

EAST LYME ZONING COMMISSION
PUBLIC HEARING MEETING MINUTES OF
APRIL 20th, 2017

PRESENT: Matt Walker, Chairman

Terence Donovan
John Manning
George McPherson
William Dwyer
Norm Peck

FILED
apr 24 2017 AT 3:45 AM/PM
Kathleen Mulholland, Clerk
EAST LYME TOWN CLERK

ALSO PRESENT: Bill Mulholland, Zoning Officer

Rose Ann Hardy, Ex-Officio (Arrived at 7:45pm)

CALL TO ORDER:

Mr. Walker called the regular meeting to order at 7:31pm and led the Pledge.

PUBLIC DELEGATIONS:

There were no public delegations.

PUBLIC HEARING I:

1. Continuation of the request of the Town of East Lyme Zoning Commission for a Text Amendment to amend Section 18, to add Section 18.1.13 Lamp Post Banners Definition and Section 18.1.9.2 regarding Lamp Post Banners.

Mr. Mulholland said item 1 is being continued because there has been no official response from the Board of Selectmen.

Mr. Walker suggested opening items 2-6 all at once since they are all renewals for outside dining and he noted that all appropriate legal ads for these renewals have been run.

2. 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.
3. Application of Julie Smart, for Smarty's, for renewal of a Special Permit for Outdoor Dining at property identified in the application as 215 Main Street, Niantic.
4. Application of Steve Turner, for Lillian's, for renewal of a Special Permit for Outdoor Dining at 374 Main Street, Niantic.

5. Application of Edwardo Martone, for renewal of a Special Permit for Outdoor Dining at 11 East Pattagansett Road, Niantic.
6. Application of Ahmet Maras, for Niantic Pizza, for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 53 West Main Street, Niantic.

There was no Public Comment on any of these applications, and the Commission had no questions.

MOTION (1)

Mr. McPherson moved to close the Public Hearings for these applications.

Mr. Dwyer seconded the motion.

Motion passed 6-0.

PUBLIC HEARING 2:

7. Application of George Mitchell, Manager, Mitchell Trust LLC, for a Special Permit for Mixed Use at 239-2 main Street, Niantic, to consist of retail first floor and three apartments on the second floor.

Mr. Walker noted that the Legal Ad had been published and Mr. McPherson read the Zoning Official Memo into the record.

Mr. Mulholland directed the Commission to the Member Packet which contains his memorandum dated April 20th, 2017 as well as a letter from Town Attorney Waller, Smith & Palmer.

Mr. Donovan read the letter from Waller, Smith & Palmer into the record.

Mr. Mulholland drew attention to Exhibit B- Staff Review of the Application by Planning and Inland wetlands, Exhibit C- Staff Review by the Town Engineer, and Exhibit D- Staff Review by the Utility Engineer.

Bob Pfanner of J Robert Pfanner Associates, 37 Grand Street Niantic came on behalf the Applicant.

Mr. Pfanner reviewed the Site Plan (Exhibit A) with the Commission.

Mr. Mulholland and Mr. Pfanner discussed how the site plan has no on site coastal resources and therefore, no chance for adverse impact.

Mr. Pfanner said the traffic circulation will be one way and access is large enough for fire apparatus.

Mr. Mulholland and Mr. Pfanner discussed the parking; overall the site has 160 parking spaces with a maximum parking requirement of 156 spaces. The new building requires 16 parking spaces. Mr. Pfanner said after the hot dog stand (aka the former Fotomat) is taken down, there will be 166 parking spaces.

Mr. Donovan asked how much space there is between the proposed building and The Black Sheep. Mr. Pfanner said there is about a foot between the two. Mr. Mitchell said there is a 6 foot strip between the two.

The Commission discussed how there is no dumpster enclosure included on the Site Plan. Mr. Mitchell said the tenant will be Village Wine & Spirits and they don't incur much trash and will utilize Town Pickup. He said there will be six barrels- 3 for the store and 3 for the apartments.

Mr. McPherson asked if the staircase will be internal and Mr. Pfanner said yes.

Mr. Mitchell went over the design of the building.

The designer, Bill Upjohn came forward to address the Commission.

Mr. Donovan asked if they would be willing to adapt the design and move the entrance to the front of the building rather than to the side. Mr. Upjohn said probably not. He said the intent of the design is to match the other buildings in the complex.

Mr. Mitchell said the tenant wants the entrance on the side of the building to make it easier for the customers to carry packages to their cars.

Mr. Upjohn said the entrance is a practical issue not an ascetic issue. He said they could try to dress up the front of the building a bit more. Mr. Mitchell added that it is a transitional building.

Mr. Walker pointed out the design of Lillian's Café, Gary Smith's new building, and Charter Oak Bank. He said the architecture in that realm incorporates more with a seaside village impression.

Mr. McPherson said this site has high visibility and Mr. Walker said with due respect to the designer, this is not the type of building he'd like to see in that spot. The Site Plan itself is fine but the building looks like a hunting lodge.

Mr. Peck said that Mr. Mulholland has spent a great deal of time encouraging builders to construct buildings with a new England type feel- this is the direction the Town is trying to go in. Mr. Peck said there are several types of buildings in Town that would work well in this site.

Mr. Mulholland suggested continuing this item to May 4, 2017; this will give the Commission time to digest the material presented tonight, and give the Applicant time to reconsider the design of his project. Perhaps, the Commission and Applicant can reach a middle ground.

Mr. Mitchell asked what the other Commission members thought. Mr. Donovan said the design brings him back to the 1970s.

Mr. Mitchell said the design the Commission wants is from 200 years ago.

Mr. McPherson said he is not in favor of this design.

Mr. Walker thanked Mr. Mitchell and asked if anyone from the public wished to speak.

Lynn Kiah of 55 Attawan Avenue and co-owner of Village Wine & Spirits came forward to speak. She said she loves it here and they are very excited about the prospect of this building. She said George Mitchell is continuing the design of his other building as well as the design of Family Pizza.

Felicia Gunther of 123 Pennsylvania Avenue came forward and said she doesn't think a liquor store on the front line of Main Street will look good. She said she wishes they would bring back Pete Mitchell's Market.

MOTION (2)

at 8:30pm Mr. McPherson moved to continue the Public Hearing.

Mr. Donovan seconded the motion.

Motion passed 6-0.

Respectfully Submitted,



**Brooke Stevens,
Recording Secretary**