

REGULAR MEETING MINUTES

Tuesday, February 10, 2026, 7:00 PM

EAST LYME PLANNING COMMISSION

East Lyme, 108 Pennsylvania Avenue, East Lyme, Connecticut
Upper Level Conference Room

CHAIR: Brian Bohmbach
VICE CHAIR: Nick Menapace
SECRETARY: Tim Laducer

PLANNING DIRECTOR: Gary Goeschel II
RECORDING SECRETARY: Absent

CALL TO ORDER

I. **ROLL CALL + PLEDGE OF ALLEGIANCE** Chairman Bohmbach took roll call: In attendance: Bill Delaney, Rich Gordon, Tim Laducer, Brian Bohmbach, Nina Franco, Nick Menapace, and the Pledge of Allegiance was observed.

II. **ADDITIONS TO THE AGENDA:**

A. **Application of Nathaniel Bodnar** for a proposed Text Amendment to Section 1.90 of the Zoning Regulations, to update the definition of a Brew Pub to include all alcoholic beverages.

Motion 1: Nick Menapace moved to ADD the referral to item VIII (A) on the Agenda.

Seconded: R. Gordon

Discussion: None

Vote: Unanimous (6-0-0)

B. **Application of Jeffery A. McNamara** for a proposed text amendment to add Section 5.2.10 to permit Educational or Philanthropic Use by a nonprofit corporation on 50 acres or more in the RU-40 Zone.

Motion 1: Nick Menapace moved to ADD the referral as Item VIII (B) on the Agenda.

Seconded: R. Gordon

Discussion: None

Vote: Unanimous (6-0-0)

III. **CALL FOR PUBLIC DELEGATIONS:** None

IV. **REPORTS**

A. **Communications:** Chairman Bohmbach asked if it were possible to receive meeting materials earlier and whether they could be made available on-line 1-week ahead of the meeting or at least at a minimum, 4-days prior to the meeting. He also noted G. Goeschel still needs to prepare the Zoning Commission Meeting Planning Commissioner Liaison Schedule and disseminate to the Commission.

B. **Zoning Liaison:** N. Menapace indicated he watched the meeting on YouTube. There was no further discussion.

REGULAR MEETING MINUTES

Tuesday, February 10, 2026, 7:00 PM

- C. **Ex - Officio:** Cindy Collins was absent.
- D. **Planning Director:** Gary A. Goeschel II, indicated there were two memorandums from him in their meeting packets. The first is a Summary outline of H.B. 8002 and a consistency analysis between the House Bill and East Lyme's Subdivision Regulations.
- E. **Subcommittees:**
- F. **Chairman:** Brian Bohmbach

V. APPROVAL OF MINUTES

- A. **Meeting Minutes of:** January 13, 2026, Meeting

Motion 1: **Nick Menapace moved to approve January 13, 2026, meeting minutes.**

Seconded: **R. Gordon**

Discussion: **None**

Vote: **4-0 -1, Motion Carries.**

VI. PUBLIC HEARINGS

- A. **Catbird Lane Resubdivision, Heritage Phase 3; Kristen Clarke, P.E., Applicant; Hathaway Farm LLC, Owner;** Application for a Resubdivision of approximately 4.1 acres, and Waiver Request from Section 4-2-3(I) Stormwater Management Plan, of land located at Catbird Lane, Tax Assessor's Map #36, Lot #31, East Lyme, CT, Zoned RU-40 (*Date of Receipt 9/9/2025, Public Hearing Opened 11/10/2025; 35-days for Public Hearing 12/14/2025; 28-day Extension to conduct the Public Hearing 2/10/2026*)

Chairman Bohmbach; offered the floor to the public and asked if there was anyone who liked to speak on the matter.

Craig Bryant, 2 Meadow Lark Lane; Indicated he sent an email and this is his 2nd of 3 meetings he's attended. He indicated the applicant picked apart his comments and had a couple of items he wanted to address. He indicated the applicant recommended he purchase a fence. He indicated that most people have a lawyer when they purchase a home and the applicant has mad institutions that are a "slap-in-the-face." He indicated all the neighbors were present at the last meeting and they're not here tonight probably because they've given up as they had to sit through 3-hrs of meeting before they could speak. He went on to say that if the Commission were to approve the application he requested the require the proposed house remain in the current proposed location and not elsewhere on the lot as it most likely wouldn't negatively effect the other abutting properties. In addition, he also recommended and urged the commission to keep the proposed conservation easement.

Paul Geraghty, Esq.; Began by first asking Commissioner N. Menapace whether he was approached by anyone and engaged in any communications with any member of the public or the Commission outside of the Public Hearing as he received a report from his

REGULAR MEETING MINUTES

Tuesday, February 10, 2026, 7:00 PM

engineer who allegedly overheard what sounded like a conversation possibly regarding his client's application.

N. Menapace; Indicated as it was a long meeting with a lot of material having been reviewed and he didn't recall being approached or speaking with anyone after the meeting regarding the Application. He further stated he is aware he is not allowed to engage in any ex parte communications.

Attorney Geraghty; Asked if anyone else from the Commission may have been approached or engaged in any communications outside the public hearing. Hearing a "No" response from the Commission, attorney Geraghty reminded the Commission of the law and the right to cross examine anyone who speaks on the application and that the Commission must base their decision on the evidence presented in the record. He indicated he had Jeff Torrance from the Land Trust with him to review the parcel's title history.

J. Torrance presented Mr. Mulholland's new letter which rescinds his previous ruling and indicates he has no further Zoning Issues. He indicated that Conservation Easement was presented by the Land Trust and was agreed to by the applicant and contains the standard no build, no cut provisions.

G. Goeschel inquired whether they could remove dead, dying, or decaying trees or hazards based on the easement language.

J. Torrance indicated the easement allows for the removal of dead, diseased, or dying trees.

M. Maitland: Asked if updating the Town's GIS to accurately reflect existing Open Space might help prevent a similar situation in the future.

J. Torrance: Stated the Subdivision Regulations now require a note on the plan if the Open Space is to be deferred to a later date or that it must be identified and located on the map and a deed filed.

P. Geraghty: Indicated he used to serve on the Haddam P&Z and based on his experience there and as an attorney, the problem he said is the title search companies will not necessarily look at any restrictions on a parcel besides any liens etc.....He indicated it is the closing attorney's responsibility. He said communications regarding the title end up being less important than securing the mortgage and the home inspection etc... and other matters like the conveyance of open space get overlooked. He indicated the proposed conservation easement would remain in place. He further discussed their request for a waiver and an Exemption from Section 6-8-7 of the Subdivision Regulations. Indicating that the Town Engineer supports the Waiver for an Exemption which, they qualify for and thus, the Waiver has to be granted otherwise it would be considered arbitrary and capricious if it were to be denied.

Motion 1: Nick Menapace moved to close the public hearing.

REGULAR MEETING MINUTES

Tuesday, February 10, 2026, 7:00 PM

Seconded: R. Gordon

Discussion: None

Vote: Unanimous

VII. SUBDIVISIONS / RE-SUBDIVISIONS

A. Catbird Lane Resubdivision, Heritage Phase 3; Kristen Clarke, P.E., Applicant; Hathaway Farm LLC, Owner; Application for a Resubdivision of approximately 4.1 acres, and Waiver Request from Section 4-2-3(l) Stormwater Management Plan, of land located at Catbird Lane, Tax Assessor's Map #36, Lot #31, East Lyme, CT, Zoned RU-40 (*Date of Receipt 9/9/2025, Public Hearing Schedule for 11/10/2025; 35-days for Public Hearing 12/14/2025; 28-day Extension to conduct the Public Hearing 2/10/2026*).

Chairman Bohmbach: Noted the Public Hearing was closed earlier this evening, and they have 65-days to render a decision.

G. Goeschel suggested if the Commission was comfortable they could render a decision this evening. Otherwise, he would be happy to draft a resolution.

R. Gordon: said he would prefer Mr. Goeschel prepare a motion. The Commission concurred and directed Mr. Goeschel to draft a motion for consideration and discussion at the next meeting.

B. 29 Upper Walnut Hill Road Resubdivision; Jeffrey Gannoe, Applicant/Owner; Application for a 1-Lot Resubdivision of approximately 10.8 acres of land located at 29 Upper Walnut Hill Road, Tax Assessor's Map#54, Lot#9, East Lyme, CT Zoned RU-200 (*Date of Receipt 12/2/2025, Public Hearing Scheduled February 10, 2026; 28- Day Extension to Open the Public Hearing 3/10/2026*).

Chairman BohmBach: Noted the Applicant has granted the Commission an Extension-of-Time to open the Public Hearing in order for the Town to properly notice the hearing.

VIII. ZONING REFERRALS [Connecticut General Statute (CGS) 8-3a] –

A. Application of Nathaniel Bodnar for a proposed Text Amendment to Section 1.90 of the Zoning Regulations, to update the definition of a Brew Pub to include all alcoholic beverages.

G. Goeschel: Indicated the Public Hearing for this is scheduled for March 19, 2026. He will review and report on this at the next meeting.

B. Application of Jeffery A. McNamara for a proposed text amendment to add Section 5.2.10 to permit Educational or Philanthropic Use by a nonprofit corporation on 50 acres or more in the RU-40 Zone.

G. Goeschel: Again, he indicated the Public Hearing for this is scheduled for March 19, 2026. He will review and report on this at the next meeting.

REGULAR MEETING MINUTES

Tuesday, February 10, 2026, 7:00 PM

IX. MUNICIPAL REFERRALS [Connecticut General Statutes (CGS) 8-24] - NONE

X. OLD BUSINESS

A. Subdivision Regulations – Section 4 & 7; Application Submission Procedure & Open Space and Easements

G. Goeschel stated he has scheduled Attorney Bleasdale to attend the next Planning Meeting on March 10, 2026, to discuss and review the matter with the Commission.

XI. NEW BUSINESS - NONE

XII. ADJOURNMENT

Motion 1: **Nick Menapace moved to close the public hearing.**

Seconded: **M. Maitland**

Discussion: **None**

Vote: **Unanimous**

Meeting Adjourned at 8:14 P.M.

Respectfully Submitted,

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