

FILED

Oct 20 2020 AT 3:05 AM/PM  
Kavanaugh  
EAST LYME TOWN CLERK

EAST LYME BOARD OF SELECTMEN  
SPECIAL MEETING OF SEPTEMBER 30, 2020  
MINUTES

This meeting was held via Zoom online meeting services and was available for the public to view, listen and participate via videoconference and dial-in options.

This meeting, in its entirety, is available to view by visiting the East Lyme Town Hall webpage.

PRESENT: Mark Nickerson, Kevin Seery, Rose Ann Hardy, Marc Salerno, Paul Dagle and Dan Cunningham  
ALSO PRESENT: Chairperson of the POCD Subcommittee, Michelle Williams

First Selectman Nickerson called the meeting to order at 7:03 p.m., and he stated that the purpose of tonight's meeting is to give the public a chance to weigh in and share their thoughts on the proposed POCD to assist the Board of Selectmen with making their recommendations to the Planning Commission. He introduced Michelle Williams as the Chair of the POCD Subcommittee, and she introduced her fellow subcommittee members who were also in attendance at this meeting; Kirk Scott, Rich Gordon and Rosemary Ostfeld.

2. Public Comment

There were none.

3. Board of Selectmen Discussion

Mr. Salerno stated that he would like to see the names of everyone who worked on the POCD to appear on the report itself; they worked hard and did a great job and should be recognized for it.

Page 17 – Regarding hydroponics, Mr. Salerno referenced the case study performed in Devins, Massachusetts and stated that he would like to see more consideration put towards sustainable greenhouse use in our town.

Page 34 – Mr. Salerno stated that this information already exists in the Zoning Regulations and requested clarification. Ms. Williams responded that this section is not meant to repeat the Zoning regulations, but to expand the regulations outside of residential to include industrial zones.

Page 49 – Mr. Salerno suggested including a bullet point here that the Town be more proactive in securing open space.

Page 52 – Mr. Salerno inquired if they took into consideration the studies conducted by the Board of Education recently, and Ms. Williams confirmed that they had reviewed those studies. She indicated that the numbers included in this report are the most up to date, but that they are also looking into incorporating EB's possible impact on this study based on their increase in hiring since the existing studies were performed.

Page 59 – Mr. Salerno inquired if Section 8 refers to only in-law apartments, or does it include rentals. Ms. Williams stated that it applies to both and that they would like to see both uses allowable. She stated that there are some instances of this use in town that are currently non-conforming, and she noted that case studies have shown that allowing this type of use in residential areas is actually a good way to satisfy affordable housing regulations and can also be done with deeded restrictions for more oversight.

Page 72 – Regarding Section 2a, Mr. Salerno inquired as to the use of a special permit. Ms. Williams indicated that they took this information from the LUG Study done in 2010 and provides a

couple of options for preservation and sustenance. The study suggests that farmland could be re-zoned as agricultural, which would then require the special permit referenced. Another option is to allow accessory uses for the property. Ms. Williams noted that this section comes from the fact that these larger tracts of farmland need more via options to sustain, and allowing accessory uses such as a bed and breakfast or wedding venue may be a good option to increase their income beyond farming. It was noted that this is a controversial topic and Ms. Williams pointed out that this is just a plan for options that they Town might want to consider moving forward. This document does not change the policies, it simply offers suggestions for the Town to consider. Both Mr. Nickerson and Mr. Salerno noted that there has been significant discussion on the topic of allowing events on properties in residential areas and the impact that would have on the area, specifically the use of alcohol.

Page 77 – Mr. Salerno would like to see a bullet point that addresses the sharing of resources between the Board of Education and Parks and Recreation. Ms. Williams stated that page 82 section 3 addresses that topic and they will reword that paragraph to make that clearer.

Page 83 – Mr. Salerno suggested that we consider digitizing documents to create more room in Town Hall. Mr. Nickerson stated that the process of digitizing documents has begun, but not everything can be digitized.

Page 90 – Mr. Salerno suggested that the Town consider adding the installation of electric charging stations to the Zoning regulations, and Mr. Nickerson agreed that this is something that the Town needs to consider for new commercial projects as well as require existing businesses to include this in future construction/upgrades to their existing business.

Page 118 – Mr. Salerno stated that he agrees with section 20 to prioritize sidewalk construction around town, and he would like to see Boston Post Road added to the list. The sidewalk between the High School and the boathouse on Pattagansett Lake needs to be finished for the safety of the kids that walk and run that route daily.

Mr. Salerno stated that he would like for the Cini Park Fishing Dock Subcommittee to investigate how future use of this space could fit into the POCD.

Mr. Seery stated that he agrees with page 113 section 5 and specifically section 5a as it relates to roads such as Corey Lane that does not have any lines and there has been a speeding issue. Section 5b addresses formalized parking, like we have done on Main Street. Mr. Seery would like to see a section on loading zones and designating areas for such a purpose.

Page 118 – Mr. Seery agrees with the prioritization of sidewalk projects and would like to see the section by Gorton Pond completed.

Page 124 – Mr. Seery noted that the Town has already begun working on Recommendation 1 to improve our IT infrastructure. Mr. Seery supports Recommendation 3a to address the fact that our police force is currently understaffed.

Mr. Seery stated that the subcommittee did a great job and produced a great working document that the Town can refer to in the years to come.

Mr. Cunningham thanked the subcommittee for doing a great job on this plan, and he stated that he supports page 23, recommendation 2 (a) for town-wide education for lawn management, especially in coastal areas.

Page 34 – Mr. Cunningham inquired about Recommendation 3 and if the subcommittee had consulted with Public Safety with respect to how a road width reduction may affect emergency vehicle navigation. Ms. Williams stated that 24' is the regulation for the conservation design districts, but that it

conflicts with the subdivision regulations. This recommendation will get both regulations on the same page and avoid conflict between said regulations.

Page 35 – Mr. Cunningham supports Recommendation 9 and is concerned with potential PFAS contamination. Mr. Nickerson stated that he is in communication with the State and the Military because we have two National Guard bases in our town and the PFAS foam has historically been used at these facilities for aircraft fires.

Page 97 – Mr. Cunningham supports Recommendation 2 to make efforts to reduce road salt application.

Page 101 – Mr. Cunningham supports single stream recycling and feels that we are fortunate to be a part of SCRRA's recycling program but feels that the public needs more education on what is and is not allowed in the recycling bin.

Mr. Dagle inquired about the Census Bureau chart on page 51, asking what the impact will be on housing if the population does decline as this chart forecasts. Ms. Williams stated that because the current census is being conducted, they will re-evaluate this information in a couple of months and update this section accordingly. Mr. Nickerson noted that the last large drop in population was due to the drop in prison population.

Page 56 – Mr. Dagle inquired about the highlighted area signifying two additional affordable housing projects to be added to the tables, and Ms. Williams acknowledged that and reminded the Board that they are the first group to see this draft, but that it is still a working draft.

Page 64 – Regarding Recommendation 12, Mr. Dagle stated that he has seen resistance from abutting property owners when businesses have suggested installing solar panels in parking areas.

Page 88 – Mr. Dagle stated that Recommendation 3 to develop a micro-grid should be investigated further as this will involve multiple micro-grids throughout town in order to provide the outcome that is suggested; Ms. Williams will work with the subcommittee to review this section.

Page 88 – Regarding Recommendation 4, Mr. Dagle inquired as to other options besides solar, and Ms. Williams stated that this recommendation applies predominantly to solar. In existing neighborhoods, the requirement would be for rooftop solar. Ms. Williams stated that this recommendation might fit into the zoning regulations and the subdivision regulations.

Page 96 – Regarding sewage capacity, Mr. Dagle does not feel that prohibiting future sewer line expansion is the correct choice and should be based on capacity, although he understands the reasoning. Ms. Williams stated that this recommendation was driven from the community questionnaire that was sent out, as well as the public forums held, in that the public is communicating that they want to see a reduction in new development, and this does address that. She stated that the subcommittee would like to see capacity being used in existing neighborhoods, such as Saunders Point, before being released for new development.

Mr. Dagle thanked the subcommittee for their hard work on this document.

Ms. Hardy inquired what the final deadline is for submitting comments to this document. Ms. Williams stated that the Planning Commission has a public hearing scheduled for November 10<sup>th</sup>, and depending on how that goes, the commission could potentially vote that night; the document is due to the State of Connecticut in December.

Mr. Nickerson stated that Ms. Hardy had dropped from the meeting and that he would begin with his comments until she re-joined the meeting.

Mr. Nickerson stated that he feels like this plan contains a lot of conservation and not a lot of development, and he stressed that ultimately everyone contributing comments either for or opposed has the same goal and that is to do what is best for the Town. He feels that there are some strong recommendations in the document, and he noted that there have been occasions where the POCD is used against the town in the lawsuit, so he is recommending that the subcommittee and commission keep this in mind when adopting these recommendations.

Page 9 – in the second paragraph, Mr. Nickerson notes that it says the Gateway project has been developed since 2009 and really the discussion started in 2000 and the development has only just started in the last couple of years. Ms. Williams stated that they are required to submit updates on items from the previous POCD, so this paragraph addresses that requirement and is not meant to fully outline the timeline.

Page 15 – Mr. Nickerson explained that he is concerned about the focus that this plan puts on aquaculture. Although he acknowledges the importance of aquaculture, he is asking for the subcommittee to acknowledge the hardship that puts on neighboring property owners. This plan should address the importance of finding the balance between the activities that are suggested in the last sentence of the paragraph on Economic Development and the neighboring property owners and the recreational users, who have expressed their opposition to these activities.

