



PLANNING AND  
ZONING COMMISSION

LYME TOWN HALL  
480 HAMBURG ROAD  
LYME, CT 06371

LYME PLANNING AND ZONING COMMISSION  
Public Hearing/Regular Meeting

The Lyme Planning and Zoning Commission held a virtual public hearing/regular meeting on Monday December 14, 2020 at 7:30 p.m.

MEMBERS PRESENT: Bernie Gigliotti Chair, Hunter Ward, Dave Tiffany, Phyllis Ross, Ann Rich, Carol House, William Koch, and unseated alternates Humphrey Tyler, William Fiske, and Mary Stone. First Selectman Steven Mattson, Ross Byrne ZEO, and Jennifer Thomas Secretary also present.

Several members of the public were in attendance.

Gigliotti called the meeting to order at 7:30 p.m.

**The property of MyLan and Peter Sarner, 100-1 Joshuatown Road, Tax Map 17 Lot 26, concerning a special permit to enlarge an existing dock to include a deck sitting area within the Conservation Zone abutting Hamburg Cove.**

Prior to opening the public hearing, Gigliotti questioned Byrne as to whether this application has gone through the DEEP approval process yet, and Byrne stated that it has not. In light of this, Gigliotti stated that he feels the commission should postpone hearing this application until the application has been seen by DEEP. The commission agreed and the application has been postponed to a future date and Byrne agreed to contact DEEP on the matter.

Ward suggested that a site visit might be in order.

**Old Business**

**Update on Short Term Rental (STR) regulations from working group.**

House stated that the working group has not met since the last planning and zoning commission meeting. There is a working group meeting scheduled in the next few days.

Gigliotti stated that there has been some correspondence distributed from counsel pertaining to the legality issues of banning and/or regulating STRs.

The discussion will continue at the next meeting.

**Birch Mill Bridge, discussion of report from Planning Commission to Town required by CGS 8-24.**

Gigliotti stated that the commission received correspondence from counsel regarding the questions commission members had on the report they are to write on the Birch Mill Bridge project and asked if any members have done a site walk since the last meeting.

Ross stated that she went to the bridge. She believes the bridge is out of the way and not seen by many in town. She is uneasy about the commission taking a stance on the aesthetic design of the bridge and believes the commission should focus on the strength, durability, and function

of the bridge. The commission may make suggestions on the aesthetics, but this should not be a deciding factor in the approval or denial of the project.

Koch questioned when the 35-day statutory timeframe for report submittal begins and ends, and First Selectman Mattson stated that he would waive the time limit and does not consider the clock to be running because he has not formally asked the commission for a report. He does ask that the commission not delay the decision for too long.

Mattson also stated that after the permits have been approved by the state and other agencies, the Board of Selectmen will present the plan to the town at a public hearing. At that time there will be more information available regarding the aesthetics.

Koch believes that according to counsel, the commission has the right to consider any and all aspects of the project. He would like see cost differentials on several different materials from the Board of Selectmen before the report is written.

Gigliotti questioned whether that type of information would be discussed at the eventual town meeting.

Mattson stated that the project will go to public hearing as part of the approval process. It will go before a town meeting as part of the overall budget for the town as in previous years.

If the commission would like answers regarding cost differences with the use of various materials, Mattson requests that the commission get approval from the Board of Finance for the increase in engineering fees the town would incur in order to get those answers.

Tiffany stated that the commission does have a history of weighing in on the aesthetic portions of applications that have come before the commission. He also asked if Mattson believes there will be room for maneuvering the plan down the road for aesthetics considerations and Mattson said this would be possible.

Ross stated that the current bridge is in keeping with the character of the town but it is not anything extraordinary. Ross believes the vegetation around the bridge covers part of the bridge now and would probably cover some of the new bridge as well.

Gigliotti stated that the commission's decision should be tied back to the Plan of Conservation and Development (POCD) and he does not see how the aesthetics go against the POCD.

Mattson stated that it is too early in the process to provide sketches to the commission.

Koch asked whether the discussion could be continued until the Board of Selectmen can provide a sketch to the commission.

Mattson stated that those sketches would be available at the public hearing and the commission has the option to wait until that time.

Gigliotti stated that it does not make sense to ask the Board of Finance to approve spending additional money to have these questions answered when they will be answered at the public hearing anyway.

The commission agreed that they will table this discussion until after the public hearing in order to gain more information before writing the required report.

Mattson agreed to this course of action.

#### **Continued Discussion of proposed legislation to zoning per CFPZA.**

Byrne stated that after consideration he has decided not to write a letter against this legislation at this time. He urged the commission members to look into the proposed legislation and

research desegregateCT.org. He would like the commission to work on a plan for the town so that possible legislation can fit within the town.

The commission also agreed that working with the affordable housing commission and RiverCog will be useful going forward.

Stone mentioned that she has been speaking on behalf of Lyme during the RiverCog meetings, advocating for maintaining the unique qualities of Lyme while working to fit into a regional plan for affordable housing.

Ross believes there are solutions that will fit within Lyme to work towards increasing affordable housing and House agreed.

Tyler stated that the RiverCog group working on the regional POCD is very careful to solicit and integrate each town's POCD into the regional POCD to make sure the regional plan does not impose onto each town's plan.

Mattson stated that the RiverCOG has offered to hire a consultant for each town that does not have an affordable housing plan to help structure a plan and then blend it together into a regional plan and Lyme has requested a consultant from RiverCog. The state should begin to look more regionally at the affordable housing issue instead of a percentage allocated to each town.

#### **New Business-None**

#### **Approval of Outstanding Minutes of the November 9, 2020 meeting.**

Gigliotti called for a motion to approve the minutes from the November 9, 2020 meeting. Koch made the motion, seconded by Ward, and the minutes passed unanimously.

#### **Adjournment**

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Jennifer Thomas, Secretary