

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

**Members Present:**

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

**FILED**

**Members Absent:**

**David McIlhenney, Alternate**

*February 5, 2018 AT 3:00 AM (PM)*  
*Bruce D. Thurn* ATC  
EAST LYME TOWN CLERK

**Also Present:**

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

**CALL TO ORDER**

Chairman Walker called the meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

Chairman Walker led the assembly in the Pledge of Allegiance.

**PUBLIC DELEGATIONS**

There were no public delegations.

**PUBLIC HEARINGS**

**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. Walker noted the legal ad published regarding this application and Mr. McPherson read Mr. Mulholland's memorandum and the Planning Commission letter dated January 10th, 2018 into the record.

Mr. Donovan read the email from Marcy Balint of DEEP dated January 16th, 2018 into the record.

Attorney Ted Harris of 351 Main Street, Niantic came forward to represent the applicant and distributed the following to the Commission and for the record:

- Exhibit 1- Certificates of Mailings
- Exhibit 2- Zone Change Map
- Exhibit 3- Colored Map of RU-40 Zone
- Exhibit 4- GIS Map of Existing Zone

Mr. Harris highlighted some details of the application for the Commission:

- The zone change will allow the removal of the small buildings to be replaced with one larger building.
- The overall aesthetic of the site will be improved.
- The zone involves 3 small parcels- this is an extension of a zone line, and quite different from spot zoning.
- The POCD has 2 themes for increasing commercial property- 1. Need and 2. Type of Services.
- This is not an unusual mode of increasing commercial property.
- The Planning Commission (the author of the POCD) found this plan consistent.
- See no negative impacts.
- Steep grades were examined and site testing occurred prior to making this plan.
- We will be back for final design approval if the zone change is approved.

Ms. Kalajainen asked about the vehicles that DEEP refers to and the applicant explained that 99% of them have been removed.

Mr. Manning asked if the tanks are staying in the same place and Mr. Harris explained that they are, and that this is strictly for a zone change.

Mr. Harris noted this zone change urges the Town to increase its commercial base and tax base, provides needed services for the Town, and allows a 79 year old Town company to continue to grow; the plan to deepen these commercial zones is consistent with the comprehensive plan and is a recognized pattern.

Mr. Donovan asked if all the property involved belongs to Mr. Gada and Mr. Harris said it does.

Mr. Donovan asked about the elevation in back of the property and Mr. Harris explained it's a 25 foot elevation and therefore impossible to see the building from Pondcliff Condominiums.

Mr. Walker said a site walk might be considered and Mr. Harris said they should be warned that the area is heavily wooded.

Ms. Kalajainen asked about truck storage if the business continues to grow and Mr. Harris said they will not be stored on the Ru-40 zone.

The Applicant, Mr. Richard Gada Sr. of 77 West Main Street came forward to speak. Mr. Gada explained he would not need a zone change if he put the new building right on the street but doesn't want to do that due to safety concerns. He added that his home is right next door so he's not going to put something up that isn't tasteful; he wouldn't do that to the Town or to his wife.

Mr. Gada pointed out Mr. John Lombardi who was also in attendance and noted that Mr. Lombardi did testing to make sure this plan is feasible.

#### **MOTION (1)**

**Mr. Donovan moved to close the Public Hearing.**

**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. Walker noted the legal ad published regarding this application and Mr. McPherson read Mr. Mulholland's memorandum into the record.

Bill Scheer, Deputy Director of Public Works, came forward and presented the Commission with a rendering of where the proposed bathroom will be located at Cini Park.

Mr. Scheer explained the original plan involved a concrete bunker style bathroom but is no longer a possibility since FEMA changed the flood zone to a V Zone (wave velocity); regulations will not allow a building to be constructed at the lower elevations that exist in the parking lot. The Town has decided to install a portable restroom trailer which can be removed during storms and during the winter.

Mr. Scheer said the trailer will be parked next to the concrete platform, and will appear as if it is a permanent restroom structure, and will follow the same operational schedule as the hole-in-the-wall and McCooks restrooms. The trailer itself will be industrial but nice and include a shower and drinking fountain.

Mr. Scheer explained they are seeking an exception from the planting requirement in Section 24.6E(4) because of flooding and salt water conditions which will only kill the plant life.

Mr. Peck asked how long it will take from A to Z, to remove the trailer and Mr. Scheer said an hour.

Mr. McPherson asked if the tires will stay on and Mr. Scheer said yes, that it will be just like a motor home.

Mr. Mulholland observed that these types of facilities have come a very long way.

#### **MOTION (2)**

**Mr. McPherson moved to close the Public Hearing.**

**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. Walker noted the legal ad published regarding this application and Mr. McPherson read Mr. Mulholland's memorandum into the record.

Mr. Scheer came forward and detailed the proposed park plans for the former Mobil Station at 224 Main Street:

- A raised terrace or platform
- A "Welcome to Niantic" sign with pillar
- Granite curbing
- Small plants
- Circular open area with blue stone
- Backless benches so people can look at the Town or the water
- The top of the platform will not obstruct the view
- New black chain link fence to replace the current Amtrak fence

- Engraved bricks
- Low shrubbery in front of terrace

The Commission discussed the Application with Mr. Scheer.

The location of the small electrical building was discussed, and Mr. Scheer said it will be moved to the rear corner with the Commission's permission.

Mr. Scheer said they're asking for a partial exemption from the sidewalk requirements; the regulations require the construction of sidewalks along the entire frontage of the property.

No real destination exists to the East of the proposed park and this would be a sidewalk to nowhere. The partial exemption provides a savings of \$20,000.

Mr. Donovan asked about the State signs and Mr. Scheer said he is working on getting them removed.

Mr. McPherson asked about the lighting and Mr. Scheer said it will be downlit.

The Commission and Mr. Scheer discussed the proposed plantings for the park and the tree planting exception being requested. Mr. Scheer read the letter from the Tree Warden into the record.

Mr. Peck said there is an opportunity to provide more public parking on the west side of the park.

