

EAST LYME PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, APRIL 3rd, 2012  
MINUTES

FILED IN EAST LYME TOWN  
CLERK'S OFFICE

April 10 2012 at 10 AM PM

PRESENT: Mike Bowers, Chairman, Joan Bengtson, Rita Palazzo, Frank Balantic, Alternate, Ernie Covino, Alternate, Francine Schwartz, Alternate  
EAST LYME TOWN CLERK

ALSO PRESENT: Gary Goeschel, Planning Director  
George McPherson, Zoning Commission  
Holly Cheeseman, Ex-Officio, Board of Selectmen

ABSENT: Jean DeGroot, Carolyn Nee, Brian Schuch, Secretary

Chairman Bowers called this Regular Meeting of the Planning Commission to order at 7:01 PM.

**Pledge of Allegiance**

The Pledge was observed.

**I. Additions to the Agenda**

Mr. Bowers asked if there were any additions to the agenda.

Mr. Goeschel said that they would have to add under Municipal Improvement Referrals the Lease of the Romagna Road Town Garage to the Children's Museum.

**\*\*MOTION (1)**

Mr. Balantic moved to add to the agenda under Municipal Improvement Referrals – Lease of the Romagna Road Town Garage to the Children's Museum.

Ms. Schwartz seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

**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. Bowers called for Public Delegations.

Luane Lange, Chairman, Historic Properties Commission said that she had forwarded them a marketing plan/public relations brochure sample draft for scenic and rural road designation that had been submitted to the Historic Properties Commission. She said that Mr. Bowers had offered some suggestions on changes to the language.

Mr. Bowers asked who had brought this to the Historic Properties Commission.

Ms. Lange said that it was some of the people who wanted the scenic roads designated in the northern part of Town and had come forward with it. She passed out a sample of the brochure and asked if they would add it to the agenda for further discussion.

**\*\*MOTION (2)**

Mr. Balantic moved to add to the agenda under New Business – Discussion – Historic Properties Brochure on Scenic & Rural Road Designation.

Ms. Schwartz seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

**III. Approval of Minutes – Regular Meeting Minutes of February 7, 2012  
Workshop Meeting Minutes of February 21, 2012  
Workshop Meeting Minutes of March 20, 2012**

Mr. Bowers called for any discussion or corrections to the Planning Commission Regular Meeting Minutes of February 7, 2012.

**\*\*MOTION (3)**

Ms. Bengtson moved to approve the Planning Commission Regular Meeting Minutes of February 7, 2012 as presented.

Ms. Schwartz seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Bowers called for any discussion or corrections to the Planning Commission Public Hearing II Minutes of January 3, 2012.

Ms. Bengtson asked that the word Alternate be removed from after Ms. Palazzo's name.

**\*\*MOTION (4)**

Ms. Bengtson moved to approve the Planning Commission Workshop Minutes of February 21, 2012 as presented.

Ms. Palazzo seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Bowers called for any discussion or corrections to the Planning Commission Workshop Minutes of March 20, 2012.

**\*\*MOTION (5)**

Mr. Balantic moved to approve the Planning Commission Workshop Minutes of March 20, 2012 as presented.

Ms. Schwartz seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Ms. Bengtson

**IV. Pending Applications**

There were none.

**V. Current Subdivision Approval/Construction Reports**

There were none.

**VI. Zoning Referrals (CGS 8-3a)**

- 1. Application of John D. Rodgers, for Rodgers Development, LLC to amend the East Lyme Zoning Regulations Section 12A SU-E Special Use districts to permit 20% of development to be market rate.**

Mr. Goeschel explained that this proposal is the result of the 55+ communities slowing down quite a bit. He said that it is not necessarily a bad thing although he would not like to see it be an overall concept.

Mr. Bowers said that one of the questions that he had was that this is asking for a text amendment change and he wanted to know if the intent is that it could be applied retroactively to all of the SU-E developments. Mr. Goeschel said that he thought that was the intent as Mr. Rodgers represents a current SU-E development.

Ms. Schwartz asked what the percentage of market rate units are the restriction currently.

Mr. Goeschel said none – currently in an SU-E development all of the homes are for 55 and older residents. This proposal is for the SU-E to be comprised of only 80% 55 and older residents with the rest going at market rate without the age restriction.

Ms. Bengtson said that if she lived in a 55+ community that she would not be happy with this and that she thinks that this needs further study.

Mr. Goeschel said that it would also be dependent upon the available housing stock and that he is the Fair Housing representative although he does not have the most recent information on that at this time.

Mr. Bowers suggested that Mr. Goeschel obtain more information on this for them to make a determination. Mr. Goeschel said that as Zoning was not meeting until April 19, 2012 that they could take this up at their Workshop Meeting on April 17 and make a recommendation at that time.

#### **VII. 8-24 Referrals (Municipal Improvements)**

##### **1. Request of the Town of East Lyme to lease the Romagna Road/Roxbury Road Lower Level Town Garage to the Children's Museum of Connecticut, property further identified as 8-12 Roxbury Road, Niantic, Assessor's Map 16.1, Lot 25**

Mr. Goeschel said that this property would be used by the Children's Museum for storage of their exhibits as the email from Attorney O'Connell indicates.

Ms. Cheeseman said that she could explain more as she is a Children's Museum Board Member.

