

EAST LYME PLANNING COMMISSION

Regular Meeting, November 12, 2024 7:00 PM

CHAIRMAN: Richard Gordon

PLANNING DIRECTOR: Gary Goeschel II

VICE CHAIRMAN: Kirk Scott

RECORDING SECRETARY: Sue Spang

SECRETARY: Brian Bohmbach

CALL TO ORDER: 7:00

I. ROLL CALL:

Present: Richard Gordon, Kirk Scott, Brian Bohmbach, Nick Menapace, Cindy Collings

Absent: Thomas Fitting, Sam Sims, Timothy LaDucer, Sandra Gignac

Also Present: G. Goeschel, Planner, Don MacKenzie, BOS, Sue Spang, Recording Secretary

The Pledge was recited

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-no report
- D. Planning Director:

G. Goeschel attended a SNEAPA Conference; there is new legislation affordable housing that needs to be incorporated into the regulations.

- E. Subcommittees-no report
- F. Chairman-no report

V. APPROVAL OF MINUTES

MOTION: (Menapace/Collins) to approve the October 8, 2024, minutes as presented.

Vote: APPROVED unanimously

VI. PUBLIC HEARINGS

- A. Application of Niantic Management LLC c/o Joe Wren, P.E. Agent; for a 1-lot Resubdivision of approximately 7.08 acres of land Zoned CA-Commercial and Waiver Request from Section(s) 4-2-3 (A, B, D, E, F, G, H, I) of the East Lyme Subdivision Regulations on property located at 269 Flanders Road, Niantic, Connecticut, Assessor's Map #31.0 Lot # 5 (Day of Receipt: 10/8/2024, P.H. Open 11/12/2024, Close by 12/16/2024)

RECEIVED FOR RECORD
EAST LYME, CT
2024 NOV 14 PM 2:01
Cathy M. Collins
TOWN CLERK

Joe Wren, P.E. Indigo, described the site to be resubdivided as a 7.1-acre site with a lot of 1.66 acres to be divided. The parcel is the site of Motel 6 and is located at the intersection of Rt 161 and King Arthur Dr.

The existing driveway would be removed and replaced by two proposed driveways coming off King Arthur Dr.; one proposed leading to Motel 6 and the other to the new parcel.

The town requested the existing drainage system remain in place. The drainage system would intersect the newly proposed lot which requires an easement.

J. Wren said the lot is fully conforming to the regulations and no wetlands are on the property.

Both lots will be serviced by town water and sewer.

The applicant is asking for seven waivers which mostly apply to housing developments not commercial developments:

1. Natural and Cultural Resources-no significant natural or cultural resources and the site is not within the DEEP NDDB area.
2. Archaeological Survey-no significant archaeological resources
3. Soil Scientist Report-no wetlands on site
4. Pesticide Report-no known history of pesticides and the property use is commercial.
5. Cluster/Conservation Design-not applicable to commercial use and only one lot is proposed for resubdivision.
6. Traffic Report-the proposed subdivision results in only one lot. No actual construction proposed at this time and use has not been determined.
7. Stormwater Management Plan-No proposed construction or increase in impervious surface, runoff will not change because of the proposed resubdivision.

Attorney Erik Park for the applicant, said a specific easement could not be drawn up at this time because it may shift due to what will go in the newly created lot. When the proposed resubdivided lot use is determined the easement will be specific and put on the deed. The question of what to put on the Mylar concerning the easement will have to be discussed with the town attorney.

Joe Wren said both newly proposed driveways will be accessed from King Arthur Drive, above the Starbucks entrance.

G. Goeschel said the legal notice appeared in the Day paper on October 30, 2024, and November 4, 2024. The certificate of mailings have been returned.

There was no Public Comment.

MOTION: (Scott/Collins) to Continue the Public Hearing. Vote: APPROVED unanimously.

VII. SUBDIVISIONS/RESUBDIVISIONS

Application of Niantic Management LLC c/o Joe Wren, P.E. Agent; for a 1-lot Resubdivision of approximately 7.08 acres of land Zoned CA-Commercial and Waiver Request from Section(s) 4-2-3 (A, B, D, E, F, G, H , I) of the East Lyme Subdivision Regulations on property located at 269 Flanders Road, Niantic, Connecticut, Assessor's Map #31.0 Lot # 5 (Day of Receipt: 10/8/2024, P.H. Open 11/12/2024, Close by 12/16/2024)

Application Continued.

