

TOWN OF EAST LYME
PLANNING COMMISSION
OCTOBER 21, 2014
REGULAR MEETING MINUTES

Members Present:

Brian Schuch, Chairman
Rita Franco-Palazzo
Ernest Covino
Frank Balantic
Joan Bengtson
Francine Schwartz
Anne Thurlow, Alternate

FILED IN EAST LYME
CONNECTICUT
OCT 29 2014 AT 9:35 AM/PM
Carina Alban
EAST LYME TOWN CLERK

Members Absent:

John Birmingham, Alternate
Michael Hess, Alternate

Also Present:

Gary Goeschel, Town Planner
Kevin Seery, Ex-Officio
George McPherson, Zoning Representative
Attorney Mark Block

CALL TO ORDER

Chairman Schuch called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

Chairman Schuch led the assembly in the Pledge of Allegiance.

I. PUBLIC DELEGATIONS

There were no public delegations.

II. APPROVAL OF MINUTES

A. SEPTEMBER 16, 2014 MINUTES

Motion (1) Joan Bengtson moved to approve the Minutes of September 16, 2014.

Seconded by Rita Franco-Palazzo.

Motion Passed 5-0-1 (Francine Schwartz Abstained)

III. SUBDIVISION AND RESUBDIVISIONS

A. EXPIRATION OF HATHAWAY FARMS RESUBDIVISION; COVE LANDING ASSOCIATES, LLC (AKA UPPER PATTAGANSETT #2) AN 18 LOT RESUBDIVISION OF PROPERTY LOCATED AT UPPER PATTAGANSETT ROAD AND HATHAWAY ROAD

Mr. Goeschel stated this has been on the Agenda for quite some time. The public improvements have been completed. There is a pedestrian easement and right-of-way deed that needs to be filed. He has spoken to Attorney Atkinson and he is reviewing that with his engineer, and then he will give it to the Town Attorney for filing. In the future they will request that the bond be released. Mr. Goeschel will put it on the November 18th Agenda for the bond release.

IV. ZONING REFERRALS

A. TOWN OF EAST LYME ZONING COMMISSION TEXT AMENDMENT; AMENDMENT TO THE EAST LYME ZONING REGULATIONS, SECTION 20.20.8 LIQUOR, REGARDING THE PROXIMITY TO LOCATIONS OF PLACES OF WORSHIP, TO REDUCE THE "200 FEET RADIUS" TO 100 FEET.

****Chairman Schuch recused himself for this item at 7:10 p.m.**

Mr. Balantic sat Anne Thurlow as a regular member for this item.

Mr. Goeschel stated the Zoning Commission initiated this Regulation Amendment. The proposed change would only apply to the CB zone, and would reduce the buffer to 100 feet.

Mr. Covino asked why the 200 foot buffer was implemented.

Mr. Goeschel stated at one time it was 500 feet.

Ms. Bengtson asked if there is a regulation regarding alcohol near schools.

Mr. Goeschel stated there are a number of restaurants that serve alcohol near schools. He believes the whole section could use a review, but this Commission needs to find out if this amendment is consistent with the POCD.

Ms. Thurlow asked if they could table this item until Zoning reviews the entire section.

Mr. Goeschel stated if they make no comment it would be construed as an approval. He recommended they make a decision.

Mr. Balantic suggested they add a comment to the Motion that the Zoning Commission review Section 20.20.3 in its entirety.

Ms. Bengtson stated Crescent Point is a hospital setting, which could be another conflict.

Mr. Goeschel stated the Zoning Commission has a sub-committee that is reviewing the Regulations. It is not up to this Commission to determine what the whole section means, but we can suggest they have

their sub-committee look at the section. This will encourage economic development but the Regulation as a whole needs to be reworded.

Ms. Bengtson stated she is not comfortable with this. There are too many loopholes with the schools and hospital and once this is in place we are stuck with it. She can't give a recommendation on this.

Motion (2) Mr. Covino moved that the Town of East Lyme Zoning Commission Text Amendment to the East Lyme Zoning Regulations, Section 20.20.8 Liquor, regarding the proximity to location of places of worship, to reduce the "200 feet radius" to 100 feet is CONSISTENT with the POCD citing Objective 2.1, Objective 2.2, and Chapter 4 Economic Development Section 4.4.

Seconded by Anne Thurlow.

Mr. Balantic stated we should strongly recommend the Zoning Commission review Section 20.20.3 to ensure consistency with revisions of the Regulations.

Mr. Covino amended his Motion to read the following:

Mr. Covino moved that the Town of East Lyme Zoning Commission Text Amendment: Amendment to the East Lyme Zoning Regulations, Section 20.20.8 Liquor, regarding the proximity to location of places of worship, to reduce the "200 feet radius" to 100 feet is CONSISTENT with the POCD citing Objective 2.1, Objective 2.2, and Chapter 4 Economic Development Section 4.4. The Planning Commission strongly recommends that the Zoning Commission review Section 20.20.3 to ensure consistency with revisions of the Regulations specifically regarding distance descriptions.

The Amended Motion was seconded by Anne Thurlow.

Motion Passed 5-1 (Joan Bengtson – Nay)

Chairman Schuch returned at 7:40 p.m. and Anne Thurlow stepped down.

V. 8-24 REFERRALS

A. APPROVAL FOR THE ACCEPTANCE OF DARROW'S COURT, DARROW'S RIDGE ROAD.

Mr. Goeschel stated this has been a long time coming.

