

**MINUTES
OLD LYME PLANNING COMMISSION
REGULAR MEETING
MARCH 9, 2023**

PRESENT WERE: Harold Thompson, Barbara Gaudio, Don Willis, Rob McCarthy, and Alternates Jim Lamos seated for Todd Machnik, Alternates Matt Ward and Chris Kerr.

The commission began the meeting with the Pledge of Allegiance.

PRELIMINARY DISCUSSION – 11 BUTTONBALL ROAD – SUBDIVISION – K & S DEVELOPMENT, LLC.

Bob Doane, Professional Engineer and Land Surveyor located in Centerbrook, CT was present to discuss the proposed 13 Lot Subdivision located in the R-40 zone on 21.87 acres. He stated it is located on the corner of Buttonball and Shore Road and has an existing home on the site. The proposal includes 3.85 acres of open space which meets the 15 percent requirement. The roadway will front on Buttonball Road and the lots will be served by a 900 ft. cul-de sac. He noted they have done testing on the property. The wetlands have been flagged and surveyed by Richard Snarski. He noted there are two rear lots, and the other lots meet the frontage requirements. He said when the MABL is completed on each lot they will be doing additional probes because the regulations require the MABL determination not include the sanitary test holes.

He stated that Wendy Arnold, Ledge Light Health District witnessed the test holes and favorable conditions were found. He stated the regulations require the access be provided from the secondary roadway rather than the state road.

He stated the subdivision backs up to the Black Hall on the northeast corner on the east side and the state highway to the south and the recently approved subdivision in the northwest corner which also fronts on Buttonball Road.

He noted there is currently a gravel drive into the site with a gate which can be utilized during the construction.

Gaudio asked what was proposed for the existing building located on Lot 1. Doane stated it is in horrible shape and will probably be a teardown rebuild. He stated it does not presently comply with the frontage requirement but to make it comply it would have to be backed up into the upland review area. Therefore he stated they would prefer to keep it in its existing location. Jim Lamos asked if any consideration had been given to making Lot 1 a part of the open space. The owners of K & S development stated that it has been a rental property and the existing tenants of 5 years have expressed an interest in purchasing the property.

Matt Ward asked how the construction trucks would access the site. Doane stated they would use the existing gravel drive with the gate which can be locked as needed. He further stated once the proposed roadway has a good base they would use that.

Eric Knapp asked the applicant who the open space would be conveyed. Doane stated it had not been determined.

Rob McCarthy asked if the septic for the existing house was located on the property. Doane stated it may be located on town property. He further stated the whole septic has not been dug up and the as-built is sketchy.

Bob Doane asked if there was an association he would need to appear before prior to submitting. It was clarified there was a Buttonball Road Committee but that would not be part of his review process.

McCarthy asked about the street drainage. Doane stated it will be designed for the required storm events but additional drainage was still being reviewed with options.

Thompson asked Mr. Doane to locate the drainage pipe on the map. Doane pointed out the location of the 10 inch pipe and noted they have not found the other end of it.

Lamos asked if the existing stone walls would remain. Doane stated they would, and he had used the stonewalls to define the property boundaries.

ORIGINAL DIVISION – ALBERT & CHRISTINE BOND – 240 WHIPPOORWILL ROAD

Bob Doane, Professional Engineer and Land Surveyor presented the proposed division.

The commission received an email dated March 9, 2023 from Wendy Arnold, Ledge Light Health District stating that she had approved the plan dated 10-11-22 on November 22, 2022.

The commission received an email from Attorney Cassella dated March 9, 2023 stating he had no objections but asked that as a condition of approval the applicant provide confirmation through title history that this property has existed since 1958.

Bob Doane provided the necessary documentation for the title which was researched by Peggy Metcalf back to 1918.

He said the total acreage for the site is 29.5 and the proposal is to divide it into two parcels.

Chris Kerr asked if any of the property was located in a flood zone. Bob Doane stated there is flood zone shown on the map but none of the MABL area is located in the flood zone.

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Harold Thompson made a motion to approve the application with the condition that Attorney Cassella review and approve the title information. Barbara Gaudio seconded the motion. The motion passed unanimously.

REQUEST FOR 90 DAY EXTENSION – SUBDIVISION – KEYSTONE CAPITAL GROUP – 16 NECK ROAD

Michael D’Amato submitted a letter to Erik Knapp, Land Use Coordinator on March 6, 2023 requesting an additional 90 day extension for the approve 9 lot subdivision located at 16 Neck Road.

Harold Thompson made a motion to approve the 90-day extension. Don Willis seconded the motion. The motion passed unanimously.

PETITION TO AMEND THE REGULATIONS – CONNECTICUT RIVER GATEWAY COMMISSION

Eric Knapp distributed a memo to the commission members outlining the proposed amendments to the Gateway Standards. He highlighted and reviewed the changes which include the coastal jurisdiction line and requirement to minimize ambient lighting.

Jim Lampos inquired whether the town is obligated to use the coastal jurisdiction line. Knapp stated because it is now incorporated into the state statute the town is obligated to use the new language provided.

Harold Thompson made a motion to find the proposed language consistent with Plan of Conservation and Development and requested the Zoning Commission change the proposed text to specify Old Lyme. Barbara Gaudio seconded the motion. The motion passed unanimously.

READING AND APPROVAL OF THE MINUTES – REGULAR MEETING MINUTES – JANUARY 12, 2023

Don Willis made a motion to waive the reading and approve the minutes as submitted. Robert McCarthy seconded the motion. The motion passed unanimously.

OTHER BUSINESS

Barbara Gaudio thanked Kim Groves for all the work she has done for the commission and noted that she has currently been covering for two positions since October 28, 2022 when the building department had an unexpected vacancy. Harold Thompson echoed her remarks.

Respectfully submitted,

Kim Groves.

