

PLANNING AND ZONING COMMISSION
Public Hearing/Regular Meeting

The Lyme Planning & Zoning Commission held a meeting on May 14, 2018 at 7:30 p.m.
at the Lyme Town Hall, 480 Hamburg Road, Lyme, CT, 06371.

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

Public Hearing

Polly Richter, 236 Beaver Brook Road Tax Map 45 Lot 8; an application for construction of a boat dock in Cedar Lake within the Eightmile Watershed Overlay District.

Present at the meeting were Polly Richter and David Cook.

Richter: Our property is the only site which doesn't have a dock on Cedar Lake; the dock design has been created by Tommy Docks.

Cook: The dock will be 4 feet wide with 8 foot sections and will have an aluminum frame with PVC decking. The structure will be 60 feet in length due to the shallow water in the area and the dock will sit on pads which rest on the sediment of the lake; 50 feet from the lake's edge the water is only 3 feet in depth then drops to 5 feet.

Tiffany: Are you planning to remove the dock in the winter season?

Richter: The plan is to leave the structure in; there is very little movement in the water during the winter.

R. Byrne: What is the access to the lake from the property?

Richter: There is a pathway to the lake which has been in place for years.

Tiffany encouraged members of the public to view the documents before the commission.

Members of the public moved to the table to view the plans and ask questions.

Rich: After owning the property for 37 years, why is the dock being proposed at this time?

Richter: The home has been being rebuilt and the dock is the next project. There will not be lights or power on the dock. The dock will be used for swimming and canoe/kayak launching.

Tiffany to Gigliotti: Are there jurisdiction concerns with this project?

Gigliotti: The Eightmile River Watershed Overlay District regulations are concerned with potential harm to the watershed and the environment. The pathway has been located on the property for years and is well established.

Tiffany called for questions and/or comments from the commission members and the public.

Gigliotti: Can the dock be shortened from the proposed 60 feet?

Richter: The plans can be reviewed but the intent is to swim off the dock; the first 10 feet will be landward.

Tiffany closed the public hearing and opened the regular meeting at 7:44 p.m.

Regular Meeting

Polly Richter, 236 Beaver Brook Road Tax Map 45 Lot 8; an application for construction of a boat dock in Cedar Lake within the Eightmile Watershed Overlay District.

Tiffany: The length of the dock could be reviewed and maybe shortened in keeping with the neighborhood.

Ward: The length of the structure is the only concern, but to get to a water depth that is usable the dock has to be long.

Richter: Our end of the lake is very shallow.

Tiffany: Tidal areas in town have guidelines and (just for discussion) in the cove areas it is required that shorter structures be built.

Richter: The reduction of the length will be considered because that would lessen the cost also.

Ward moved the motion to approve a boat dock on Cedar Lake at 236 Beaver Brook Road, Tax Map 45 Lot 8. P. Ross seconded and the motion was passed unanimously.

Tiffany: A letter was received from the Gateway Commission with comments on the next Public Hearing for Lech.

Present at the meeting representing the applicants were Roy Hubbard (Director of Development), Duo Dickinson (Architect), and Ann Christie (Landscape Designer).

Tiffany: Once the public hearing is opened the clock starts and the time is limited; there maybe regulations that are not being met with the plans for this project; the plans can be viewed on a preliminary basis.

Hubbard: The plans can be explained by the Architect and the Landscape Designer to educate the commission on the project.

Gigliotti: The application can be withdrawn and the representatives can present informally. The withdrawal needs to be in writing and part of the record.

Tiffany: The application was withdrawn.

Public Hearing (not opened)

(The application was withdrawn) **Michael Lech, 111 Cove Road Tax Map 17 Lot 3; a special permit application to construct a 25,000 sq. ft. dwelling within the Gateway Conservation Zone.**

Regular Meeting

Michael Lech, 111 Cove Road Tax Map 17 Lot 3; preliminary discussion of the special permit application to construct a 25,000 sq. ft. dwelling within the Gateway Conservation Zone.