Mr. Mulholland and Mr. Scheer explained that early on the design team decided there would be no parking, and that the approximately 2,000 spaces the Town currently offers, provides more than enough.

**MOTION (3)**

**Mr. McPherson moved to close the Public Hearing.**

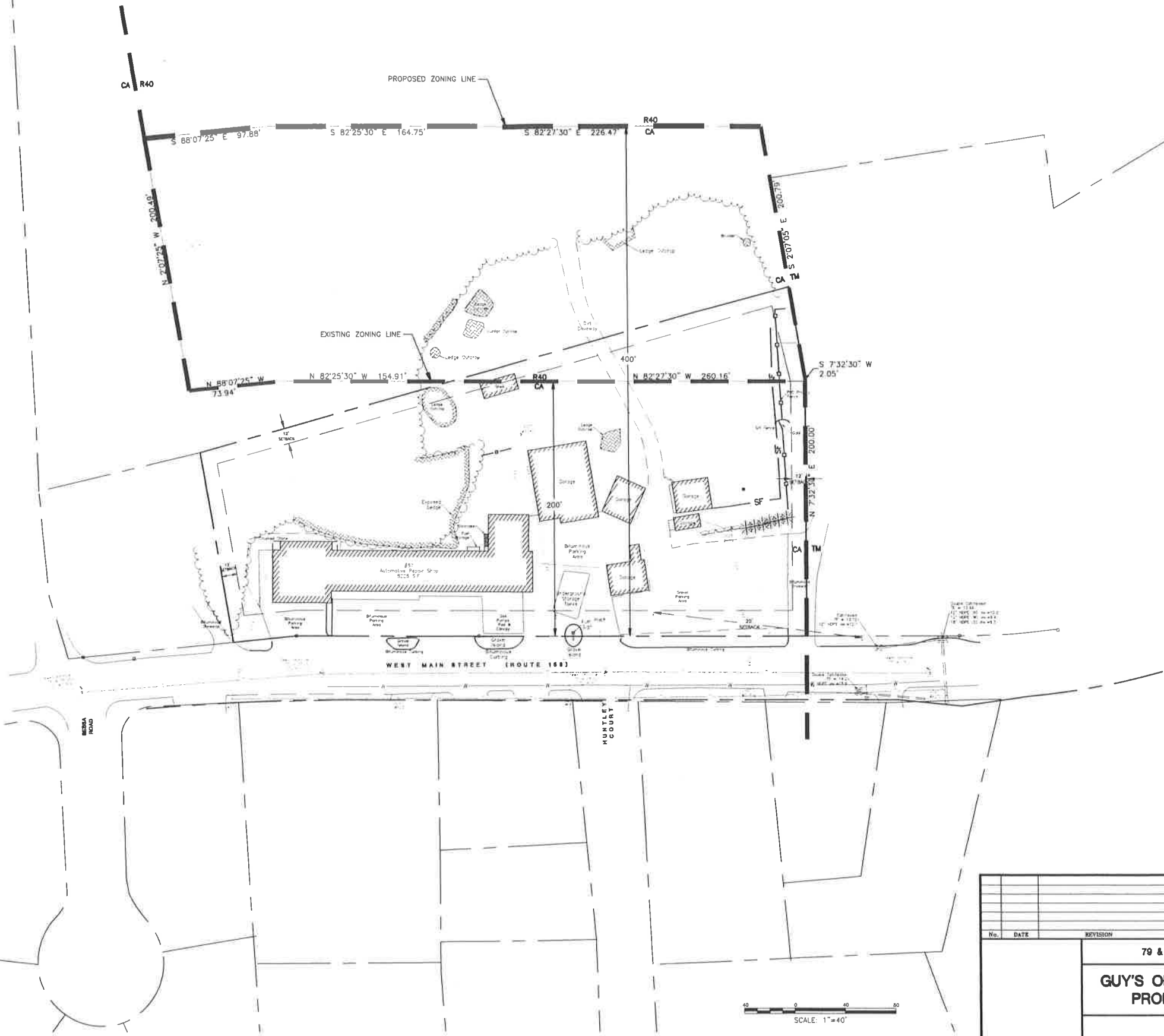
**Ms. Kalajainen seconded the motion.**

**Motion passed, 6-0-0.**

**Respectfully Submitted,**

A handwritten signature in cursive script, appearing to read "Brooke Stevens".

**Brooke Stevens**  
**Recording Secretary**



CLA

		<b>CLA Engineers, Inc.</b> CIVIL • STRUCTURAL • SURVEYING	
		317 Main Street Norwich, CT 06360 (860) 886-1966 Fax (860) 886-9165	
No.	DATE	REVISION	
		79 & 87 WEST MAIN STREET	
		GUY'S OIL SERVICE STATION PROPOSED BUILDING	
		ZONING PLAN	
		Project No. CLA-8805	
		Proj. Engineer E.M.B.	
		Date: 10/09/17	
		Sheet No. <b>1</b>	

