

EAST LYME PLANNING COMMISSION

Regular Meeting, August 12, 2025. 7:00 PM

CHAIRMAN: Richard Gordon
VICE CHAIRMAN: Kirk Scott
SECRETARY: Brian Bohmbach

PLANNING DIRECTOR: Gary Goeschel II
RECORDING SECRETARY: Sue Spang

RECEIVED FOR RECORD
EAST LYME, CT

2025 AUG 14 AM 10:10

Camille 11/10
TOWN CLERK

CALL TO ORDER 7:00

I. ROLL CALL

Present: Richard Gordon, Kirk Scott, Thomas Fitting, Brian Bohmbach, Cindy Collins, Timothy LaDucer, Alt., Kevin Mills, Alt. Nina Franco Alt.

Absent: Nick Menapace,

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

The Pledge was recited.

Mills was seated

III. CALL FOR ADDITIONS TO THE AGENDA

MOTION: (Scott/Collins) to add Zoning Text Amendment to agenda item X. Vote: APPROVED unanimously.

IV. CALL FOR PUBLIC DELEGATIONS-none.

II. REPORTS

A. Communications: received wireless communication for 306 Flanders Rd.

B. Zoning Representative: K. Mills reported he attended the July 11, 2025, Zoning Commission meeting where they discussed:

- Approval for Mexican restaurant
- Deck on Catskill Lane
- Short Term Rentals
- Lack of signature on the affordable housing moratorium

C. Ex-Officio: no report

D. Planning Director: G. Goeschel gave an update on Green Valley Lakes

- Drainage basin is in
- Flagging course is down
- Detention basin has been constructed
- Discussion of tree buffer for neighbor along town property line will be installed.

Farm Meadow Subdivision road work is almost done and needs the final course

E. Subcommittees

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

F. **Chairman:** R. Gordon welcomed new alternate member Nina Franco

VI. APPROVAL OF THE MINUTES

A. Regular Meeting minutes of July 8, 2025

MOTION: (Collins/Bohmbach) to approve the Meeting minutes of July 8, 2025, as presented. **Vote:** APPROVED. In favor-Gordon, Collins, Bohmbach, Mills. Opposed-none. Abstaining-Scott, Fitting

VII. PUBLIC HEARINGS:

A. Kristen Clarke, P.E., Applicant; English Harbour Capital Partners, LLC, Owner; Application for a 6-lot Resubdivision of 6.5 acres of land located at 237 Upper Pattagansett Road, Tax Assessor's Map #39.0, Loot # 10-2, East Lyme, CT, Zoned RU-40 Rural Residential. (Date of Receipt 06/10/2025, 65 days to hold a P.H. 8/14/2025; P.H. scheduled for 8/12/2025)

Attorney Paul Geraghty, for the applicant pointed out the difference in the caption for the application; the town wanted the heading to read; 6 lot subdivision instead of 5 lot.

The open space has already been dedicated when Upper Kensington Drive was subdivided.

He also informed the members that the public hearing will have to be continued as they have not received approval from Ledge Light Health District.

P. Geraghty submitted proof of mailings and the required posted sign.

Notes 7 & 9 on the plan are in response to the Towns Engineer's comments. The maintenance is in Exhibit H. The post construction drainage will be directed away from the existing homes.

The CDD subdivision 40 foot setbacks are not required. The majority of the parcel is abutted by open space owned by the East Lyme Land Trust (ELLT)

P. Geraghty outlined the required documents submitted.

G. Goeschel noted that the public hearing notice was published in the Day paper on August 1 & 8 and exhibits 1-17 are on the website. He has no issue with the setbacks.

K. Scott pointed out that the arrow showing the subject property is incorrect and points to a different property.

Public Comment

Patricia Whitaker, 190 Upper Pattagansett Rd., said she has lived at her home for 40 years and commented that Upper Pattagansett Rd. is narrow and dangerous, with no shoulder. She is disappointed there are more houses being built. She is concerned about the large construction trucks on Upper Pattagansett during construction.

MOTION: (Scott/Collins) to continue the Public Hearing for Application for a 6-lot Resubdivision of 6.5 acres of land located at 237 Upper Pattagansett Road, Tax Assessor's Map #39.0, Loot # 10-2, East Lyme, CT, Zoned RU-40 Rural Residential. **Vote:** APPROVED unanimously.

VIII. SUBDIVISIONS/RE-SUBDIVISIONS:

- A. Kristen Clarke, P.E., Applicant; English Harbour Capital Partners, LLC, Owner; Application for a 6-lot Resubdivision of 6.5 acres of land located at 237 Upper Pattagansett Road, Tax Assessor's Map #39.0, Lot # 10-2, East Lyme, CT, Zoned RU-40 Rural Residential. (Date of Receipt 06/10/2025, 65 days to hold a P.H. 8/14/2025; P.H. scheduled for 8/12/2025)**

(continued to next month)

- B. 49 Brainerd Road, The Roderick M. Cornish Revocable Trust, Applicant & Owner; Application for two lot Subdivision of approximately 52.79 acres of land located at 49 Brainerd Road, Tax Assessor's Map #7.4, Lot #21, Niantice, CT. Zoned RU-40/20, (Date of Receipt: 8/5/2025)**

G. Goeschel handed out copies of the plan. He said there may need to be waivers which would require a public hearing. The applicant could not make the meeting to present the application.

MOTION: (Mills/Collins) to table the application of 49 Brainerd Road, The Roderick M. Cornish Revocable Trust, Applicant & Owner; Application for two lot Subdivision of approximately 52.79 acres of land located at 49 Brainerd Road, Tax Assessor's Map #7.4, Lot #21, Niantice, CT. Zoned RU-40/20.

Vote: APPROVED unanimously.

IX. ZONING REFERRALS [Connecticut General Statue (CGS) 8-3a]

Application of William R. Sweeney, Esq. agent for 296 Flanders, LLC, for Text Amendment to the Town of East Lyme Gateway Commons Master Development Plan to specifically permit by site plan approval light industrial and manufacturing uses, warehouse and land wholesale storage uses, and screened outdoor storage of box trailers. This is pursuant to Section 11A.9 of the East Lyme Zoning Regulations.

Zoning will be holding a public hearing on September 4, 2025. G. Goeschel said the amendment is not necessarily amending the zoning regulations but amending the Gateway Commons Master Development Plan, (GCMDBP). He said the changes are inconsistent with the plan and is a more industrial use. The applicant is proposing 30 tractor trailer loading docks and spaces.

The Commission looked at whether the proposed amendment is consistent or inconsistent with the POCD.

The applicant is proposing adding; Light Industrial and Manufacturing Uses, Warehouse and Wholesale Storage and Screeded Outdoor Storage of Box Trailers to the Permitted Uses as categories allowed in the GCMDBP.

After review of the POCD the members found the proposed amendment inconsistent with the POCD.

MOTION: (Scott/Collins) the Commission finds the text amendment INCONSISTANT with the Sections 8.1.5, 8.2 #1 and 9.1 of the POCD because it does not promote light industrial use within existing light industrial zones. Vote:

APPROVED unanimously.

X. MUNICIPAL REFERRALS [Connecticut General Statutes (CGS)8-24]-none

XI. OLD BUSINESS:

A. Subdivision Regulations-Section 4; Application Submission Procedure

No action

B. Lot Line Revision, Heritage Subdivision, Catbird Lane- Hathaway Farm, LLC, Applicant; East Lyme Land Trust, Owner; application for Lot Line Revision of approximately 4.1 acres of land located at Catbird Lane, ; Assessor's Map #36.0, Lot #31, East Lyme, CT

Attorney Paul Geraghty, for the applicant handed out maps to the members. He said the parcel is identified as open space but was not officially conveyed. Parcel "A" is owned by the ELLT and parcel "B" is what the applicant is proposing as a building lot.

P. Geraghty does not believe it needs a resubdivision application because it meets all the requirements for a building lot, it is an existing lot and is part of a previously approved subdivision, it was never accepted by the town as open space or ELLT. He said they are not creating a new lot.

The ELLT has agreed to write a conservation easement on parcel "B".

They have received the approval from Ledge Light Health District for septic.

P. Geraghty is asking the Commission to decide if the property needs a resubdivision application or give the Planner authority to issue a lot line revision.

G. Goeschel urged the Commission that moving forward they should identify open space early in the resubdivision process to avoid the issues of open space not being conveyed or identified. He read the zoning regulations referring to resubdivision and believes the proper course is to have the applicant resubdivide, not a lot line revision.

The parcel was never approved as a building lot. G. Goeschel said the parcel is open space because it is identified as open space on maps filed with the town. The parcel was not conveyed to the town.

Jeff Torence, 197 Upper Pattagansett Rd., said it is permissible to convey land to a land trust. He gave the history of the property, open space and land around Meadow Lark.

J. Torrence stated that he spoke to Arthur Carlson, President of ELLT and he agreed to offer 27 acres to the town from the ELLT.

**MOTION: (Scott/Bohmbach) the parcel requires a resubdivision application.
Vote: APPROVED unanimously.**

XII. NEW BUSINESS:

A. Informal Review of Pre-Application Sketch Plan Under Setion 4-1; Plan showing Lot Layout of Nehantic Highlands, a Conn. Gen. statute 8-30g Subdivision; Kristen Clarke, P.E., Applicant; Property of Duval Partners, LLC, Holmes Road, East Lyme, Connecticut, Assessor's Map #57.0, Lot #30.

P. Geraghty submitted a working draft of a plan for 20 single family houses on two cul-de-sacs, off Holmes Road. He said this plan is less impactful than the previous plan. The previous plan had multifamily housing/approximately 40 units. The current plan decreases the traffic, stormwater management, fire, reduction in impervious surfaces and septic. They have not done a traffic study. They are planning on submitting an application in September.

If there are any questions, they would like to receive them before formal plans are drawn up for submission.

XIII. ADJOURNMENT:

MOTION: (Scott/Bohmbach) to adjourn at 9:54. Vote: APPROVED Unanimously.

Respectfully Submitted,
Sue Spang,
Recording Secretary