Attorney Block is here to answer any questions they may have.

Motion (2) Mr. Balantic moved the following Resolution:

The Planning Commission of the Town of East Lyme, exercising its authority pursuant to Section 8-24 of the Connecticut General Statutes and having reviewed the above referenced matter, MOVES to APPROVE the acceptance of improvements and utilities associated with the construction of the roads designated as "Darrow's Ridge Road" and "Darrow's Court" upon conveyance of said land and appurtenances to the Town of East Lyme and hereby forwards a favorable recommendation to the East Lyme Board of Selectmen for the acceptance of same.

Seconded by Mr. Covino.

Motion Passed 6-0.

B. APPROVAL FOR THE ACCEPTANCE OF A REALIGNED PORTION OF MOSTOWY ROAD AND THE DISCONTINUANCE OF A PORTION OF MOSTOWY ROAD

Motion (3) Ms. Bengtson moved the following Resolution:

The Planning Commission of the Town of East Lyme, exercising its authority pursuant to Section 8-24 of the Connecticut General Statutes and having reviewed the above referenced matter, MOVES to APPROVE the acceptance of improvements and utilities associated with the construction of the roads designated as "Realigned Mostowy Road" and the discontinuance of a portion of the existing Mostowy Road as shown on the above referenced plan upon conveyance of said land and appurtenances to the Town of East Lyme and hereby forwards a favorable recommendation to the East Lyme Board of Selectmen for the acceptance of same.

Seconded by Ms. Franco-Palazzo.

Mr. Goeschel stated they should put the title of the map in the Motion.

Ms. Bengtson amended her Motion to state the following:

The Planning Commission of the Town of East Lyme, exercising its authority pursuant to Section 8-24 of the Connecticut General Statutes and having reviewed the above referenced matter, MOVES to APPROVE the acceptance of improvements and utilities associated with the construction of the roads designated as "Realigned Mostowy Road" and the discontinuance of a portion of the existing Mostowy Road as shown on the plan entitled "Lot Line Modification After Road Abandonment by the Town of East Lyme, Resubdivision Darrow's Ridge Lot 25 & 70 Mostowy Road, East Lyme, Connecticut, Owner/Applicant: New England National, LLC dated January 8, 2010, scale 1"=40' Sheet 4 of 4, revised through 4-23-2010" upon conveyance of said land and appurtenances to the Town of East Lyme and hereby forwards a favorable recommendation to the East Lyme Board of Selectmen for the acceptance of same.

The Amended Motion was seconded by Ms. Franco-Palazzo.

Motion Passed 6-0.

**Attorney Block left at 7:58 p.m.

VI. OTHER BUSINESS

A. NEW BUSINESS

I. RE-SUBDIVISION OF 26 INDUSTRIAL PARK ROAD, OWNER BERTIL G. OLSSON FOR A TWO LOT SUBDIVISION

There will be a Public Hearing on this on November 18, 2014.

II. 2015 MEETING CALENDAR

Motion (4) Mr. Covino moved to accept the 2015 Meeting Calendar as presented.

Seconded by Ms. Bengtson.

Motion Passed 6-0.

B. OLD BUSINESS

There was no old business.

VII. REPORTS

A. CHAIRMAN

Chairman Schuch stated he and Mr. Goeschel met with Carmen Ames, of the Town's IT department and they are working on getting the projector to display onto the wall to the right.

B. EX-OFFICIO

Mr. Seery stated he attended the Inland Wetlands meeting and there was discussion of the Cease and Desist Order on the Solar Farm. The Board of Selectmen approved a Joint Land Use Study with the National Guard to look at the property around Stone's Ranch and Camp Niantic. Work is continuing on the Boardwalk.

****Mr. Seery left the meeting at 8:15 p.m.**

C. ZONING REPRESENTATIVE

Mr. Covino attended the Zoning Meeting and they had a Public Hearing regarding JAG Capital Drive. It was limited to a factual hearing. The JAG Capital Drive Attorney was trying to make the case that Bride Brook is residential.

D. REGIONAL PLANNING REPRESENTATIVE – BRIAN SCHUCH

Mr. Schuch has not had any communication on this.

E. SUB-COMMITTEES

A. SUSTAINABLE DEVELOPMENT AND CLIMATE ADAPTION SUBCOMMITTEE

Chairman Schuch asked that these be put on the Agenda with the upcoming meeting date. Mr. Goeschel stated he has been in discussions with Dr. Adam Welchel of the Nature Conservancy and they are working on putting together a workshop in February. Mr. Goeschel also indicated he will work on inviting Cathy Wilson from the Senior Center and Dick Morris from Public Safety to sit on the Committee

B. SUBDIVISION REGULATIONS BONDING REVIEW SUBCOMMITTEE

Chairman Schuch indicated they will be meeting tomorrow.

F. STAFF/COMMUNICATIONS

A. STAFF REPORT

Mr. Goeschel stated the JLUS is proceeding. The Cease and Desist Order is in place at the Solar Farm.

ADJOURNMENT

Motion (5) Mr. Balantic moved to adjourn the meeting at 8:21 p.m.

Seconded by Mr. Covino.

Motion Passed 6-0.

Respectfully Submitted,



**Karen Miller Galbo
Recording Secretary Pro-Tem**