

PUBLIC HEARING OF MAY 20, 2009  
EAST LYME BOARD OF SELECTMEN\  
MINUTES

PRESENT: Paul Formica, Robert Kleinhans, Rose Ann Hardy, Rob Wilson.

ALSO PRESENT: Town Atty. Ed O'Connell.

Mr. Formica called the Public Hearing to order at 7:15 p.m. and asked Mark Salerno to lead the Pledge.

Attorney O'Connell summarized the draft Ordinance Concerning the Designation of Scenic Roads and added that State Statute 7-149a authorizes this ordinance. He said that all the provisions of the enabling statute would be adopted if the Board of Selectmen voted to adopt this ordinance.

Mark Salerno noted he was a member of the Zoning Commission and he had chaired the subcommittee comprised of members from the Planning and Zoning Commissions along with Town residents, that had been charged with drafting this ordinance. He stated he was in favor of its adoption and urged the Selectmen to support it.

Ms. Rowe entered the meeting at 7:22 p.m.

Mike Schulz of Lovers Lane asked if any enforcement issues would be created if this ordinance was adopted and if there would be any additional costs to the Town?

Attorney O'Connell stated that this does not regulate the property of the abutting owners; it deals only with the road.

Mr. Schulz said he was concerned that these properties could turn into junkyards.

Ms. Hardy commented that the Zoning Official could take care of blighted properties.

Alicia Geer of 86 Grassy Hill Road noted she was in favor of this ordinance since it would preserve some of the older rural aspects of the town.

Tom Kalal of Grassy Hill Road stated he supported this ordinance and urged the Selectmen's support.

Beverly Picazzio of 28 Grassy Hill Road stated that she was in favor of this ordinance since it would promote the conservation and scenic quality of the area and retain the landscape found on Grassy Hill Road. She added that this type of road is disappearing and the Town should protect it.

Pauline Lord of 83 Pattagansett Road encouraged the Selectmen to enthusiastically endorse this ordinance.

Marvin Schutt of 29 N. Edgewood Road noted he was a member of the Conservation of Natural Resources Commission and thanked the people who crafted this ordinance and asked for the Selectmen's support.

Attorney O'Connell noted that he had been charged by the Selectmen to define "intensive vehicular traffic" and had. The Planning Commission after reviewing the addition to the ordinance with this definition found the new language in the revised ordinance, more restrictive than the State Statute and added that it removed the flexibility that the State Statute allows

the Planning Commission and asked that the original draft be considered.

Ms. Hardy noted in Section 11, the last sentence and asked why the Town should be exempt from following procedure? She suggested adding language for an emergency situation.

Mr. Kleinhans stated that his concern was with the undefined word "portion" and inquired how a portion of a road would be regulated.

Attorney O'Connell commented that people could make application to the Planning Commission, whether the Planning Commission would grant an application is another matter. He said that the Planning Commission retains discretion over the applications.

Ruth Reluga of 10 Bronson Street asked who would be opposed to this ordinance, adding it was a wonderful thing. She supported it and asked if the Selectmen thought it would be a hard decision to make?

Mr. Kleinhans stated that this will be a law that deals with people's property rights and he always has concern for the people in instances such as this.

Mr. Shulz asked if other people could apply or just the property owners?

Attorney O'Connell noted that the subcommittee had considered this point and did not want to restrict the application process, but all abutting property owners would have to sign in agreement for an application to proceed.

Mr. Formica closed the Public hearing at 7:56 p.m.

Respectfully submitted,

Darlene C. Stevens, Recording Secretary