

PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, September 15, 2011
Town Council Chambers, Town Hall Annex

Meeting Minutes

1. The Special Meeting of the Ledyard Planning Commission was called to order by Mike Cherry on Thursday, September 15, 2011 at 7:34 p.m. in the Council Chambers, Ledyard Town Hall Annex, 741 Colonel Ledyard Highway, Ledyard, CT.
2. Roll Call: Regular Members Present: Mike Cherry, Roger Tremblay . Ken Koe, Ed Lynch (excused) Naomi Rodriguez (arrived later in meeting).

Alternate members present: Tom Baudro, seated for vacant position.

Also Present: Charles Karno, Town Planner

3. Approval of Minutes.

Ken Koe made a motion to approve the regular meeting minutes of August 2, 2011, seconded by Roger Tremblay. Motion approved 4-0-0.

4. Correspondence/Reports:

a. SCOG banquet will be held October 27th at Lake of Isles. Let staff know if you're interested in attending.

b. CT Conference of Municipalities Bulletin "New Requirements for Subdivisions and Site Plan Bonds" - Public Act No. PA 11-79, among other things, revises the process whereby development projects proceed in communities, including the types of bonds and sureties that may fulfill bond requirements.

c. Letter from Town Treasurer re. Citizens bank letters about withdrawal of bond money for Ap#387 (Sablewoods). The court released funds to defendant, in error.

d. Final plans for Gales Ferry marina were approved by DEEP.

e. Letter from Harry Heller via Peter Gardner with latest draft amendment to Zoning Regulations on Open Space subdivision concept that increases both Open Space and housing density. Mike Cherry referenced a recent conference on affordable housing on the impact of site size; clustering with smaller lot sizes may encourage affordable housing. He asked commissioners to read the amendment text.

f. There was correspondence regarding the demolition of the temporary classrooms at Gales Ferry school. There will be a Zoning Commission public hearing on the proposed CVS pharmacy planned at the former Gales Ferry school next Thursday, 9/22/11.

5. Business:

- a) Application #515: Approved (11/4/2010) Subdivision at 41 Iron Street: Request for bond release
Discussion:

Town Engineer recommended release of all but the 10% guarantee period amount.

Mike Cherry made a motion to reduce the bond to \$3000.

Seconded by Tom Baudro.

Motion approved 4-0-0.

- b) Application #516: Approved (12/2/2010) re-subdivision at 41 Iron Street.

Discussion: In correspondence from Attorney Landolina, the Planning Commission was asked to hold off on bonding. In response to an inquiry to Town's attorney, it was stated that the bond must be posted before Oct. 1, and there are no extension left under the regulations current in effect. Applicant, Mr. Silvestri, sent email to Planner acknowledging he recognizes there is no alternative. It's expected the applicant will likely let the application lapse and reapply at a later time after new state regulations take effect on Oct. 1st. Then the Planning Commission has the option to amend regulations to be more flexible per new state regulation. Mike Cherry asked Charlie Karno to survey suggestions from local developers to come up with a workable amendment, considering the new state law.

- c) Preliminary Subdivision Review: 2 Lot Subdivision; 770 Long Cove Road

Attorney Theodore Ladwig and Bob Schuch of Boundaries, representing the applicant, made a presentation:

The re-subdivision results from a marriage dissolution, with the property split among husband & wife. They are asking for waiver on both Open Space and Fee In Lieu Of. Attorney Ladwig feels there's legal precedence for the waiver.

Discussion:

Mike Cherry said it's conceivable that the commission may approve the waiver since the property could be considered to still be family owned, with the stipulation that if either lot is sold within 5 years, the applicant must pay fee-in-lieu-of to the Town. Attorney Ladwig said that, in any event, the applicant would likely delay sale or development until after there was an improved economy at which time the large parcel's value for open space would be greater, to the Town's advantage.

Attorney Ladwig represents wife who is elderly. There was general agreement that this is a re-subdivision, requiring a public hearing. Mike Cherry stated that monumentation is required. There was some discussion regarding need for A2 survey, especially given that there was a small lot being created and the lack of driveway cuts. Mike Cherry noted that there is the potential to have future open space on this property to be connected to open space planned on an adjacent property. The applicant expects to try to file application before the next regular meeting to try have a decision before the end of December. Attorney Ladwig asked if we could hold a public hearing and then keep the hearing open pending wetlands approval. Mike Cherry thought it could be done.

- d) 8-24 Referral: Demolition/Removal of portable classrooms at 7 Hurlbutt Road (former Gales Ferry School)

Mike Cherry made a motion to endorse the referral with the following comments: the proposal is consistent with the POCD.

Seconded by Ken Koe. Approved 5-0-0.

- e) Discussion: Boundary Line Adjustment: 29 Barton Lane/40 Chriswood Trace

Peter Gardner made a presentation:

He said there is currently a violation of health code there being a septic system located on the Chriswood Trace parcel that serves the Barton Lane parcel. He proposed a Boundary Line Adjustment to resolve the issue without lot size changes as a first step. Mike Cherry asked why not just add a new septic to the Barton Lane parcel. Gardner said many costly things would need to be done and several interested parties prefer a Boundary Line Adjustment. The existing non-conforming septic system has been in use since the original erroneous subdivision approval. Mike Cherry suggested a possible future further subdivision of the Chriswood lot. Peter Gardner said that future steps under discussion could include a request for a Zoning variance to allow a smaller lot width to permit the creation of another lot on the Chriswood parcel. Charlie Karno noted tentative plan results in an irregular shape. Peter Garner noted several other existing non-conforming aspects of Barton lot.

Mike Cherry made a motion to endorse the boundary adjustment with the following comment: The Boundary Line Adjustment is acceptable given the unique circumstance.

Seconded by Roger Tremblay. Approved 5-0-0.

c) Acknowledge receipt of any new subdivision applications.

Baldwin Ridge Industrial Park; 32.4 acres; 5 Lots, Zoned CIP, Map 134, Block 140, Lot 1322, Owner: B&R Holdings, LLC.

Mike Cherry discussed some background regarding the application and the surrounding area. There was discussion about the need for an optional public hearing. Tremblay argued in favor of having one as a gesture of 'courtesy' to abutting residents and to facilitate communication of plans and possible concerns. Mike Cherry felt one was not required and town would incur an added cost. There was discussion about the fact that applicant wants to waive Open-Space/Fee-in-Lieu-of. Tremblay argued that Open Space could augment regulation set-backs for added buffering. After much discussion regarding interests of abutting residents, Naomi Rodriguez moved to hold a Public Hearing; Roger Tremblay seconded; approved 3-1-1(Mike Cherry opposed, Ken Koe abstained).

6. A motion was made to adjourn the regular meeting by Naomi Rodriguez, seconded by Mike Cherry. Motion approved 5-0-0. Meeting adjourned at ??? p.m.

For the Commission,

Roger J. Tremblay, Secretary (Acting)