

TOWN OF EAST LYME

ZONING COMMISSION

APRIL 7, 2016

REGULAR MEETING MINUTES

Members Present:

Matthew Walker, Chairman
Terence Donovan
William Dwyer
George McPherson
Norm Peck
John Manning
James Liska, Alternate (Did Not Sit)
David McIlhenney, Alternate (Did Not Sit)

FILED IN EAST LYME
CONNECTICUT
APR 12 2016 AT 8:30 AM PM
TOWN CLERK
EAST LYME TOWN CLERK

Also Present:

Rita Franco-Palazzo, Planning Representative
Bill Mulholland, Zoning Officer
Rose Ann Hardy, Ex-Officio

Members Absent:

Peter Lukas, Alternate

Motion (1) Mr. Manning moved to move Item 1 (Continuation of Edward M. Cassella, Esq. for White Gate Farm) to the end of the Regular Meeting Segment.

Seconded by Mr. McPherson.

Motion Passed 6-0.

1. APPLICATION OF STEVE CARPENTERI FOR NIANTIC BAY INN, INC (AKA LYME TAVERN) FOR RENEWAL OF A SPECIAL PERMIT FOR OUTDOOR DINING AT 229 W MAIN STREET, NIANTIC

Motion (2) Mr. McPherson moved to approve the application of Steve Carpenteri for Niantic Bay Inn, Inc (AKA Lyme Tavern) for renewal of a special permit for outdoor dining at 229 W. Main Street, Niantic with the previous conditions.

Seconded by Mr. Dwyer.

Motion Passed 6-0.

2. APPLICATION OF HARRY AND TRIFONAS LOGINIDIS DBA FAMILY PIZZA FOR A RENEWAL OF A SPECIAL PERMIT FOR OUTDOOR DINING AT PROPERTY IDENTIFIED IN THE APPLICATION AS 233 MAIN STREET, NIANTIC

This item was continued.

3. APPLICATION OF TEDDY IGNATIADIS FOR MAIN STREET GRILLE, FOR A RENEWAL OF SPECIAL PERMIT FOR OUTDOOR DINING AT 252 MAIN STREET, NIAN TIC

This item was continued.

4. APPLICATION OF KOSTAS ANASTASIOU FOR NIAN TIC DINER, FOR A RENEWAL OF A SPECIAL PERMIT FOR OUTDOOR DINING AT 26 W MAIN STREET, NIAN TIC

This item was continued.

5. APPLICATION OF STEVE TURNER, FOR LILLIAN'S FOR A RENEWAL OF A SPECIAL PERMIT FOR OUTDOOR DINING AT 374 MAIN STREET, NIAN TIC

Mr. Donovan stated he had a great idea with the sign.

Mr. Peck stated he also requested a different expiration date.

Mr. Mulholland stated they can renew it with a new effective date.

Chairman Walker suggested March 1st.

Motion (3) Mr. Manning moved to approve the application of Steve Turner for Lillian's for a renewal of a special permit for outdoor dining at 374 Main Street, Niantic effective March 1st with the previous conditions.

Seconded by Mr. McPherson.

Motion Passed 6-0.

6. APPLICATION OF EDUARDO MARTONE, FOR A SPECIAL PERMIT FOR OUTDOOR DINING AT 11 EAST PATTAGANSETT ROAD, NIAN TIC

Motion (4) Mr. Donovan moved to approve the application of Edwardo Martone for a special permit for outdoor dining at 11 East Pattagansett Road, Niantic with the following conditions:

1. No outdoor entertainment allowed;
2. Low level speakers for background music;
3. Last seating at 8:00 p.m. on weekdays, and last seating at 9:00 p.m. on weekends.
4. One year permit.

Seconded by Mr. McPherson.

Motion Passed 6-0.

7. APPLICATION OF JEFFREY MCNAMARA FOR TUCK PROPERTIES, LLC FOR A SPECIAL PERMIT FOR COMMERCIAL RECREATION AT 27 HOPE STREET, NIANTIC

Mr. Dwyer stated he thinks this is a great idea, but they may have a problem with parking.

Mr. Donovan stated a lot of kids will be dropped off.

Mr. Manning stated there is a municipal lot nearby.

Mr. Donovan stated they are improving the building.

Motion (5) Mr. McPherson moved to approve the application of Jeffrey McNamara for Tuck Properties, LLC for a Special Permit for Commercial Recreation at 27 Hope Street, Niantic with the following condition:

- 1. Granting of a modification to eliminate the buffer requirements of Section 24.6E3 because of existing site conditions.**

Seconded by Mr. Donovan.

Motion Passed 6-0.

8. CONTINUATION OF APPLICATION OF EDWARD M. CASSELLA, ESQ. FOR WHITE GATE FARM, FOR AN AMENDMENT TO THE EAST LYME ZONING REGULATIONS SECTION 1, SECTION 5.2.9, AND SECTION 25 FOR FARM EVENTS.

Mr. Dwyer asked what creates a farm. They have 50 acres, and only cultivate 3 of them. He thinks they may be rushing this.

Mr. Donovan stated there has been a lot of talk about small farms being able to survive. A lot of the small farms make their way with farm stands. He has a problem with the wedding part. It is not just about White Gate. It is all over town. There are very few towns that allow weddings. It is not fair to the neighbors to have a wedding every weekend over the summer.

Mr. McPherson asked if Mr. Mulholland had done any research.

Mr. Mulholland stated the more rural communities generally have a regulation because they are more rural. We need to make a decision based on our community.

Chairman Walker stated they had two public hearings. There was support and also opposition. We need to strike a balance. This site is a quiet residential area that surrounds a lake. We need to consider all residents in town. Traffic is not a concern of his. However, weddings are not a farm related activity. He is not opposed to the farm education events or the dinners, they are appropriate accessory uses for farms in town. He is also not impressed that the dinners have been taking place for 9 years at the farm without approval of the Zoning Commission. He is opposed to the wedding component.

Mr. Peck stated weddings can take place in backyards all over town already. Could we fine tune this to apply only to agriculture. Can we review it annually?

Mr. Mulholland stated he spoke to the town attorney regarding modifying this. He said we can make minor changes.

Mr. Donovan stated he is fine with everything but the wedding part. Everyone can have a wedding in their backyard, however in that case it is not a business.

Mr. Dwyer stated we keep talking about the farm, but this is for the whole town.

Chairman Walker stated there are 39 parcels in town that this could apply to.

Motion (5) Mr. Donovan moved to approve the application of Edward M. Cassella, Esq., for White Gate Farm, for an amendment to the East Lyme Zoning Regulations Section 1, Section 5.2.9, and Section 25 for Farm Events with the following modifications:

Remove the following:

- 1. Section 1, Definitions: the word "Weddings"**
- 2. Section 25, Table of Minimum Controls: Item 2B "Weddings"**
- 3. Section 25.5, Table of Minimum Controls: Item 5 Entire Wedding Section**

Mr. Dwyer stated parking wasn't addressed.

Mr. Peck stated that can be done by special Permit.

Mr. McPherson stated parking is site specific.

Seconded by Mr. Peck.

Motion Passed 5-0-1 (Mr. McPherson – Nay)

Mr. McPherson stated he was fine with weddings in it.

9. APPROVAL OF MINUTES OF MARCH 24, 2016

Motion (6) Mr. McPherson moved to approve the Public Hearing and Regular Meeting Minutes of March 24, 2016.

Seconded by Mr. Donovan.

Motion Passed 6-0.

OLD BUSINESS

1. SUB-COMMITTEE MIXED USE IN CB ZONE

They have not met.

NEW BUSINESS

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

Mr. Donovan stated there are no regulations in town for bees. It is a fairly simple solution and he would like Chairman Walker to set up a sub-committee.

Chairman Walker agreed with Mr. Donovan. Mr. Donovan, Chairman Walker, and Mr. Manning all will be on the sub-committee.

Mr. Peck asked about the smaller sign for the outdoor dining renewal.

Mr. Mulholland stated he will get back to them on that at the next meeting.

Mr. Peck asked if Mr. Mulholland had talked to the town attorney regarding gambling in town.

Mr. Mulholland stated the town attorney is looking into it.

2. ZONING OFFICIAL

Mr. McPherson stated the parking lot at the farm stand on Upper Pattagansett is getting bigger.

Mr. Donovan stated when he is in operation it looks good.

Mr. Mulholland stated he is not authorized for storage.

3. COMMENTS FROM EX-OFFICIO

Ms. Hardy stated the Board of Finance took money out of the town budget, the Board of Selectmen will be meeting to determine what to eliminate.

4. COMMENTS FROM ZONING BOARD LIAISON TO PLANNING COMMISSION

Their last meeting was cancelled.

Mr. McPherson will go to the Planning meeting on May 3rd and Mr. Manning will go to the June meeting.

5. COMMENTS FROM CHAIRMAN

Chairman Walker had no comments.

ADJOURNMENT

Motion (7) Mr. McPherson moved to adjourn the meeting at 9:10 p.m.

Seconded by Mr. Donovan.

Motion Passed 6-0.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Karen Miller Galbo". The signature is written in a cursive, flowing style.

Karen Miller Galbo
Recording Secretary