

**EAST LYME PLANNING COMMISSION  
WORKSHOP MEETING  
Tuesday, OCTOBER 20th, 2009  
MINUTES**

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

ALSO PRESENT: Gary Goeschel, Planning Director  
Fred Finn, LS, representing the applicant  
Drew Kenny, Alternate

ABSENT: Chris Sandford, Paul Dagle, Tom Perron

**Call to Order**

Chairman Picarazzi called this Workshop Meeting of the Planning Commission to order at 7:01 PM and seated Alternates George McPherson and Alvin Sher at the table this evening.

**Pledge of Allegiance**

The Pledge was observed.

**I. 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 and in-house proposals or general topics of discussion are open to comment. The members of the Commission will not directly answer questions or make comment during delegations.*

Ms. Picarazzi called for public delegations.

Steve Harney, 20 Islanda Court said that he would like to speak generically on the stormwater regulations that they had instituted as he had recently met with various Town staff and asked that perhaps the Planning Commission could give some direction to staff with regard to the bonding of items and the improvements on a lot. Specifically, with regard to a homeowner's lot that they wish to put a home on – he questioned the bonding of an item or items that the Town would never own or ever be responsible for; such as a rain garden or septic system. He said that it does not seem reasonable to require bonding for those items when the homeowner is the one who will be responsible for the maintenance. He suggested that if the intent was to make sure that those types of items would be completed that it would more appropriately be a part of the building inspection process and tied into whether the final CO is granted or not rather than to the bonding. He asked if they could review that and offer better direction on it.

John Strafacci, 16 Darrow's Ridge Road said that he has an issue or concern relating to a subdivision under construction and has been informed that he cannot specifically speak on it. His concern is with regard to Darrow's Ridge and with the developer, whom he also was informed he cannot name. His issue is with developers who do not complete the public improvements and then file for bankruptcy. He does not understand why or how they can maintain that they cannot hear from the public regarding a developer who is seeking an extension of time to complete public improvements. He said that while he cannot name him that he would say that the initials are JT. He told the Commission that they should have accurate information on bond amounts and on returning the bond monies as he understands that they only have \$66,000 held for this developer and it is their responsibility to see that the improvements are done. The amount of bond money being held will not cover the work that has yet to be done and he

maintained that they are putting the Town at risk with extensions of time for a developer who has filed bankruptcy. He further claimed that there are issues of public health and safety tied to decisions that they make and the Town could be sued. He asked that the policy of the Commission regarding speaking be clearly defined and put on the website for people to see.

Ms. Picarazzi thanked Mr. Strafaci for coming and said that she wanted to assure them that they take their positions seriously. She noted that he was the person who came to them at their last meeting and arrived after the time for any public comments and then spoke out of order at the meeting. She said that she would apologize if they were not aware of the policy on not being able to speak on matters that are in front of the Commission for a decision and said that she would see that they have the information on such policy placed on the website.

Ms. Schwartz said that she would like to say a few words. She said that while she was not present for the last meeting that she has been on the Commission for a long time and that the understanding has always been that if there is an item that is the subject of a Public Hearing then that is the time that the public can speak.

## **II. Current Subdivisions/Re-subdivisions**

- **Request of Lombardi Inside/Out LLC, Applicant/Owner for a ninety-day extension of time to file Mylars for a 2-lot re-subdivision of 3.57 acres at 4 Rocco Drive, East Lyme, CT**

Mr. Goeschel said that Mr. Finn was present to explain this request.

Fred Finn, LS representing the applicant said that they are requesting the 90-day extension of time to get the proper deeds together to reflect the conditions of approval. The attorneys are preparing this now and they are coming up on the 90 days (11/2/09) so they are requesting an extension.

Mr. Goeschel said that their next regular meeting is 11/17/2009 which brings them after the 11/2/09 date.

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

**Mr. Bowers moved to approve the request of Lombardi Inside/Out LLC, Applicant/Owner for a ninety-day extension of time to file Mylars for a 2-lot re-subdivision of 3.57 acres at 4 Rocco Drive, East Lyme, CT**

**Mr. Sher seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

## **III. Plan of Conservation and Development**

### **◆ Plan of Conservation and Development (POCD) Update Status**

Mr. Goeschel said that he has forwarded copies to the Board of Selectmen, DEP and others as required and requested comments. He said that he would give a brief explanation to the Board of Selectmen at their meeting the following evening and that they would then hold a public hearing and pass along their comments.

### **◆ Proposed draft language prepared by the POCD Steering Committee**

#### **i. Economic Development**

Ms. Picarazzi reported that the POCD Steering Committee had met the previous evening and reviewed this information from the EDC and determined that while it is a good document, there are things that will need to be revised and it will not be put in with the current revision.

Mr. Goeschel asked if they wanted to begin to edit it or let the Steering Committee begin to do it and then work from there. He said that he would email them a copy and that they could email him any suggestions that they might have.

**ii. Other Sections or Related Issues/Concerns as Time & Discussion Dictates**

Mr. Goeschel noted that the public hearing on the POCD would be held on 11/10/09 in the Police Station front meeting room and that they would hold it open until their meeting on 12/1/09 for comments.

**ADJOURNMENT**

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

**Mr. McPherson moved to adjourn this Workshop Meeting of the East Lyme Planning Commission at 7:45 PM.**

**Mr. Bowers seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary