

**TOWN OF EAST LYME
ZONING COMMISSION
FEBRUARY 1, 2018
REGULAR MEETING MINUTES**

Members Present:

Matthew Walker, Chairman
Norm Peck
George McPherson
John Manning
Kimberly Kalajainen
Terence Donovan
James Liska, Alternate
Anne Thurlow, Alternate

FILED

February 5, 20 18 AT 3:00AM/PM
Brenda D. Hume ATC
EAST LYME TOWN CLERK

Members Absent:

David McIlhenney, Alternate

Also Present:

Bill Mulholland, Zoning Officer
Rose Ann Hardy, Ex-Officio (arrived at 8:10 p.m.)

1. Application of Theodore A. Harris, Esq., Agent, for Guy's Oil Service Station, Inc., Owner, for a zone change from existing RU-40 to CA of a portion of the properties at 87 W Main Street, W Main St, and 79 W Main Street, East Lyme Assessor's Map 11.3 Lot 101, East Lyme Assessor's Map 11.1 Lot 3, and East Lyme Assessor's Map 11.1, Lot 1.

Mr. Donovan said he has no issue with this application; there is one property owner and the surrounding area is larger than that one parcel.

Mr. McPherson said he is in complete agreement with Mr. Donovan and noted the Planning Commission ruled that it's consistent with the POCD.

Mr. Manning observed that this will only be an improvement in terms of safety.

Mr. Walker said the premises will be more presentable and will support the growth of the business, a much needed activity, and a great neighbor in Town.

Ms. Kalajainen said that in terms of what she has heard tonight, the four reasons to be in favor of this application are:

1. Increase commercial tax base.
2. Increased safety for employees and customers.
3. Expansion of a longtime Town business.
4. Satisfies the POCD.

MOTION (1)

Mr. Donovan moved to approve the Application of Theodore A. Harris, Esq., Agent, for Guy's Oil Service Station, Inc., Owner, for a zone change from existing RU-40 to CA of a portion of the properties at 87 W Main Street, W Main St, and 79 W Main Street, East Lyme Assessor's Map 11.3 Lot 101, East Lyme Assessor's Map 11.1 Lot 3, and East Lyme Assessor's Map 11.1, Lot 1 for the reasons previously stated.

Mr. McPherson seconded the motion.

Motion passed, 6-0-0.

2. Request of the Town of East Lyme for a Special Permit for the construction of seasonal water and sewer lines to Cini Park, concrete ramps for restroom access, an outdoor shower, an electrical connection and a portable restroom trailer to serve Cini Park and the adjacent beach at 22 Main Street, East Lyme. East Lyme Assessor's Map 12.2, Lot 3.

Mr. McPherson said he is in support of this Application.

Mr. Donovan asked how high the structure is once the trailer is taken away and Mr. Scheer said 2 feet.

MOTION (2)

Mr. Donovan moved to approve the Request of the Town of East Lyme for a Special Permit for the construction of seasonal water and sewer lines to Cini Park, concrete ramps for restroom access, an outdoor shower, an electrical connection and a portable restroom trailer to serve Cini Park and the adjacent beach at 22 Main Street, East Lyme. East Lyme Assessor's Map 12.2, Lot 3, along with the exception from the planting requirement in Section 24.6E(4).

Ms. Kalajainen seconded the motion.

Motion passed, 6-0-0.

3. Request of the Town of East Lyme for a Special Permit for a public park, consisting of a raised terrace, granite curbing, concrete sidewalks, planting areas, grass and trees at 224 Main Street, East Lyme Assessor's Map 12.1, Lot 113.

Mr. Donovan said the sidewalk is an issue for him.

Mr. McPherson said he would rather not have a sidewalk to nowhere.

Mr. Donovan said we should be consistent.

Mr. Walker and Mr. McPherson noted that on the other end of Town where sidewalks to nowhere exist (such as Smith's Acres), there is a potential to someday connect the sidewalks while at the park location, there isn't.

Mr. McPherson said the sidewalk at the park will actually cause pedestrians to jay walk.

Ms. Kalajainen suggested having the Town monitor this area; if it is found that the path is being worn down, a sidewalk could be installed at that time.

Mr. Walker said he feels confident this plan has been well thought out and is a good project. He added that Mr. Donovan's point is well taken but he thinks there is some extenuating circumstances given the location.

Mr. Donovan asked about having a couple of handicapped parking spaces and Mr. McPherson asked if perhaps this could be considered.

Mr. Mulholland said the restaurant next door has handicapped parking and Mr. Scheer said the subcommittee decided early on that the park should be more of a passive green space.

Mr. Peck said he thinks within 20 years we will be looking for more parking and suggested the land on the east end of the sidewalk could be left for parking expansion in the future.

Mr. McPherson suggested having it play out and if they need to come back in the future, so be it.

Mr. Donovan and Mr. Peck said they would like to keep the door open for this and Mr. Walker agreed this could be revisited as needed.

MOTION (3)

Mr. McPherson moved to approve the Request of the Town of East Lyme for a Special Permit for a public park, consisting of a raised terrace, granite curbing, concrete

sidewalks, planting areas, grass and trees at 224 Main Street, East Lyme Assessor's Map 12.1, Lot 113, along with the partial exemption from the sidewalk requirements of Section 24.6(c), and with the conditions about parking as previously mentioned on the record.

Ms. Kalajainen seconded the motion.

Motion passed, 5-0-1.

Mr. Donovan abstained from the vote.

4. Application of Jon Firman, Owner, 8 Sunnieside Dr, East Lyme for a Coastal Area Site Plan Review for the removal of several trees and brush from the embankment without the use of heavy equipment.

The Applicant was not in attendance and the item was continued until the February 15th, 2018 meeting.

5. Approval of Minutes of December 7, 2017 and January 11, 2018.

MOTION (4)

Mr. McPherson moved to approve the meeting minutes of December 7, 2017 as presented.

Mr. Peck seconded the motion.

Motion passed, 4-0-2.

Ms. Kalajainen and Mr. Manning abstained from the vote due to their absence from the meeting.

MOTION (5)

Mr. McPherson moved to approve the meeting minutes of January 11, 2018 as presented.

Ms. Kalajainen seconded the motion.

Motion passed, 4-0-2.

Mr. Peck and Mr. Donovan abstained from the vote due to their absence from the meeting.

Old Business-

1. Subcommittee-Mixed Use in CB Zone
2. Subcommittee-Maximum Allowed Signage
3. Subcommittee-Site Plan Requirements/Architectural Regulations

Mr. Mulholland said these are all being worked on and they are trying to fasttrack the architectural review material. Mr. Walker noted Ms. Thurlow made a great catch while reviewing the draft.

New Business

1. Application of Jason Westcott, Esq., Agent for Brian Lepkowski, Owner, for a text amendment to Section 23.5 of the East Lyme Zoning Regulations Buffers.

The Commission asked Mr. Mulholland to schedule this item.

2. Any business on the floor, if any by the majority vote of the Commission.

Mr. Peck brought up Legal Medical Marijuana Dispensaries which are not a permitted use in Town. He mentioned the one started in Montville which has been very successful and noted you have to be a pharmacist and become licensed to do this; he sees no reason why we can't open the door and allow the use.

Mr. McPherson said we have to keep up with the times.

Mr. Donovan said he has no issue with this, as other states do this.

Mr. Walker said we could wait and see- if there is applicant who wishes to pursue this, they can do the leg work.

Mr. McPherson suggested they be proactive.

Mr. Donovan said these operations will eventually be all over the US and we might as well go in at the ground level.

Mr. Walker said he doesn't disagree but it's still a controversial topic and asked if this is what's best for us to do.

Mr. Peck said a Public Hearing could be held where patients and doctors could come and speak. He added that a lease is needed prior to even applying to the State for a license.

Mr. Mulholland said this would be a text amendment but that he is unfamiliar with the State regulations and will have to review them.

Mr. Walker said this will be essentially inviting this type of business to Town.

Ms. Kalajainen suggested having discussions with Planning and Law Enforcement regarding the larger implications this practice may bring.

The Commission asked Mr. Mulholland to research this topic.

3. Zoning Official

Mr. Mulholland said the office has been busy and had no further report.

4. Comments from Ex-Officio

Ms. Hardy had no report.

5. Comments from Zoning board liaison to Planning Commission

a. Donovan – 1/9/2018

Mr. Donovan said all three public hearings heard this evening where the applications that were discussed at the Planning Commission meeting.

b. Kalajainen – 2/6/2018

This meeting has been cancelled.

c. Liska- 3/6/2018

6. Comments from Chairman

Mr. Walker said in regards to having Mr. Arndt return for a seminar there is no money in the budget right now to do this. Mr. Nickerson told Mr. Walker that he is going to consult other towns, as well as the Council of Governments for ideas.

As a final housekeeping item, Mr. Walker asked that all the Commission Members work on not interrupting each others comments.

ADJOURNMENT

MOTION (6)

Mr. McPherson moved to adjourn the meeting at 9:28 p.m.

Ms. Kalajainen seconded the motion.

Motion passed 6-0-0.

Respectfully Submitted,

Brooke Stevens
Recording Secretary