TO ORDER 7:09

I ROLL CALL + PLEDGE OF ALLEGIANCE

Kirk Scott, Michelle Williams, Peter Lynch, Lawrence Fitzgerald, Thomas Fitting

II CALL FOR ADDITIONS TO THE AGENDA-none

III CALL FOR PUBLIC DELEGATIONS

Steve Harney, North Carolina, and owns property in East Lyme. S. Harney informed the commission he is working with various conservation groups and individuals to purchase property in the north end of town in the Latimer Brook watershed. He is working with a collaboration of groups to purchase 320 acres to place into open space. They are gathering letters of support to help with grants. There has been an application to the State DEEP for funds.

G. Goeschel stated the property is zoned SU and SU-E.

MOTION: (Lynch/ Fitzgerald) to direct the town planner to draft a letter in support of the purchase of the property. Vote: Approved Unanimously

IV REPORTS

A. Communications

David Stanlan, Board Member Southeastern CT Housing Alliance (SECHA), discussed housing needs in SE CT. SECHA works to advocate and provide affordable housing.

They have 3 major objectives;

- provide information to community of stakeholders
- facilitate and promote development of affordable housing
- increase affordable housing opportunities.

A recent study was concluded and can be found on SECOG website.

Amanda Kennedy, Assistant Director at Southeastern CT Council of Governments, (SCCOG) stated that much has changed since the last study in 2004.

- The share of people living in unaffordable housing has gone from 24%-37%, which is not sustainable
- They plan on updating the housing needs based on the information they will receive from EB
- 1 in 4 households in SE CT is both low income and cost burdened.

- There is a statutory requirement since 2017 that requires towns to develop an affordable housing plan.
- SECHA is trying to encourage affordable housing plans for municipalities
- There is a lack of affordable rentals in the area.

G. Goeschel asked if SCCOG can help update the town's POCD as they had in the past.

K. Scott received an email from a professor from Wesleyan who had students putting on a presentation for POCD's

B. Zoning Representative

No report

C. Ex-Officio:

Selectman Salarno informed the commission that the BOS approved the Orchards Road as well as a land swap on Mostowy Rd. They reviewed and approved the 10-year capital improvement plan. A committee was formed for the newly approved public safety building. COSCO will be finished by end of year. There are 4 bridge projects coming over the next couple of years that will cause varying amounts of disruption.

D. Planning Director: Gary A. Goeschel II

Attended the land conservation meeting at Wesleyan and it provided valuable information.

E. Sub-Committees

- **Walkability**-No report
- **Plan of Conservation and Development (POCD) Steering Committee**
Progress is ongoing and they are reviewing the existing regulations. The initial timeline was too optimistic and the committee is looking at a 2-year process which will allow the committee to be more thorough.

F. Chairman: Kirk Scott-no report

V APPROVAL OF MINUTES

A. Approval of March 5, 2019 Regular Meeting Minutes

MOTION: (Williams/ Fitzgerald) To approve the March 5, 2019 Regular Meeting Minutes as presented. Vote: Approved. In Favor-Scott, Williams, Fitzgerald, Fitting. Opposed-none. Abstaining- Lynch

VI PUBLIC HEARINGS

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 the Zoning Regulations. (Date of Receipt: 3/5/19)

G. Goeschel stated the BOS approved a land swap related to this application but it still needs to go before BOF for acceptance because it is considered a gift.

John Paul Mereen, 191 Boston Post Rd. gave the members background on the application. He stated the application creates one additional lot. The property is surrounded by 350 acres of open space which is why they are asking for a waiver, at one point the property was part of an open space area.

He stated the boundary lines of all the properties around the pond do not go right to the edge of pond, which he found unusual.

The reason for a boundary line adjustment was because a septic system was installed based on the assumption that the stonewall was a boundary line, due to a recent survey it was found the septic was on another property.

The applicant has an agreement with neighbors for an in kind land swap.

The application is proposing a small cottage house. They have received a letter from Ledge Light Health District stating the proposed septic was suitable; it is designed for a 4-bedroom pump system.

Report from the Town Engineer dated January 24, 2019 was read into the record.

J. Mereen stated a water test will be provided on the existing well when they come forward for site plan approval.

G. Goeschel informed the commission that the application has been approved by wetlands, items a-n have been submitted for the record and are available for public viewing. A required legal was notice published on 3/28 and 4/ 5 in the Day paper. Mailings to abutters have been received.

G. Goeschel stated the regulation the applicant is asking a waiver request for does not apply to the application but the applicant is asking for the waiver out of an abundance of caution.

The open space is on the north property line.

Call for public comment-none

G. Goeschel stated the application has received approval from all town staff.

MOTION: (Lynch/ Fitzgerald) to grant the request for the waiver of Section 23.6 Open Space of the Zoning Regulations. Vote: Approved Unanimously.

MOTION: (Williams/Lynch) to close the Public Hearing. Vote: Approved Unanimously.

VII SUBDIVISIONS / RE-SUBDIVISIONS - (PENDING)

A. 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)

G. Goeschel stated the commission had special meeting to set a Public Hearing on May 7, 2019 and the application will be heard at that time.

B. 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 the Zoning Regulations. (Date of Receipt: 3/5/19)

MOTION: (Lynch/Fitzgerald) to approve the application with the condition that a \$3000 E & S bond be posted with the town of East Lyme. Vote: Approved Unanimously.

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

A. Request of Theodore A. Harris, Esq., for a text Amendment to the East Lyme Zoning Regulations section 25.5 for elderly Housing Standards applicable within the CA Zone.

G. Goeschel stated the text amendment was a substantial change, he has not done a full review but that the public hearing for Zoning is scheduled for May 2, 2019. The requested text amendment states:

No elderly housing shall be approved unless municipal water and municipal sanitary sewers are provided, except with respect to developments containing six units or less, municipal sanitary sewers shall not be required.

If the amendment is approved, it would only apply to the CA zone.

The commission discussed whether the amendment was appropriate for the CA zone.

Ledge Light would ultimately have to approve any septic that would be proposed if the amendment was accepted.

The intent of the POCD was not to fill the CA zone, which is commercial with residential use. Approximately 5% of the town is zoned as commercial and light industrial and some is already used as residential so there is less available for commercial development.

MOTION: (Williams/Lynch) The commission finds the proposed regulation change, 25.5, standard number 11, to be inconsistent with the POCD, as it does not support objectives 2.1 and 2.2 of the POCD which address economic development and it is not consistent with section 3.3 of the POCD, which encourages mixed use development in the CA space as this is straight residential development, I will also note that just 4% of the total town zoning is currently for CA, commercial uses, we find it even more important to stress mixed use as outlined in the POCD . Vote: Approved Unanimously.

MOTION: (Williams/Fitting) to add, Request of Jennifer 7 William Argyle for a Text Amendment to the East Lyme Zoning Regulations Section 8.3.1, CA Commercial District, Dimensional Requirements, Lot Size, to add “, and municipal sewer and water must be provided”, to the agenda. Vote: Approved. In Favor-Scott, Williams, Fitzgerald, Fitting. Opposed- Lynch. Abstaining- none.

B. Request of Jennifer 7 William Argyle for a Text Amendment to the East Lyme Zoning Regulations Section 8.3.1, CA Commercial District, Dimensional Requirements, Lot Size, to add “, and municipal sewer and water must be provided”,

The members were looking for feed back from town officials before making a recommendation.

The text amendment is going to the zoning commission for public hearing on April 18. They just received the proposed text amendment and if the Planning Commission fails to act, then it is assumed they are in agreement with the change.

The commission discussed if there is a requirement for residents to connect to septic and water if it is available, it was not determined if connection is required.

It was unclear what the purpose of making property owners in the CA zone connect to water was. The members discussed areas where water and sewer were available in the CA zone and stated that requiring a connection to water would be an added regulation in the commercial district.

MOTION: (Lynch/Fitting) the text amendment is inconsistent with the POCD Section 2.1 and 2.3 because it does not support or encourage commercial development. Vote: Approved Unanimously.

VIII. MUNICIPAL REFERRALS [Connecticut General Statutes (CGS) 8-24] - NONE

IX. OLD BUSINESS - NONE

X. NEW BUSINESS

A. Application of Killingly Engineering Associates, LLC, Agent for Pellumb & Andia Likolarri, Owner; Application for a 1-lot re-subdivision of approximately 2.882 acres of land zoned RU-40, located at 63 Scott Road, East Lyme Assessor’s Map 29.0, Lot 14.

G. Goeschel stated the application will go to public hearing on May 7, 2019.

B. Application of J. Robert Pfanner, L.S., Agent for Catherine Parente, Owner; Application for a 1-lot re-subdivision of approximately 11.39 acres of land zoned RU-40/20, located at 38 Roxbury Road, East Lyme Assessor’s Map 16.1, Lot 30

G. Goeschel stated the application will go to public hearing on May 7, 2019.

Both applications are 1 lot subdivisions

XI. ADJOURNMENT MOTION: (Lynch/Fitzgerald) to adjourn at 9:32. Vote: Approved Unanimously.

Respectfully Submitted,

Sue Spang,
Recording Secretary