

TOWN OF EAST LYME

ZONING COMMISSION

JUNE 19, 2014

REGULAR MEETING MINUTES

Members Present:

Marc Salerno, Chairman
Terence Donovan
George McPherson
Norm Peck (Recused himself for Item 1)
Matthew Kane
William Dwyer, Alternate (Sat for Regular Meeting)

FILED IN EAST LYME
CONNECTICUT
June 23 2014 AT 8:30 AM/PM
Tina Mathis, etc
EAST LYME TOWN CLERK

Members Absent:

Matthew Walker
Peter Lukas, Alternate
James Liska, Alternate

Also Present:

Bill Mulholland, Zoning Officer

1. APPLICATION OF J. ROBERT PFANNER, APPLICANT, FOR JEANETTE V. TUTHILL, OWNER, FOR A SPECIAL PERMIT UNDER SECTION 8.2.7 FAST FOOD, FOR A SUBWAY RESTAURANT, AT PROPERTY IDENTIFIED IN THE APPLICATION AS 23 CHESTERFIELD ROAD, EAST LYME

Mr. Peck recused himself for Item 1.

Mr. Kane stated this seems to be a great addition to that area of Town.

Mr. McPherson stated it is an excellent location for this.

Chairman Salerno stated it is a great re-use of an existing building, and it is well located, he is happy about the new sidewalk and the outdoor seating.

Motion (1) Mr. McPherson moved to approve the application of J. Robert Pfanner for a Special Permit for a Fast Food Restaurant at property identified in the application as 23 Chesterfield Road, East Lyme.

Seconded by Mr. Dwyer.

Motion Passed 5-0.

This will be published June 26th and will become effective June 27th.

Mr. Peck returned for the remainder of the Regular Meeting.

2. APPLICATION OF SUSAN LEHMAN, OWNER, FOR A COASTAL AREA MANAGEMENT REVIEW FOR STABILIZATION OF ERODING BANK ALONG THE SOUTHERN SHORELINE FOR PROPERTY IDENTIFIED IN THE APPLICATION AS 215 OLD BLACK POINT ROAD, NIAN TIC.

John Lust, Agent for Susan Lehman presented the application.

Mr. Lust stated the owner is remodeling the existing home, it is on .8 acres, it is a level parcel with 140 linear feet of shoreline. There is a steep slope to the shoreline. The shore front is rocky.

Mr. Lust presented the following Exhibits:

Exhibit A – Aerial Picture Pre Storm Sandy

Exhibit B – Aerial Picture Post Storm Sandy

Mr. Lust stated they intend to rebuild the pier, the septic leaching field is within 11 feet of the slope, this is being done to stabilize the slope. The engineer for the project has designed it with three foot rocks for the base, and they will be smaller as it goes up. The rocks that are there now will be used, and if they don't work they will be removed.

Megan Raymond, Soil Scientist, stated this is consistent with the goals and use policies laid out in the CAM Act. The failure of the slope will cause along impact on the coastal resources. There are no tidal wetlands on the property. There is very little vegetation. The work will be done upland.

Mr. Mulholland asked if they are doing the work above the coastal jurisdiction line.

Mr. Lust stated they are above the coastal jurisdiction line, and most of the materials they will use are already on site, they will evaluate that as they go. They will use a long reach back hoe. The smaller rocks on top will still be rather large at 2 and a half feet.

Motion (2) Mr. Kane moved to approve the application of John B. Lust, for owner, Susan Lehman, for Coastal Area Management Review for shoreline protection improvements at property identified in the application as 215 Old Black Point Road, Niantic CT.

REASONS:

- 1. Application is consistent with all applicable goals and conditions of the CAM Act.**
- 2. Applicant has taken all reasonable measures to mitigate any adverse impacts of the proposed activity on both coastal resources and future water dependent uses.**

Seconded by Mr. Dwyer.

Motion Passed 6-0.

This will be published June 26th and will become effective June 27th.

3. APPROVAL OF MINUTES OF JUNE 5, 2014

Motion (3) Mr. McPherson moved to approve the Public Hearing and Regular Meeting Minutes of June 5, 2014.

Seconded by Mr. Kane.

Motion Passed 5-0-1 (Mr. Dwyer abstained)

4. REQUEST OF BEN TOPKIN FOR AN EXCEPTION OR WAIVER AS PROVIDED FOR IN SECTION 24.7 OF THE ZONING REGULATIONS, OF THE REQUIREMENT OF SECTION 24.6C TO INSTALL A SIDEWALK ALONG THE STREET FRONTAGE OF THE COMMERCIAL PROPERTY AT 3 UPPER PATTAGANSETT ROAD.

Item Number 4 was added to the Agenda as there was no objection from the Members.

Mr. Mulholland stated this has been a farm stand and technically the applicant would need a Special Permit. A solution was found and it was determined that the applicant can open a retail store. The proposed building will need wetlands approval. He will also need 1 or 2 parking spaces, which he has. He is requesting a waiver of the sidewalk. There is a sidewalk on the other side of the road.

Mr. Topkin presented the following Exhibits:

Exhibit A – Pictures

Exhibit B – Plot Plan

Mr. Topkin stated he is a student finishing up college, this stand has been paying for his education. He grows his own vegetables on site. He has a farming license.

Motion (4) Mr. Peck moved to approve the application of Ben Topkin for a sidewalk waiver at 3 Upper Pattagansett Road.

Seconded by Mr. Kane.

Motion Passed 6-0.

OLD BUSINESS

1. SIGN SUBCOMMITTEE

The members reviewed the draft sign regulations, and the town attorney's proposed sign regulation.

It was determined that 15 feet is too high for a digital sign. The members agreed that 8 feet would be appropriate.

It was determined the sign would be approved by Special Permit so the Zoning Commission can review the design.

Mr. Mulholland stated he will discuss this with the Town Attorney and will come up with two more drafts.

Chairman Salerno asked that he have those for them at the next meeting, and if he has them before to please email those out to all of the members for review prior. He directed Mr. Mulholland to write this for the High School property only and to have it as a Special Permit.

2. ZONING REGULATIONS REVIEW

They will meet on June 23rd at 7:00 p.m.

NEW BUSINESS

1. ANY BUSINESS ON THE FLOOR, IF ANY BY THE MAJORITY VOTE OF THE COMMISSION

There was no business on the floor.

2. ZONING OFFICIAL

Mr. Mulholland stated he will need all members at the July meeting. Henny Penny is close to being done.

3. COMMENTS FROM EX-OFFICIO

There was no ex-officio present.

4. COMMENTS FROM ZONING BOARD LIAISON TO PLANNING COMMISSION

There were no comments.

5. COMMENTS FROM CHAIRMAN

Chairman Salerno thanked the sign subcommittee. He reminded Mr. Mulholland if he has the drafts earlier than the next meeting to email all of the members.

6. ADJOURNMENT

Motion (5) Mr. Kane moved to adjourn the meeting at 9:10 p.m.

Seconded by Mr. Donovan.

Motion Passed 6-0.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Karen Miller Galbo".

Karen Miller Galbo
Recording Secretary