VIII. Zoning Referrals [Connecticut General Statute (CGS) 8-3a]

A. Application of Town Attorney; Proposed Text Amendment to amend Sections 1, 3, 4, 5, 6, 7, 8, 9, 12 of the East Lyme Zoning Regulations to comply with State PA 23-142.

The changes concern childcare operations known as "Family Child Care Homes" and "Group Child Care Homes." These operations must be located within a residence and must be licensed by the Connecticut Office of Early Childhood. Group Child Care Homes cannot be prohibited.

MOTION: (Menapace/Collins) there is no conflict with the POCD and we recommend this goes up to zoning. Vote: APPROVED unanimously.

IX. Municipal Referrals [Connecticut General Statutes (CGS) 8-24]- None

X. Old Business

A. Subdivision Regulations-Section 4; Application Submission Procedure

The Commission received a memo from Attorney Zamarka concerning the Environmental Impact Assessment, (EIA), what constitutes, "significant impact" and when the applicant submits the EIA.

G. Goeschel submitted proposed changes to the regulations for the Commission to review.

XI. NEW BUSINESS

A. 2025 Regular Meeting Schedule

January 14, February 11, March 11, April 8, May 13, June 10, July 8, August 12, September 9, October 14, November 10, December 9.

MOTION: (Scott/Bohmbach) to approve the 2025 meeting schedule as amended. Vote: APPROVED unanimously.

B. 2024 DEEP Open Space Land Acquisition Grant Application; Request for Letter of Support from Arthur Carlson, East Lyme Land Trust, Inc., for the acquisition of almost 6 acres of Heritage Road, Assessors Map #35.0, Lot #23-1.

Art Carlson, East Lyme Land Trust, said the 6 acre parcel would be a nice addition to the recent acquisition of the Hathaway Property bought by the Town. It has 1100 feet of waterfront property on Lake Pattagansett. This parcel and surrounding parcels feed water to well #5 and would potentially provide passive recreation opportunities with easy access.