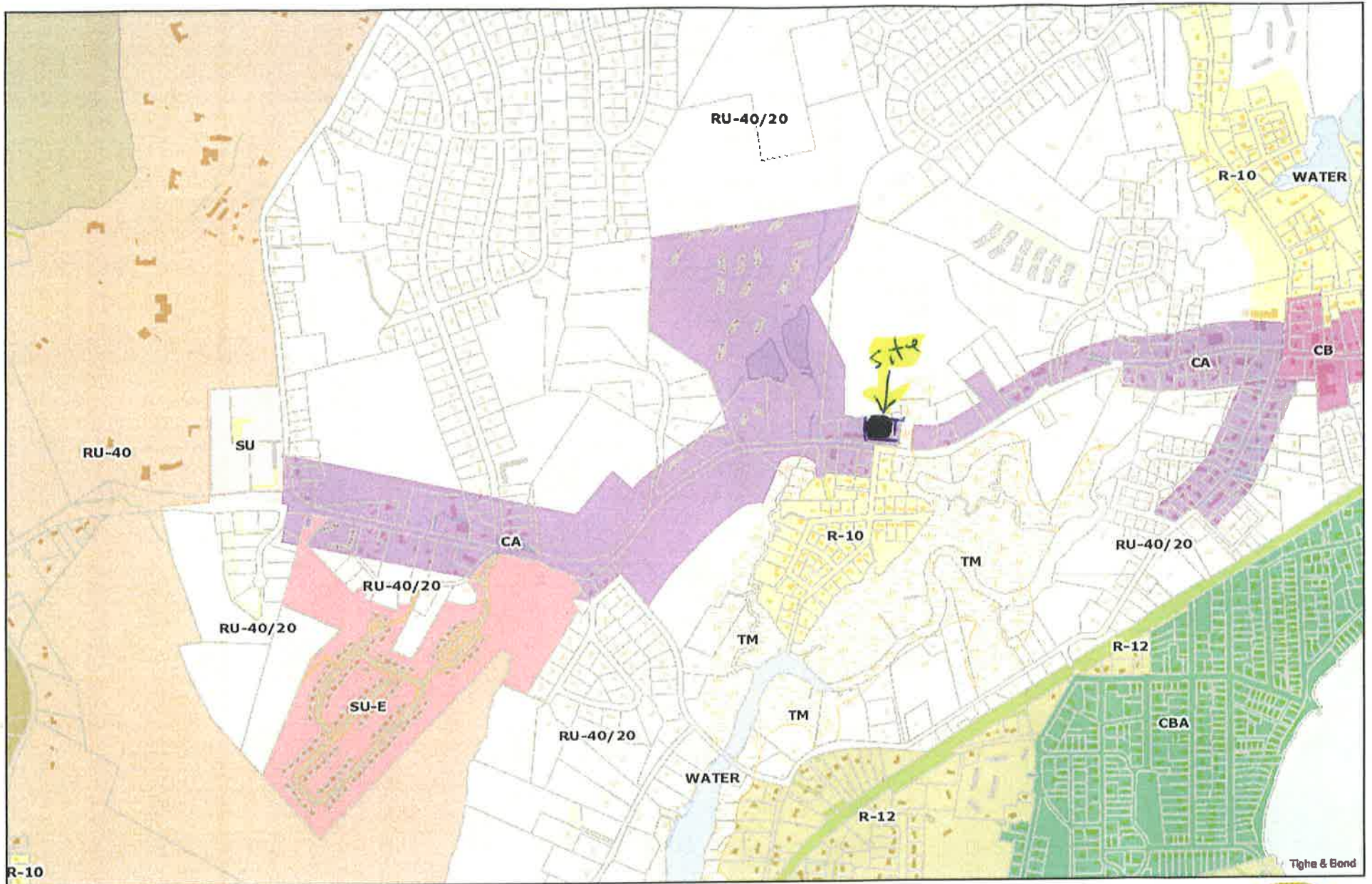
Exhibit 2



= Area of Requested Zone Change, approximately 200 x 400 feet

Exhibit 3





The information depicted on this map is for planning purposes only.  
It is not adequate for legal boundary definition, regulatory  
interpretation, or parcel-level analyses.

1/31/2018 8:31:38 AM  
Scale: 1"=1000'  
Scale is approximate

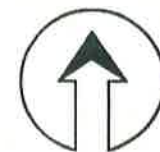
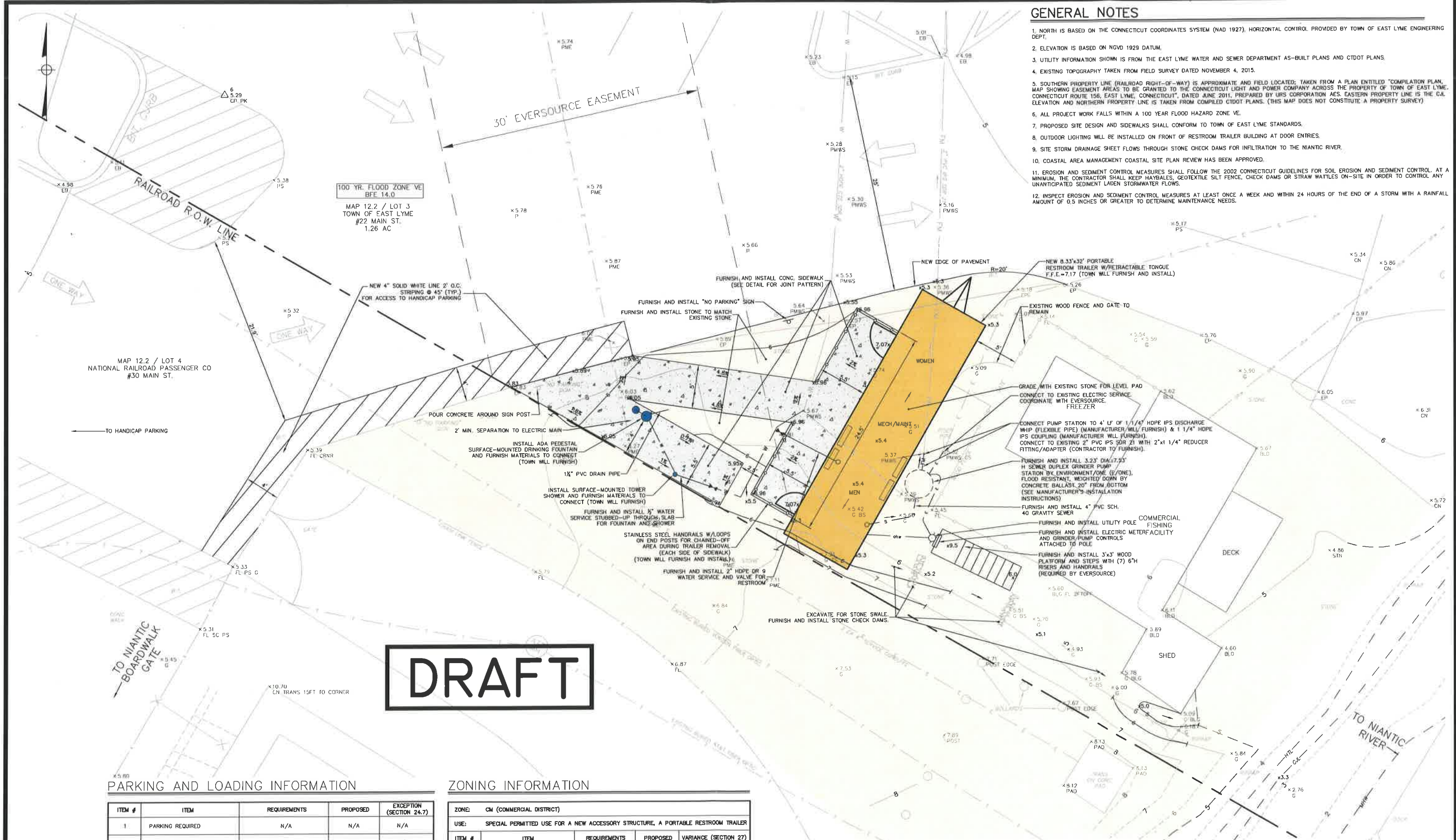