Mr. Bowers asked Ms. Cheeseman to explain this to them.

Ms. Cheeseman said that the Children's Museum has been using a number of facilities in Town as well as members' garages to store, repair and create exhibits and the discussion came about regarding the need for one location for storage and to do this work. It was realized that this space could be available subject to all of the legal aspects and a lease agreement. The lease agreement would state that it could be terminated by either party with four weeks written notice; the Town would make no representations regarding the condition or suitability of the building and would be under no obligation to repair it. There would be a nominal rental fee of \$1 per year and the Children's Museum would be responsible for all utilities and for carrying adequate insurance as determined by the Town.

Ms. Bengtson asked if the museum patrons would be going there.

Ms. Cheeseman said that the space would be used solely by the employees of the Museum and would only be used for storage of the exhibits and the building of new exhibits. It would not be for the public.

Ms. Schwartz asked if they knew of any other non-profits in the Town seeking space so as to avoid any potential conflict.

Ms. Cheeseman said that Care & Share is the only other one that she knew of, adding that they are under discussion with the Town for some of the former Public Works space.

#### **\*\*MOTION (6)**

Mr. Balantic moved to endorse the lease of the old (former) lower level Town garage property on Roxbury Road to the Children's Museum for the purpose of storing, repairing and building exhibits for the Museum subject to the terms of the lease with the Town.

Ms. Bengtson seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

#### **VIII. New Business**

##### **1. Historic Properties Commission – Discussion – Scenic & Rural Roads Designation Brochure**

Mr. Bowers asked for comments on the copy that Ms. Lange had passed out.

Ms. Schwartz said that she found some of the language unclear and other language unenforceable and asked if there was another way to craft the area where they state what they 'WILL NOT' do. She added that some of the pictures were not of scenic road views and also showed children playing in the streets and suggested that was not what they wished to convey.

Ms. Lange said that this is actually the second draft and that they had sent it back for re-wording from the original which was much stronger. She said that she could agree regarding the pictures.

Mr. Balantic said that he remembered the public hearing on the scenic roads in a different way and recalled that the people who lived there were concerned regarding stone walls and trees not being altered or cut along the roadway and being burdened with this as there was no clear delineation of the area or what people could do with their property. He said that he is now looking at this draft and finds that it is stating a lot of misinformation. He said that he, also would have attended the public hearing speaking against this as he would be concerned for his children's inheritance just as many of the people who spoke at the public hearing were concerned over encroachment on their property rights. He added that it is also not right that some State clerk for the Nehantic Forest can say that it is okay and push the vote to obtain the needed percentage to carry the vote forward and burden or make decisions for the people who live there.

Mr. Bowers suggested not doing anything with this paper that was presented. Instead he asked that they review the current Scenic Road ordinance as it exists and make some potential suggestions for changes and then possibly craft an information sheet on it.

## **IX. Old Business**

### **1. POCD Chapter 4: Economic Development**

Mr. Goeschel said that he has been making the changes as they have requested.

Mr. Bowers said that he does not feel that this is ready and that it needs a lot more work and that it should go back to the drawing board.

Mr. Goeschel said that he could send it to the Economic Development Commission to review again.

Ms. Bengtson asked about the EDC and what they do.

Ms. Cheeseman explained that the Economic Development Commission would continue for a year and would have active business people from downtown as members to help to revitalize it. At the end of a year they would re-evaluate this Commission.

### **2. POCD Chapter 8: Circulation and Transportation**

Mr. Goeschel said that he has made the changes that were suggested.

Mr. Bowers said that this reads and works much smoother and feels that they are going in the right direction with this chapter.

## **X. Reports**

### **1. Chairman**

Mr. Bowers said that he did not have anything further to add.

### **2. Zoning Representative**

Ms. Palazzo reported that Zoning was a very different meeting type and that they had two cases on the agenda and that both had passed.

Mr. Covino reported that he went to the 2/16/12 meeting and that there was a Parks & Rec application for review and it passed as well as one for outdoor dining for the Niantic Diner.

### **3. Regional Planning Commission Representative – Brian Schuch, Luane Lange**

There was no meeting to report on.

### **4. Subcommittees**

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

Mr. Goeschel said that he has an Eastern Community College intern working on a project and should have some information on this at completion.

- **Village Center Master Plan Subcommittee (Gary Goeschel, Brian Schuch)**

Mr. Goeschel said that they are still working on this.

### **5. Ex-Officio – Holly Cheeseman**

Ms. Cheeseman reported that the Board of Selectmen has completed their budget review and that they also attended a joint meeting with the Board of Finance to hear the Board of Ed budget presentation.

**6. Staff/Communications**

- **Darrow Pond Open Space Committee Site Walk and Samuel Smith House;**
- **Plants Dam Road Report – Jean DeGroot**

Mr. Goeschel said that he had provided them with the email from Ms. DeGroot on the Darrow Pond Site Walk and the tour of the Samuel Smith House. He said that he is on the Darrow Pond Open Space Committee and that they are in the information gathering phase. The Committee meets on the first and third Mondays at 5:30 PM here at Town Hall.

**ADJOURNMENT**

**\*\*MOTION (7)**

**Ms. Bengtson moved to adjourn this Regular Meeting of the East Lyme Planning Commission at 8:20 PM.**

**Ms. Palazzo seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

