

**EAST LYME ZONING BOARD OF APPEALS
PUBLIC HEARING AND REGULAR MEETING
TUESDAY, MARCH 18th, 2014
MOTION**

FILED IN EAST LYME
CONNECTICUT

Mar 21, 2014 AT 11:00 (AM/PM)

Lesley A. Blais
EAST LYME TOWN CLERK

A continued Public Hearing and Regular Meeting of the East Lyme Zoning Board of Appeals was held on Tuesday, March 18, 2014 at 6:00 PM at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT.

PRESENT: William Mountzoures, Chairman, Tom Boguszewski, Secretary, Charles Ambulos, Craig Mason, John Smith

ALSO PRESENT: Atty. Eugene Cushman, representing the applicant
Atty. William Sweeney, representing the Town
Joshua Chapps, Alternate
Kevin Mace, Alternate

ABSENT: Esther Williams, Alternate

1. Call Public Hearing to Order

Chairman Mountzoures called the continued Public Hearing to order at: 6:00 PM.

2. Read Notice of Public Hearing

Mr. Mountzoures asked Mr. Boguszewski, Secretary, to read the Notice of the Public Hearing:

Mr. Boguszewski, Secretary read the following:

Case No. 5-2013: Application of Eugene C. Cushman, Attorney, for Fortunata Maluccio, Owner, for an appeal of the Zoning Official's action under Section 24.3B for property identified in the application as 6 Red Fox Road, East Lyme, Connecticut. Said parcel is further identified as East Lyme Assessor's Map 14.01, Lot 10.

Mr. Mountzoures closed the Public Hearing at 7:54 PM.

3. Regular Meeting

Mr. Mountzoures called the Regular Meeting to order at 7:55 PM.

Case No. 5-2013: Application of Eugene C. Cushman, Attorney, for Fortunata Maluccio, Owner, for an appeal of the Zoning Official's action under Section 24.3B for property identified in the application as 6 Red Fox Road, East Lyme, Connecticut. Said parcel is further identified as East Lyme Assessor's Map 14.01, Lot 10.

****MOTION (1)**

Mr. Mason moved in Case 5-2013 to DENY the Application of Eugene C. Cushman, Attorney, for Fortunata Maluccio, Owner, for an appeal of the Zoning Official's action under Section 24.3B for property identified in the application as 6 Red Fox Road, East Lyme, Connecticut. Said parcel is further identified as East Lyme Assessor's Map 14.01, Lot 10.

Mr. Boguszewski seconded the motion.

It was determined that the ZEO had properly denied the zoning permit; that designations on the map such as recreation area; open space, etc were purely semantics as they all serve the same function and the opinion of the attorney was that they were synonymous. Further it was recommended that the method of change for this item is through the Planning Commission.

Mr. Mountzoures called for a vote on the motion to DENY.

Vote: 5 - 0 - 0. Motion passed unanimous.

Having no further business before them, Mr. Mountzoures called for a motion to adjourn this Zoning Board of Appeals meeting.

****MOTION (2)**

Mr. Boguszewski moved to adjourn Case #5-2013 of the East Lyme Zoning Board of Appeals at 8:15 PM.

Mr. Ambulos seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary