

EASTLYME PLANNING COMMISSION REGULAR MEETING

Regular Meeting, August 9, 2022. 7:00 PM

CHAIRMAN: Michelle Williams
VICE CHAIRMAN: Kirk Scott
SECRETARY: Rich Gordon

PLANNING DIRECTOR: Gary Goeschel II
RECORDING SECRETARY: Sue Spang

CALL TO ORDER 7:00

I. ROLL CALL

Present: Michelle Williams, Nichole Davison, Jason Deeble, Richard Gordon, Thomas Fitting, Brian Bohmbach, Alt., Timothy LaDucer, Alt., Olivia Fairchild, Alt.

Absent: Kirk Scott,

Also, Present: Allison Christianson, intern town planner, D. Schmitt, zoning representative
T. LaDucer was seated for K. Scott

II. CALL FOR ADDITIONS TO THE AGENDA

MOTION: (Williams/Deeble) to add update on regional planning committee as item XII, G. Vote: APPROVED unanimously

III. CALL FOR PUBLIC DELEGATIONS-none

IV. REPORTS

A. Communications-Sustainable CT from Conservation Commission

B. Zoning Representative- age restricted units approved for 138 Boston Post Road

C. Ex-Officio-no report

D. Planning Director

E. Christianson informed the members that the town has been approved for the historical properties grant for \$20,000

E. Subcommittees

- **Plan of Conservation and Development**-no report
- **Affordable Housing**-no report

F. Chairman-no report

G. Regional Planning Commission

R. Gordon gave an update on the Regional Planning Commission meeting he attended and reported on what other towns are doing

FILED

August 16, 2022 AT 1:44 AM (PM)
Brenda Storrs ATC
EAST LYME TOWN CLERK

V. APPROVAL OF THE MINUTES

A. Minutes of Regular Meeting of July 12, 2022

MOTION: (LaDucer/Davison) to approve the minutes of July 12, 2022, as amended.

Page 4-G. Goeschel provided an outline for subdivision revisions. His goal is to make the regulations less cumbersome and easier for applicants to ~~understa~~**understands and expands** definitions and makes the application requirements more explicit.

Page 4- **MOTION: (Davison/Gordons) to adjourn at 8:03. Vote: APPROVED Unanimously.**

Vote: APPROVED unanimously

VI. PUBLIC HEARINGS:

- A. Application of Kristen T. Clarke, P.E., of Niantic Real Estate LLC, Owner; Application for a 2-lot resubdivision of approximately 5.13 ± acres of land zoned RU-40, located at 9 Upper Kensington Drive, East Lyme, Assessor's Map 40.0, Lot L7 with a Waiver Request from Section 23.5B.1., of the Town of East Lyme Zoning Regulations, Section 6-8-7 Stormwater Management Requirements, Section 5.2.2 G Erosion and Sedimentation Control Requirements, and Section 5-2-2 (B) and (C) ii, Preliminary Resource Impact and Conservation Plan. (Date of Receipt: 5/10/2022)

P. Geraghty, representing Kristen Clarke and English Harbour Asset Management, clarified and corrected a statement concerning trails and the easements. He stated there are no easements for the trails, therefore no trails.

He submitted a response to G. Goeschel memo (Exhibit II). He stated he is withdrawing the waiver request for the Erosion and Sedimentation controls. P. Geraghty stated plans for E&S had already been submitted as part of the application.

MOTION: (Deeble/Fitting) to close the Public Hearing Vote: APPROVED unanimously.

VII. SUBDIVISIONS/RE-SUBDIVISIONS-(PENDING)

- A. Application of Kristen T. Clarke, P.E., of Niantic Real Estate LLC, Owner; Application for a 2-lot resubdivision of approximately 5.13± acres of land zoned RU-40, located at 9 Upper Kensington Drive, East Lyme, Assessor's Map 40.0, Lot L7 with a Waiver Request from Section 23.5B.1., of the Town of East Lyme Zoning Regulations, Section 6-8-7 Stormwater Management Requirements, Section 5.2.2 G Erosion and Sedimentation Control Requirements, and Section 5-2-2 (B) and (C) ii, Preliminary Resource Impact and Conservation Plan. (Date of Receipt: 5/10/2022)

The members discussed the slope of the shared driveway. In a memo from G. Goeschel, he stated that a shared driveway should not have a slope greater than 10%, the proposed shared driveway is 15%. M. Williams stated that the discrepancy can be dealt with in the motion as a condition.

