

EAST LYME PLANNING COMMISSION
REGULAR MEETING
Tuesday, FEBRUARY 19th, 2013
MINUTES

Filed
Recorded Feb 21, 2013
AM
11:35 PM Lesly D. Blain
East Lyme Town Clerk

PRESENT: Brian Schuch, Chairman, Frank Balantic, Secretary, Ernie Covino, Rita Palazzo, Sami Yousuf, Alternate

ALSO PRESENT: Gary Goeschel, Planning Director

ABSENT: Carolyn Nee, Joan Bengtson, Francine Schwartz, Alternate, Catherine Ladd, Alternate

Chairman Schuch called this Regular Meeting of the Planning Commission to order at 7:02 PM. He noted that he had seated Sami Yousuf, Alternate at the table this evening.

Pledge of Allegiance

The Pledge was observed.

I. Additions to the Agenda

Mr. Schuch asked if there were any additions to the Agenda.

Mr. Goeschel said that there were none.

II. Public Delegations

Public Delegations is the time when members of the public are invited to speak to the Commission about certain matters. Issues or concerns related to approved subdivisions under construction (Item VI) and in-house proposals or general topics of discussion (Item VIII) are open to comment. Items, referrals, or applications subject to a decision by the Commission, a public hearing, or in litigation may not be discussed. The members of the Commission will not directly answer questions or make comment during delegations.

Mr. Schuch called for Public Delegations.

Steve Harney, Islanda Court said that he was present as a representative of KSK Associates. He recalled that he had come before them seeking endorsement from them for grant funding for 166 acres of property to become part of the Woodsmen Land Trust. He thanked them for their letter of support and said that he had received a \$500,000 matching grant from the DEEP. The Land Trust is doing their best to obtain the matching dollars. He noted that the property was part of the Town's Open Space plan as stated in the letter from John Ellis, Chairman of the Woodsmen Land Trust.

Mr. Schuch asked the current status of the property.

Mr. Harney said that they are looking to see if they could procure the funds for it. He recalled to them that they had letters of support regarding the direct relation it had to the Open Space Plan. He said that he would keep them apprised of how this progresses.

The Commissioners congratulated him on the grant.

III. Approval of Minutes – Regular Meeting Minutes of January 15, 2013

Mr. Schuch called for any discussion or corrections to the Planning Commission Regular Meeting Minutes of January 15, 2013.

Ms. Palazzo said that she was absent for the meeting and asked that her name be removed from 'Present'.

****MOTION (1)**

Mr. Covino moved to approve the Planning Commission Regular Meeting Minutes of January 15, 2013 as amended.

Mr. Yousuf seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

IV. Zoning Referrals (CGS 8-3a)

There were none.

V. 8-24 Referrals (Municipal Improvements)

- Request of the Town of East Lyme for an 8-24 Referral for the sale of a portion of property located at 82 Plants Dam Road (a.k.a. the Samuel Smith Property) to the East Lyme Sportsmen's Club

Mr. Schuch asked Mr. Goeschel to explain this.

Mr. Goeschel said that part of the purchase agreement was the 8-24 review. The Sportsmen's Club has agreed to provide \$125,000 for the purchase of the property and without it the option would not occur.

A lot line revision is also part of this and correcting a misspelling. He noted that Ledge Light has given their approval. The 8-24 is for the sale of the 9.4 acres needed to acquire the property and to also sell a portion of it for the purpose of Open Space and Historic preservation.

Mr. Schuch summarized that it is a complicated task – this is how the town will acquire the 17 acres and then the Sportsmen's Club will buy a portion of it from the Town.

Mr. Covino asked if he was correct in thinking that the Town buys the property and then sells a portion of it to the Sportsmen's Club who will not do anything with it.

Mr. Goeschel said that was correct – they would be purchasing a portion of it as a buffer from residential development. He added that this is just a formality and that they have already stated that they agreed with the intent of the purchase. He suggested that they could concur with it as this is the second part of this.

****MOTION (2)**

Mr. Balantic moved that the Planning Commission concurs with the 8-24 referral for the sale of a portion of property located at 82 Plants Dam Road (a.k.a. the Samuel Smith Property) to the East Lyme Sportsmen's in accordance with the terms, conditions, restrictions and easements included in the Option to Purchase.

Mr. Covino seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

VI. Other Business

▪ **New Business**

There was none.

▪ **Old Business**

1. Discussion of Updates to the Plan of Conservation & Development

Mr. Goeschel said that he had provided them with an updated timeline and that he is working on the Chapter 2 updates which he would have for their next meeting.

VII. Reports

1. Chairman

Mr. Schuch reported that he received a letter from an attorney regarding the solar project proposed for Grassy Hill and Walnut Hill Roads. He said that the CT Siting Council would be making a determination on the solar power plant as it is a utility.

Mr. Goeschel said that this is a public utility as it meets the 5 megawatt capacity. He noted that he has a copy of the proposal in his office and thought that the hearing with the Siting Council on it may have already been held.

2. Ex-Officio – Rose Ann Hardy

Ms. Hardy was not able to be present.