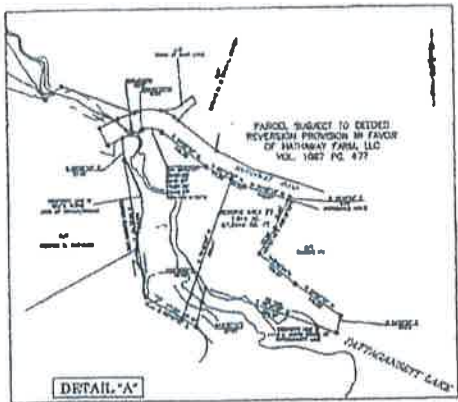
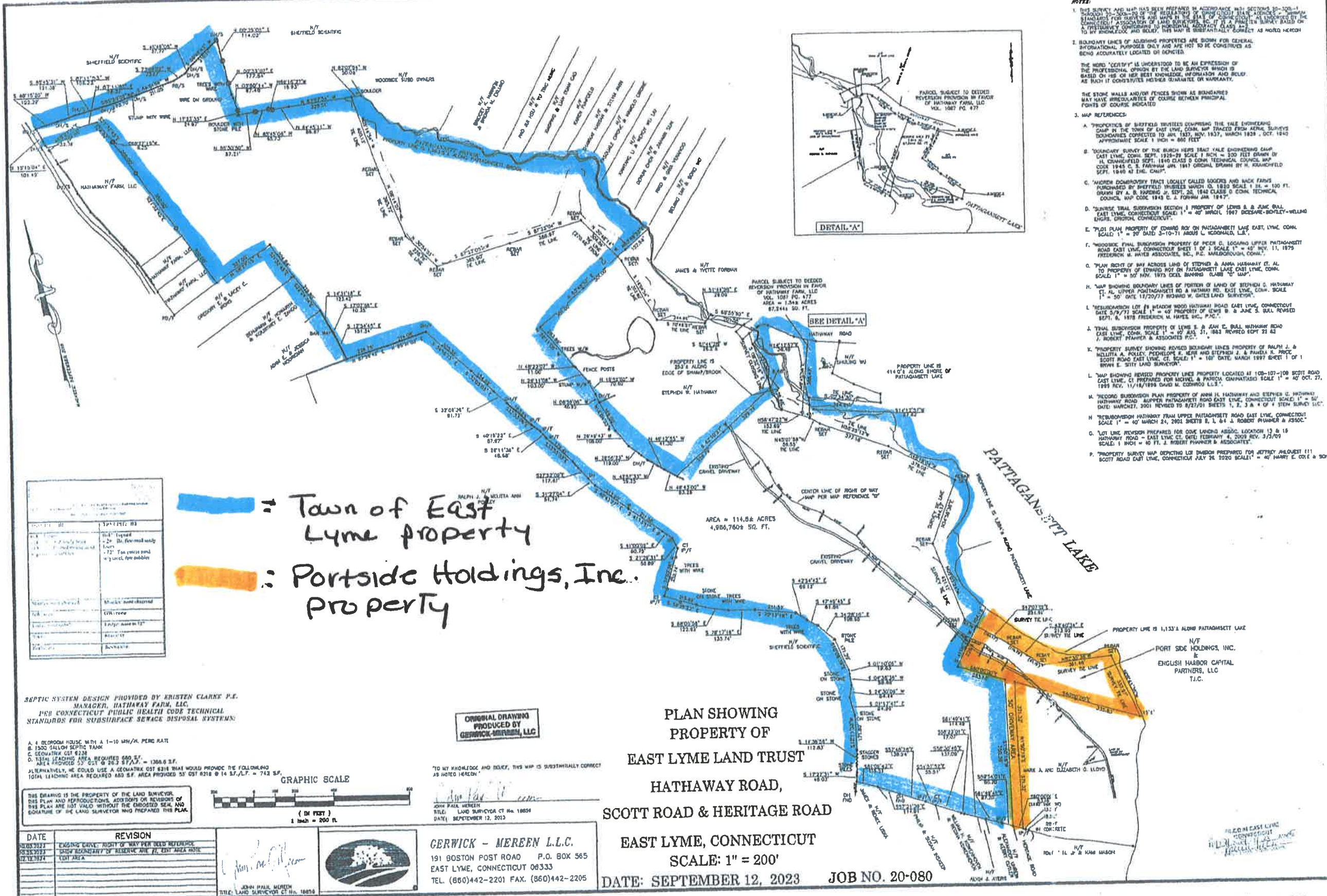
He said the sale price is determined by the yellow book appraisal. The grant would be for 65% of the price with the town paying the difference.

MOTION: (Menapace/Collins) to draft a letter of support on behalf of the Planning Commission in support for the acquisition of the 6 acres of frontage on Pattagansett Lake. Vote: APPROVED unanimously.

XII. ADJOURNMENT: MOTION: (Scott/ Collins) to adjourn at 8:03. Vote: APPROVED unanimously.

Respectfully submitted,
Sue Spang,
Recording Secretary

2025 Meeting Dates: January 14, February 11, March 11, April 8, May 13, June 10, July 8, August 12, September 9, October 14, November 10, December 9.



- NOTES:**
1. THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 10-105-1 THROUGH 10-105-20 OF THE REGULATIONS OF CONNECTICUT STATE LICENSED SURVEYORS. THE BOUNDARIES SHOWN ARE BASED ON THE BEST AVAILABLE INFORMATION AND ARE NOT TO BE CONSIDERED AS GUARANTEED OR WARRANTED. THE SURVEYOR'S LIABILITY IS LIMITED TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
 2. BOUNDARY LINES OF ADJOINING PROPERTIES ARE SHOWN FOR GENERAL INFORMATIONAL PURPOSES ONLY AND ARE NOT TO BE CONSIDERED AS BEING ACCURATELY LOCATED OR DEFINED.
 3. THE WORD "CERTIFY" IS UNDERSTOOD TO BE AN EXPRESSION OF THE PROFESSIONAL OPINION BY THE LAND SURVEYOR WHICH IS BASED ON HIS OR HER BEST KNOWLEDGE, INFORMATION AND BELIEF AS EACH IT CONTRIBUTES HEREAFTER SUBMITTED OR WARRANTED.
 4. THE STONE WALLS AND/OR FENCES SHOWN AS BOUNDARIES MAY HAVE IRREGULARITIES OF COURSE BETWEEN PRINCIPAL POINTS OF COURSE INDICATED.
 5. MAP REFERENCES
 - A. "PROPERTIES OF SHEFFIELD DIVISIONS COMPRISING THE TALE ENGINEERING CAMP IN THE TOWN OF EAST LYME, CONN. MAP TRACED FROM AERIAL SURVEYS BOUNDARIES CORRECTED TO APR. 1937, NOV. 1937, MARCH 1938, OCT. 1940 APPROXIMATE SCALE 1" = 800 FEET"
 - B. "BOUNDARY SURVEY OF THE BUNCH HEPS TRACT TALE ENGINEERING CAMP EAST LYME, CONN. SEPT. 1928-29 SCALE 1" = 200 FEET DRAWN BY H. CHAMBERLAIN SEPT. 1940 CLASS 3 CONN. TECHNICAL COUNCIL MAP CODE 1940 C. 3. FURNISHED APR. 1947 ORIGINAL DRAWN BY H. CHAMBERLAIN SEPT. 1940 AT ENG. CAMP"
 - C. "WIDEHORN DOMESTIC TRACT LOCALLY CALLED LOGGERS AND BACK FARMS PURCHASED BY SHEFFIELD TRUSTS MARCH 10, 1930 SCALE 1" = 100 FT. DRAWN BY B. HODGINS, JR. SEPT. 26, 1940 CLASS 3 CONN. TECHNICAL COUNCIL MAP CODE 1940 C. 2. FURNISHED APR. 1947"
 - D. "UNRESOLVED TRAIL SUBDIVISION SECTION 3 PROPERTY OF LEWIS B. & JANE BULL EAST LYME, CONNECTICUT SCALE 1" = 40' MARCH, 1967 DESHAIVE-BOWLEY-WELLS ENGINE ORIGINAL CONNECTICUT"
 - E. "TRAIL CLAM PROPERTY OF EDWARD ROY ON PATAGANSETT LAKE EAST LYME, CONN. SCALE 1" = 20' DATED 3-10-71 ABOVE L. WOODMANN, L.L.C."
 - F. "WOODSICK TRAIL SUBDIVISION PROPERTY OF PETER C. LOGGERS UPPER PATAGANSETT ROAD EAST LYME, CONNECTICUT SHEET 1 OF 2 SCALE 1" = 40' NOV. 11, 1975 FREDERICK M. HAYES ASSOCIATES, INC., P.C. MAIDENROD/CORNER, CONN."
 - G. "PLAN RIGHT OF WAY ACROSS LAND OF STEPHEN S. HATHAWAY ET AL. TO PROPERTY OF EDWARD ROY ON PATAGANSETT LAKE EAST LYME, CONN. SCALE 1" = 50' NOV. 1975 OCEAN BARRETT CLARK "O" MAP"
 - H. "MAP SHOWING BOUNDARY LINES OF PORTION OF LAND OF STEPHEN S. HATHAWAY ET AL. UPPER PATAGANSETT RD & HATHAWAY RD. EAST LYME, CONN. SCALE 1" = 50' DATE 11/20/77 RICHARD W. GATES LAND SURVEYOR"
 - I. "RESURVEYING LOT 18 MEADOW WOOD HATHAWAY ROAD EAST LYME, CONNECTICUT DATE 3/7/73 SCALE 1" = 40' PROPERTY OF LEWIS B. & JANE S. BULL REVISED SEPT. 6, 1978 FREDERICK M. HAYES INC., P.C."
 - J. "TRAIL SUBDIVISION PROPERTY OF LEWIS B. & JANE S. BULL HATHAWAY ROAD EAST LYME, CONN. SCALE 1" = 40' JAN. 31, 1983 REVISED SEPT 23 83 J. ROBERT PHINNEY & ASSOCIATES P.C."
 - K. "PROPERTY SURVEY SHOWING REVISED BOUNDARY LINES PROPERTY OF RALPH J. & MELISSA A. POLLEY, PETERLORE R. NEAR AND STEPHEN S. & PATRICIA R. PROCK SCOTT ROAD EAST LYME, CT. SCALE 1" = 100' DATE MARCH 1997 SHEET 1 OF 1 BROWN E. SETT LAND SURVEYOR"
 - L. "MAP SHOWING REVISED PROPERTY LINES PROPERTY LOCATED AT 108-107-108 SCOTT ROAD EAST LYME, CT. PREPARED FOR MICHEL & PATRICK CHAMPAUSI SCALE 1" = 40' OCT. 27, 1999 REV. 11/16/1999 DAVID M. COORNOO L.L.C."
 - M. "RECORD SUBDIVISION PLAN PROPERTY OF ANNE H. HATHAWAY AND STEPHEN S. HATHAWAY HATHAWAY ROAD UPPER PATAGANSETT ROAD EAST LYME, CONNECTICUT SCALE 1" = 60' DATE MARCH 17, 2001 REVISED TO 8/27/01 SHEETS 1, 2, 3 & 4 OF 4 STEPHEN SURVEY INC."
 - N. "RESURVEYING HATHAWAY TRAIL UPPER PATAGANSETT ROAD EAST LYME, CONNECTICUT SCALE 1" = 40' MARCH 24, 2001 SHEETS 1, 2 & 3 ROBERT PHINNEY & ASSOC."
 - O. "LOT LINE REVISION PREPARED FOR COLE LIVING ASSOC. LOCATION 13 & 16 HATHAWAY ROAD - EAST LYME CT. DATE FEBRUARY 4, 2009 REV. 3/3/09 SCALE 1" = 40 FT. J. ROBERT PHINNEY & ASSOCIATES"
 - P. "PROPERTY SURVEY MAP REFLECTING LOT BOUNDARIES PREPARED FOR JEFFREY ALBERTSON 111 SCOTT ROAD EAST LYME, CONNECTICUT JULY 26, 2020 SCALE 1" = 40' HARRY E. COLE & SON"

NO.	DATE	DESCRIPTION
1	09/12/23	AS SHOWN

Town of East Lyme property

Portside Holdings, Inc. property

SEPTIC SYSTEM DESIGN PROVIDED BY KRISTEN CLARKE P.E. MANAGER, HATHAWAY FARM, LLC. PER CONNECTICUT PUBLIC HEALTH CODE TECHNICAL STANDARDS FOR SUBSURFACE SEWAGE DISPOSAL SYSTEMS:

- A. 4 BEDROOM HOUSE WITH A 1-10 MPH PER RATE
- B. 1500 GALLON SEPTIC TANK
- C. GEOMATRIX COT 8218
- D. TOTAL LEACHING AREA REQUIRED 690 SF. AREA PROVIDED 53' OCT 8 2023 873 SF. = 136.6 SF. ALTERNATIVELY, WE COULD USE A GEOMATRIX COT 8218 THAT WOULD PROVIDE THE FOLLOWING TOTAL LEACHING AREA REQUIRED AND SF. AREA PROVIDED 53' OCT 8 2023 14 57 L.F. = 743 SF.

THIS DRAWING IS THE PROPERTY OF THE LAND SURVEYOR. THIS PLAN AND REPRODUCTIONS, ADDITIONS OR REVISIONS OF THIS PLAN ARE NOT VALID WITHOUT THE CHOOSER SEAL AND SIGNATURE OF THE LAND SURVEYOR WHO PREPARED THIS PLAN.

DATE	REVISION
09/12/23	ISSUING CIVIL RIGHT OF WAY PER DEED REFERENCE
10/25/23	SHOW BOUNDARY OF RESERVE AIR ZONE AREA NOTE
12/12/24	CURT AREA



ORIGINAL DRAWING PRODUCED BY GERWICK-MERREIN, LLC

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

JOHN PAUL MERREIN
 TITLE: LAND SURVEYOR CT No. 18059
 DATE: SEPTEMBER 12, 2013

GERWICK - MERREIN L.L.C.
 191 BOSTON POST ROAD P.O. BOX 565
 EAST LYME, CONNECTICUT 06333
 TEL. (860)442-2201 FAX. (860)442-2205

PLAN SHOWING PROPERTY OF EAST LYME LAND TRUST
HATHAWAY ROAD, SCOTT ROAD & HERITAGE ROAD
EAST LYME, CONNECTICUT
SCALE: 1" = 200'
DATE: SEPTEMBER 12, 2023 JOB NO. 20-080

PORT SIDE HOLDINGS, INC. & ENGLISH HARBOR CAPITAL PARTNERS, LLC T.L.C.