

**TOWN OF EAST LYME
ZONING COMMISSION
May 3, 2018
PUBLIC HEARING MEETING MINUTES**

Members Present:

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

**FILED IN EAST LYME
CONNECTICUT**
May 8, 2018 AT 3:15 AM
Brian O'Brien T.C.
EAST LYME TOWN CLERK

Also Present:

Bill Mulholland, Zoning Officer
Rita Palazzo, Planning Representative

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Waker led the assembly in the Pledge of Allegiance.

PUBLIC DELEGATIONS

Paul Kramm of 9 Columbus Avenue came forward to discuss two issues regarding LED lights. The LED lights located at Tony D's Creamery are shooting straight down into his house and he he's wondering if they can be adjusted so light is not shooting through his window. The Commission briefly discussed how the building is existing and the lights are new. Mr. Mulholland said he sent Tony D's a letter four days ago and is awaiting their response.

Mr. Kramm said he also has the same problem with St. Agnes and that their lights are so bright, he doesn't need to turn the light on when he goes to the bathroom at night. Mr. Mulholland said he sent a letter to St. Agnes some time ago and never heard back. Mr. Kramm said if they were pointed out instead of down there wouldn't be a problem. Mr. Kramm noted he recently spoke

with the Secretary for St. Agnes and she said she would speak to Jamco, who handles the lighting for them. Mr. Kramm said he is hoping this will settle the matter.

PUBLIC HEARINGS

1. **Application of Theodore A. Harris, Esq.,** for a text amendment to Section 8.2.2 Mixed Use Dwelling Units of the East Lyme Zoning Regulations Parking.

Mr. Mulholland noted Attorney Harris is out of the country and Mr. Walker opened the Hearing and continued it, without discussion.

The Commission discussed opening 2-7 of the outside dining renewals together but Mr. McPherson suggested doing each one separately instead.

2. **Application of Timothy O'Reilly, Owner, East Lyme Cafe, 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.

Mr. Mulholland said he has no issue with this application. There were no public comments.

MOTION (1)

Mr. McPherson moved to close the Public Hearing.

Mr. Donovan seconded the motion.

Motion passed, 6-0-0.

3. **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, Niantic.

Mr. Roche came forward to request renewal of his outside dining permit. Mr. McPherson said he thinks they need to reintroduce conditions from the year before last, and install flower along the perimeter of the patio. Mr. Walker read the previous conditions into the record. Mr. Donovan said reinstalling the condition that everyone drinking on the patio be seated is ridiculous, and brought up all the special events Mr. Roche holds on the patio, and how everyone can't be sitting. Mr. Donovan also mentioned all the great things Mr. Roche has done for the Town.

Mr. Walker said the permit is for outside dining and not a bar permit. Mr. Walker thanked Mr. Roche for all he has done for the Town noting the Black Sheep's presence kicked off the renewed activity in the village. Mr. Roche said he voluntarily installed flower pots in the past which smokers used as ashtrays, and that they are a busy place and do the best they can, but can't police everyone. Mr. Roche mentioned the times they are closed and how patrons from Dunkin Donuts sit on the wall to smoke; he asked if he's supposed to police them as well. Mr.

Walker suggested that greater supervision is needed on the patio at night. He said he think it's fine to hold events like the 5K on the patio, they're merely concerned with late at night.

Mr. Walker added that on multiple occasions (but not all the time), he has observed a crowded patio with people sitting along the wall as well as drinking outside of the patio which can easily lead to a precarious situation. He agrees the seated at a table condition should be part of the renewal. Mr. Donovan said if we do that, we should do it everywhere.

Mr. Donovan asked Mr. Roche if he would be willing to something such as a fence along the wall. Mr. Roche said the sign regarding sitting on the wall is there, and they do their best to enforce it but they're a busy place. He explained how he had a fabricator come out to explore what could be done along the side walls and can continue in the direction, and put flower boxes in front. Mr. Roche noted something permanent is needed.

MOTION (2)

Mr. Donovan moved to close the Public Hearing.

Ms. Kalajainen seconded the motion.

Motion passed, 6-0-0.

The Commission decided to open public hearing items 4-7 together.

4. **Application of Harry and Trifonas Logindis dba Family Pizza** for a renewal of Special Permit for Outdoor Dining at property identified in the application as 233 Main Street.
5. **Application of Kostas Anastasiou**, for Niantic Diner, for a renewal of a Special Permit for Outdoor Dining at 26 W Main Street, Niantic.
6. **Application of Teddy Ignatiadis for Main Street Grille**, for a renewal of a Special Permit for Outdoor Dining at 26 W Main Street, Niantic.
7. **Application of Eugen Emini for Black Point Pizza**, for a renewal of a Special Permit for Outdoor Dining at 44 Black Point Road, Niantic.

There was no public comment.

Mr. Mulholland said he has no issues with any of these renewals.

MOTION (3)

Mr. Donovan moved to close the Public Hearing.

Mr. McPherson seconded the motion.

Motion passed, 6-0-0.

8. Application of Petrit Marku, for il Pomod'Oro, for a Special Permit for Outdoor Dining at 360 Boston Post Road, East Lyme.

Mr. Walker noted this is a new application and the legal ad that was published in regards to this application. Mr. Mulholland said the application meets our code and he has no issue with this application. Mr. Marku said the hours of outside dining would be Monday thru Wednesday from 4:00 p.m. to 9:30 p.m., and Thursday thru Sunday from 11:30 a.m. to 10:00 p.m. He plans on playing low and soft music outside.

There was no public comment.

MOTION (4)

Mr. Kalajainen moved to close the Public Hearing.

Mr. McPherson seconded the motion.

Motion passed, 6-0-0.

Respectfully Submitted,

Brooke Stevens

Recording Secretary