

Planning Commission Meeting Minutes

Tuesday April 7, 2015

FILED IN EAST LYME
CONNECTICUT
April 8, 2015 AT 9:35 AM/PM
Brooke D. Flannery ATC
EAST LYME TOWN CLERK

Present: Francine Schwartz, Ernie Covino, Rita Palazzo, Brian Schuch, Chairman, Joan Bengtson, Michael Hess, Alternate *(Sat as Regular Member.)

Also Present: Gary Goeschel, Planning Director, Rose Ann Hardy, Ex-Officio, Anne Thurlow, Alternate

Absent: John Birmingham, Alternate, Frank Balantic, Secretary

Mr. Schuch called this Special Meeting of the Planning Commission to order at 7:05 PM.

Pledge of Allegiance

The Pledge was observed.

I. 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 VII) 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.

There were none.

II. Approval of Minutes

A. March 10, 2015 Special Meeting Minutes

- ****Motion (1)**

Ms. Schwartz moved to approve the Special Meeting Minutes of March 10, 2015.

Ms. Palazzo seconded the motion.

Vote: 6-0-0. Motion passed.

III. Subdivisions and Resubdivisions

There were none.

IV. Zoning Referrals (CGS 8-3a)

Proposed changes in zoning regulations or boundaries shall be referred to the Planning Commission for a report that shall contain the findings of the planning commission on consistency of a proposed regulation or boundary changes with the Plan of Development and any other recommendations the Planning Commission deems relevant. Failure of the Planning Commission to report prior to or at the hearing shall be taken as approval of such proposals. The report of the Planning Commission regarding such proposal

shall include the reasons for the commission's vote and shall be incorporated into the records of any public hearing held thereon by the Zoning Commission. A proposal disapproved by the Planning Commission may be adopted by the Zoning Commission by a vote of not less than two-thirds of all the members of Zoning Commission.

- A. Petition of Timothy S. Hollister for Landmark Development Group, LLC and Jarvis of Cheshire, LLC to rezone 123.02 acres from RU-120, its existing zoning designation, to Affordable Housing District and for approval of a Preliminary Site Plan which proposes open space of 87 acres for property identified in the application as Calkins Road, East Lyme.

Mr. Goeschel gave the Commission some background information regarding this Application. The Application was remanded to Zoning by Court and because it is a request to rezone an area, it first goes before the Planning Commission. Mr. Schuch observed that the proposed change is a more nebulous restriction so Planning gets to weigh in on the decision. The Zoning hearing for this Application will occur on May 21st, 2015. There are three Planning Meetings between now and then, affording the Commission ample opportunity to digest the large amount of material that they have received tonight. The time will also permit the staff to research and answer any questions that the Commission may have.

Mr. Timothy S. Hollister was unable to attend this evening's meeting and expressed his desire to speak at the next regularly scheduled meeting. Mr. Goeschel clarified for the Commission that they are not having a public hearing so no one will be invited to speak. Mr. Hollister had also conveyed to Mr. Goeschel his desire that the Commission wait until the next meeting to discuss this Application. Mr. Goeschel explained to Mr. Hollister that the Application is an agenda item, therefore the Commission has the right to review and ask questions. Mr. Schuch acknowledged the request for the record, but felt it fair to begin with an inventory of the material that the Commission had been given regarding the Application.

The material for review consists of a large spiral bound, tabbed notebook accompanied by corresponding Plans. This notebook is part of the official application located in the East Lyme Land Use Office. Mr. Schuch reminded the Commission that they don't have the scope to approve the site plan; they are strictly responsible for stating whether the zone change is consistent or inconsistent with the POCD. Mr. Goeschel pointed out the parcel in question on the GIS map. Mr. Schuch said that the State initiative for affordable housing takes precedence over municipal laws with a qualitative exception of health, safety or welfare. Mr. Goeschel noted that we do have zoning regulations regarding affordable housing so they do not have to be concerned with that precedence.

The Commission examined the Application parcel observing that it is located in the Golden Spur area and has narrow roads. Mr. Goeschel said that historically it may have been established as a fishing village, which would explain the layout. The Application is for 800 residential units; Mr. Covino and Ms. Schwartz stated that the road would need to be widened for a project of that size. Mr. Goeschel said that a traffic letter has also been submitted as part of this Application, which addresses this. The letter states that two roads will be widened and a new traffic light will be installed.

Mr. Covino asked if there is a chapter in the Application notebook on need assessment. Ms. Schwartz said that the Town is not currently meeting the requirement for affordable housing, that it should be 10%. Mr. Schuch asked Ex-Officio Ms. Hardy if she knows what percentage the Town is currently at. Ms. Hardy said that we are slightly at 6% and observed that there is not a town in Connecticut that meets the 10% requirement. She further explained that only 30% of the premises has to be affordable while the remaining 70% can be priced at full market value. Older homes that can be considered affordable are not allowed to be included in the affordable housing tally. In a previous grant project completed by the Board of Selectmen, the Town defined places where affordable housing would be suitable and this location was not one of them.

Mr. Schuch noted that similar to the defined suitable affordable housing locations there also exists such a plan for wastewater systems. The Commission noted that the Application area cannot be supported by our current system. Ms. Bengtson spoke of the various properties that abuts the Application parcel observing that the East Lyme Conservation & Land Trust owns some of the abutted property. She asked that it be noted for the record that she is the Secretary for the East Lyme Conservation & Land Trust.

Mr. Goeschel said that the traffic report was completed in 2005 and that he is working with Mr. Mulholland in reviewing that document. Mr. Schuch said that he would like to see an overlay of the site plan on the GIS map and Mr. Goeschel said that he would prepare that for the next meeting. Mr. Goeschel reiterated that the primary task in the meanwhile is for the Commission to review the Application notebook. The Application was tabled until the next regularly scheduled Planning Commission Meeting.

V. Old Business

There was none.

VI. New Business

There was none.

VII. Reports

A. Chairman

Mr. Schuch had nothing to report.

B. Ex-Officio- Rose Ann Hardy

Ms. Hardy stated that she wanted to clarify her earlier remarks regarding affordable housing; while no towns in Connecticut meet the 10% requirement, many cities in Connecticut have. She noted that it is unfortunate that subdivision rules cannot be applied to affordable housing proposals. A subdivision with one entrance and exit would never be approved. The Commissions should consider whether public safety is impacted by this. She also suggested that it be kept in mind that Route 1 is a State road and the State will determine whether they feel a traffic light is necessary.

Ms. Hardy said that the Board of Finance will meet tomorrow to finalize the budget if anyone was interested in attending.

Mr. Schuch asked the projected end date for the boardwalk and Ms. Hardy said that the snow has delayed progress but that Memorial Day is still the projected opening date.

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C. Zoning Representative

Mr. Covino and Ms. Palazzo said that they were not assigned the 2/19 meeting until after the actual meeting. Mr. Hess stated that the 3/5 meeting was cancelled because of snow.

D. Sub-Committees

- a. Sustainable Development and Climate Adaptation Subcommittee (F. Schwartz, Staff: G. Goeschel)

Mr. Goeschel said they plan on meeting in late May.

- b. Subdivision Regulations Bonding Review Subcommittee (B. Schuch, J. Bengtson, Staff: G. Goeschel)

Mr. Goeschel stated that they are waiting on the availability of Attorney O'Connell.

E. Staff/Communications

Mr. Goeschel explained that he discovered a small caveat in CT General Statute 8-26 which states that the Planning Commission may develop a plan as to where they would like sidewalks and roads to be located. They also have the option of levying tax to pay for such enterprise. It is worth taking a look at our transportation plans and implementing this caveat if we deem it beneficial.

ADJOURNMENT

- ****Motion (2)**

Ms. Palazzo moved to adjourn the Planning Commission Meeting at 8:10 pm.

Mr. Covino seconded the motion.

Vote: 6-0-0. Motion passed.

Respectfully Submitted,



Brooke D. Stevens,
Recording Secretary