

# EASTLYME PLANNING COMMISSION REGULAR MEETING

Regular Meeting, April 11, 2023. 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:** Kirk Scott, Nichole Davison, Richard Gordon, Thomas Fitting, Jason Deeble, Brian Bohmbach, Alt., Timothy LaDucer, Alt., Olivia Fairchild, Alt.

**Absent:** Michelle Williams,

**Also, Present:** G. Goeschel, Planner, D. Weber, BOS liaison

B. Bohmbach was seated for M. Williams and confirmed he is familiar with the Application of Kristen T, Clarke.

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

### III. CALL FOR PUBLIC DELEGATIONS-none

### IV. REPORTS

A. **Communications:**none

B. **Zoning Representative**-no report

C. **Ex-Officio**-W. Weber informed the members they are looking at approving the marshal fees and permits. The BOS has approved fee increases for building and zoning.

D. **Planning Director**-G. Goeschel said there may be an executive session at an upcoming meeting.

E. **Subcommittees**

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

E. **Chairman:** no report

### V. APPROVAL OF THE MINUTES

A. **Special Meeting minutes of February 14, 2023**

**MOTION:** (Deeble/Davison) to approve the Regular Meeting minutes of February 14, 2023, as presented. **Vote:** APPROVED unanimously.

### VI. PUBLIC HEARINGS: none

### VII. SUBDIVISIONS/RE-SUBDIVISIONS

A. **Application of Kristen T, Clarke, PE, for East Lyme Land Trust, Inc; for a 3-lot subdivision, and waiver of Section 6-8-7 Stormwater management requirements, and Section 5-2-2 (8) Preliminary Resource Impact and Conservation Plan of the East Lyme Subdivision Regulations at property located at Hathaway Road, East Lyme Assessor's Map 35.0, Lot 23 (Hathaway Farm subdivision Phase 1)**

Attorney P. Geraghty, for the applicant stated they are withdrawing the waiver requests. He referred to G. Goeschel memo dated April 5, 2023 and the response from Kristen Clarke requesting that they would like to defer the remainder of the Open Space in addition to the .672 acre area identified on

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the Phase 1 plans. In her letter she states the required note was added to page on of the revised plans submitted on March 8, 2023.

P. Geraghty said the Land Trust owns the remaining land, the intent is to make the remaining 115 acres open space which would more than exceed the required open space for the 3 lots. They are still working with the land trust to make the 115 acres to make it permanent open space.

G. Goeschel asked if the land trust can acquire land that already abuts land they own?

P. Geraghty stated they could receive the conservation easement and should not impact their ability to take the 115 acres.

G. Goeschel went over the findings and conditions of the application.

**MOTION: (Deeble/Gordon) based on the Findings in the Memorandum from Gary A. Goeschel II, Director of Planning to the East Lyme Planning Commission dated April 6, 2023, I hereby MOVE TO APPROVE the application known as the Application of Kristen T. Clarke, PE, for East Lyme Land Trust, Inc.; for a 3-lot subdivision, at property located at Hathaway Road, East Lyme Assessor's Map 35.0, Lot 23 and plans entitled "Hathaway Farms Subdivision Phase I, Property of East Lyme Land Trust, Inc., Scott Road, East Lyme, Connecticut, dated December 7, 2022 and revised through April 7, 2023", prepared by John Paul Mereen, L.S. of Gerwick-Mereen, LLC for Kristen T. Clarke, P.E. (applicant), and the four sheet plan set entitled "Hathaway Farms Subdivision Phase I, Property of East Lyme Land Trust, Inc., Scott Road, dated December 7, 2022 revised through February 8, 2023", prepared by Timothy May, P.E. of May Engineering, LLC, 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 for each lot in an amount satisfactory to the Town Engineer and Planning Director and in a form acceptable to the Town of East Lyme Planning Commission shall be posted with the Town prior to the start of any site work including but not limited to clearing, grubbing, filling, and grading.

This approval is specific to the subdivision plan submitted as the application known as the Application of Kristen T. Clarke, PE, for East Lyme Land Trust, Inc.; for a 3-lot subdivision, at property located at Hathaway Road, East Lyme Assessor's Map 35.0, Lot 23 and plans entitled "Hathaway Farms Subdivision Phase I, Property of East Lyme Land Trust, Inc., Scott Road, East Lyme, Connecticut, dated December 7, 2022 and revised through April 7, 2023", prepared by John Paul Mereen, L.S. of Gerwick-Mereen, LLC for Kristen T. Clarke, P.E. (applicant), and the four sheet plan set entitled "Hathaway Farms Subdivision Phase I, Property of East Lyme Land Trust, Inc., Scott Road, dated December 7, 2022 revised through February 8, 2023", prepared by Timothy May, P.E. of May Engineering, LLC.

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.**

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

### **A. Application of the East Lyme Zoning Commission for a text amendment to amend Section 9CB Commercial District by modifying Section 9.2.3 Mixed use and section 25.5 Table of Minimum Controls for Specific Special Permits.**

The Commission read the memo from Zoning Official B. Mulholland dated January 31, 2023. The Zoning Commission is proposing to delete section 9.2.3 of the zoning regulations. The intent is to delete mixed use in new buildings in the CB zone.

Goeschel thought it may hinder economic development downtown. He said the Zoning Commission's intent may be to limit the mass of new buildings downtown, in response to some of the newer and proposed buildings downtown. He said instead of eliminating that section they could possibly change the parking regulations which would cut down on the mass of a building because they would have to accommodate more parking spaces.

The Committee was concerned about the long-term consequences of the changes and how they would affect the economic conditions of the downtown.

The proposed changes would allow 2 or 3 story additions to existing buildings for residential occupancy. The Commission thought there were possibly other ways to accomplish zoning's intent.

**MOTION: (Deeble/Bohmbach) The Commission finds the proposed text amendment INCONSISTANT with the POCD sections, 8.2 #1, housing & #10, economic development.**

The Commission would like more time to study the proposal and have a joint committee with zoning to come to a compromise that will satisfy both Commissions. Bohmbach, Davison, LaDucer and Fairchild volunteered to be on a subcommittee.

**Vote: APPROVED unanimously.**

**IX. MUNICIPAL REFERRALS [Connecticut General Statues (CGS)8-24]:**

**X. OLD BUSINESS**

**A. Review of Subdivision Regulations-G.** Goeschel provided updated changes. Some of the substantial changes were:

- Requiring taxes to be current when submitting a subdivision application
- Allowing Planner to approve lot line divisions.
- How to deal with incomplete applications
- Possible deletion of the Environmental Review Team impact statement.

**X. NEW BUSINESS-none**

**XI. ADJOURNMENT:**

**MOTION: (Fitting/Davison) to adjourn at 8:39. Vote: APPROVED Unanimously.**

Respectfully Submitted,  
Sue Spang,  
Recording Secretary

**2023 meeting dates: May 9, June 13, July 11, August 8, September 12, October 10, November 21, December 12.**