Exhibit 4





- ### GENERAL NOTES
1. NORTH IS BASED ON THE CONNECTICUT COORDINATES SYSTEM (NAD 1927). HORIZONTAL CONTROL PROVIDED BY TOWN OF EAST LYME ENGINEERING DEPT.
  2. ELEVATION IS BASED ON NGVD 1929 DATUM.
  3. UTILITY INFORMATION SHOWN IS FROM THE EAST LYME WATER AND SEWER DEPARTMENT AS-BUILT PLANS AND CTDOT PLANS.
  4. EXISTING TOPOGRAPHY TAKEN FROM FIELD SURVEY DATED NOVEMBER 4, 2015.
  5. SOUTHERN PROPERTY LINE (RAILROAD RIGHT-OF-WAY) IS APPROXIMATE AND FIELD LOCATED; TAKEN FROM A PLAN ENTITLED "COMPILED PLAN, MAP SHOWING EASEMENT AREAS TO BE GRANTED TO THE CONNECTICUT LIGHT AND POWER COMPANY ACROSS THE PROPERTY OF TOWN OF EAST LYME, CONNECTICUT ROUTE 156, EAST LYME, CONNECTICUT", DATED JUNE 2011, PREPARED BY URS CORPORATION AES. EASTERN PROPERTY LINE IS THE C.U.L. ELEVATION AND NORTHERN PROPERTY LINE IS TAKEN FROM COMPILED CTDOT PLANS. (THIS MAP DOES NOT CONSTITUTE A PROPERTY SURVEY)
  6. ALL PROJECT WORK FALLS WITHIN A 100 YEAR FLOOD HAZARD ZONE VE.
  7. PROPOSED SITE DESIGN AND SIDEWALKS SHALL CONFORM TO TOWN OF EAST LYME STANDARDS.
  8. OUTDOOR LIGHTING WILL BE INSTALLED ON FRONT OF RESTROOM TRAILER BUILDING AT DOOR ENTRIES.
  9. SITE STORM DRAINAGE SHEET FLOWS THROUGH STONE CHECK DAMS FOR INFILTRATION TO THE NIANCTIC RIVER.
  10. COASTAL AREA MANAGEMENT COASTAL SITE PLAN REVIEW HAS BEEN APPROVED.
  11. EROSION AND SEDIMENT CONTROL MEASURES SHALL FOLLOW THE 2002 CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL. AT A MINIMUM, THE CONTRACTOR SHALL KEEP HAYBALES, GEOTEXTILE SILT FENCE, CHECK DAMS OR STRAW WATTLES ON-SITE IN ORDER TO CONTROL ANY UNANTICIPATED SEDIMENT LADEN STORMWATER FLOWS.
  12. INSPECT EROSION AND SEDIMENT CONTROL MEASURES AT LEAST ONCE A WEEK AND WITHIN 24 HOURS OF THE END OF A STORM WITH A RAINFALL AMOUNT OF 0.5 INCHES OR GREATER TO DETERMINE MAINTENANCE NEEDS.

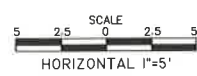
### PARKING AND LOADING INFORMATION

ITEM #	ITEM	REQUIREMENTS	PROPOSED	EXCEPTION (SECTION 24.7)
1	PARKING REQUIRED	N/A	N/A	N/A
2	MINIMUM PARKING DIMENSIONS	9 X 18 FEET	N/A	N/A
3	MINIMUM PARKING AREA	300 SF/SPACE	N/A	N/A
4	MINIMUM FRONT LANDSCAPING	6 FEET	N/A	N/A
5	MINIMUM LANDSC BUFFER STRIP	10 FEET	N/A	N/A
6	MINIMUM INTERIOR LANDSCAPING	15 SF/SPACE (MIN. OF 100 SF)	N/A	N/A
7	MINIMUM LOADING SPACE REQUIREMENTS	1 SPACE AT 10 X 30 FEET	N/A	N/A
8	PARKING AREA LANDSCAPING	DECIDUOUS PLANTINGS	SEE PLAN	YES (SECTION 24.6(E)4)

### ZONING INFORMATION

ZONE: CM (COMMERCIAL DISTRICT)				
USE: SPECIAL PERMITTED USE FOR A NEW ACCESSORY STRUCTURE, A PORTABLE RESTROOM TRAILER				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE (SECTION 27)
1	MINIMUM LOT AREA	10,000 SF	1.26 AC	N/A
2	MINIMUM LOT FRONTAGE	80 FEET	> 80 FEET	N/A
3	MINIMUM FRONT SETBACK	20 FEET	N/A	N/A
4	MINIMUM SIDE SETBACK	10 FEET	0 FEET	YES (SECTION 10.3.3)
5	MINIMUM REAR SETBACK	10 FEET	N/A	N/A
6	MAXIMUM BUILDING HEIGHT	30 FEET	N/A	N/A
7	MAXIMUM BUILDING COVERAGE	50 PERCENT	N/A	N/A

