

Planning Commission Public Hearing Minutes

Tuesday July 7, 2015

Present: Ernie Covino, Rita Palazzo, Brian Schuch, Chairman, Joan Bengtson, Francine Schwartz

Also Present: Gary Goeschel, Planning Director, Rose Ann Hardy, Ex-Officio (arrived at 7:15pm), Ed O'Connell, Town Attorney, William Dwyer, Zoning Representative

Absent: Frank Balantic, Secretary, John Birmingham, Alternate, Michael Hess, Alternate, Anne Thurlow, Alternate

Mr. Schuch called this Public Hearing of the Planning Commission to order at 7:05pm.

Pledge of Allegiance

The Pledge was observed.

FILED IN EAST LYME
CONNECTICUT
July 8, 2015 AT 12:45 AM PM
Caitlin Gallo, on
EAST LYME TOWN CLERK

I. Public Hearing

- A. **Application of Roger Dawson of 1314 East Las Olas Blvd. Fort Lauderdale FL, 33301, Applicant/Owner;** Application for a 1-Lot Resubdivision of approximately 3.97-acres Zoned RU-80 at 21 Upper Walnut Hill Road, East Lyme, Assessor's Map# 54, Lot# 13 and associated Waiver Request of the open space requirements under Section 7 of the East Lyme Subdivision Regulations.

Mr. Goeschel reminded the Commission of the defective legal notice, noting that it had been corrected and republished.

Jason Dismukes a Civil Engineer from 241 Torrington Road Goshen, CT came forward on behalf of the Applicant. The proposed project consists of re-subdividing one 2 acre building lot from a 4 acre parcel of land located at 21 Upper Walnut Hill Road.

Mr. Goeschel explained that the project is under 3 lots, so it meets the requirements for storm water exemption consideration. He drew the Commission's attention to Section 4-12 of the POCD, entitled "Waivers." A three quarter vote of all members is required for the waiver request to pass.

Mr. Dismukes stated that the POCD encourages development in the RU-80 zone.

Ms. Bengtson expressed concern about the impact on the wetlands. Mr. Goeschel said that the Applicant already had a Public Hearing before the Inland Wetlands Agency.

Mr. Covino asked about runoff.

Mr. Dismukes explained that the proposed driveway is relatively flat for most of its length; it will be cross-sloped to drain. Runoff from larger rain events will drain around the front of the proposed house

where it will sheet flow on the hillside up gradient of the wetlands. Clean runoff from the roof will be collected and day-lighted to a level spreader uphill of the wetlands.

Ms. Palazzo asked how long the driveway will be and Mr. Dismukes said 320 feet.

Mr. Schuch opened up the Public Hearing to public comments.

Thomas Gannoe of 27 Upper Walnut Hill Road came forward and stated that his land borders the Applicant's on both sides. He said that he doesn't understand how this lot can be considered a back lot, noting that the house will be located in the front lawn of a neighboring house.

Mr. Gannoe said that you do not see paved driveways in country living. He said that the Inland Wetlands Hearing did not address the fact that the Applicant's wetlands neighbor his own; He is concerned about the protection of the wetlands on his property.

Mr. Gannoe spoke about the existing house and what an eye sore it is. He said that beautiful old sugar maples were taken out to accommodate a paved driveway. He added that the Applicant actually painted the sugar maples with white paint.

Mr. Dismukes said that the existing house was bought at auction and the tenant had to be evicted. His understanding is that the tenant is who painted the trees.

Susan Gannoe of 27 Upper Walnut Hill Road came forward and stated that was not true. The Applicant's foreman told the Gannoos' that the Applicant's workers had painted the trees.

Mrs. Gannoe stated that the drainage would not be adequate and called attention to the remaining brook in the vicinity that will be impacted. She said as it is, there is quite a large amount of runoff after large rain events. She suggested that perhaps they measured this at a time of low runoff.

Mr. Gannoe urged the Commission to visit the site and consider the country character of the surrounding area. He does not feel that the project adheres to the farm land way of life. He understands that the proposal may meet all the Zoning and Planning requirements and asked why he was sent a letter to come to this Hearing, if his opinion does not matter.

Ms. Bengtson stated that she is still concerned about the driveway and impact on the wetlands and brook.

Ms. Bengtson asked why a silt fence is planned. Mr. Dismukes explained that it will protect from erosion during construction and would be removed when completed.

Mr. Schuch asked if there will be any adverse effect on neighboring wetlands and Mr. Dismukes said no, that it would be minimal. He said that all he is hearing is "we have ours, they can't have theirs."

Mr. Dismukes said that the land slopes against the road which is why there is no storm water plan.

Ms. Schwartz asked what would happen to the existing house. Mr. Dismukes said that it would either be torn down and rebuilt, or renovated.

Mr. Gannoe said he would like the Commission to respond to some of his thoughts and questions.

The Commission decided to schedule a site walk to the property on July 21, 2015 at 9am. They invited the Public noting that no discussion other than orientation could occur. At 8:05pm they thanked the Public for its comments and continued the Public Hearing until the August 4, 2015 Meeting.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brooke D. Stevens". The signature is fluid and cursive, with the first name "Brooke" being more prominent.

Brooke D. Stevens
Recording Secretary