MOTION: (Deeble/Davison) Move to GRANT the applicant's request for a Waiver from Sections 23.5 B. 1 of the East Lyme Zoning Regulations to eliminate the requirement of a 40-foot vegetative perimeter buffer and from Section 6-8 Stormwater Management Requirements pursuant to Section 6-8-7 of the Subdivision Regulations and from Section 5-2-2 (B) which requires the submission of a Natural and Cultural Resources and Site Analysis Plan and Section 5-2-2(C) ii which requires the submission of a Preliminary resources Impact Analysis Plan and DENY the applicant's request for a Waiver from Section 5-2-2 (G). Vote: APPROVED unanimously.

MOTION: (Deeble/LaDucer) Move to APPROVE the application known as the Application of Kristen T. Clarke, P.E., of 20 Risingwood Drive, Bow NH and Niantic Real Estate, LLC, Owner; Application for a 2-lot re-subdivision of approximately 5.13± acres of land zoned RU-40, located at 9 Upper Kensington Drive, East Lyme, Assessor's Map 40.0, Lot 17 and the proposed subdivision plans (6 Sheet Drawing Set) entitled "Nottingham Hills Subdivision, Lot Line Revision of Existing Lot 27 & 2 Lot Re-subdivision of Lot 27, Prepared for Kristen Clarke, P.E., dated October 27, 2021, revised through 6/26/2022" by Donald L. Gesick Jr. L.S., of Gesick & Associates, P.C., 19 Cedar Island Ave., Clinton, Connecticut 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. Pursuant to Section 5-2-2(G), An Erosion & Sedimentation Control Plan prepared in accordance Sections 22a-325 through 22a-329 of the Connecticut General Statutes which provides proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from stormwater runoff on the proposed site shall be submitted and certified by the Commission prior to the filing of mylars on the land record.
2. An Erosion & Sedimentation Control bond in an amount of \$2000.00 dollars per lot 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 exploratory test pits, clearing, grubbing, filling, and grading.
3. A revised site plan signed, stamped, and sealed by a Professional Engineer and Land Surveyor at a scale of 1" = 40' demonstrating the shared portion of the proposed paved driveway is no more than 10% slope or demonstrating the entire length of driveway can be constructed to meet the construction standards for a private driveway be submitted to the Commission prior to the filing of the mylars on the land record.
4. The applicable items above shall be accomplished prior to the filing 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 Kristen T. Clarke, P.E., of 20 Risingwood Drive, Bow NH and Niantic Real Estate, LLC, Owner; Application for a 2-lot re-subdivision of approximately 5.13± acres of land zoned RU-40, located at 9 Upper Kensington Drive, East Lyme, Assessor's Map 40.0, Lot 17 and the proposed subdivision plans (6 Sheet Drawing Set) entitled "Nottingham Hills Subdivision, Lot Line Revision of Existing Lot 27 & 2 Lot Re-subdivision of Lot 27, Prepared for Kristen Clarke, P.E., dated October 27, 2021, revised through 6/26/2022" by Donald L. Gesick Jr. L.S., of Gesick & Associates, P.C., 19 Cedar Island Ave., Clinton, 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 Statue (CGS) 8-3a]-none
- VIII. MUNICIPAL REFERRALS [Connecticut General Statues (CGS)8-24]-none
- IX. OLD BUSINESS
 - A. Review of Subdivision Regulations
 - A. Christianson stated the department is working with the town engineer on the draft revisions.
- X. NEW BUSINESS-none
- XI. ADJOURNMENT:

MOTION: (Davison/Fitting) to adjourn at 7:38. Vote: APPROVED Unanimously.

Respectfully Submitted,
Sue Spang,
Recording Secretary

2022 Meeting dates: September 13, October 11, November 15 & December 13.

Liaison Schedule: September 1-Fairchild, September 15-Fitting, October 6, Gordon, October 20-Deeble, November 3-Scott, November 17-Williams, December 1-Bohmbach