

Town of

P.O. Drawer 519

**Department of Planning &
Inland Wetlands Agency**

*Gary A. Goeschel II, Director of Planning/
Inland Wetlands Agent*



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357

Phone: (860) 691-4114

Fax: (860) 860-691-0351

December 9, 2021

East Lyme Board of Selectmen
c/o The Honorable Kevin Seery First Selectman
PO Box 519
108 Pennsylvania Avenue
Niantic, CT 06375

RE: Letter of Support for an Open Space and Watershed Land Acquisition Grant Application

Dear Mr. Seery,

On September 14, 2021, the East Lyme Planning Commission voted to support the request of Arthur D. Carlson, to support the application of the East Lyme Land Trust, Inc., for the above referenced grant in pursuit of the acquisition of approximately 120-acres of land known as the Hathaway Property, located on Hathaway Road, East Lyme, CT, located within the Pattagansett River Watershed, north of I-95 with frontage along Scott Road, and approximately 3,000-feet of frontage on Lake Pattagansett (Inland Wetlands Agency meeting minutes attached).

If you have any further questions, please do not hesitate to contact me at (860) 691-4105 or visit the East Lyme Planning Department.

Sincerely,

Gary A. Goeschel, II
Director of Planning/
Inland Wetlands Agent

Cc: File
Planning Commission
Ron Luich, East Lyme Land Trust

EAST LYME PLANNING COMMISSION

Regular Meeting, September 14, 2021. 7:00 PM

East Lyme Town Hall, main room

Sept 21 2021 AT 8:15 (AM/PM)
 Michelle Williams
 EAST LYME TOWN CLERK

CHAIRMAN: Kirk Scott

PLANNING DIRECTOR: Gary Goeschel II

SECRETARY: Michelle Williams

RECORDING SECRETARY: Sue Spang

CALL TO ORDER 7:03**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, Marc Salerno, BOS liaison.

II. CALL FOR ADDITIONS TO THE AGENDA

MOTION: (Williams/Fitzgerald) to add Arthur Carlson, chairman of the East Lyme Conservation and Natural Resource Commission to the agenda. Vote: APPROVED unanimously

A. Carlson, representing the East Lyme Land Trust is asking for a letter of support to the BOS for the purchase of the "Hathaway Property" by the Land Trust. He reminded the Commission that it has been at the top of the list for purchase in the POCD. He stated that the property is an important resource because it sits on an aquifer and has future potential as a water resource. The property also has 3000 feet of waterfront, a mature forest which has not been logged for over 100 years and an open marsh for migrating birds. The purchase is approximately \$900,000-\$1,000,000.

It is the consensus of the Commission to authorize G. Goeschel to draft a letter of support to the BOS.

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

A. Communications-no report

B. Zoning Representative-no report

C. Ex-Officio-the BOS has approved recommendations to the BOF for the American Rescue Plan (ARP) funds.

D. Planning Director-no report

E. Subcommittees

M. Williams informed the members that a list of projects related to the POCD has been sent to the BOS for consideration of funding with the ARP funds.

F. Chairman: Kirk Scott- no report

V. APPROVAL OF MINUTES

A. August 10, 2021, Regular Meeting Minutes

MOTION: (Fitzgerald/Gordon) to APPROVE the minutes of August 10, 2021, as presented.

Vote: APPROVED unanimously

VI. PUBLIC HEARINGS-none**VII. SUBDIVISIONS / RE-SUBDIVISIONS (Pending)**

A. Application of Kristen Clarke, P.E., Applicant, 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 stated the application does not need a Public Hearing and they are still waiting review by town staff.

P. Geraghty, for the applicant, stated the property is approximately 75 acres and was deeded to the Girl Scouts in the 1930's.

They are proposing to develop 8 lots and leave the rest as a campground. There will be five lots on the south side and three on the north side. There will be three common driveways.

The plan calls for a biofilter to hold water in place to trap and settle debris before going to the wetlands. The water will be cleaner and there will be a 25% reduction of sheet flow to the wetlands.

P. Geraghty stated there are 70 acres of open space and he has a memorandum from a past town attorney, saying the developers do not need to create additional open space due to previously approved phases that dedicated open space.

The applicant is waiting for Ledge Light review and town engineer comments. There are no road improvements or construction proposed. He stated the road was not deeded to the town and is essentially a right of way.

The owners are amenable to putting deed restrictions prohibiting clear cutting down to the lake. When the title search was done, dating back to 1903 the road was created by public use and thus the public has a right of way which is in the deed.

G. Goeschel stated the Commission should look at Section 6-10-7 which indicates a minimum of a 25 ft. right of way from the center line of the road. He also suggested that the parcel does not have dedicated open space and argued that bringing in the issue of open space now when it was not initially proposed during the application review for the previous phases does not pertain to the current application. He said the property does not abut the properties that were previously subdivided. He said phase IV was a zoning approval and not a subdivision approval. G. Goeschel is still waiting for the storm water report and is concerned about the maintenance of the biofilter. He also stated that the title block of the plan needs to specify the type of survey.

The type of subdivision was discussed and the possible need for a 40 ft. buffer around the perimeter.

The Commission will consider their decision when all information has been received.

B. Application of Roxbury Road, LLC, c/o 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 informed the members that the proposal is for a 5-lot subdivision. He received an email dated September 14, 2021, from the town engineer which he read into the record. He is waiting for Ledge Light communication and approval.

Kyle Haubert, CLA Engineers, describe the property as 8.61 acres and is in an RU-40 zone. They are proposing two lots on the frontage road and the other 3 will be accessed by a common driveway. There will be 2.94 acres set aside for open space which will be deeded to the homeowners. The lots will be served by town water and onsite septic systems. Ledge Light has given verbal approval for the project. Stormwater will be managed by swales, rain gardens and sheet runoff.

G. Goeschel informed the members that the topsoil stockpile is outside the 100 ft. upland review area which was the regulation when the owner received wetlands approval.

The Commission inquired about the work on the driveway which is in progress. K. Haubert stated for Ledge Light approval they needed access to the rear lots and the septic area had to be prepared.

G. Goeschel said in his opinion the proposal is compliant. Buffers were discussed.

The Commission will consider their decision when all information has been received.

- VIII. **ZONING REFERRALS: [Connecticut General Statute (CGS) 8-3a]-none**
- IX. **MUNICIPAL REFERRALS [Connecticut General Statute (CGS) 8-24]-none**
- X. **OLD BUSINESS**

A. Affordable Housing Plan

G. Goeschel informed the Commission the town received the \$15,000 grant for assistance in developing or updating the Affordable Housing Plan.

It was the consensus of the Commission to remind the Zoning Commission and the BOS about the recommendation of accessory apartments in the POCD when considering adopting the new statutes concerning affordable housing.

- XI. **NEW BUSINESS-none**
- XII. **ADJOURNMENT:**

MOTION: (Fitting/Gordon) to adjourn at 8:19. Vote: APPROVED Unanimously.

Respectfully Submitted,
Sue Spang,
Recording Secretary

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

Liaison Schedule:

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

