

**EAST LYME PLANNING COMMISSION
REGULAR MEETING
Tuesday, OCTOBER 6th, 2009
MINUTES**

PRESENT: Lisa Picarazzi, Chairman, Chris Sandford, Acting Secretary, Mike Bowers, George McPherson, Alternate, Alvin Sher, Alternate

ALSO PRESENT: Gary Goeschel, Planning Director
Drew Kenny, Alternate

ABSENT: Francine Schwartz, Secretary, Paul Dagle, Tom Perron

Chairman Picarazzi called this Regular Meeting of the Planning Commission to order at 7:00 PM. She noted that she had seated George McPherson, Alternate and Alvin Sher, Alternate at the table this evening.

Pledge of Allegiance

The Pledge was observed.

Mr. Kenny joined the meeting and stated that he would prefer to remain in the audience rather than be seated at the table this evening.

I. Emergent Additions to the Agenda

Ms. Picarazzi noted that there was one item that needed to be added to the Agenda.

****MOTION (1)**

Mr. McPherson moved to add to the agenda - Item 3. under New Business – Request for a two-year extension of time on Darrow’s Ridge, Phase I public improvements.

Mr. Sandford 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.

Ms. Picarazzi called for Public Delegations.
There were none.

**III. Approval of Minutes – Regular Meeting Minutes of September 1, 2009
Workshop Minutes of September 15, 2009
Special Meeting Minutes of September 29, 2009**

Ms. Picarazzi called for any discussion or corrections to the Planning Commission Regular Meeting Minutes of September 1, 2009.

Mr. Bowers asked that on Page 2 in the third motion on the page that the information be completed that there was one abstention and that it was Mr. Sandford who abstained.

****MOTION (2)**

Mr. Sandford moved to approve the Planning Commission Regular Meeting Minutes of September 1, 2009 as amended.

Mr. Bowers seconded the motion.

Vote: 4 – 0 – 1. Motion passed.

Abstained: Mr. McPherson

Ms. Picarazzi called for any discussion or corrections to the Planning Commission Workshop Minutes of September 15, 2009.

****MOTION (3)**

Mr. Bowers moved to approve the Planning Commission Regular Workshop Minutes of September 15, 2009 as presented.

Mr. Sandford the motion.

Vote: 3 – 0 – 2. Motion passed.

Abstained: Ms. Picarazzi, Mr. McPherson

Ms. Picarazzi called for any discussion or corrections to the Planning Commission Special Meeting Minutes of September 29, 2009.

****MOTION (4)**

Mr. McPherson moved to approve the Planning Commission Special Meeting Minutes of September 29, 2009 as presented.

Mr. Bowers seconded the motion.

Vote: 4 – 0 – 1. Motion passed.

Abstained: Ms. Picarazzi

IV. Pending Applications

There were none.

Subdivisions (Approved and Under Construction)

(A list of approved subdivisions under construction will be posted on the Town web-site @ www.eltownhall.com under "Planning Commission". The Active Subdivision List will also be available upon request in the Land Use Office. This agenda item shall be reserved for items requiring administrative action by the Planning Commission for already approved subdivisions.)

V. Applications/Current Subdivision Approval/Construction Reports

There were none.

VI. Zoning Referrals (CGS 8-3a)

1. Mary Sanchez Quality Homes, LLC, Applicant; Webster J and Lisa Scott Owners; Application for proposed Affordable Housing Development on property located at 63 Scott Road, Tax Assessor's Map #29, Lot #14, zoned RU-40 (Rural Residential)

Mr. Goeschel said that this application has been withdrawn from Zoning for now and would be back at a later time. However, they could act on it now.

Mr. Sandford suggested that they wait until it does become active again.

****MOTION (5)**

Mr. Sandford moved to table discussion on this item until further notice as it has been withdrawn in Zoning.

Mr. McPherson seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

VII. 8-24 Referrals (Municipal Improvements)

There were none.

VIII. New Business

1. Charles and Carol Hallas, Applicant/Owner, Application for a proposed two-lot subdivision of land located at 191 Whistle-town Road, Tax Assessor's Map #42, Lot #5, RU-80 (Rural Residential). Received 10/6/09.

Mr. Goeschel said that this is pretty straight forward except for the stormwater regulations which the applicant is seeking a waiver of.

Attorney Theodore Harris, representing the applicants explained that the applicants thought that they were not going to need this as it is a transfer from the parents to the son-in-law that they would like to get done soon to qualify for the tax credits that are being offered. He asked if they could schedule this Public Hearing for the next meeting of the Commission later this month.

Mr. Bowers asked what the waiver is that they are seeking with regard to the stormwater regulations. Mr. Goeschel said that the waiver is of the 100 year storm design as the meet the 25 year standard and the Town Engineer has indicated that should be adequate.

****MOTION (6)**

Mr. Sher moved to schedule the Public Hearing on the Application of Charles and Carol Hallas for a two-lot subdivision of land for October 20, 2009.

Mr. Bowers seconded the motion.

Mr. Bowers asked if the Town Engineer would be ready for October 20, 2009.

Mr. Goeschel said that that letter from the Town Engineer has already been written stating that he supports the request for a waiver of the 100 year storm design.

Vote: 5 – 0 – 0. Motion passed.

2. KSK Associates, LLC, Applicant/Owner, Application for a proposed three-lot re-subdivision of 203 acres of land located on and east of Goldfinch Terrace adjacent to and between Interstate I-95 to the south and Egret Road to the west and the East Lyme/Waterford Town boundary to the northeast. Assessor's Map #36, Lots 34 & 41. Received 1-/6/09.

Mr. Goeschel said that he has scheduled a Public Hearing on this application for November 17, 2009.

The Commission set up a site walk on this property for Thursday, October 15, 2009 at 4:15 PM; meeting at the end of Goldfinch Terrace.

3. Request for a two-year extension of time on Darrow's Ridge, Phase I public improvements.

Some unidentified people who suddenly joined the meeting began speaking out on how they wanted to make comments on this item.

Ms. Picarazzi said that this is not an item that they could comment on as it was not the subject of a public hearing and suggested that they give any comments that they might have to Mr. Goeschel.

Mr. Goeschel said that the time for comments on this item has long passed.

Attorney Theodore Harris said that this item is not subject to a Public Hearing and that it is a request for an extension of time to complete the public improvements.

Attorney Harris then explained to everyone that this is not an issue for public comment and that it is a request for an extension of time that is no different than many other extension requests that the Commission

has received and granted. There were Public Hearings on this when the application was first brought before them.

Mr. Goeschel said that he would have to agree with Attorney Harris that this is not an item for public comment. He added that the public comment provision also does not allow for comments on items that are on the agenda. He asked Attorney Harris to continue to explain this request to the Commission.

Attorney Harris explained that this is for the Mostowy Road improvements. The road is bonded and the permitting resolution is signed to the Town and they have been working with the Army Corps of Engineers to obtain a meeting on this project. Phase I expires on October 19, 2009 and Phase II expires in April of 2010.

Ms. Picarazzi said that the request is for an extension of time – Attorney Harris said yes, and added that the extension is allowable – up to five years and that they have asked for two years.

Mr. Goeschel said that he is getting a list from the Town Engineer on what is left to do and that he should have it for the next meeting and that he could share it with them and the public at that time. The Commissioners suggested that they grant an extension of time to their November 17, 2009 meeting as that would allow time to obtain the punch list from the Town Engineer.

****MOTION (7)**

Mr. Bowers moved to grant an extension of time on this request to the November 17, 2009 meeting of the Commission to allow time for the Town Engineer to submit a punch list for the October 20, 2009 meeting of the Commission.

Mr. McPherson seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

VIII. Old Business

1. POCD Update

Mr. Goeschel reported that the preliminary document did not receive any other comments and that they would hold the Public Hearing on this on November 10, 2009 at the Police Station in the front meeting room. He said that the Board of Selectmen would receive copies tomorrow evening to review and to then discuss at their meeting on October 21, 2009. Everything is moving forward and they should have this done by the end of the year.

IX. Reports

1. Chairman

Ms. Picarazzi said that she did not have any further comments.

2. Zoning Representative

There was no report.

3. Regional Planning Commission Representative – Christopher Sandford, Luane Lange, Alternate

Mr. Sandford reported that according to a State Representative, in the Governor's Budget all regional planning has been eliminated.

4. Subcommittees

• Conservation Development by Design (CDD) Subcommittee Report

Ms. Picarazzi said that they are setting up a meeting of this subcommittee for October 22, 2009.

5. Ex-Officio – Jack Hogan

There was no report.

6. Staff/Communications

Mr. Goeschel said that the ground breaking for the Streetscape Project was held this afternoon and that the pavers start at Pennsylvania Avenue and run to the train tracks. They also received another \$200,000 grant

that would take this project from the train tracks to the Children's Museum. They can see a sample of the pavers outside in the parking lot near the sidewalk.

ADJOURNMENT

****MOTION (8)**

Mr. Sandford moved to adjourn this Regular Meeting of the East Lyme Planning Commission at 7:55 PM.

Mr. McPherson seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary