

# EAST LYME PLANNING COMMISSION

Regular Meeting, August 10, 2021. 7:00 PM

East Lyme Town Hall, main room

CHAIRMAN: Kirk Scott

PLANNING DIRECTOR: Gary Goeschel II

SECRETARY: Michelle Williams

RECORDING SECRETARY: Sue Spang

## CALL TO ORDER 7:02

### I. ROLL CALL

**Present:** Kirk Scott, Michelle Williams, Richard Gordon, Nichole Davison, Lawrence Fitzgerald, Thomas Fitting, Brian Bohmbach, Alt.

**Absent:** Spencer Clapp, Alt., Vacancy, Alt.

**Also, Present:** G. Goeschel, Terry Donovan, Zoning liaison

### II. CALL FOR ADDITIONS TO THE AGENDA-none

FILED

### III. CALL FOR PUBLIC DELEGATIONS-none

### IV. REPORTS

A. Communications-no report

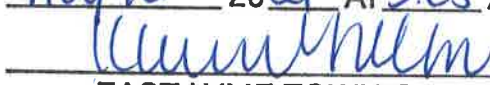
B. Zoning Representative-no report

C. Ex-Officio-no report

D. **Planning Director: Gary Goeschel** informed the members a new town engineer has been hire

E. Subcommittees-no report

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

Aug 16 20 21 AT 3:05 AM (PM)  
  
EAST LYME TOWN CLERK

### V. APPROVAL OF MINUTES

A. July 13, 2021, Regular Meeting Minutes

**MOTION:** (Fitzgerald/Gordon) to APPROVE the minutes of July 13, 2021, as presented.

**Vote:** APPROVED unanimously

### VI. PUBLIC HEARINGS-none

### VII. SUBDIVISIONS / RE-SUBDIVISIONS (Pending)-none

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

A. Application of Paul Geraghty, Esq., for Duval Partners, LLC, Owner, for a Zone Change from SU/SU-E to RU-80, for property located at Holmes Road and Grassy Hill Road, identified in the application as East Lyme Assessor's Map 57.0, Lot 30, Map 55.0, Lot 3-1 and Map 52.0, Lot 3.

G. Goeschel referred to the letter written on August 9, 2021, by Paul Geraghty, Esq., requesting the property be returned to RU-80 from SU/SU-E. The Woodsman Land Trust in collaboration with the East Lyme Land Trust has contracted to purchase the majority of the 332-acre property with the intention of preserving it as open space. They have received a number of grants including one from DEEP. The zoning change is necessary and a condition of the sale to the East Lyme Land Trust by the property owner and the grant from the state.

G. Goeschel stated that as zone RU-80 it could be subdivided with six lots possibly along the road.

The Commission stated the POCD recommends more open space in town; page sixteen of the POCD specifically calls out this property for open space.

G. Goeschel recommended including the lots that were previously zoned RU-80 and then changed to SU/SU-E.

**MOTION: (Williams/Davison) to find the application of Paul Geraghty, Esq., for Duval Partners, LLC, Owner, for a Zone Change from SU/SU-E to RU-80, for property located at Holmes Road and Grassy Hill Road, identified in the application as East Lyme Assessor's Map 57.0, Lot 30, Map 55.0, Lot 3-1 and Map 52.0, Lot 3, Map 55.0, Lot 4, and Map 57.0, lot 29, CONSISTENT with the POCD. Vote: APPROVED unanimously.**

**B. Application of Theodore A. Harris, Esq., for Christopher Manwaring for a text amendment to the East Lyme Zoning Regulations to add to Section 8.2 Landscaping Service Company as a Special Permit in a CA Zone.**

G. Goeschel said the activity is a slightly more intensive use of the zone and typically he would ask for the activity to be screened with minimum outdoor storage. The applicant is proposing that all materials and equipment be stalled indoors and be permitted with a special permit.

G. Goeschel does not see a significant increase in traffic as a landscaping business usually goes off site to conduct business.

**MOTION: (Gordon/Fitting) to find the application of Theodore A. Harris, Esq., for Christopher Manwaring for a text amendment to the East Lyme Zoning Regulations to add to Section 8.2 Landscaping Service Company as a Special permit in a CA Zone CONSISTANT with the POCD. Vote: APPROVED unanimously.**

**C. Application of Theodore A. Harris, Esq., for Laurie Zrenda, for a Text Amendment to the East Lyme Zoning Regulations to add to Section 11.2, Marijuana Dispensary as a special permit in a LI Zone and add restrictions to Section 25.5 Table of Minimum Controls for Marijuana Dispensary.**

G. Goeschel read the zoning/location restrictions/special conditions for the LI zone for a Marijuana Dispensary text change. He stated that it is less invasive than other activities in the LI Zone and that 3% of sales from a marijuana dispensary go to the town.

The members had questions and concerns such as the selling and use of marijuana is still not federally legal, others did not see it as much different than a liquor store.

The Zoning Commission is holding a public hearing on the text amendment October 7, 2021, using the state statutory language.

**MOTION: (Williams/Fitzgerald) move to find the Application of Theodore A. Harris, Esq., for Laurie Zrenda, for a Text Amendment to the East Lyme Zoning Regulations to add to Section 11.2, Marijuana Dispensary as a special permit in a LI Zone and add restrictions to Section 25.5 Table of Minimum Controls for Marijuana Dispensary CONSISTANT with the POCD.**

**Vote: APPROVED unanimously.**

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

**X. OLD BUSINESS**

**A. Affordable Housing Plan**

G. Goeschel handed out the current Affordable Housing Plan. He stated any new plan would be due to the state July 2022. He informed the members that the BOS has given authority to the First Selectman to apply for a \$15,000 grant to help update the Affordable Housing Plan to comply with the new state statute. G. Goeschel stated the deadline to opt out of the new requirements of the Affordable Housing statute is January 1, 2022. If the decision is not made by then to opt out, then it

is a permitted use by right.

G. Goeschel stated that according to SECOG there is a significant affordable housing shortage in the area. Some of the larger developments such as Gateway with 400 units at market rate, increases the housing stock in town making it difficult to meet the affordable housing stock recommendations of the state statute.

The affordable housing is based on median income, which is about \$90,000 in East Lyme. Thirty percent of housing approved under 8-30-g is required to be "affordable." M. Williams asked if the town could require the developer offer more than 30%; G. Goeschel will inquire into it.

## **XI. NEW BUSINESS:**

### **A. Referral from the East Lyme Inland Wetlands Agency for a Text Amendment to include Public Hearing Sign notices under Section 9.3 of the East Lyme Inland Wetlands Agency.**

G. Goeschel stated the East Lyme Inland Wetlands Agency is offering the text amendment to be consistent with the other land use boards and commissions that require public sign notice for public hearings. The Commission thought it was more transparent and authorized G. Goeschel to draft a letter to the East Lyme Inland Wetlands Agency endorsing the text amendment.

### **B. Application of Kristen Clarke, P.E., Application, Cold Spring Lot Management, LLC, Owner, for an 8-lot subdivision of property located at 121 Upper Pattagansett Road, East Lyme Assessor's Map 35.0, Lot 44.**

G. Goeschel informed the Commission that this property is more commonly referred to as the "Girl Scout Camp." The application came in this past Thursday, today is the official day of receipt. The application will go before the East Lyme Inland Wetlands Agency first before coming to the Planning Commission.

### **C. Application of Roxbury Road, LLC, (Mel Wiese), for a 5-lot subdivision of property located at Roxbury Road, East Lyme Assessor's Map 16.1, Lot 43-1.**

G. Goeschel reported that the application came in last Thursday and today is the official day of receipt.

## **XII. ADJOURNMENT:**

**MOTION: (Gordon/Davison) to adjourn at 8:02. Vote: APPROVED Unanimously.**

Respectfully Submitted,  
Sue Spang,  
Recording Secretary

**2021 Meeting dates: September 14, October 12, November 9, December 14.**

### **Liaison Schedule:**

Elizabeth Allen 9/2/2021, Brian Bohmbach 9/16/2021, Nichole Davison 10/7/2021, Thomas Fitting 10/21/2021, Richard Gordon 11/4/2021, Kirk Scott 11/18/2021, Michelle Williams 12/2/2021