

EAST LYME PLANNING COMMISSION

Regular Meeting, August 6, 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

CALL TO ORDER 7:00

I. ROLL CALL + PLEDGE OF ALLEGIANCE

Present: Kirk Scott, Thomas Fitting, Michelle Williams, Don Phimister, Kathryn Johnson, Alt.,

Absent: Peter Lynch, Lawrence Fitzgerald

II. CALL FOR ADDITIONS TO THE AGENDA-no additions

III. CALL FOR PUBLIC DELEGATIONS

No public delegations

FILED

IV. REPORTS

A. Communications

- No communications

B. Zoning Representative

- A memo from L. Fitzgerald updating the Commission on the Zoning Commission agenda items was read. K. Scott thanked L. Fitzgerald for his comprehensive update. An updated schedule for the zoning liaison was handed out.

C. Ex-Officio

- No report

D. Planning Director: Gary A. Goeschel II

- No report

E. Sub-Committees

- **Walkability**-no report
- **Plan of Conservation and Development (POCD) Steering Committee**-the committee is in the process of gathering documents and organizing them. M. Williams asked D. Phimister to submit a report on the walkability plan
- **East Lyme Subdivision Regulations**-G. Goeschel has started on the revisions
- **Chairman**-no report

August 8, 2019 AT 1:57 AM/PM
Brooke Horne ATC
EAST LYME TOWN CLERK

V. APPROVAL OF MINUTES

July 9, 2019 Regular Meeting Minutes

MSC (Williams/Phimister) to approve the July 9, 2019 Regular Meeting minutes as presented. Vote: Approved Unanimously.

VI. PUBLIC HEARINGS

There were no public hearings

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)

G. Goeschel read the following findings for the 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:

FINDINGS

Whereas: on, February 25, 2019, J. Robert Pfanner on behalf of Elizabeth Perry, ("Applicant"), filed with the East Lyme Planning Commission ("Commission") an application and plans entitled "Subdivision West Road, Niantic, CT, property of Elizabeth Perry, scale 1" = 40', dated January 10, 2019, Revised through July 9, 2019" prepared by J. Robert Pfanner PE.,LS., of J. Robert Pfanner & Associates, P.C., 37 Grand Street, Niantic, CT ("Application"); and

Whereas: The Commission, heard from the applicant and reviewed the proposed application at a regular meeting on March 5, 2019;

Whereas: The Commission, at a Special Meeting on April 3, 2019, deemed the public interest would best be served by holding a public hearing and voted to hold the public hearing on May 7, 2019;

Whereas: Notice of said public hearing was published in the April 25, 2019 and May 2, 2019 editions of The Day Newspaper; and

Whereas: The Commission commenced a public hearing on May 7, 2019. The public hearing was continued to the Commission's June 4, 2019 meeting and closed on July 9, 2019; and

Whereas: The Commission has reviewed the application and received testimony from the applicant, his professionals, representatives, and the public. In addition, Town staff also provided the Commission with comment concerning this application's compliance with local requirements and regulations; and

Whereas: The parcel of land constituting the property subject to this application is zoned RU - 40 Rural Residential and the properties abutting the site to the north, south and west are zoned RU-40 and the properties to the east are zoned under the jurisdiction of the Black Point Beach Club Association (BPBCA).

Whereas: The proposed Subdivision is found to meet the requirements of the East Lyme Subdivision Regulations and the East Lyme Plan of Conservation and Development (POCD) as demonstrated by the following:

Section 3-4 Plan of Development: As the proposed Subdivision is located within a RU-40 zoning district adjacent to existing residential lots, the proposed subdivision conforms to the comprehensive Plan of Development for the Town of East Lyme (POCD) as adopted by the East Lyme Planning Commission. The proposed subdivision continues following the pattern of development characteristic of the existing residential development to the north, south and west of the subject site which, is significantly less dense than the BPBCA Zoning District to the east.

Section 5-4 Sanitation Report: As indicated in Exhibit "S" review comments from Brad Kargl, Utilities Engineer dated May 7, 2019, indicates the proposed home is to be served by municipal sewer.

Section 5-5 Water Supply Report: Again, as indicated in Exhibit "S" review comments from Brad Kargl, Utilities Engineer dated May 7, 2019, indicates the proposed home is to be served by municipal water.

Section 5-2-2(E) and 6-8 Stormwater Management Plan: As indicated in Exhibit "L", Memo from

Victor Benni, P.E., Town Engineer, dated March 25, 2019, indicates that the Stormwater Management Summary confirms that the proposed site development will not adversely affect the water quality of downstream water features including waterbodies, watercourses or wetlands. In addition, the calculations indicate that the proposed development will have negligible impact flooding and has met the overall intent of Section 6-8, Stormwater Management of the East Lyme Subdivision Regulations.

Section 5-2-2(G) Erosion and Sedimentation Control Plan: The proposed, Grading and Erosion & Sedimentation Control Plan contains proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site as evidenced by Exhibit "U", the proposed subdivision plans entitled "Subdivision West Road, Niantic, CT, property of Elizabeth Perry, scale 1" = 40', dated January 10, 2019, Revised 7/9/19, Sheet SD3" prepared by J. Robert Pfanner PE.,LS., of J. Robert Pfanner & Associates, P.C., 37 Grand Street, Niantic, CT; and Exhibit "L", a memorandum from Victor Benni, P.E., Town Engineer, dated March 25, 2019, which recommends a \$10,000.00 dollar Erosion and Sedimentation Control bond or financial guarantee. As such, the Planning Commission may hereby Certify that the Soil Erosion and Sediment Control Plan complies with the requirements and objectives of this Subdivision Regulation.

Section 5-6 Pesticide Report: There are no known regular applications of pesticides on the subject site and the site has been occupied by a single family dwelling since 1972.

Section 5-8 Archeological Survey: As Evidence by Exhibit "GG", the Phase IB Cultural Resources Reconnaissance Survey of the Proposed Perry Subdivision Project in East Lyme (Niantic), Connecticut, indicates the survey did not identify any significant historic or prehistoric cultural material or features and "No additional archeological examination of the subdivision parcel is recommended prior to construction".

Section 6-2 Lot Design Specifications: As evidenced by Exhibit "K", correspondence from William Mulholland, Zoning Official, dated December April 4, 2019, indicates the "Proposal complies with applicable zoning regulations" for the purposes of the subdivision of land.

Section 6-7 Open Spaces: As demonstrated by Exhibit "PP", the proposed subdivision plans entitled "Subdivision West Road, Niantic, CT, property of Elizabeth Perry, scale 1" = 40', dated January 10, 2019, Revised through July 9, 2019" prepared by J. Robert Pfanner PE.,LS., and Exhibit "RR", the proposed Conservation Easement, approximately 312,254.73 square feet or 7.17 acres (59%) of the parcel is proposed to be preserved as open space in perpetuity in accordance with Section 7 of the East Lyme Subdivision Regulations.

Section 6-9 Requirements Regarding Flooding: As demonstrated by Exhibit "As indicated in Exhibit "L", Memo from Victor Benni, P.E., Town Engineer, dated March 25, 2019, indicates that the Stormwater Management Summary confirms that the proposed site development will not adversely affect the water quality of downstream water features including waterbodies, watercourses or wetlands. In addition, the calculations indicate that the proposed development will have negligible impact flooding and has met the overall intent of Section 6-8, Stormwater Management of the East Lyme Subdivision Regulations.

Whereas: Pursuant to Section 4-5-4 of the Subdivision Regulations the Commission, after the public hearing, if any, shall give approval to the application if it finds that the application, plans and documents conform to the requirement of these Regulations. Such approval shall be conditioned upon presentation of suitable easement and deeds as applicable, as specified in Section 10 of the Regulations, and shall be conditioned upon completion of all required subdivision improvements. In granting approval, the Commission may attach such conditions that it deems necessary to modify the subdivision map, plans, or documents, and to preserve the purpose and intent of these Regulations. As such, I offer the following language for such a resolution:

RESOLUTION FOR COASTAL AREA MANAGEMENT (CAM) SITE PLAN REVIEW

Coastal Site Plan reviews are mandated under the Coastal Management Act as found in Chapter 444 of the Connecticut General Statutes. This regulatory program is designed to protect the states coastal resources from unsuitable development on lands within the coastal boundary. Local shoreline communities must review specific types of development for compliance with the act.

In this application, Elizabeth Perry, represented by Robert Pfanner Sr. PE, LS and Theodore Harris, Esq., is proposing a 5-lot subdivision of land. The subject property is located west of West Lane between 32 Brightwater and 30 West Lane, East Lyme, Assessor's Map# 2.2, and Lot# 11. Review of the Municipal Coastal Site Plan Review application for the above referenced application indicates the proposed project is consistent with all-applicable goals and conditions of the CAM Act. In addition, As demonstrated by Exhibit "O", Application for Coastal Site Plan Review, there are no coastal resources on or adjacent to the subject site and there are no adverse impacts to coastal resources and future water dependent uses.

Kathryn Johnson was seated after affirming she was familiar with all aspects of the applications before the commission (7:28).

The commission stated that the Public Hearing was very thorough and many of the changes and conditions which will be part of the approval of the application were due to comments from the public. The commission noted that the major area of contention was the 1' buffer strip and where that strip ended. The commission stated that there were two professional surveys conducted that verified the width of the opening for access to the property. The commission stated that although the public hearing was not required they thought it was beneficial.

G. Goeschel stated that a CAM application was necessary for this application due to its location to the ocean. It was his opinion that there are no adverse impacts to the coastal resources.

MOTION: (Phimister/Williams) APPROVE the Coastal Site Plan Review Application of J. Robert Pfanner, PE, LS, Agent for Elizabeth Perry, Owner; 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 and the construction of a 5-new single family dwellings on the subject property. Vote: Approved Unanimously

MOTION: (Phimister/Williams) APPROVE the application known as the Application of J. Robert Pfanner, PE, 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, 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. The Plan sheet SD 3 shall be revised to note that the CL&P (now Eversource) pole #3083 is being moved and relocated.**
- 2. The proposed plans (Sheets 1 through 8) shall be revised accurately identify West Lane as "West Lane" and not "West Road".**
- 3. The proposed plans shall be revised to accurately reflect the proposed 40-foot vegetative buffer along the southern property line.**
- 4. The two proposed 12-foot wide parallel driveways shall be combined into a single 14-foot wide paved access drive which driveway as demonstrated in Exhibit "PP", proposed subdivision plans entitled "Subdivision West Road, Niantic, CT, property of Elizabeth Perry, scale 1" = 40', dated January 10, 2019, Revised through July 9, 2019."**

Said driveway shall be located no closer than twenty five feet from the front property line except for the curb cut at the southeast corner of the property.

5. The existing stone wall demarcating the boundary between the subject parcel and the Black Point Beach Club Association's 1-foot strip shall be restacked. Where a portion of the stone wall is to be removed for the proposed driveway access, said stones shall be used in the restacking of the existing wall.

6. The proposed dogwood tree plantings or similar variety shall be planted and installed approximately 40 to 50 feet on center for a length of approximately 675-feet on the east side of the proposed driveway. Said plantings shall be a minimum of 2.5-inches in caliper at installation and achieve an 80%-survival rate after two full growing seasons. A financial guarantee for the survival of the plantings in an amount acceptable to the Director of Planning and in a form acceptable to the East Lyme Planning Commission shall be posted with the Town of East Lyme prior to the start of work including but not limited to clearing, grubbing, filling and grading.

7. An Erosion & Sedimentation Control bond or financial guarantee in the amount of \$10,000.00 dollars shall be posted with the Town of East Lyme in a form acceptable to the Town of East Lyme's Planning Commission prior to the start of any site work including but not limited to clearing, grubbing, filling and grading.

8. Contact the Planning Director to inspect the installation of erosion and sedimentation controls within 2-days prior to the start of any construction.

9. The applicant has agreed as part of the subdivision that no structure shall be located closer than fifty feet from the east lot line near West Lane.