OWNER/APPLICANT:  
TOWN OF EAST LYME  
108 PENNSYLVANIA AVE.  
NIANTIC, CT 06357

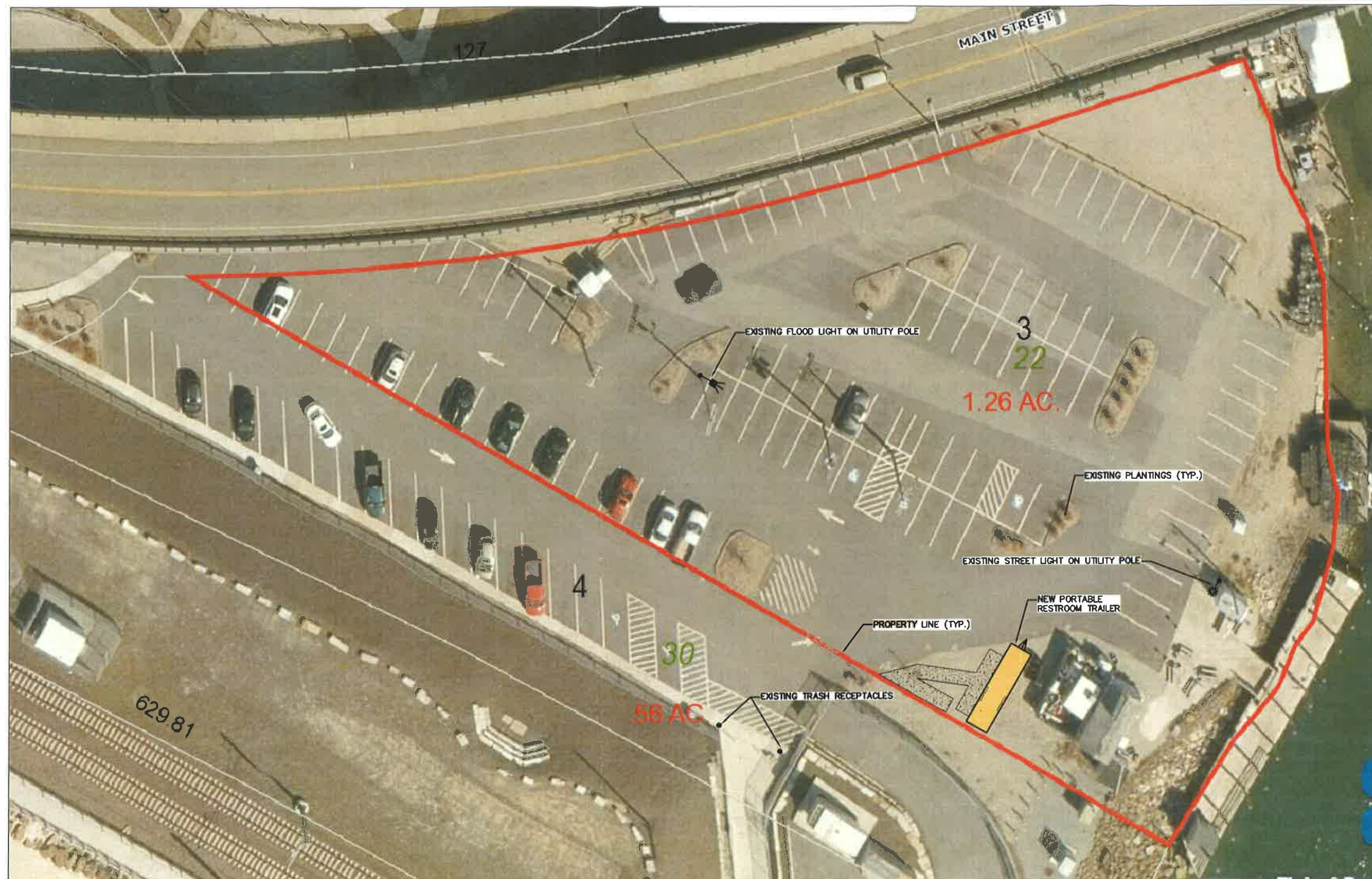


REVISIONS	
No.	DATE

### SITE PLAN

CINI PARK RESTROOM EAST LYME, CONNECTICUT				
PREPARED BY THE EAST LYME ENGINEERING DEPARTMENT				
Date: APRIL 2018	Drawn By: PG	Checked By: BS	Dwg. No.: SP-1	Sheet No.: 2 OF 3





**DRAFT**

OWNER/APPLICANT:  
TOWN OF EAST LYME  
108 PENNSYLVANIA AVE.  
NIANTIC, CT 06357

SCALE  
20 10 0 10 20  
HORIZONTAL 1"=20'



No.	DATE	REVISIONS

OVERALL SITE PLAN

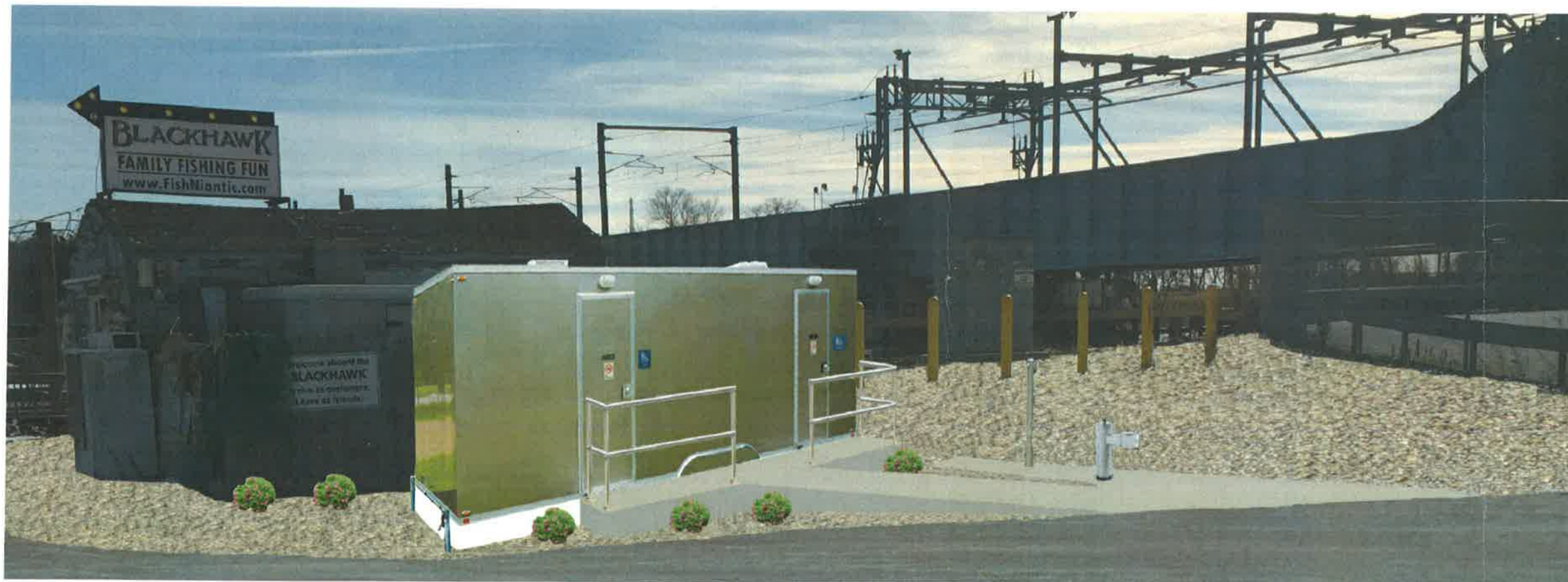
CINI PARK RESTROOM  
EAST LYME, CONNECTICUT  
PREPARED BY  
THE EAST LYME  
ENGINEERING DEPARTMENT

Date: APRIL, 2018	Drawn By: PG	Checked By: BS	Dwg. No.: SP-2	Sheet No.: 3 OF 3
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VIEW LOOKING SOUTH (BEFORE)



VIEW LOOKING SOUTH (AFTER)

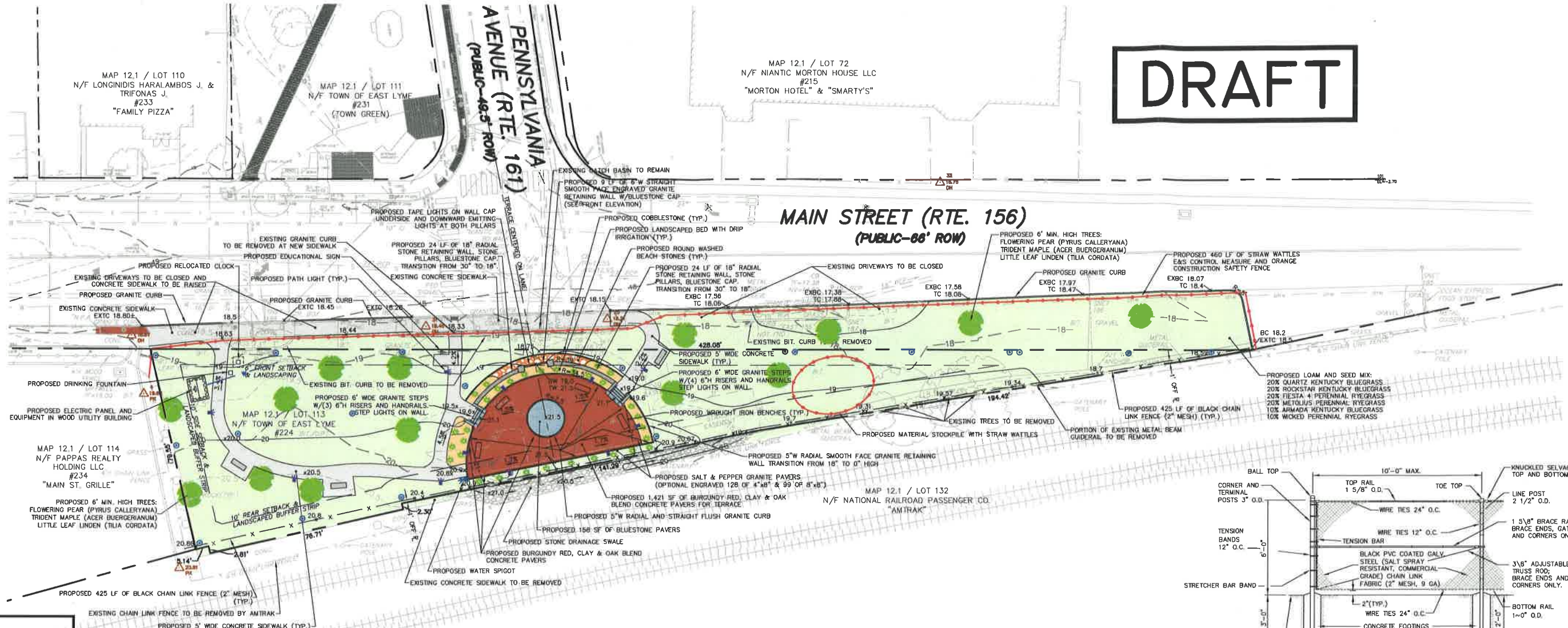
FIGURE I  
PORTABLE RESTROOM TRAILER  
CINI PARK  
ZONING SUBMISSION  
JANUARY, 2018



PREPARED BY: THE EAST LYME  
ENGINEERING DEPARTMENT



DRAFT



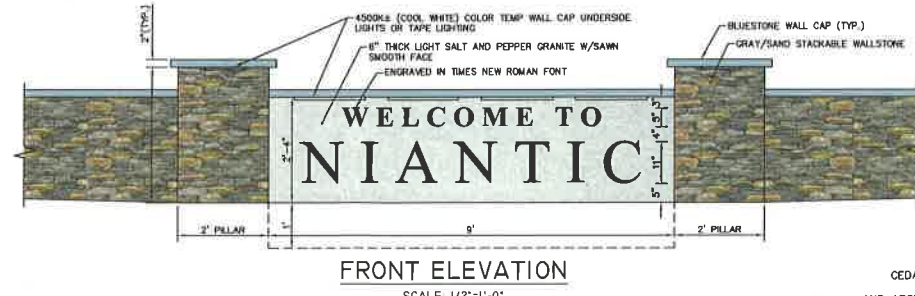
SYMBOL	DESCRIPTION
---	EASEMENT
---	PROPERTY LINE
BRICK PAVERS	BRICK PAVERS
CONCRETE SIDEWALK	CONCRETE SIDEWALK
GRASS	GRASS
MULCH	MULCH
GRANITE	GRANITE
BEACH STONE	BEACH STONE
EXISTING CONTOUR	EXISTING CONTOUR
20	PROPOSED CONTOUR
SPOT ELEVATION	SPOT ELEVATION
CHAIN LINK FENCE	CHAIN LINK FENCE
EXISTING AND PROPOSED TREE	EXISTING AND PROPOSED TREE
PROPOSED SHRUB	PROPOSED SHRUB
SIGN	SIGN
LIGHT POLE, PROPOSED PATH LIGHT	LIGHT POLE, PROPOSED PATH LIGHT
GUY ANCHOR	GUY ANCHOR
IRON PIPE	IRON PIPE
DRILL HOLE	DRILL HOLE
PK NAIL	PK NAIL
OVERHEAD WIRE	OVERHEAD WIRE
ELECTRIC	ELECTRIC
TELEPHONE	TELEPHONE
EXISTING AND PROPOSED WATER	EXISTING AND PROPOSED WATER
PROPOSED IRRIGATION	PROPOSED IRRIGATION
SANITARY SEWER	SANITARY SEWER
STORM DRAIN	STORM DRAIN
UTILITY POLE	UTILITY POLE
CATCH BASIN	CATCH BASIN
MANHOLE	MANHOLE
MONITORING WELL	MONITORING WELL
TRAFFIC BOX	TRAFFIC BOX
GUIDERAIL	GUIDERAIL
HYDRANT	HYDRANT
WATER VALVE	WATER VALVE

ZONING INFORMATION

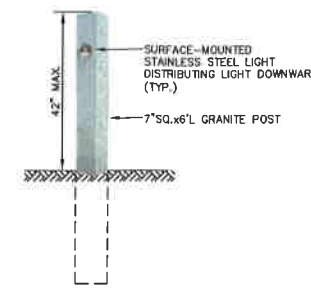
ZONE: CB (COMMERCIAL BUSINESS DISTRICT)				
USE: SPECIAL PERMITTED USE FOR PUBLIC PARK				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	MINIMUM LOT AREA	10,000 SF	0.36 AC	N/A
2	MINIMUM LOT FRONTAGE	80 FEET	> 80 FEET	N/A
3	MINIMUM FRONT SETBACK	6 TO 20 FEET	3 FEET	YES (SECTION 9.3.3)
4	MINIMUM SIDE SETBACK	10 FEET	N/A	N/A
5	MINIMUM REAR SETBACK	10 FEET	2 FEET	YES (SECTION 9.3.3)
6	MAXIMUM BUILDING HEIGHT	30 FEET	N/A	N/A
7	MAXIMUM BUILDING COVERAGE	40 PERCENT	N/A	N/A

PARKING AND LOADING INFORMATION

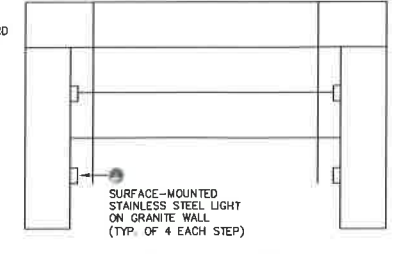
ITEM #	ITEM	REQUIREMENTS	PROPOSED	EXCEPTION (SECTION 24.7)
1	PARKING REQUIRED	N/A	0 SPACES (0 HC)	N/A
2	MINIMUM PARKING DIMENSIONS	9 X 18 FEET	N/A	N/A
3	MINIMUM PARKING AREA	300 SF/SPACE	N/A	N/A
4	MINIMUM FRONT LANDSCAPING	6 FEET	6 FEET	N/A
5	MINIMUM LANDSC. BUFFER STRIP	10 FEET	10 FEET	N/A
6	MINIMUM INTERIOR LANDSCAPING	15 SF/SPACE (MIN. OF 100 SF)	N/A	N/A
7	MINIMUM LOADING SPACE REQUIREMENTS	1 SPACE AT 10 X 30 FEET	N/A	N/A
8	FRONT LANDSCAPING	20 FOOT TREE SPACING ALONG LOT FRONTAGE	SEE PLAN	YES (SECTION 24.6(E)2)
9	BUFFER STRIP	EVERGREEN PLANTINGS	SEE PLAN	YES (SECTION 24.6(E)3)
10	SIDEWALKS	ALONG ENTIRE STREET FRONTAGE	NO	YES (SECTION 24.6(C))



RELOCATED CLOCK



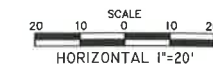
PATH LIGHT



STEP LIGHT



6'x7'x8'H UTILITY BUILDING



HORIZONTAL 1\"/>

OWNER/APPLICANT:  
TOWN OF EAST LYME  
108 PENNSYLVANIA AVE.  
NIANTIC, CT 06357



No. DATE  
Title:

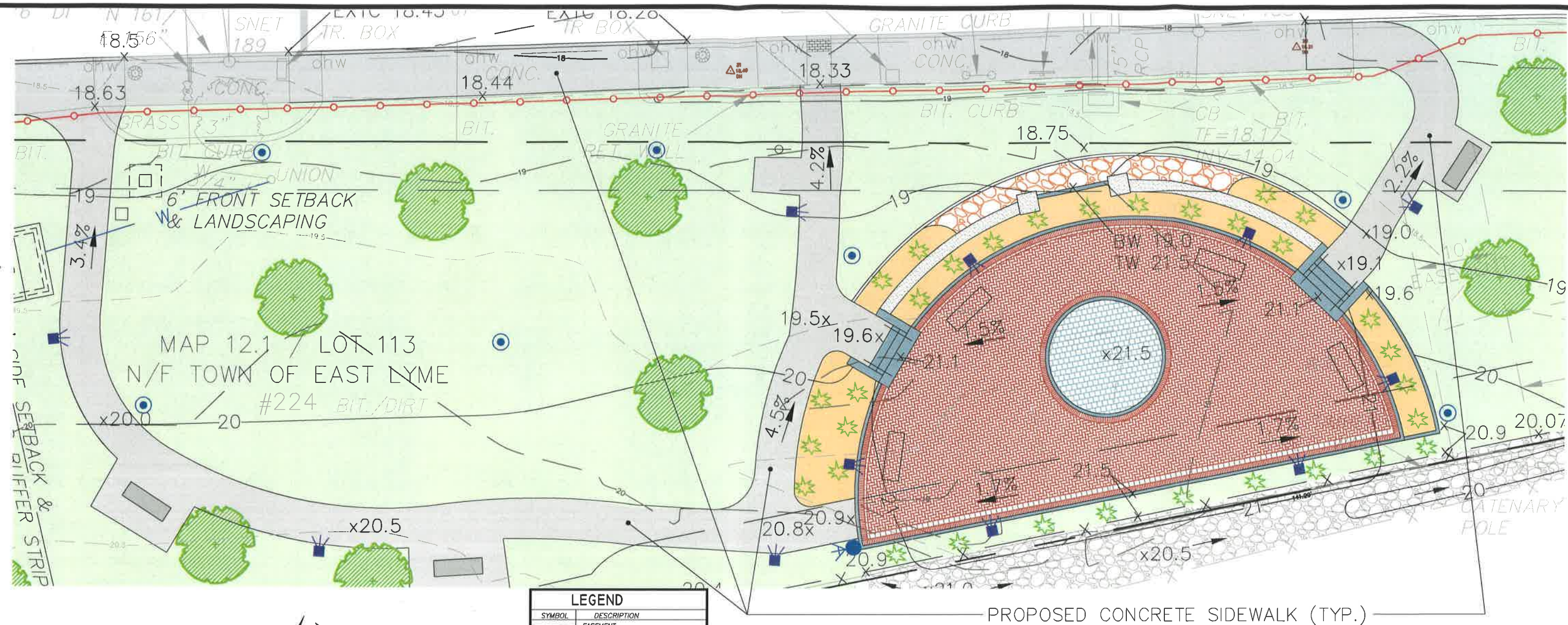
CONCEPTUAL PLAN

GENERAL NOTES

1. NORTH IS BASED ON THE CONNECTICUT COORDINATES SYSTEM (NAD 1927). HORIZONTAL CONTROL PROVIDED BY TOWN OF EAST LYME ENGINEERING DEPT.
2. ELEVATION IS BASED ON NGVD 1929 DATUM.
3. UTILITY INFORMATION SHOWN IS FROM THE EAST LYME WATER AND SEWER DEPARTMENT AS-BUILT PLANS.
4. EXISTING TOPOGRAPHY TAKEN FROM FIELD SURVEY DATED JUNE 6, 2014.
5. PROPERTY LINE IS APPROXIMATE AND TAKEN FROM "RIGHT OF WAY MAP, TOWN OF EAST LYME, MAIN ST. NIANANTIC, ROUTE 333", DATED 8-10-1927, SCALE 1\"/>

"PUBLIC PARK" AT THE FORMER MOBIL STATION #224 MAIN STREET EAST LYME, CONNECTICUT				
PREPARED BY THE EAST LYME ENGINEERING DEPARTMENT				
Date: JANUARY, 2018	Drawn By: PJG	Checked By: BAS	Dwg. No.: CP-5	Sheet No.: 1 OF 2






-PROPOSED CONCRETE SIDEWALK (TYP.)-

DRAFT

LEGEND	
SYMBOL	DESCRIPTION
	EASEMENT
	PROPERTY LINE
	BRICK PAVERS
	CONCRETE SIDEWALK
	GRASS
	MULCH
	GRANITE
	BEACH STONE
	EXISTING CONTOUR
	PROPOSED CONTOUR
	SPOT ELEVATION
	CHAIN LINK FENCE
	EXISTING AND PROPOSED TREE
	PROPOSED SHRUB
	SIGN
	LIGHT POLE, PROPOSED PATH LIGHT
	GUY ANCHOR
	IRON PIPE
	DRILL HOLE
	PK NAIL
	OVERHEAD WIRE
	ELECTRIC
	TELEPHONE
	EXISTING AND PROPOSED WATER
	PROPOSED IRRIGATION
	SANITARY SEWER
	STORM DRAIN
	UTILITY POLE
	CATCH BASIN
	MANHOLE
	MONITORING WELL
	TRAFFIC BOX
	GUIDERAIL
	HYDRANT
	WATER VALVE

OWNER/APPLICANT:  
TOWN OF EAST LYME  
108 PENNSYLVANIA AVE.  
NIANTIC, CT 06357



			
No.	DATE	REVISIONS	
Title:		TERRACE PLAN	

"PUBLIC PARK"  
AT THE FORMER MOBIL STATION  
#224 MAIN STREET  
EAST LYME, CONNECTICUT  
  
PREPARED BY  
THE EAST LYME  
ENGINEERING DEPARTMENT

Date: JANUARY, 2018	Drawn By: PJG	Checked By: BAS	Dwg. No.: TP-1	Sheet No.: 2 OF 2
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VIEW LOOKING SOUTH (BEFORE)



VIEW LOOKING SOUTH (AFTER)

FIGURE I  
PUBLIC PARK  
#224 MAIN STREET  
ZONING SUBMISSION  
JANUARY, 2018



PREPARED BY: THE EAST LYME  
ENGINEERING DEPARTMENT





BLOW UP VIEW LOOKING SOUTH (AFTER)

FIGURE 2  
PUBLIC PARK  
#224 MAIN STREET  
ZONING SUBMISSION  
JANUARY, 2018



PREPARED BY: THE EAST LYME  
ENGINEERING DEPARTMENT