

**EAST LYME PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, JULY 7th, 2009  
MINUTES**

PRESENT: Lisa Picarazzi, Chairman, Francine Schwartz, Secretary, Mike Bowers,  
Paul Dagle, George McPherson, Alternate, Alvin Sher, Alternate

ALSO PRESENT: Gary Goeschel, Planning Director  
Jack Hogan, Ex-Officio, Board of Selectmen  
Drew Kenny, Alternate

ABSENT: Tom Perron, Chris Sandford

Chairman Picarazzi called this Regular Meeting of the Planning Commission to order at 7:15 PM immediately following the previously scheduled Public Hearing. She noted that she had seated George McPherson, Alternate and Alvin Sher, Alternate at the table this evening.

**Pledge of Allegiance**

The Pledge was previously observed.

**I. Emergent Additions to the Agenda**

Ms. Picarazzi noted that there were no items to add to the Agenda.

**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 June 2, 2009  
Workshop Minutes of June 16, 2009**

Ms. Picarazzi called for any discussion or corrections to the Planning Commission Regular Meeting Minutes of June 2, 2009.

**\*\*MOTION (1)**

**Mr. Dagle moved to approve the Planning Commission Regular Meeting Minutes of June 2, 2009 as presented.**

**Mr. Bowers seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

Ms. Picarazzi called for any discussion or corrections to the Planning Commission Workshop Minutes of June 16, 2009.

**\*\*MOTION (2)**

Mr. McPherson moved to approve the Planning Commission Workshop Minutes of June 16, 2009 as presented.

Mr. Bowers seconded the motion.

Vote: 3 – 0 – 3. Motion passed.

Abstained: Mr. Bowers, Mr. Dagle, Mr. Sher

**IV. Pending Applications**

1. Lombardi Inside/Out Applicant, Owner, Application for a 2-Lot Re-subdivision of 3.57 acres at 4 Rocco Drive, Assessor's Map #44.0, Lot 19-19, R-40

Ms. Picarazzi noted that they had just continued this Public Hearing.

**Subdivisions (Approved and Under Construction)**

*(A list of approved subdivisions under construction will be posted on the Town web-site @ [www.eltownhall.com](http://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**

1. Request of Theodore A. Harris on behalf of East Lyme Housing Ventures, owners of the Orchards Subdivision, for a Bond Release for Phase I & III as well as the public road for Section V of the Orchards Subdivision.

Ms. Schwartz recused himself from discussion on this item and left the table.

Mr. Goeschel explained that the Engineering Department has determined that the public improvement bond can be reduced to \$450,000 at this time from \$1M. The E & S and site restoration bond will be held at it's current value of \$350,000.

Mr. Dagle said that they had just been given a reduction and asked if further work has been done.

Mr. Goeschel said that the road is coming up for acceptance and that they are still holding a considerable amount of money.

**\*\*MOTION (3)**

Mr. Bowers moved to approve the request of Theodore A. Harris on behalf of East Lyme Housing Ventures, owners of the Orchards Subdivision, to reduce the public improvement bond from \$1M to \$450,000 and to retain the S & E bond at it's current \$350,000.

Mr. Dagle seconded the motion.

Vote: 4 – 0 – 1. Motion passed.

Abstained: Mr. McPherson

(Note: Ms. Schwartz returned to the table.)

**VI. Zoning Referrals (CGS 8-3a)**

1. Application of Jeffrey McNamara, Agent for Mary Sanchez Quality Homes, LLC for Affordable Housing at Scott Road, East Lyme.

Mr. Goeschel explained that the Zoning Official brought to his attention that there is a procedural error regarding this application and that it would most likely not be heard on July 9, 2009 as was previously indicated. The public hearing could possibly be re-scheduled for sometime in September.

Ms. Picarazzi suggested that they at least begin some discussion on this so that they would be ready to provide a response when it is necessary to do so.

Mr. Goeschel said that this property is located on Scott Road and Holly Lane and is adjacent to the Orchards subdivision. There used to be a pond which is not there anymore and the property at first glance seems to be remote.

Mr. Dagle said that even though the location does not appear to be ideal that he would still like the time to review the POCD for other concepts.

Ms. Picarazzi asked that it be noted that the Commission would like to further review this at the next meeting before submitting a finding on it.

**2. Application of Theodore A. Harris for GDS Capital Holdings LLC to amend the East Lyme Zoning Regulations Section 9.2.3, 1.1 and 25.5 with regard to Mixed Use Development.**

Mr. Goeschel explained that in review of this that it would be an excellent use of the space and would encourage the Town to move forward with mixed use development such as with three-story buildings that house commercial on the ground floor and perhaps office space with living space on the upper floor.

Mr. McPherson and Mr. Bowers said that it still meets the intent of the commercial use on the bottom floor and at least one floor for residential use.

Mr. Goeschel echoed that it would encourage mixed use.

The consensus of the Commissioners was that this was a good thing to advocate and consistent with the POCD goals and objectives.

**\*\*MOTION (4)**

**Mr. McPherson moved to find the Application of Theodore A. Harris for GDS Capital Holdings LLC to amend the East Lyme Zoning Regulations Section 9.2.3, 1.1 and 25.5 with regard to Mixed Use Development CONSISTENT with the goals and objectives of The Plan of Conservation and Development.**

**Mr. Bowers seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

**3. Application of AHEPA 250 INC to amend Section 25.5 of the Zoning Regulations. Section 25.5 Table of Minimum Controls for Specific Special Permit uses. AHEPA 250 INC proposes to modify the density requirement for Section 202 Housing for the Elderly Multi Family/Multi story by reducing the lot area requirement from 4000 square feet to 2800 square feet for each efficiency or one bedroom unit.**

Mr. McPherson asked Mr. Goeschel to explain to them what part of this application is different from the previous applications that they have seen from these same people – except for the square footage being reduced a bit.

Mr. Goeschel said that they are still looking to increase the density and that it is substantially the same type of application as the previous one. It also does not appear to be consistent with the intent of the POCD.

Mr. Bowers said that this is the third go around on this applicant trying to amend the zoning regulations to increase the density and they have found this inconsistent each time. So – for the third time, they will find it inconsistent. He asked what the developer does to understand about what they are saying.

Mr. Goeschel noted that this applicant does have an application pending before the wetlands commission and that it may be heard at the next wetlands meeting.

**\*\*MOTION (5)**

**Mr. Bowers moved to find (for the third time) the Application of AHEPA 250 INC to amend Section 25.5 (Table of Minimum Controls for Specific Special Permit Uses) of the Zoning Regulations INCONSISTENT with the goals and objectives of The Plan of Conservation and Development.**

**Mr. McPherson seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

**VII. 8-24 Referrals (Municipal Improvements)**

There were none.

## **VIII. New Business**

There was none.

## **VIII. Old Business**

### **1. POCD Update**

Mr. Goeschel said that Mr. Miniutti would come to their workshop on June 21, 2009 and give a presentation on the items that have come down to them.

Ms. Picarazzi asked Mr. Goeschel to set a Public Hearing on the Open Space document.

Mr. Goeschel said that he has been working on it and that it looks like the August 4, 2009 meeting might be a good time to do that.

- **Proposed POCD draft language**
- **Goals & Objectives**
- **Green Energy (Renewable Energy)**
- **Agricultural Land Use**
- **Historical and Cultural Resources**
- **Water & Sewer**
- **Other Sections or Related Issues/Concerns as Time & Discussion Dictate**
- **Project Timeline**

Mr. Goeschel said that he has been working on the comments that they have forwarded to him and that he will integrate them and get them to them soon.

Ms. Picarazzi said that the next POCD meeting is scheduled for July 13, 2009.

Mr. Goeschel asked that if they have further comments that they get them to him by then.

## **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**

There was no report.

### **4. Subcommittees**

#### • **Conservation Development by Design Subcommittee Report**

Ms. Picarazzi reported that they did meet and they have essentially made changes to the zoning regulations and that the next one that they will work on is the subdivision regulations. After that they would determine if they should move both forward at the same time or separately.

Mr. Dagle said that he would suggest not holding zoning if it is ready to go – unless there is a connection between the both of them.

Mr. Goeschel said that there is a connection especially with respect to the roads and that they may want to wait as they do have to work together.

### **5. Ex-Officio – Jack Hogan**

Mr. Hogan reported that the Town is doing well and that with all of the rain that we have been getting that the water situation is also doing well. They will be getting another grocery store in the old Colonial Market site in August and something will also be coming to Constantine's in the very near future and it has been rumored that Andy Pappas may take a more active role in getting it going again. Celebrate East Lyme is set for July

18, 2009. He also noted that they are still in negotiations on the Boardwalk and that something should be coming with regard to it in the future.

#### **6. Staff/Communications**

Mr. Goeschel said that they have been frantically working on the streetscape sidewalk and pavers design plan in order to go out to bid so that the work can begin in September sometime.

Ms. Picarazzi noted that the new Town website is a nice change and suggested that they take a look at it.

#### **ADJOURNMENT**

##### **\*\*MOTION (6)**

**Mr. McPherson moved to adjourn this Regular Meeting of the East Lyme Planning Commission at 8:00 PM.**

**Mr. Dagle seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary