

EAST LYME PLANNING COMMISSION
WORKSHOP MEETING
Tuesday, MARCH 15th, 2011
MINUTES

March 18 20 11 at 11:10 AM PM

Esther B. Williams

EAST LYME TOWN CLERK

- PRESENT: Mike Bowers, Chairman, George McPherson, Secretary, Francine Schwartz, Brian Schuch, Frank Balantic, Alternate
- ALSO PRESENT: Gary Goeschel, Planning Director
Jack Hogan, Ex-Officio, Board of Selectmen
- ABSENT: Mark Mangelinkx, Chris Sandford, Joan Bengtson, Alternate, Brian Bohmbach, Alternate

Chairman Bowers called this Workshop Meeting of the Planning Commission to order at 7:02 PM. He noted that he had seated Alternate Frank Balantic at the table this evening.

Pledge of Allegiance

The Pledge was observed.

I. Additions to the Agenda

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

Ms. Schwartz said that she had watched a webinar on Affordable Housing and asked that they add that to the agenda under New Business.

****MOTION (1)**

Mr. McPherson moved to add one item to the agenda: under New Business – Affordable Housing Webinar Report.

Mr. Balantic seconded the motion.

Vote: 5 – 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.
There were none.

III. Approval of Minutes – Regular Meeting Minutes of March 1, 2011

Mr. Bowers called for any discussion or corrections to the Planning Commission Regular Meeting Minutes of March 1, 2011.

Mr. Bowers asked that the word 'meting' on top of page 2 and bottom of Page 3 be changed to read: "meeting".

On Page 4 he asked that the very last paragraph be changed after the sentence: FEMA will hold two sessions on them. The last sentence of the paragraph should read: 'They have also combined the Planning Commission budget with the Planning Department under the Planning Department number.'

Mr. Goeschel noted that he had researched the Pazz Construction extension of time in which to file Mylars date and found that the 30-day extension that they granted at the meeting of March 1, 2011 starts on April 15, 2011 as that is when the current extension would have expired. The new expiration date would then be May 15, 2011.

****MOTION (2)**

Mr. McPherson moved to approve the Planning Commission Regular Meeting Minutes of March 1, 2011 as amended.

Mr. Schuch seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

IV. Pending Applications

There were none.

V. Current Subdivision Approval/Construction Reports

There were none.

VI. Zoning Referrals (CGS 8-3a)

There were none.

VII. 8-24 Referrals (Municipal Improvements)

1. East Lyme Water & Sewer Commission, Municipal Improvement Project CGS 8-24 Review of the municipal sewer system to the proposed Village Crossing Development on Park Place.

Mr. Goeschel noted that this would be going to a public hearing with the Water & Sewer Commission and that having an Affordable Housing project on public water and sewer would be in keeping with the goals as outlined in the POCD. It is also located within the sewer shed and the services could be provided.

Mr. McPherson asked who would pay for the connection.

Mr. Goeschel said that it would be at the expense of the developer.

****MOTION (3)**

Mr. Schuch moved to find the East Lyme Water & Sewer Commission CGS 8-24 Review for a municipal sewer system to the proposed Village Crossing Development on Park Place **CONSISTENT** with the goals and objectives of the POCD.

Mr. McPherson seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

VIII. New Business

1. Request for Release of Maintenance Bond of Phase I for The Orchards.

Mr. Goeschel recommended that they table discussion of this item until the next meeting of the Commission pending more information from the Town Engineer who should, now that the snow has cleared, be able to complete his inspection and provide information to them.

2. Request for joint allocation of Planning and Conservation Bond for The Orchards Conservation and Subdivision Bonds.

Mr. Goeschel reported that this same request went before the Inland Wetlands Commission the previous evening. The Town Attorney, at that meeting, has suggested that it would be a 'cleaner' matter if they held separate bonds.

Mr. Goeschel also noted that this subdivision expires in August of 2011 (10 years). This does not fall under the new 11 year term.

****MOTION (4)**

Ms. Schwartz moved to deny the request of The Orchards to hold a joint bond with the Inland Wetlands Agency.

Mr. McPherson seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

3. Affordable Housing Webinar Report

Ms. Schwartz reported that she had watched this webinar presented by UConn CLEAR. In it they went through the definition of Affordable Housing and noted that we are #47 in the nation versus where we should be. Various myths such as higher density and more school children were discussed and dispelled with information from the Rutgers Study and information on other types of housing such as incentive housing zones that are now being looked at within Towns. She said that it was a good overview of Affordable Housing but not necessarily new material that they did not already know or were not already addressing within our Town.

