

EAST LYME PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, AUGUST 2nd, 2011  
MINUTES

PRESENT: Mike Bowers, Chairman, George McPherson, Secretary, Francine Schwartz, Joan Bengtson, Brian Bohmbach, Alternate

ALSO PRESENT: Darci Schofield, Project Manager, Trust for Public Land  
Paul Formica, First Selectman  
Gary Goeschel, Planning Director

HELD Aug 5, 2011  
AT 10:00 M.

ABSENT: Brian Schuch, Frank Balantic, Alternate

L. O'Blain  
TOWN CLERK

Chairman Bowers called this Regular Meeting of the Planning Commission to order at 7:00 PM. He noted that he had seated Mr. Bohmbach, Alternate 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.

Mr. Goeschel said that there was an 8-24 on the Engwall property located at 547 Boston Post Road that they would need to do regarding the gifting of some 3 acres of property to the Town. He suggested that they make it the second item under municipal referrals.

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

Mr. McPherson moved to add: Engwall property located at 547 Boston Post Road, acquisition of three acres of land to the agenda under Municipal Referrals 8-24 as item B.

Mr. Bohmbach 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 June 7, 2011**

Mr. Bowers called for any discussion or corrections to the Planning Commission Workshop Meeting Minutes of June 7, 2011.

Ms. Schwartz said that she had not received a copy of them and that she did not recall being sent them with the meeting agenda. She asked that they table action on this item until the next meeting.

#### **IV. Pending Applications**

- 1. Mary Kent, Applicant/Owner - Application for a 2-Lot Subdivision of land, located at 105 East Pattagansett Road, Assessor's Map 16-3, Lot 80, Niantic, CT**

Mr. Goeschel said that they would table this item to the next meeting of the Commission. This item does not require a public hearing.

- 2. Tom Kalal, Applicant – Application for Scenic road Designation of approximately 16,685.85 linear feet of Grassy Hill Road and approximately 8,586.63 linear feet of Walnut Hill Road.**

Mr. Goeschel said that they are required to hold a public hearing on this item and suggested that they hold it at the Regular Meeting of September 6, 2011 at 7 PM.

#### **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. Trust for Public Land (TPL) in partnership with the Town of East Lyme – Acquisition of 301-acre parcel of land located on Mostowy Road, East Lyme, Assessor's Map #40, Lot 5 Webster Bank NA, Owner (aka Darrow Pond), for open space, conservation, and water supply storage for the Regional Interconnection Water System Project.**

Mr. Bowers said that Mr. Formica would give them an overview on this item.

Mr. Formica said that this opportunity is the single most important one in the development of the regional water process as this property would enable the choice of the best location for the water tank. They have been working in affiliation with Darci Schofield of the Trust for Public Land. This property is 301 acres and has been identified as the number one location for the water storage tank for the regional interconnection project due to its' height and location with respect to the interconnection. There are three wells on the property now although well houses have not yet been developed. There are a number of opportunities to put a tank on this property. There would be virtually no visible impact on the various homes in the area as most will not see it at all as it would be blocked by trees. Of the 301 acres, they are proposing a 50 acre parcel for the tank and the well field and 250 acres for open space and use. He introduced Ms. Schofield of the Public Trust for Land to provide them with more information.

Ms. Schofield thanked everyone for coming and said that the Trust for Public Land is a national non-profit agency that aids cities and towns in the acquisition of lands to protect them for the public good. They provide a service to the communities by doing the negotiations with the owners. The Trust for Public Land is excited about this opportunity to acquire this land for preservation and to protect the watershed.

Art Carlson, Chairman of the Conservation of Natural Resources Commission explained how he became aware of the subject property and that it was at that time being actively developed as a 600 unit Special Use Elderly project. Once that project was defunct, they put it on the open space list as it suited the criteria – especially the single most important criteria of being a large area of land and of protecting the drinking water supply.

