



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 public hearing/regular meeting on Monday June 13, 2022 at 7:00 p.m. at the Lyme Town Hall, 480 Hamburg Road, Lyme CT 06371.

MEMBERS PRESENT: Bernie Gigliotti Chair, Dave Tiffany, William Fiske, Kristina White, Carol House, Fritz Gahagan, Phyllis Ross (unseated, entered 7:10 p.m.), Mary Stone (seated alternate), Anne Littlefield (unseated alternate), Tom St. Louis (unseated alternate), Ross Byrne ZEO, and Jennifer Thomas Secretary.

Gigliotti called the meeting to order at 7:00 p.m.

Seat Alternate Member

Alternate member Stone was seated for absent member Ross. (Ross entered at 7:10 p.m. and remained unseated).

Public Hearing

Continuation of a special permit application by Trevor and Melissa Fetter, 41 Joshua Lane, Tax Map 18, Lot 7/6 (undetermined) application for the construction of a home office with an accessory apartment. The total combined floor area of all structures on the Lot exceeds the limit of 4000 square feet, requiring a special permit per Chapter 315, Article 14.4 of the Zoning Regulations.

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

Gigliotti stated that the applicant has received a variance through the Zoning Board of Appeals and a preliminary approval from Ledge Light Health District to install a non-engineered septic system. The commission is only acting on whether to approve a special permit because the structures on the lot will exceed 4,000 square feet.

Gigliotti asked if Tremblay was able to produce a better visual representation of how the structure will appear from the water. Tremblay stated that he was unable to, but reviewed the photos that were previously submitted to the commission.

Tremblay also noted that the exterior will utilize natural colors to blend into the surroundings and down lighting will be used.

Tiffany inquired whether the applicants were amenable to cutting restrictions and Caulfield stated that they are willing to place some restrictions on cutting and would look to the commission for direction.

The commission discussed noting the restrictions on the Special Permit Notice that will be recorded on the land records and on the map that will be filed with the Town Clerk.

Gahagan stated that allowing pruning up, removal of dead and diseased trees and invasive materials and planting of a natural understory with otherwise prohibited tree removal would be something the commission would like to see, with the cutting restriction placed in the area from stone wall to the west of the proposed structure running west to the water, and from the 50-foot line denoted on the map running south to the water.

Tiffany asked that a note be made on the map regarding the lighting and Cassella stated that they would make a note that lighting would be downlit and dark sky compliant.

Gigliotti closed the Public Hearing at 7:19 p.m. and the Regular Meeting was opened.

Regular Meeting

A special permit application by Trevor and Melissa Fetter, 41 Joshua Lane, Tax Map 18, Lot 7/6 (undetermined) application for the construction of a home office with an accessory apartment. The total combined floor area of all structures on the Lot exceeds the limit of 4000 square feet, requiring a special permit per Chapter 315, Article 14.4 of the Zoning Regulations.

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Gigliotti called for any comments from the commission.

Gigliotti called for a motion to approve the application with the conditions outlined by Gahagan of restricted cutting from the area south of the 50 foot line from stream and west of the stone wall running north to the property line of the newly created lot, prohibiting cutting or removal of trees and shrubs except for invasive species and trees that are a danger because of their condition or are in ill-health and allows for the trimming of trees up in order to allow some view and the removal of a portion of the pole wood so long as there is sufficient pole wood left to form future generations of trees and to restrict exterior lighting to downlighting that is dark sky compliant.

House made the motion, seconded by Tiffany, and the application was unanimously approved.

Macintosh Road Bridge, presentation by Don Gerber, Town Engineer, of Macintosh bridge replacement and discussion of report from Planning Commission to Town Selectman required by CGS 8-24.

Present: Don Gerber, Town Engineer

Gerber reviewed the bridge replacement plan, noting that the town will receive 80 percent reimbursement from the federal government. Construction details, sedimentation and erosion control measures, and tree removal and restoration were reviewed. Gerber noted the town has been working in conjunction with the National Park Service, the Lyme Land Conservation Trust, and the Eightmile River Wild & Scenic Watershed to develop a plan with the least impact to the surrounding areas. The plan has also been reviewed by the Inland Wetlands and Watercourses Agency.

Gerber asked that the commission draft a letter to the Board of Selectmen approving the plan. Gigliotti called for a motion to draft a letter to the Board of Selectmen for approval of the Macintosh Bridge project. Gahagan made the motion, seconded by Fiske, and the motion was unanimously approved.

Old Business

Short Term Rental, new regulations update

House reviewed the most recent changes to the draft regulations. The commission discussed several items, including the terms “permanent” versus “primary” residence. It was agreed that primary will be used and the term will be added to the definitions section of the regulations. After discussion, Stone made a motion to approve forwarding the proposed regulations with the changes noted to the Board of Selectmen for review in anticipation of a public hearing. Byrne reminded the commission that the proposed regulations will also be sent to surrounding towns prior to the public hearing. Fiske seconded the motion, and the motion was unanimously approved.

Byrne gave the commission updated Zoning Permit application forms for their review.

Affordable Housing Update

House updated the commission on the Affordable Housing Committee’s progress. The plan has been submitted to the State. The commission discussed whether Short Term Rentals and accessory dwellings will negatively impact the potential housing stock that can be used for affordable housing.

Agricultural Regulations

Gahagan stated that he sent an updated version of the material to the commission via email. Several of the commission members will review the materials in the coming weeks to look for any inconsistencies in the regulations. Gahagan asked for input regarding a limit on the square footage of temporary structures that should be as of right, with anything exceeding requiring a special permit.

Remediation Plan update for Peter & Mylan Sarnier 100-1 Joshuatown Road, Tax Map 17 Lot 26

Gigliotti asked Byrne for the status on the Sarnier remediation for unauthorized cutting. Byrne stated that he sent an email to the owner on Sunday. The original deadline of replanting was April 30, 2022, which was extended per owner’s requires to May 30, 2022. The owner is waiting on State approval to remove the deck. Byrne plans to complete an inspection soon and will be sending out another letter following the inspection.

New Business

Byrne briefed the commission on a potential application involving a landlocked parcel.

Approval of Outstanding Minutes of the May 9, 2022 meeting

Gigliotti called for a motion to approve the minutes from the May 9, 2022 meeting. Stone made the motion, seconded by White, and the minutes were unanimously approved.

Adjournment

The meeting was adjourned at 8:56 p.m.

Respectfully submitted,
Jennifer Thomas Secretary