10. A drainage easement shall be filed before the commencement of construction to be approved by the Town staff &/or attorney requiring the on-site drainage structures and swales be maintained by the lot owners and providing if such structures are not maintained the Town of East Lyme may enter upon the property perform such maintenance and lien the properties for such services.

11. A conservation easement shall be recorded before commencement of construction.

12. The Applicant has agreed in consideration of the driveway waiver provided to construct a single driveway that if the remaining property of the applicant located south west of the subdivision is developed only one single family home may utilize the 25' right of way located on the southerly side of the property.

13. The applicable items above shall be accomplished prior to the filling of the subdivision on the land records, or other documentation of planning approval and no site work shall commence until all applicable conditions are satisfied.

This approval is specific to the subdivision plan submitted as the application known as the Application of J. Robert Pfanner, PE, LS, Agent for Elizabeth Perry, Owner; Application for 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. Any changes in the subdivision plan shall require prior approval from the Commission and/or the Director of Planning. Any change in the development plan layout other than those identified herein shall constitute a new application. The owner/applicant shall be bound by the provisions of this Application and Approval.

Vote: Approved Unanimously

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 provided two memos, Memo 1, approving all the waiver requests and the other denying the requests for the buffer and open space waivers. the following findings:

Whereas: The Commission commenced a Public Hearing on May 7, 2019. The Public Hearing for said application was continued to the Commission's June 4, 2019 and July 9, 2019 meetings and closed at the Commission's July 9, 2019 meeting.

Whereas: The Commission has reviewed the application and received testimony from the applicant, his professionals, representatives, and the public. In addition, Town staff also provided the Commission with comment concerning this application's compliance with local requirements and regulations.

Whereas: The parcel of land constituting the property subject to this application is zoned RU - 40 Rural Residential and the properties abutting the site are zoned RU-40 and the properties to the north, south, east, and west are zoned RU-40.

Whereas: The proposed Subdivision is found to meet the requirements of the East Lyme Subdivision Regulations and the East Lyme Plan of Conservation and Development (POCD) as demonstrated by the following:

Section 3-4 Plan of Development: As the proposed Subdivision is located within a RU-40 zoning district adjacent to existing residential lots zoned RU-40. The proposed subdivision continues following the pattern of development characteristic of the existing residential development. As such, the proposed subdivision conforms to the comprehensive Plan of Development for the Town of East Lyme (POCD) as adopted by the East Lyme Planning Commission.

Section 5-4 Sanitation Report: As indicated in Exhibit "Q" review comments from Daniel Holmes, RS, dated June 21 2019, indicates the proposed lots are suitable to be served by on-site septic and well.

Section 5-5 Water Supply Report: As indicated in Exhibit "Q" review comments from Daniel Holmes, RS, dated June 21 2019, indicates the proposed lots are suitable to be served by on-site septic and well.

Section 5-2-2(E) and 6-8 Stormwater Management Plan: As indicated in Exhibit "G", Memo from Victor Benni, P.E., Town Engineer, dated May 7, 2019, indicates that the Drainage Analysis confirms that the proposed site development will not adversely affect the water quality of downstream water features including but not limited to wetlands and watercourses. In addition, the calculations indicate that the proposed development will have negligible impact flooding and has met the overall intent of Section 6-8 Stormwater Management of the East Lyme Subdivision Regulations.

Section 5-2-2(G) Erosion and Sedimentation Control Plan: As indicated by Exhibit "G" Memo from Victor Benni, P.E., Town Engineer, dated May 7, 2019, the proposed Plan includes the appropriate notes and details in regards to erosion control measures. As such, proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site have been incorporated into the proposed plan. Therefore, the Planning Commission may hereby certify that the Soil Erosion and Sediment Control Plan complies with the requirements and objectives of this Subdivision Regulation.

Section 5-6 Pesticide Report: There are no known regular applications of pesticides on the subject site. The site is currently occupied by a single family dwelling.

Section 5-8 Archeological Survey: As Evidence by Exhibit “O”, letter from Dr. Brian Jones, State Archeologist to J. Bernardo dated March 18, 2019, a Phase Ia/Ib Assessment/Reconnaissance Survey is recommended prior to any development.

Section 6-2 Lot Design Specifications: The proposed subdivision complies with all applicable Zoning Regulations for the purposes of the subdivision of land as evidenced by Exhibit “D” correspondence from William Mulholland, Zoning Official, dated April 30, 2019.

Section 6-7 Open Spaces: As demonstrated by Exhibit “M” Request for a waiver from Section 23.6B Open Space of the Zoning Regulations, requests the dedication of open space be deferred to a later date when more or all the land remaining in the entire tract is re-subdivided or further developed.

Section 6-9 Requirements Regarding Flooding: As demonstrated by Exhibit “G”, Memo from Victor Benni, P.E., Town Engineer, dated May 7, 2019, the proposed design meets the intent of the stormwater regulations.

WHEREAS: As demonstrated by Exhibit “M”, the request for a Waiver from Section 23.5.B1 Buffers of the Zoning Regulations, 23.6B Open Space Standards and Controls, Section 6-8-7 and 6-10-7 of the East Lyme Subdivision Regulations, appears to meet the criteria in Section 4-12 for a waiver as follows:

(1) The waiver must be requested in writing:

The applicant submitted said request in writing with their application submission, see Exhibit “M”;

(2) The property for which the waiver is sought is affected by conditions, which affect the property and are not generally applicable to other land in the area;

The character of the existing street corridor along Roxbury Road at the location of the subject site may warrant a reduction in the requirement to provide a 25-foot right-of-way from the centerline of Roxbury Road along the frontage of the land to be subdivided. In addition, the existing conditions such as the variation in topography and natural features along with existing compatible land uses (single family and multi-family residential) obviate the need for such a buffer from a 1-lot residential subdivision of land.

(3) Physical features of the property or its location cause exceptional difficulty or unusual hardship in meeting the requirements of these Regulations;

Again, the character of the existing street corridor along Roxbury Road at the location of the subject site may warrant a reduction in the requirement to provide a 25-foot right-of-way from the centerline of Roxbury Road along the frontage of the land to be subdivided. The existing conditions such as the variation in topography and natural features are such that a waiver would assist in the preservation of these features and the existing road side character. In addition, as noted in Exhibit “G”, Memo from Victor Benni, P.E., Town Engineer, dated May 7, 2019, indicates the addition of 1-building lot does not increase the need for improvement of the street along the property frontage.

(4) The granting of a waiver will not have a significantly adverse effect upon adjacent property, the environment, or the public health and safety;

As demonstrated by Exhibit “B” Soils Report from Ian T. Cole, Registered Soil Scientist and Professional Wetland Scientist, there are No wetlands or watercourses on-site. As such, the proposed 1-lot resubdivision does not require an Inland Wetlands permit. In addition, as demonstrated by Exhibit “G”, Memorandum from Victor Benni, PE, Town Engineer dated May 7, 2019, the water quality of the receiving aquifer will not be adversely affected nor will the proposed development exacerbate downstream flooding.

Further, as demonstrated by Exhibit "C", the proposed subdivision plan, depicts the limits of clearing such that the existing vegetation to remain should provide an adequate visual barrier to proposed single family dwelling. As such, the granting of the requested waivers would not have a significantly adverse effect upon adjacent property, the environment, or the public health and safety.

(5) The granting of the waiver will not be in conflict with the Plan of Conservation and Development;

As this is a CDD Subdivision, which encourages minimizing land disturbance, maintaining vegetative buffers between different uses, and mitigating any potential adverse effect upon adjacent property, the environment, or the public health and safety, the proposed re-subdivision as demonstrated by the record before the Commission, is consistent with the Plan of Conservation and Development as it will reduce land disturbance, maintain existing vegetation, and mitigates any adverse impact from stormwater runoff.

Pursuant to Section 4-5-4 of the Subdivision Regulations the Commission, after the public hearing, if any, shall give approval to the application if it finds that the application, plans and documents conform to the requirement of these Regulations. Such approval shall be conditioned upon presentation of suitable easement and deeds as applicable, as specified in Section 10 of the Regulations, and shall be conditioned upon completion of all required subdivision improvements. In granting approval, the Commission may attach such conditions that it deems necessary to modify the subdivision map, plans, or documents, and to preserve the purpose and intent of these Regulations

Based on testimony at the public hearing, the commission discussed various options for the waiver requests. Because the applicant asked for waivers for buffers and open space requirements to be deferred until a potential future application is submitted, there are no areas specified on the current site plan for these items.

G. Goeschel stated that if the commission decides to deny the buffer and open space waiver requests then it would be up to the commission to specify where the buffers and open space would be. He stated the buffers could be applied to the total of open space required which is 3.41 acres. He informed the members that the town owns property abutting the re-subdivision and if a portion of the open space was designated as abutting the town property it would make it contiguous to an already existing town property.

The commission considered the neighbors and their concerns of a future road being constructed from Cyprus Way to Romagna Road.

G. Goeschel stated that neighbors on Bush Hill had expressed concern that there was no emergency access out of Bush Hill in the case of closure of the road. He stated there are a couple of right of ways that could provide future emergency access for Bush Hill.

The members questioned if in the future an application was submitted for the remaining property, how would the decision of the commission be known and applied. G. Goeschel stated that a note on the approved application could be required and that staff would be looking at past approvals and records as part of their review.

The commission spent considerable time reviewing the site plan for possible buffer and open space options.

MOTION: (Williams/Fitting) GRANT the applicant's request for a Waiver from Sections 6-8-7 and 6-10-7 of the East Lyme Subdivision Regulations. Vote: Approved Unanimously.

MOTION: (Williams/Phimister) APPROVE the application known as the 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 and plans entitled "Subdivision Plan, Property of Catherine Parente, 38 Roxbury Road, East Lyme, Connecticut, dated December 20, 2018, Scale 1" = 60' ft. by J. Robert Pfanner & Associates, P.C., Engineers and Land Surveyors, 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. An Erosion & Sedimentation Control bond in an amount of \$2000.00 dollars 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.
2. Pursuant to Section 5-8 of the Subdivision Regulations, an Archeological Survey Phase Ia/Ib, shall be conducted prior to the start of any site work and a report of all surveys conducted shall be submitted to the Planning Director and the State Historic Preservation Office.
3. Pursuant to Section 23.5.B, a 40-foot vegetative buffer shall be required along the westerly and easterly property boundaries and along the southern boundaries shared with 7 & 10 Cypress Way. Said buffer shall not extend in front of the 50-ft right-of Way at the northerly side of the cul-de-sac on Cypress Way.
4. Approximately 3.41 acres of land shall be shall be dedicated as open space adjacent to 7 Cypress Way and with the Town of East Lyme at 8-12 Roxbury with easement granted for emergency access only.
5. Contact the Planning Director to inspect the installation of erosion and sedimentation controls within 2-days prior to the start of any construction.
6. The applicable items above shall be accomplished prior to the filling of the subdivision on the land records, or other documentation of planning approval and no site work shall commence until all applicable conditions are satisfied.

This approval is specific to the subdivision plan submitted as the application known as the 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 and plans entitled "Subdivision Plan, Property of Catherine Parente, 38 Roxbury Road, East Lyme, Connecticut, dated December 20, 2018, Scale 1" = 60' ft. by J. Robert Pfanner P.E. L.S. of J. Robert Pfanner & Associates, P.C., Engineers and Land Surveyors 37 Grand Street, Niantic, Connecticut.

Any changes in the subdivision plan shall require prior approval from the Commission and/or the Director of Planning. Any change in the development plan layout other than those identified herein shall constitute a new application. The owner/applicant shall be bound by the provisions of this Application and Approval.

Vote: Approved Unanimously

- VII. ZONING REFERRALS [Connecticut General Statute (CGS) 8-3a] no zoning referrals
- IX. MUNICIPAL REFERRALS [Connecticut General Statutes (CGS) 8-24] No referrals
- X. OLD BUSINESS – No old business
- XI. NEW BUSINESS-No new business
- XII. ADJOURNMENT MOTION: (Phimister/Williams) to adjourn at 9:07 Vote: Approved Unanimously.

Respectfully Submitted,

Sue Spang,
Recording Secretary