Page 15 – Regarding the Reduced Cost of Services at \$0.30 per dollar, Mr. Nickerson inquired if this includes the cost of acquisition of the open space, and Ms. Williams was not clear as this was a national study done by the National Farmland Trust.

Page 16 – Mr. Nickerson noted that not only is it a concern with having large gatherings in a rural setting where alcohol is served, the neighbors of these properties are very against this type of activity. It might work with select properties, but it is a concern. Ms. Ostfeld stated that they would do some research into surrounding areas and inquire as to their procedures and experiences.

Page 23 – Mr. Nickerson noted that the recommendations include educational campaigns and he inquired as to who would be responsible for running these campaigns. Ms. Williams noted Niantic River Watershed as an example as a community campaign that has been successful and stated that this subcommittee will work on how to facilitate these campaigns.

Page 23 – Regarding Recommendation 3, Mr. Nickerson noted that the town has been trying to get sewers in Saunders Point but the cost is estimated at approximately \$30,000 per household; he noted that there is a possibility that the State will require sewers in that area in the future.

Page 25 – In Recommendation 14, Mr. Nickerson stated that it should be included here, or somewhere in this plan, that our beaches need to be maintained and need sand replenishment. We should put this into the plan and look at grants that will support these activities going forward.

Page 29 – Regarding Recommendation 11, Mr. Nickerson asked for clarification as this is a new ordinance and he has not received anything except positive feedback since its inception. Ms. Williams stated that they worked with the Historic Properties Commission on this section and that is the feedback they received.

Page 35 – Mr. Nickerson stated that the activities mentioned in Recommendation 6 are already being done by the Town, and he understands that there are federal mandates coming soon that are going to significantly increase the current levels.

Mr. Nickerson noted that this study does well to document that this town is 1% Industrial, 4% Commercial, 37% open space including conservation land. We should be looking for where additional industrial land would be appropriate as many business and light manufacturing businesses are looking for a place and East Lyme is a good place. Mr. Nickerson feels that we need to bring higher paying jobs to our region, and we need to figure out what those opportunities are for the Town's future. He feels

that larger companies from larger cities will be looking for areas to open satellite offices, and right off Interstate 95 in between New York and Boston is a perfect spot. He suggested that maybe a piece of property, such as the state land off exit 73, could be purchased for the town to build an industrial park for office buildings and light industry. Mr. Nickerson feels that the subcommittee needs to find the balance between conservation and growth and development.

Page 55 – Regarding the State mandated levels of affordable housing stock, Mr. Nickerson stated that very few of the towns in Connecticut meet the 10% threshold and that East Lyme has one of the highest levels of available affordable housing in our region.

Page 56 – Mr. Nickerson noted that the plan shows a project called JAG Capital, and he stated that this name has been changed to Rocky Neck Village and that should be reflected in this plan. He noted that Rocky Neck Village has applied for State assisted low income housing, and the Pazz Construction project is standard affordable housing units.

Page 59 – Mr. Nickerson noted that Recommendation 8 will likely bring a lot of children into the school system. He suggested that the subcommittee consider if they can restrict the use of such apartments to 55 and older for use as an in-law apartment only.

Page 73 – Mr. Nickerson is concerned with Recommendation 10, and stated that shellfish processing, which fits under aquaculture, is not allowed in the Niantic River. He stated that shellfish processing and leisure boating activities do not mix as the processing machinery is very loud. He supports finding an appropriate place for a processing plant, but not mixed in with the marinas. Ms. Ostfeld stated that she will do some research into how other processing plants balance the industry with the recreation.

Page 76 – Mr. Nickerson stated that regarding Recommendation 2, should the town upgrade the two existing fields that would eliminate the need for having to increase the number of fields. He noted that on Page 77 Recommendation 12, it states that the town should avoid installation of such fields on existing farmlands; he inquired why this was added as this has not been an issue. Ms. Williams stated that they felt this recommendation fit into their goal of preserving farmland.

Page 78 – Mr. Nickerson stated that on the eve of the referendum for the public safety building project, Recommendation 2 seems more feasible once the town can start working on the second floor of that building on West Main Street, we may be able to move some departments over to the new building and create more space for the library and senior center to expand a bit.

Page 83 – Mr. Nickerson requested that the subcommittee review Recommendation 1 as the Town Hall is currently fully handicap accessible. There is no place to put an elevator, but both floors are wheelchair accessible, and both doors have automatic entry buttons.

Ms. Hardy stated that she supports hydroponic gardening and would like the town to explore this further. She supports the installation of electric charging stations, but she reported that some communities are allowing private residents who have personal charging stations to charge others for utilizing their charging station and we should be aware of all the possibilities. Ms. Hardy inquired if the subcommittee had a plan for assigning recommendations to boards and commissions. Ms. Williams stated that they plan to index the recommendations and align them with existing boards and commissions, but that they have not yet begun that process.

Ms. Hardy stated that regarding affordable housing, she does not believe that we would ever be able to achieve the 10% threshold because each time we approve a low income housing development, they are only required to designate 30% to low income. Each time we allow one of these developments to be built we are adding 70% to the standard inventory and only 30% to the low incoming housing

inventory. She stated that it is unfortunate that houses that pre-date the affordable housing act cannot be included in the low-income housing inventory.

Ms. Hardy feels it is very important to protect the remaining 20% of undeveloped land in town. We should create a fund and start putting money into it so that when a piece of land becomes available for purchase the town will be prepared to act on it. She would like to make this a goal for the upcoming budget session, and asked Ms. Williams to consider this when making final updates to the plan.

Ms. Hardy suggested soliciting community members to assist boards and commissions with their expertise, such as hydroponics or electric charging stations, without forcing them to commit to the commission, almost like an ex-officio that participates but does not get to vote.

Regarding reduction in road width, Ms. Hardy feels that the town needs to be very careful that they are not allowing roads to be built that garbage trucks and school buses cannot navigate.

Regarding recent storms and power outages, Ms. Hardy would like to recommend that all new housing that is built requires underground wiring, and we should attempt to change over to underground wiring whenever possible.

Mr. Dagle inquired if the subcommittee would either include in the plan or do it separately, but he would like to see a priority list of the top ten recommendations. He feels that this might be helpful to focus on what this subcommittee feels are the most important items to the town. Ms. Williams responded that the subcommittee is planning to meet with each board and commission to further prioritize those recommendations that apply to each.

Ms. Hardy stated that she feels strongly that the proper place for a solar field is an industrial zone and not a residential zone. Mr. Nickerson stated that we have come close to installing a microgrid at Lillie B. Haynes but we missed out on the grant that was available; this is something that the town is very interested in and will look for future opportunities.

Mr. Salerno commented on road width, and noted that something to investigate further is alternative curbing; should you reduce the width of the roadway you could have a soft curb that would allow a vehicle to park more up onto the land and off of the roadway. He stated that he has heard complaints from public works employees that the cul-de-sacs in town are too narrow, and he is also wondering if we should be planting grass or trees.

Regarding affordable housing and to add to what Ms. Hardy was saying, Mr. Salerno stated that to make the situation more difficult is the fact that the State requires the property to be deeded for 30 years as affordable housing. As these properties are reaching their 30-year mark, they are coming off our list and reducing that inventory even more. Ms. Williams stated that this subcommittee realizes the importance of addressing this matter and has a recommendation in this plan to create a subcommittee to concentrate solely on affordable housing issues. Mr. Nickerson noted that single family dwellings do not qualify under the affordable housing act, but the town has some working-class neighborhoods that would qualify under this program and this should be investigated.

Regarding traffic and parking, Mr. Nickerson stated that these are very good recommendations, but he reminded them that these are State roads, and the town does not have any authority to make decisions, only suggestions. Regarding putting lines on Main Street to outline parking spots, this would significantly impact the businesses on Main Street as it would cut the amount of available parking and should be researched before moving forward; but again, this is a State road and they have final say on these matters.

Mr. Nickerson then opened the floor for comments from the public.

Ms. Marjorie Meekhoff, founder and president of a new not for profit called Pollinator Pathway East Lyme, introduced herself and her organization to the POCD. She stated that one of their goals is to revive the native bumble bee population, and she noted that they recently secured 2 acres of land in Flanders to plant native plants to attract these native bees. Ms. Williams noted that there is some information in this plan on page 16, and she would love to meet with Marjorie offline to hear more about her organization and how it fits into the POCD. Mr. Nickerson invited Ms. Meekhoff to give a presentation at a future Board of Selectmen meeting once we get back into meeting at Town Hall.

Ms. Hardy left the meeting at 8:50 p.m.

Ms. Cate Stell, member of the Board of Education, stated that this is a great document, and she sees opportunity for the subcommittee to meet with the Board of Ed to see if there are members willing to donate some time, as previously discussed by Ms. Hardy, to consult the boards and commissions on some of these specific recommendations.

Mr. Nickerson thanked Ms. Williams and the entire subcommittee for their hard work on this plan and stated that they did a great job.

MOTION (1)

Mr. Seery MOVED to adjourn the September 30, 2020, special meeting of the East Lyme Board of Selectmen at 8:57 p.m. Seconded by Mr. Salerno. Motion passed 5-0.

Respectfully Submitted By:

*Sandra Anderson*

Sandra Anderson  
Recording Secretary