Marvin Schutt, 29 Edgewood Road North said that they should take the opportunity to obtain this property.

Mr. Goeschel said that in his memo that he has highlighted some of the benefits of this acquisition and that he feels that it is consistent with the goals and objectives of the 2009 Plan of Conservation and Development as amended. He added that he would not recommend taking public comments here as this would be the subject of a public hearing at a later date.

Mr. Bowers asked if the Commissioners had any questions or comments.

Mr. Bohmbach asked what Webster Bank is in for money on this land for and if they are selling it at cost.

Ms. Schofield said that in 2008 it was appraised at \$6M and the purchase price now is \$4.15M. She said that she was not sure of the exact figures before they had an independent appraisal of \$4.1M done on June 28, 2011.

Mr. Bohmbach asked what plans they had going forward regarding the easement on the pond.

Mr. Formica said that they have ideas however they are not advocating buying a swimming pool here. The people living around this property were deeded rights to the pond and they could possibly have some conversation with them at some later point if this is approved.

Mr. Bohmbach said that it still seems like a good deal.

Mr. Bowers called for a motion on this item.

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

Ms. Schwartz moved that pursuant to Section 8-24 of the General Statutes, that the Planning Commission of the Town of East Lyme, exercising its authority and having reviewed the proposal for acquisition of a 301-acre parcel of land located on Mostowy Road, East Lyme, Assessor's Map #40, Lot 5 (aka Darrow Pond), for open space, conservation, and water supply storage for the Regional Interconnection Water System Project, referenced above, FINDS the aforesaid proposal CONSISTENT with the 2009 Plan of Conservation and Development, as amended and hereby approves the aforesaid proposal.

Mr. McPherson seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

**2. Engwall property located at 547 Boston Post Road, acquisition of three acres of land.**

Mr. Goeschel said that Mr. Formica could explain this to them.

Mr. Formica said that he was approached by Mrs. Engwall awhile ago regarding her property as they are relocating. This is part of the larger parcel of some seven (7) acres. This is three (3) acres of land that abuts the Barbaro property that the Town currently owns. This is an opportunity for the Town and the property would be checked out to make sure that nothing is stored on it. The reduction in tax on the property is \$159.00

Mr. Goeschel noted that the location of this piece of property would add to the larger contiguous block that the Town already has. He said that the Town Attorney suggested that they do their due diligence and check on any environmental concerns and for encumbrances.

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

Ms. Bengtson moved that pursuant to Section 8-24 of the General Statutes, that the Planning Commission of the Town of East Lyme, exercising its authority and having reviewed the proposal for the acquisition of a parcel of land of approximately three (3) acres located at 547 Boston Post Road (Assessor's Map 18, Lot 19) finds the proposal CONSISTENT with the 2009 Plan of Conservation and Development as amended subject to a satisfactory certificate of title being submitted; that the property is free and clear of encumbrances and any environmental circumstances.

Mr. Bohmbach seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

**VIII. New Business**

There was none.

**IX. Old Business**

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

Mr. Goeschel said that the final draft for Chapter 4 is complete and that he has not received any further comments. He said that he would hold it so that it could go to a public hearing when other sections are ready to go. The next chapter that they will be working on is Transportation.

**X. Reports**

**1. Chairman**

Mr. Bowers said that he did not have any further comments.

**2. Zoning Representative**

Mr. Bohmbach said that he would be attending the Zoning meeting this Thursday.

**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)**

Mr. Goeschel said that he has provided them with a Mission Statement and Goals – similar to those from the State and asked that they review them for the next meeting.

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

Mr. Goeschel said that he is working with Mr. Schuch on architectural design for this.

**5. Ex-Officio – Jack Hogan**

Mr. Hogan was not present and there was no report.

**6. Staff/Communications**

Mr. Goeschel said that the Land Use office is in the process of swapping places with the Public Works and Water & Sewer offices.

**ADJOURNMENT**

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

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

Ms. Bengtson seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary