

TOWN OF EAST LYME  
ZONING COMMISSION  
SEPTEMBER 1, 2016  
REGULAR MEETING MINUTES

Members Present:

Matthew Walker, Chairman  
Terence Donovan  
Norm Peck  
George McPherson  
James Liska, Alternate (Sat for Meeting, But Did Not Sit for Item 3)  
David McIlhenney, Alternate (Sat for Meeting, But Did Not Sit for Item 3)

Also Present:

Bill Mulholland, Zoning Officer  
Rita Franco-Palazzo, Planning Representative  
Holly Cheeseman, Ex-Officio

FILED

Sept 16 20 11 4 AT 1:30 AM/PM

William Mulholland

EAST LYME TOWN CLERK

Members Absent:

John Manning  
William Dwyer  
Peter Lukas, Alternate

Chairman Walker sat Mr. Liska and Mr. McIlhenney as regular members for the meeting.

1. REQUEST FOR A TEXT AMENDMENT TO THE EAST LYME ZONING REGULATIONS BY THE EAST LYME ZONING COMMISSION, TO AMEND SECTION 25.3.3-1, PUBLIC NOTICE SIGNS, TO ADD THE FOLLOWING PARAGRAPH; "NOTWITHSTANDING THE ABOVE SECTION, APPLICANTS FOR ANNUAL SPECIAL PERMIT RENEWALS FOR RESTAURANT OUTDOOR DINING FACILITIES IN CA OR CB ZONES WHERE ALCOHOL IS SERVED SHALL NOT BE REQUIRED TO POST AN ON PREMISES PUBLIC NOTICE ADVERTISING SIGN".

Motion (1) Mr. McPherson moved to approve the request for a text amendment to the East Lyme Zoning Regulations by the East Lyme Zoning Commission, to amend Section 25.3.3-1, Public Notice Signs, to add the following paragraph; "Notwithstanding the above section, applicants for annual special permit renewals for restaurant outdoor dining facilities in CA or CB Zones where alcohol is served shall not be required to post an on premises public notice advertising sign.

Seconded by Mr. Donovan.

Motion Passed 6-0.

**2. REQUEST FOR A TEXT AMENDMENT TO THE EAST LYME ZONING REGULATIONS BY THE EAST LYME ZONING COMMISSION, TO AMEND SECTION 1.27 FARMING (DEFINITION), BY ADDING THE WORD "BEES" AFTER THE WORD POULTRY.**

This item was withdrawn.

**3. RESPONSE/DEEP HEARING OFFICER REGARDING 235 OLD BLACK POINT ROAD PERMIT**

This item was heard prior to the previous Public Hearing to make efficient use of the Town Attorney's time. Mr. Liska and Mr. McIlhenney did not sit for this item.

Chairman Walker stated he only wanted members seated who were at the meeting when the Coastal Site Plan was approved for 235 Old Black Point Road.

Attorney O'Connell stated this pertains to a hearing pending before DEEP. The permit was issued and approved by the Zoning Commission for 235 Old Black Point Road. An order was issued by the hearing officer pertaining to what the zoning Commission considered it was doing when it approved the Dowling Coastal Site Plan. The Zoning Commission is not an official party to this action, the dispute is between neighbors. He gave them sample resolutions to adopt. They do not need to give a reason as to why they adopt a particular one.

Mr. Mulholland stated this was about a year ago. He distributed copies of the application and narrative.

Chairman Walker stated the hearing officer wants clarification from us.

Mr. Donovan stated a structure would be a concrete wall or the such. He didn't think it was a structure.

Chairman Walker recalled regarding it as a living shoreline. In reviewing the application and the notes that is his conclusion.

Mr. McPherson concurred with Chairman Walker.

**Motion (1) Mr. McPherson moved the following:**

**When approving the Dowling Coastal Site Plan, the East Lyme Zoning Commission considered the approval to be of a living shoreline activity requiring coastal site plan approval.**

**Seconded by Mr. Donovan.**

**Motion Passed 4-0**

**4. 248/250 FLANDERS ROAD LANDSCAPE ISSUE**

This item has been continued.

**5. APPROVAL OF MINUTES OF JULY 7, 2016 AND AUGUST 4, 2016**

Motion (3) Mr. Peck moved to approve the Public Hearing and Regular Meeting Minutes of July 7, 2016 and August 4, 2016.

Seconded by Mr. McPherson.

Motion Passed 4-0-2 (Chairman Walker and Mr. Liska abstained)

#### OLD BUSINESS

##### 1. SUB-COMMITTEE MIXED USE IN CB ZONE

They have not met, they will meet in the Fall.

#### NEW BUSINESS

1. REQUEST OF KEITH B. NEILSON, PE OF DOCKO, INC, FOR BEVERLY A LOUGHLIN, OWNER, FOR A COASTAL AREA MANAGEMENT REVIEW FOR THE CONSTRUCTION OF A WOOD LANDING, TO JOIN AN 8' WIDE STONE ACCESS STAIR AND ASSOCIATED WOOD STAIR LEADING TO A CT DEEP AUTHORIZED FIXED PIER, TO INCLUDE WOOD BENCH AND LIGHTS, LANDWARD OF THE HIGH TIDE AND CONNECTICUT COASTAL JURISDICTION LINES AT 5 NORTH MAIN STREET, NIAN TIC, CONNECTICUT, EAST LYME ASSESSOR'S MAP 22.3, LOT 41.

Chairman Walker asked Mr. Mulholland to schedule this item.

2. REQUEST OF KEITH B. NEILSON, PE OF DOCKO, INC, FOR MR AND MRS JOHN RANELLI, OWNER FOR A COASTAL AREA MANAGEMENT REVIEW FOR THE RE-CONSTRUCTION OF A STONE GROIN, INCLUDING NEW REINFORCEMENT, CAST CONCRETE FOOTING WITH GEOTEXTILE WRAPPED CRUSHED STONE BASE, AT 225 GIANTS NECK ROAD, NIAN TIC, CONNECTICUT, EAST LYME ASSESSOR'S MAP 4.10, LOT 7.

Chairman Walker asked Mr. Mulholland to schedule this item.

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

Mr. Donovan stated he has been approached about allowing banners on the light poles in Niantic.

Mr. Mulholland stated we would need an amendment regarding size, language. Is the Commission wants him to draft something he can.

Chairman Walker stated the Commission will task him with that.

Mr. Donovan asked if Crest Ford will be coming in soon.

Mr. Mulholland stated they have hired Attorney Harris and Mr. Pfanner.

##### 4. ZONING OFFICIAL

Mr. Mulholland stated it has been very busy, blight has also been keeping them busy.

**5. COMMENTS FROM EX-OFFICIO**

Ms. Cheeseman stated that on behalf of the First Selectman she attending the railway hearing in Old Lyme yesterday. It was very comprehensive.

**6. COMMENTS FROM ZONING BOARD LIAISON TO PLANNING COMMISSION**

They did not attend.

**7. COMMENTS FROM CHAIRMAN**

Chairman Walker thanked Mr. Donovan for his presentation tonight.

**Motion (4) Mr. Donovan moved to adjourn the meeting at 8:45 p.m.**

**Seconded by Mr. McPherson.**

**Motion Passed 6-0.**

**Respectfully Submitted,**

**Karen Miller Galbo  
Recording Secretary**