



PLANNING AND
ZONING COMMISSION

LYME TOWN HALL
480 HAMBURG ROAD
LYME, CT 06371

LYME PLANNING & ZONING COMMISSION
Public Hearing/Regular Meeting

The Lyme Planning & Zoning Commission held a virtual public hearing and regular meeting on Monday, March 14, 2022 at 7:00 p.m.

MEMBERS PRESENT: Bernie Gigliotti Chair, Dave Tiffany, Carol House, William Fiske, Kristina White, Phyllis Ross, Mary Stone (seated alternate), Anne Littlefield (unseated alternate), Ross Byrne ZEO, and Jennifer Thomas Secretary
Absent Members: Fritz Gahagan and Tom St. Louis (alternate)

Gigliotti called the meeting to order at 7:05 p.m.

Seat Alternate Member

Alternate member Mary Stone was seated for absent regular member Fritz Gahagan

Public Hearing

A special permit application by Trevor and Melissa Fetter, 41 Joshua Lane, Tax Map 18 Lot 7 and 6, application for construction of a home office with an accessory apartment. The desired location necessitates a lot line change placing the proposed on the same lot as the primary dwelling. The total combined floor area of all structures on Lot 7 exceeds the limit of 4000 sq. ft. requiring a special permit per Chapter 315, Article 14.4 of the Zoning Regulations. And, due to the lot line change, an exception to the Net Buildable Lot Area Requirement per Chapter 315, Article 20.2.

Present: Fern Tremblay and Angus McDonald (Angus McDonald/Gary Sharpe & Assoc), Attorney Edward Cassella (Cloutier & Cassella), Chris Caulfield (Caulfield & Ridgeway)

Tremblay presented the application to the board, noting that approval has already been granted by the Conservation Commission/Inland Wetlands & Watercourse Agency. He has submitted the proposal to Ledge Light Health District but has not received an approval letter yet.

Tremblay stated that both lots are currently nonconforming for net building area, and after the proposed lot line change, the vacant lot will be a conforming lot. Additionally, a special permit is required because the total square footage of all buildings will exceed 4,000 square feet. An exception to the net buildable area will also be required.

House questioned if the owner plans to build on the vacant lot in the future and Tremblay reported that there are no current plans to develop the second lot.

Cassella stated that the properties are currently legal nonconforming lots, and that the lot line revision does not add an additional building lot because there are two already. He stated that

the proposed location is preferred by the owners because of the flat nature of the spot, the proximity to the existing driveway, and the views.

Byrne stated that he is concerned that the proposal may be expanding on the nonconformity, which would necessitate an application to the Zoning Board of Appeals.

Tremblay argued that the overall nonconformity is being reduced by making one of the lots conforming, but Gigliotti stated that the improved lot's nonconformity would increase.

Tiffany questioned if the septic will be non-engineered as that is a requirement to receive a waiver for the net buildable area. Gigliotti added that the language in that section of the regulations also states "new lot" and this will not be a new lot so he is unsure whether the commission can grant a waiver.

Tremblay stated that the most recent letter from Ledge Light Health District does not indicate that it will be an engineered system.

Cassella stated that section 23.3 of the regulations regarding nonconforming lots does not prohibit an owner from building at all. He believes the Planning & Zoning Commission can act on this application and that it does not need to go before the Zoning Board of Appeals.

Gigliotti would like to see a final letter from Ledge Light Health District and to receive additional information regarding the formation of the two lots as they currently exist.

Byrne stated that a letter from Torrance Downes of the Lower Connecticut River Valley Council of Governments (RiverCOG) is forthcoming with comments on the proposal.

Gigliotti stated that the public hearing will be held open until the following month.

Regular Meeting

Old Business

Update on Sarner remediation plan

Byrne updated the commission members. A letter will be sent to the owner reminding them that the remediation plan should be completed no later than April 30, 2022.

Dark sky initiative by CT River Gateway Commission and the Lyme Sustainable CT Committee

Byrne stated that the Connecticut River Gateway Commission has been working on regulations to address lighting within the Gateway Conservation Zone. In addition, the Lyme Sustainable Committee is also interested in a dark sky initiative for Lyme. Byrne has connected the two organizations in order to help facilitate furthering this initiative within Lyme.

Continued discussion on proposed Agricultural regulations

Gigliotti stated that Gahagan is not present at the meeting tonight and the discussion will continue at the next meeting. He relayed a message from Gahagan that the regulations are close to complete, and requested the members consider the issues of activity within the floodplain and limiting the size of agricultural buildings before the next meeting.

Continued discussion on Short Term Rental proposed regulations

Gigliotti stated that the commission has received comments from counsel on the proposed regulations and believes they can be incorporated into the draft.

House agreed, but noted that counsel is suggesting separating bed and breakfast regulations from short term rental regulations. House believes combining the two is preferable. Stone and Gigliotti agreed.

Byrne will get clarification on this item for the next meeting.

Continued discussion on CT SB1201 Act concerning cannabis regulations

The commission discussed the possibility of a retail cannabis location in town and members agreed that this is not appropriate for Lyme. The commission decided not to address growing cannabis within the agricultural regulations currently being drafted. Gigliotti stated that retail sales can be prohibited by an amendment to the regulations within the administrative changes the commission has been working on. Alternatively, the commission can agree to enact a moratorium on any retail sales of cannabis.

New Business

Lyme Pollinator’s work at Joshuatown Bridge

Byrne gave the commission a brief overview of a proposal to install a raingarden to limit stormwater on the corner of Old Hamburg Rd and the Joshuatown Bridge.

Approval of the minutes from the February 14, 2022 meeting

Gigliotti called for a motion to approve the minutes from the February 14, 2022 meeting. Fiske made the motion, seconded by White, and the minutes were unanimously approved.

Adjournment

The meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Jennifer Thomas Secretary