

## Planning Commission Public Hearing Minutes

September 1, 2015

**Members Present:** Ernie Covino, Frank Balantic, Secretary, Rita Palazzo, Brian Schuch, Chairman, Joan Bengtson, Francine Schwartz

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

**Absent:** John Birmingham, Alternate

FILED IN EAST LYME  
CONNECTICUT  
Sept 9, 2015 AT 9:00 AM/PM  
East Lyme Town Clerk

Mr. Schuch called the Public Hearing to order at 7:03 pm.

### Pledge of Allegiance

The Pledge was observed.

#### I. Public Hearing

- C. **Application of Wayne & Patricia Fraser, Applicant/Owner;** Application for a 1-Lot Resubdivision of approximately 3.0-acres Zoned R-10 at 22 Gurley Road, East Lyme, Assessor's Map #37.0, Lot #20 and Waiver Request from Sec. 4-2-3 B, Sec. 4-2-3 J, and Sec. 6-8 of the East Lyme Subdivision Regulations.

Mr. Goeschel explained that subdivisions of 3 lots or less are eligible to request waivers from the archeological survey, open space and storm water management requirements if they can demonstrate that there will be no downhill flooding.

J. Robert Pfanner of 37 Grand Street came forward to represent the Applicant.

Mr. Pfanner detailed how land was subdivided into a 3 acre piece in 1979.

This application would subdivide the lot into two parcels. The existing house will be on one lot while a proposed house will be built on the other.

Mr. Pfanner said that the plan is simple, the soil is great, and observed that the land is not going to change; the only thing new will be the addition of another house. The land is gently sloped so nothing has to change.

Mr. Al Aksterowicz of 6 Gurley Road asked about access to the house and Mr. Pfanner explained that the existing driveway will be utilized to access the new as well as the existing house.

Mr. Schuch asked Mr. Pfanner if the land might have some sort of historical value and Mr. Pfanner said no, not in the last seventy years. The mill that once stood by the Pattagansett River is not located by this property and the property in question has already been developed and disturbed; it's a lawn.

Mr. Goeschel said that in his professional opinion, given that the land has already been developed and is a result of a subdivision, it is highly unlikely that it would offer any historical value and an archeological survey is not necessary.

Mr. Balantic asked if there would be a pump up septic and Mr. Pfanner said no. He said that there are great systems now that don't take up much space, that are less than 50 feet long.

Mr. Schuch read the subdivision regulations regarding waivers from Sec 4-12 into the record.

Mr. Schuch asked Mr. Pfanner to describe the exceptional difficulty or undue hardship in regards to the waiver of the storm water requirements.

Mr. Pfanner called attention to Exhibit H (attached), letter from Victor Benni, Town Engineer. Given that the additional runoff from the proposed house will be treated by a drywell or raingarden, he recommends that an exemption be granted.

Mr. Goeschel read Exhibit H into the record.

Mr. Aksterowicz asked where the runoff will be directed and Mr. Pfanner said it will be directed to the same place it goes to now, towards the river.

Mrs. Carol Aksterowicz of 6 Gurley Road observed that the property is raised and asked if the runoff will be draining down to the cove.

Mr. Pfanner stated that there will be no increase in runoff on this site; neither the grade nor slope of the land is changing.

Mr. Balantic asked if the driveway will be moved and Mr. Pfanner said that the existing 6 foot driveway will be used along with a 25 foot easement.

Mr. Balantic asked if there is a buffer issue with the neighbor on either side and Mr. Pfanner said no.

Mr. Goeschel stated that the plan meets the Zoning Regulations and that the existing driveway is 10 feet from the property line.

Mr. Aksterowicz asked why a waiver is needed if the plan meets the regulations and Mr. Pfanner said that he asked for the waiver in case it was needed.

Mr. Balantic suggested contacting the State Archeologist as a matter of course given that there is adequate time to do so.

- **Motion (1)**

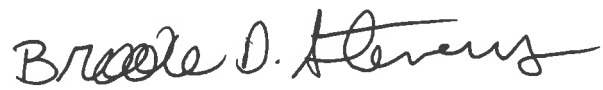
**Ms. Palazzo moved to continue the public hearing.**

**Ms. Bengtson seconded the motion.**

**Vote: 6-0-0. Motion passed.**

The public hearing portion of the meeting was closed at 7:37 pm.

Respectfully Submitted,

A handwritten signature in black ink, reading "Brooke D. Stevens". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Brooke D. Stevens  
Recording Secretary