3. Zoning Representative

Mr. Covino reported that at the February 7, 2013 Zoning Meeting that they acted on a CAM for a seawall that was damaged by the storm. They also approved a house on Giants Neck Road. Lastly, they had a brief discussion on a noise ordinance that is going to public hearing.

Mr. Goeschel explained the history on the noise issues and noted the Board of Selectmen would hold the public hearing in early March.

Ms. Palazzo said that she would like to see some of the run-down commercial buildings in Town fixed. She noted how the newer buildings make the Town look fresh and inviting.

Mr. Balantic said that you could not just make people change their property, you could suggest and often when ownership or businesses change hands, the buildings are changed and updated.

Mr. Goeschel and Mr. Schuch said that was not under their purview however, there are architectural types that fall under the zoning arena.

4. Regional Planning Commission Representative – Brian Schuch, Luane Lange

Mr. Schuch said that the once a year meeting had been snowed out. He said that he would let them know if it is held at another time.

5. Subcommittees

- **Sustainable Development and Climate Adaptation – (Gary Goeschel, Francine Schwartz)**

Mr. Goeschel said that he did not have anything further to report at this time.

6. Staff/Communications

Mr. Goeschel reported that he would be attending a COG meeting tomorrow on the status of Route 11. He also noted that there is a public hearing this Friday on the State POCD updates. He said that in looking over the changes that he thinks that the reiteration will be more favorable.

Mr. Schuch asked that the Commission be kept in the loop regarding developments with Route 11 – he asked that it be placed on the agenda as a routine item so that it would not be lost.

ADJOURNMENT

****MOTION (3)**

Ms. Palazzo moved to adjourn this Regular Meeting of the East Lyme Planning Commission at 8:23 PM.

Mr. Balantic seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary



WOODSMEN LAND TRUST

Managing our Forests, Waters and Habitats to Protect and Preserve
Our Natural Resources and Forestry Heritage

www.woodsmenlandtrust.org

February 7, 2013

Gary A. Goeschel II
Director of Planning
East Lyme Town Hall
Pennsylvania Avenue
Niantic, CT 06357

Re: Request for Matching Grant Funding for Gurley Brook Preserve 166 Acres / Approved \$500,000.00 Grant by DEEP

Dear Mr. Goeschel:

I am Chairman of The Woodsmen Land Trust Inc., ("WLT") a Connecticut corporation operating under section 501 (C) (3) of the Internal Revenue Code as a public charity. WLT is currently under contract to purchase the above mentioned property from KSK Associates ("KSK"). WLT have received a grant of \$500,000.00 from the Open Space and Watershed Land Acquisition Grant Program, administered by the State of Connecticut Department of Energy and Environmental Protection (DEEP) in December of 2012.

I am contacting you in response to a letter sent to KSK on May 10th, 2010 and signed by the First Selectman Paul Formica, Conservation of Natural Resources Commission Chairman, Arthur D. Carlson and Planning Commission Chairman, Michael Bowers of the Town of East Lyme, Connecticut. We agree with this correspondence that the Town of East Lyme has much to gain by preserving this parcel ranked twenty-four out of sixty-five privately owned parcels in the *Open Space Plan*, identified as a "natural resource that should be preserved, if possible". WLT respectfully requests that you forward this letter to the appropriate commissions and individuals involved in this preservation endeavor. We are anxious to meet with any and all parties to continue the momentum of this project and recommend discussing a strategic alliance or merger with a compatible 501 (C) (3) land trust.

Our Trust is committed to successfully completing this environmentally sensitive natural resource conservation acquisition however; matching funds are required for receipt of the grant award. As part of our research, it was revealed the Town of East Lyme's Long Range Capital Plan, approved at the 2012/2013 budget referendum, contains a \$250,000.00 per annum line item to be utilized for the purchase of *Open Space* land acquisition.

We find it encouraging that the majority of voters in the Town of East Lyme recognize the need and have the desire to implement *Open Space* and watershed protection planning consistent with the State of Connecticut's Green Plan. We did peruse the 2009 East Lyme Plan of Conservation and Development (POCD) and concur with the findings that the area in which this parcel is located is identified as a "Key Preservation Opportunity: Type I" via a *Lands of Unique Value Study* conducted in 2008-2009 in conjunction with the University of Connecticut's *Community Research and Design Collaborative (CRDC)*. This study recommends continued protection of the Latimer Brook and Niantic River Watershed. Preservation of water quality in the Niantic River, Niantic Bay and its tributaries is incumbent upon successful management, protection and preservation of the surrounding land.

The Woodsmen Land Trust has been implementing an aggressive fund raising campaign and encourages the Town of East Lyme to make a generous contribution as well as assume a lead role in our public campaign to preserve the Gurley Brook Preserve and complete this conservation initiative consistent with East Lyme's POCD. Working together is critical to transforming East Lyme's vision of Open Space into a reality.

I trust that we can assist each other in this legacy to protect Open Space in East Lyme Connecticut. WLT thanks you in advance for your assistance. If you have any questions please do not hesitate to call me at 860-227-2609.

Warmest regards and continued success

Sincerely,


John C. Ellis
Chairman, WLT