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ATTEST J. Winters, Town Clerk

PLANNING AND ZONING COMMISSION
Public Hearing/Special Meeting

The Lyme Planning & Zoning Commission held a meeting on Monday, May 2, 2016 at 7:30 p.m. at the Lyme Town Hall, 480 Hamburg Road, Lyme, CT, 06371.

MEMBERS PRESENT: David Tiffany Chairman, Phyllis Ross, Ross Byrne, Hunter Ward, Attorney Mike Carey, Bernie Gigliotti ZEO, and Patsy Turner Secretary.

Public Hearing

1859 Associates LLC. (Reynolds Garage and Marine), 268/272 Hamburg Road, Tax Map 27 Lot 25; an application for a site plan review of a proposed expansion of the car dealership portion of the business.

Tiffany: The applicants have been working towards this public hearing with preliminary meetings to receive input from the commission to achieve a complete application. The public hearing forum is for collecting information and giving input but a decision will be made during the regular section of the meeting.

Present at the meeting were Tom Metcalf (representing the applicants), Ann Penniman (Landscape Architect), Scott Vlasak (Architect), Brian Reinke (Lighting Consultant), Edward Sailer (Environmental Consultant), Attorney Fritz Gahagan, Hayden Reynolds, Katheryn Wayland, and Tom Reynolds.

Metcalf: The application being presented meets the requirements of Section 6.2.5 and Section 11 for site plan review, and Section 11.9 for modification to a previously approved site plan for 268 Hamburg Road. The properties being discussed are 268 & 272 Hamburg Road, Assessor's Tax Map 27 Lots 24 & 25. Maps of the two properties were presented with 268 being 1.5 acres and 272 being 2.3 acres. Survey of the two properties was created by Dick Gates; the topographic survey also shows the existing house and outbuildings with the curb cuts and circular driveway. The tidal wetlands were delineated by Rich Snarski; the 272 parcel abuts the Eight Mile River at the back of the property. The lawn area and trees have been located on the survey, there is a tree line shown to the north of the lot (trimmed but left intact), and a tree buffer area (left untouched) along the Eight Mile River (the existing conditions of the property).

Reduced copies of the plans were handed to the commission members for viewing. This information has been before the commission on a preliminary basis twice in the last few months for review and discussion; the commission's input and comments have been taken into consideration, the Fire Marshall's comments, and information from George Calkins the Town Sanitarian have been added also. The location of the building, the parking areas, the design of the building and the elevations, stone will be used within the design, the lighting changes, and the roof design are shown on the plans. Subaru of America dictates the sizing and design of the dealership to meet their standards. The Gateway Commission's input will be explained. The landscaping design will be

presented by Ann Penniman. The proposal is for the construction of an Automotive Sales & Service building which is approximately 15,500 square feet footprint; approximately 43% of coverage (Sales Area-approx. 5,200 sq.ft. ,Service- approx., 9,500sq.ft. ,Office Space & Storage located in the basement-approx. 6,700 sq.ft.). The property is zoned commercial, waterfront, and residential; the proposed improvements are within the commercial area. The parking areas and access to the property are shown on the plans; the existing curb cuts on 272 will be removed and the access will be from 268. At the Fire Marshall's request an emergency access (reinforced grass and pavers-DOT approved) will be add to the north of the property. There will be two way traffic 30 foot wide entering the property with vehicle display between the travel way and the Route 156. Entrance to the service area will be from the front of the building through the two garage doors. The north parking area is for employees. There are a total of 39 parking spaces included on the two properties (improvements will be made to parking on 268); 10' by 20' parking spaces. The offloading area for vehicles being delivered is shown on the plans and is located in front of the existing showroom on 268 Hamburg Road. The drainage on the property is being handled with an infiltration system; the DEEP has guidelines for properties located near tidal wetlands. There will be infiltration chambers installed with the roof leaders attached with catch basins which will overflow into existing catch basins on 268. There is a small dry well catch basin towards the back of the building which will catch water from the backside of the building. The proposed onsite septic system will be located approximately in the existing location of the current system; soil testing was done on the property. The well location is shown on the plans. The lighting will be along the road area and on the building. There will be a 6 foot wide landscape buffer along Route 156 and there will be landscape area around the property. The oil separation tanks are described in the plans; a letter has been recorded in the file with details on the environmental protection of the holding tanks. The construction sequence, erosion & sedimentation control, and septic system details are documented on the plans. Details for the cement sidewalks and guardrails are on the plans. Letters received: Fire Marshall, Lyme Conservation Inland/Wetlands & Watercourse Agency approval, DOT approval (for emergency access), Gateway (Torrance Downes- representative) referral, George Calkins (comments have been addressed in a letter to the Town Sanitarian) the well issue with the State Health Department included in Mr. Calkins' letter has not received as of yet but will be handled before CO will be issued, and Attorney Fritz Gahagan letter with statement of use. The representatives will present their information.

Vlasak (Architect): The effort in preparing what is before the commission has been ongoing since 2014 and has been a team project. The final stamped plans for the project were handed to Mr. Gigliotti for the record. The plans first started with the Subaru of America's standards and were improved with commission's input. The showroom portion of the building will have a full walkout basement area and the service area will have a concrete slab floor. The building design fits the needs of the property owners and fits in with the surrounding neighborhood. The roofline has been changed to pitched roofing, the base of the building will be stone faced, the siding will keep in character with the neighboring properties, the roof shingles will be asphalt architectural, and the height requirement has been met. The pitched roofing was continued to the side of the serviced area to hide the flat roof and improves the view of the building from the north. There will be windows on the service area building to allow

natural light within the structure. The signage on the building will be located in 4 areas; 1) a Subaru sign at main entrance, 2) a Subaru emblem on the stone face of the chimney, 3) a Reynolds sign on the building between the showroom area and the service area, and 4) a Service sign on the service portion above the garage doors. The river side view of the building will be accessed by customers; there will be an exterior deck which connects to the customer lounge. A photograph with the proposed building added was presented and shows what the view from the river will look like when the trees are in full bloom. The elevation requirements of the building were followed from the beginning. The material being used for the exterior will be low maintenance; the service area will have insulated sandwich panels with vertical lines.

Penniman (Landscape Architect): The landscape plan will fit into the rural character of Lyme. The landscaping will be described from the front of the building to the back; there will be a mowed area within the DOT setback, then a white cedar two rail fence along the property line, next an area with warm season native grasses & some trees have been added to soften the view, and at the building frontage there will be cedars and native shrubs which will be mulched. At the north end where there were some concerns red maples, dogwood trees, and native shrubs (bayberry and mountain laurel). Located at the back of the building there will be a lot of low native plantings and additional trees (red maples, shad bush, and river birch). The trees are placed in areas to soften and screen the view from the Eight Mile River while allowing a view. The existing buffer will be supplemented with low shrubs and there is the preexisting lawn area. Drawings of the property were presented to show how the plantings will be situated on the lot when the dealership is completed. Any questions can be answered.

R. Byrne: What is the starting height of the cedars?

Penniman: From 5' to 6' – 7' to 8', the height would be mixed. On the west side of the property there are utility lines which limit the height of trees in that area.

Tiffany: Will the type of trees being planted have the ability to be trimmed?

Penniman: Yes they will tolerate trimming.

P. Ross: The building architecture and the landscaping do really soften the commercial building and looks appealing. How will costumers not enter the emergency access area?

Metcalf: The access is a grass area with reinforced pavers with a fence and a gate. There will be lighting on either side of the main entrance.

Tiffany thanked everyone for their attention to details and for addressing the commission's concerns.

Reinke: The proposed lighting will give abdicate lighting for safety purposes and meet the commission's regulation requirements. The lighting fixtures will be LED; there will be 10 light poles with a single light fixture mounted to each with a light height of 12 feet. The fixtures will have a forward throw and limits the light on Hamburg Road. The fixture also has a shield which eliminates glare. In the center of the lot it is being proposed that there be four light poles with two fixtures with the same mounting height. The building will have six wall mounting lights; four at the rear of the building and two on either side. The current lighting on 268 which has a higher mounting height and has a candle level of 12 to 13; the light levels along the front of the lot are approximately 18 foot candles

and will be on from dusk to 10 p.m. The lighting will dim at 10 p.m. to approx. 10 foot candles (FC) and motion detectors will brighten the lights when the property is accessed after hours. The lighting fixtures are dark sky compliant. The wall mounts on the rear of the building will be off but be motion activated at night.

Ward: On the document showing the different levels of light spill, what are the red lights representing?

Reinke: The green line shows 1 FC, the blue 2 FC., and lighter red is 5 FC., and the red is 10 FC.

Tiffany: The low level lighting after 10 p.m. is a necessity for costumers?

H. Reynolds: If the lights are turned to dark at 10 p.m. when someone enters the lot the lights will come on full and be blinding, where as if the lights were on low lighting they would just brighten when the lot is accessed and be safer. Customers enter the lot at all hours of the night to drop off cars and to view cars. The lights are being proposed to be at low level all night.

P. Ross: Would the lights be activated by animals?

Reinke: Larger animals, like deer, would activate the lights, not small animals.

Tiffany: What would 10 foot candle look like at night?

Reinke: The current lighting on the lot is 12 to 13 FC.

H. Reynolds to Reinke: An average dealership in a city would have what for foot candles?

Reinke: Average lighting at a city dealership would have 40 to 50 FC.

H. Reynolds: With the limitation of the height of the light poles it limits the evenness of the lighting.

K. Wayland: We do need lighting for the security cameras.

H. Reynolds: Costumers look at cars at night. Our other lot is not for viewing of cars it is just for storage; the lights are dimmer on that lot.

Tiffany to Gigliotti: Has this information been reviewed well?

Gigliotti: The two level lighting was discussed during the preliminary meetings; the lighting all night makes sense for security reasons. The school next door to the Town Hall has their lights on all night and is much worse than what is being proposed by the Reynolds.

Metcalf: This application is being submitted to the commission as a site plan review. There will be modifications to 268 Hamburg Road, also. This property is located in a commercial zone and the zoning & the emergency access requirements have been met. Traffic flow and parking are adequate for the property. The landscape plan is what this commission is usually looking you, keeping with the rural character of the area. The lighting design meets the regulations; the lighting will be less intense than what is there currently. The septic system and well are proposed in appropriate locations. The area of the building site is pre-disturbed. Groundwater recharge has been addressed with the infiltration system presented. The team has worked hard to meet the concerns of the commission. If there are any other questions that can be answered, please ask away.

Tiffany: The only concern that is still in question is the lighting being on all night. Can there be a discussion about the lights in the future if there is a problem with the intensity of the lighting?

T. Reynolds: The lights will be lower than the public is used to seeing on the lot now.

H. Reynolds: The lots cannot be dark; the lights turning on quickly at full brightness would be alarming to a customer and cause a safety issue.

Ward: It would be more of a nuisance with the lights coming on all at once.

Tiffany to Gahagan: Is there a way to address the issue in the future?

Gahagan: The Reynolds' have a legitimate security issue.

T. Reynolds: There is the ability with the fixtures to lower them if everyone agrees that the brightness is an issue.

Carey to Gahagan: Is there a problem if the commission conditions the approval to revisit the issue in a years' time, if there is a lighting issue?

Gahagan: As long as it is limited to the lighting intensity, revisiting to go dark at night is not an option.

Tiffany: Sounds like there is some flexibility that can be built into the approval if there is an issue with the intensity. Are the Reynolds good with that?

Reynolds: Yes.

R. Byrne: Question about the oil (new and old) holding tanks, is it stored inside the building?

Sailer: The tanks are designed to not allow spillage; a licensed contractor will be removing the used oil from site and are responsible for any accidents that may occur. There is a grey water tank and an oil separator tank which meet the DEEP guidelines.

R. Byrnes: There are two different fences shown on the plans?

Metcalf: The wood guardrails (30" in height) will be along the walls on either side of the property and the white fence will be located along Hamburg Road.

Tiffany to Gigliotti: Is the application complete?

Gigliotti: Yes. A site plan has been submitted a few weeks ago; the site plan demonstrates that the proposed activities will not result in filling the tidal wetlands. The site plan has been reviewed and satisfies the requirements. The certified return mail receipts which were mailed to abutting neighbors have been received. The public hearing was properly noticed per State Statute. There was no correspondence received from the public.

Tiffany called for any questions or comments from the commission members or the public. The public hearing was closed and the regular meeting was opened at 9 p.m.

Regular Meeting

1859 Associates LLC. (Reynolds Garage and Marine), 268/272 Hamburg Road, Tax Map 27 Lot 25; an application for a site plan review of a proposed expansion of the car dealership portion of the business.

Tiffany: The review for the site lighting should be one year from now.

Carey: The condition of approval should be one year from the issuance of the Certificate of Occupancy. (Approve the application as submitted with the condition

that the applicants come before the commission one year from the date of the issuance of the CO to determine whether the light intensity should be adjusted.) Ward made a motion to approve the application of 1859 Associates LLC. /Reynolds Garage and Marine, 268 & 272 Hamburg Road, Tax Map 27 Lot 24 & 25, the proposed expansion of the car dealership with the condition that the applicants would come back in one year from the time of the issuance of the Certificate of Occupancy for the commission to determine whether the intensity of the outdoor lighting should be altered.

P. Ross seconded the motion.

Tiffany called for a vote; the commission voted unanimously to approve the application as presented with the condition stated.

Adjournment

The Planning and Zoning Commission meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Patsy Turner, Secretary