Present at the meeting representing the applicants were Roy Hubbard (Director of Development), Duo Dickinson (Architect), and Ann Christie (Landscape Designer).

Dickinson: The proposed structure will be a 5 bedroom house; over 10,000 square feet, part of the structure will be above ground and the balance will be underground. There have been numerous meetings with the Town's ZEO. The existing house will be removed and the new structure will be pushed back on the lot away from the existing house site. There will be 2 wings of the house positioned away from the water view, 55% to 60% of the house is within the view shed of the river and the house will not be visible from the street. The height restrictions of the structure have been met; there are two cupolas of the house. The wetlands line and the building line are shown on the maps. The windows will be shaded by the roof overhang. The lowness and length of the structure will keep the house within the regulation requirements; there will be one area that will be lowered to allow for access the underground areas of the structure.

Gigliotti: The width of the access was not agreed upon; the regulations allow for 4 foot wide access.

Dickinson: The plans show what was believed to be okay for the width, the width can be reviewed. The garage will be 2 stories, as will the house except for the area in the middle of the structure which will have more height for an office area. The cupolas meet the definition; areas that do not have floor area and are open from the ground up and allow light to enter, the usable space is down to less than 200 square feet.

Gigliotti: Any area with living space cannot be considered a cupola.

Dickinson: The elevator area is approximately 40 feet from grade.

Tiffany: The cupolas may be a concern with the height; the Gateway has an issue as stated in their letter.

Dickinson: The area of the house which is visible is approximately 11,500 square feet and the property is 4.5 acres. The roof of the structure will be grey and the tone of the structure will be stone color (beige or grey). The vertical pieces are the same as a chimney would be.

Tiffany discussed other homes in town that can be used as an example. The Gateway letter has many very strong points with the proposed plan. This commission has adopted the Gateway regulations.

P. Ross: The proposed house is set back from the existing house location; how was the existing grade determined?

Dickinson: The existing grade levels are shown on the plans; the ridgeline is 35 feet. The new structure has been moved inward on the lot; the size of the house is the issue and the cupolas are a concern.

Hubbard: There has been no landscaping done to the property since the purchase.

Tiffany: A site walk should occur to acquire a better understand of the property. Vertical elements are a concern with the Gateway Zone.

Hubbard: What is the definition of vertical elements in the eyes of the Gateway Commission?

Tiffany: The people that are asking questions need to be satisfied.

Dickinson: We are here to present and get to a mutual understand of what can be achieved.

Tiffany: The Gateway is looking to have the structure to be toned down from the view of the river.

Dickinson: A 3-D model was built to give everyone an idea of the final project.

A neighbor which was part of the public present questioned the size of the structure; originally it was stated 25,000 square feet on a 4.7 acres lot.

Tiffany: Most of the proposed structure will be underground.

Dickinson: The amount of the structure that will be seen is 11,500 square feet plus the garage.

Hubbard: This lot is being designed to be the family's retirement home and is designed to be a large well used house.

Dickinson: It is a large house on a large lot.

P. Ross: Will there be outside lighting?

Dickinson: The owners do not have the intent to make the home look as a lighthouse.

Tiffany: The model is well designed and shows many trees around the structure, the trees that are shown are they there currently?

Dickinson: The model shows the final project. Ann Christie can go into detail on the landscaping aspect of the project.

Christie: To address the concerns of the Gateway and the site the plans for the landscaping can be explained. The section of the property (the eastern side) which has a nice mix of hardwood trees will not be touched. The contour lines are on the map and the area has a very steep grade; 1 to 1 slope. Moving away from the water the contours become a 3 to 1 slope. The other side of the property consists of small Hemlock trees (6 to 8 inches), old Mountain Laurel, Black Birch, and White Pine. (Photos of the area were presented to the commission) Most of the trees in the area are diseased; the Mountain Laurel is being proposed to be cut to the ground to allow regrowth. The White Pine will be saved. The new plantings will be native and are listed on the planting plan. Low growing Sumacs will be introduced. The roadway to the water is eroding and will be developed with permeable pavers. There will be an 18" high wall created to help with the erosion. The landscape plan will mitigate erosion and

provide a sustainable landscape. The landscape along the water is always evolving and changing.

Gigliotti: There was a Health Survey of the Trees created in 2015; how close is your plan to what was documented then?

Christie: An Arborist in 2015 created a list of the health of the trees on the property; the plan goes further into creating a sustainable landscape.

P. Ross: On the plans it shows stadium seating; what is the purpose?

Dickinson: The seating is for the children to enjoy the river view.

Asman (105 Cove Road, Amanda): Concern is that the view will be consumed with the expanse of the new construction. The current home is within our sunset view.

Christie: The eastern side will be left untouched.

Dickinson: The new structure will be pulled back on the property.

Christie: The Black Birch will die and then invasives will enter.

Tiffany: If the 50 foot zone is left alone then there will be a natural screen.

Christie: The low growing plants will stabilize the ground.

Tiffany: Bigger trees allow for the property owners to look under the tree canopy for a great view and break up the view of the house from the water.

Christie: The large Beech Tree will be removed. The existing terrace and retaining wall will be taken out and the area will be sloped. There will be a pool installed with a pool fence.

Hubbard: The landscaping plan will not consist of a lot of earth moving, to utilize the existing grade.

Tiffany: The regulations allow for one access to the water.

Hubbard: That will be researched.

Christie: Many different plants will be used to avoid making a landscaped look from the water. A list of proposed plant species can be added to the plan.

The example of the large house in town and the landscaping was shown to everyone from an e-mail.

Christie: If the area were to be left to evolve on its own, it will be an unkempt hill side with invasives moving in to the area.

Tiffany: A site walk will be scheduled.

Dickinson: An updated plan will go back to the Gateway Commission for review.

Christie: Submitted to the record responses to the Gateway letter.

The discussion on the Lech project was ended at 8:51 p.m.

Public Hearing was opened at 8:52 p.m.

Public Hearing

Discussion of opting out of the Temporary Healthcare Structures legislation, PA 17-155.

Gigliotti: A few months back we discussed opting out on the Temporary Healthcare Structures; we needed to hold a public hearing.

Tiffany called for questions or comments from the public and the commission members; with there being none the public hearing was closed and regular meeting was opened at 8:54 p.m.

Regular Meeting

Discussion of opting out of the Temporary Healthcare Structures legislation, PA 17-155.

Tiffany entertained and moved a motion to opt out of the Temporary Healthcare Structures legislation, PA 17-155. The motion was seconded by A. Rich and was passed by all members present.

Old Business

Agriculture Subcommittee-update on the revision to the zoning regulations for farming.

P. Ross: The subcommittee is still meeting and is moving along on the changes.

New Business

Appointment of a new Chairman

David Tiffany will be stepping down as Chairman of the Planning and Zoning Commission after 20 years. Ross Byrne will be taking over as Chairman and Tiffany will still be part of the Commission.

Tiffany nominated Ross Byrne as Chairman and David Tiffany will be Co-Chairman.

Tiffany moved that R. Byrne take over as Chairman affective June 2018, P. Ross seconded, and the motion was passed unanimously.

Byrne moved that D. Tiffany be Vice-Chairman for the Planning and Zoning Commission, P. Ross seconded, and the motion was passed.

APPROVAL OF OUTSTANDING MINUTES

A motion was entertained by Tiffany to approve the minutes of the April 2018 Meeting.

Ward moved the motion and P. Ross seconded the approval; the minutes were passed.

Adjournment

The Planning and Zoning Commission meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Patsy Turner, Secretary