IX. Old Business

1. Scenic Road Ordinance

Mr. Bowers said that they had copies of this in their packets.

Mr. Goeschel said that he has spoken with Attorney O'Connell on this and was informed that the Board of Selectmen had wanted the certified return receipt mailing in the language. He said that they could insert 'or certificates of mailing'. He added that they could be more restrictive than the Statute with regard to Scenic Roads however they could not be less restrictive. He added that in fact the subdivision regulations are more restrictive than the Statutes.

Jack Hogan, Ex-Officio offered the explanation that the Town Attorney had put the certified return receipt mailing language in and that it appeared fine to them until now with the issue that has come up where they could send notices cheaper than the \$5.54 per mailing for the certified return receipt.

Mr. Balantic pointed out that this is people's property that they are talking about and that a lot of the items mentioned are a burden on the property owner who may want to do something other than what the ordinance allows with his property that borders the roadway. As they are tax paying property owners, he said that he feels that they really have to engage them and let them know about this potential designation change as they are affected by it. In that sense he feels that the ordinance should be strict and that they should make sure that they notify all of the people. He said that he was not trying to be difficult but that as this affects the property owners, they need to know what they would be subject to.

Mr. Goeschel said that if a stone wall is in the Right of Way then they would have to check with the Town on what they could do with it.

Mr. Balantic said that paragraph 12 in the ordinance does not specifically say 'Town Right of Way'.

Mr. Bowers suggested that Mr. Goeschel check with the Town Attorney on the new Public Act regarding the certificates of mailing and discuss with him if they should just add that language or delete the certified return receipt mailings all together.

Mr. Goeschel said that he would work on it and get back to them.

2. Village Center Master Plans

Mr. Goeschel reported that he and Mr. Schuch have met and discussed this concept and that he recently heard that Mr. Miniutti would not be getting the grant this year as expected. This changes things and what they can get done, however, it allows them to move at a slower pace and to also hold a workshop in the spring.

3. POCD Chapter 4: Economic Development and Chapter 8: Circulation and Transportation

Mr. Goeschel noted that they had this information for review. Mr. Santino of the EDC has notified him that he has put out an invitation to his commissioners for input on Chapter 4. Also, the new census data is out and

we have gone from some 18,118 people to over 19,000 with a 4.5% rate of growth. The largest growth was evidenced in Colchester. He said that he would use this data to update Chapter 2. He said that he has also driven around Town reviewing the Chapter 8 information.

X. Reports

1. Chairman

Mr. Bowers noted that he and Mr. Schuch had attended the CT Land Use Law Seminar over the past weekend and that it was fairly informative. They discussed the POCD's and the ten year update plan and their relation with Regular Planning; how the Planning Commission could not require preliminary plans for subdivisions; the protocol for site walks and the necessity for providing reasons for the decisions that they make.

Mr. Schuch reported that he went to a Smart Growth Seminar and that a lot of the applications were geared more towards the West where the very serious water shortages are. This will be something for them to watch as these very same problems are something that we also will be facing.

2. Zoning Representative

There was no report.

3. Regional Planning Commission Representative

This group only meets once per year.

4. Subcommittees

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

Ms. Schwartz and Mr. Goeschel said that they have not had another meeting.

Mr. Goeschel noted that he watched a FEMA webinar recently which gave some ideas on climate adaptation.

5. Ex-Officio – Jack Hogan

Mr. Hogan reported that they have been involved with the budget process and that the Board of Selectmen has now passed it to the Board of Finance for them to go through the process. He noted that the tanks have been removed from the Mobil Station site and that he would find out more about this at the Board of Selectmen meeting the following evening as they are also having a special meeting. Lastly, the State Siting Council approved the tower site for Brainerd Road with the condition that it be moved further away from the neighboring properties.

6. Staff/Communications

Mr. Goeschel said that FEMA will be holding local meetings on the new flood maps on April 13, 2011 and April 14, 2011. He said that he would forward them the locations.

ADJOURNMENT

****MOTION (5)**

Mr. McPherson moved to adjourn this Workshop Meeting of the East Lyme Planning Commission at 8:30 PM.

Mr. Balantic seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary