

EAST LYME PLANNING COMMISSION
REGULAR MEETING
Tuesday, MAY 3rd, 2011
MINUTES

May 9 20 11 at 12:20 (AM/PM)
Leth B. Williams
EAST LYME TOWN CLERK

PRESENT: Mike Bowers, Chairman, George McPherson, Secretary, Francine Schwartz, Brian Schuch, Joan Bengtson, Frank Balantic, Alternate

ALSO PRESENT: Jack Hogan, Ex-Officio, Board of Selectmen

ABSENT: Brian Bohmbach, Alternate

Chairman Bowers called this Regular Meeting of the Planning Commission to order at 7:03 PM.

Pledge of Allegiance

The Pledge was observed.

I. Additions to the Agenda

Mr. Bowers said that he had received word from Mr. Goeschel that they would need to add to the Agenda – two items – one – under Current Subdivision Approvals – Ben Orvedal Request for 1-year extension of conditional approval for 11-Lot re-subdivision Holmes Road and two under New Business – Discussion Maintenance Fee for Bond Accounts.

****MOTION (1)**

Mr. McPherson moved to add to the Agenda the following two items – one – under Current Subdivision Approvals – Ben Orvedal Request for 1-year extension of conditional approval for 11-Lot re-subdivision Holmes Road and two under New Business – Discussion Maintenance Fee for Bond Accounts.

Mr. Schuch 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.

There were none.

III. Approval of Minutes – Regular Meeting Minutes of April 5, 2011

Mr. Bowers called for any discussion or corrections to the Planning Commission Regular Meeting Minutes of April 5, 2011.

****MOTION (2)**

Mr. Schuch moved to approve the Planning Commission Regular Meeting Minutes of April 5, 2011 as presented.

Mr. McPherson seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

IV. Pending Applications

There were none.

V. Current Subdivision Approval/Construction Reports

1. Orchards Subdivision – Set

Mr. Bowers noted that they had a memo in their packets from Mr. Scheer, Town Engineer outlining the area that this would cover noting that the work is located in both Phase II and Phase IV. The recommendation is to set the Erosion & Restoration bond at \$175,000.

****MOTION (3)**

Mr. McPherson moved to set the Orchards Erosion and Restoration Bond for the Proposed road construction on Arbor Crossing stations 94+50 to 102+60 including the stormwater outlet and pump station area at \$175,000.

Mr. Schuch seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

2. Request of Ben Orvedal, owner/applicant for a one-year extension of conditional approval for Holmes Road 11-lot Re-subdivision located at 65 & 68 Holmes Road.

Mr. Bowers noted that this should not present any problems as no work has begun here yet.

****MOTION (4)**

Mr. McPherson moved to approve the request of Ben Orvedal, owner/applicant for a one-year extension of conditional approval for Holmes Road 11-lot Re-subdivision located at 65 & 68 Holmes Road.

Ms. Bengtson seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

VI. Zoning Referrals (CGS 8-3a)

There were none.

VII. 8-24 Referrals (Municipal Improvements)

There were none.

VIII. New Business

1. Discussion/Action – Maintenance Fee for Bond Accounts

Mr. Bowers explained that he had received a memo from Mr. Goeschel and Ms. Johnson seeking a favorable recommendation to institute a charge of \$8 per month to maintain the bond accounts with the \$8 being reduced if the interest accrued for any particular month for any account fell below the \$8 – at which point the maintenance fee would be the amount of the interest accrued for that month. He called for discussion on this item.

Mr. Balantic said that he sees this as another form of creeping taxation. The people/developers who have to post these bonds have already paid a great deal in other permit fees in order to do a project and he said that he just sees this as another way to hit them when they have already paid. We require them to post the bond and we have people that we pay to work here to handle this as some part of their job. He explained that he is not in favor of tacking on these types of extra fees to people. He said that he, as a resident is not in favor of more taxation.

Ms. Schwartz asked if she understood correctly that if the interest earned on the account fell below the \$8 per month that we would take whatever that interest earned was and not the \$8.

Mr. Bowers said that was correct.

****MOTION (5)**

Ms. Schwartz moved to forward a favorable recommendation to the Board of Selectmen to amend the Ordinance of Land Use Fees to include a bond maintenance fee of \$8 per month or the amount of the accrued interest each month if it accrues less than \$8 per month.

Mr. McPherson seconded the motion.

Vote: 3 – 3 – 0. **Motion fails.**

For: Ms. Bengtson, Mr. McPherson, Ms. Schwartz

Against: Mr. Balantic, Mr. Bowers, Mr. Schuch

IX. Old Business

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

Mr. Bowers said that they have an updated copy of Chapter 4 in their packets and asked that they review them for discussion at the Workshop Meeting and that they send any suggestions on changes to Mr. Goeschel. He noted that Mr. Goeschel, in a memo had stated that the Yale Charrette recommendations are also found incorporated into the LUV study and that he has added the Economic Gardening concept.

X. Reports

1. Chairman

Mr. Bowers noted that they have the two alternate positions to fill and asked again that if they know of anyone interested that they please contact him or Mr. Goeschel. He also asked that Mr. Balantic make arrangements to be sworn in by the Town Clerk.

Mr. Balantic said that he would. He said that he works during the time that the Town Hall is open but would make arrangements.

2. Zoning Representative

Ms. Schwartz reported that she had attended the April 7th meeting where they had discussed the Streetscape design and the addition of more municipal parking. They also approved Mr. Harris' Affordable Housing application for 74 units at Upper Pattagansett Road and were in discussion about carports and parking at 38 Hope Street.

3. Regional Planning Commission Representative – Brian Schuch

This group only meets once per year.

4. Subcommittees

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

There was no report.

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

There was no report.

5. Ex-Officio – Jack Hogan

Mr. Hogan reported that so far it looks like the budget will allow for the mill rate not to be increased. The Annual Town Meeting on the Budget is Monday, May 9, 2011 at 7 PM in the High School Auditorium. He also said that there would be a Vigil for the Veterans on the Green on May 29, 2011 and that there would be the Memorial Day Parade on May 30, 2011. And – next year New London is planning for the tall ships to come for OpSail 2012 and we will be looking to coordinate our Celebrate East Lyme event during that same time frame. They are looking to have the tall ships spend the night in the Bay as they did for the first event 10 years ago.

6. Staff/Communications

Mr. Bowers noted the copy of the new bill with the State – SB 859 seeking to increase the time for land use projects approved during certain time frames.

ADJOURNMENT

****MOTION (6)**

Mr. Schuch moved to adjourn this Regular Meeting of the East Lyme Planning Commission at 7:50 PM.

Ms. Bengtson seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary