

TOWN OF EAST LYME
ZONING COMMISSION
MAY 19, 2016
PUBLIC HEARING MINUTES

Members Present:

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

FILED IN EAST LYME
CONNECTICUT
May 25, 2016 AT 8:00 AM/PM
Cauley Yalbo, etc
EAST LYME TOWN CLERK

Members Absent:

Peter Lukas, Alternate

Also Present:

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

CALL TO ORDER

Chairman Walker called the Public Hearing to order at 7:32 p.m.

PLEDGE OF ALLEGIANCE

Chairman Walker led the assembly in the Pledge of Allegiance.

PUBLIC DELEGATIONS

Attorney Ted Harris stated he wanted to speak about the trees at the Stop and Shop Shopping Center. The owner is out of town. Evergreens were screening the loading docks and the area behind the building. The owner lost a tenant. The trees grew so high they lost signage that ZBA had allowed. They had grown significantly.

Mr. Donovan stated buffers are put into a site plan for a reason. That was before his time, but if we let someone get away with this then others will want to.

Mr. Mulholland stated the tree warden was there, he thought it was done professionally. He volunteered to keep an eye on them. He also did not think that removing every other tree would help.

Mr. Donovan stated pruning is different than taking off 10 feet.

Mr. Mulholland stated he gave them a Cease and Desist, if they pursue this it could become costly, but if one gets away with this it could be like dominoes.

Ms. Hardy stated this is not on the Agenda, they should move to add this to the agenda.

Motion (1) Mr. McPherson moved to add this item to the Regular Meeting Agenda as number 3.

Seconded by Mr. Peck.

Motion Passed 6-0.

1. CONTINUATION OF APPLICATION OF LEO ROCHE, FOR STRIVE LLC, FOR A RENEWAL OF A SPECIAL PERMIT FOR OUTDOOR DINING AT PROPERTY IDENTIFIED IN THE APPLICATION AS 247-2 MAIN STREET, NIAN TIC

The owner was present, the legal advertisement ran on this item, and the sign was posted.

Mr. Roche stated he was not asking for any changes. He showed the members the signs they post on their patio.

Mr. McPherson stated he is aware of a problem that people are sitting on the walls, and standing on the patio and drinking and smoking.

Chairman Walker stated it is a reputable fabulous business. He couldn't be happier, it is a beautiful building. There is an ongoing situation with standing, drinking and smoking or sitting on the walls outside. They understand Mr. Roche can't be there at all times, we want to solve the problem; they also want to see improvement.

Mr. Donovan stated there are people standing outside drinking and smoking at bars all over town, we can't control everyone.

Mr. Roche stated there is no way to monitor it 100%.

Chairman Walker stated the problem is later after food has been served out there. There is no staff out there.

Mr. Mulholland stated a couple people have approached him. This business is highly visible. It is a great asset to downtown. He suggested he talk to his staff.

Mr. Donovan asked if he would be willing to put up a border.

Mr. Roche stated he will explore that. It is one of the first places people see in town. They may have to put a fence on top, but they don't really want to.

Mr. Donovan suggested roping it off, and putting some type of wire on the wall.

Mr. McPherson stated he would like to see flower pots and not fence.

Mr. Roche stated the pots will be going up this week.

There was no public comment.

Motion (2) Mr. McPherson moved to close the Public Hearing.

Seconded by Mr. Donovan.

Motion Passed 6-0.

2. CONTINUATION OF APPLICATION OF TIMOTHY O'REILLY, OWNER, EAST LYME CAFÉ, LLC DBA SMOKEY O'GRADY'S FOR A RENEWAL OF A SPECIAL PERMIT FOR OUTDOOR DINING AT PROPERTY IDENTIFIED IN THE APPLICATION AS 306 FLANDERS ROAD, NIANTIC

The owner was present, the legal advertisement ran on this item, and the sign was posted.

Mr. Mulholland stated there have been no complaints. It is in the back of the building; unless you drive back there you won't see it.

Mr. O'Reilly stated he has the same problem as Mr. Roche with people going out to drink and smoke.

There were no public comments.

Mr. McPherson stated the signage will change for next year for the renewals.

Motion (3) Mr. Donovan moved to close the Public Hearing.

Seconded by Mr. Peck.

Motion Passed 6-0.

Respectfully Submitted,



**Karen Miller Galbo
Recording Secretary**

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