

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

Members Present:

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

FILED IN EAST LYME
CONNECTICUT
May 8, 2018 AT 3:00 AM/PM
Brook D. Lescure ATC
EAST LYME TOWN CLERK

Also Present:

**Bill Mulholland, Zoning Officer
Rita Palazzo, Planning Representative**

The Regular Zoning Meeting immediately followed the Zoning Public Hearing.

Pledge of Allegiance

The Pledge was observed during the Public Hearing.

Regular Meeting-

- 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.**

The public hearing was opened this evening and this item has been continued until the next regularly scheduled meeting.

- 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.**

MOTION (1)

Mr. McPherson moved to approve the 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

Ms. Kalajainen seconded the motion.

Motion carried, 6-0-0.

Ms. Kalajainen began a brief discussion regarding consistency verses viewing sites individually when make choices regarding outside dining. Mr. Peck pointed out the Village is a sensitive area as opposed to Flanders Road, and has different concerns. Mr. Mulholland noted he has no complaints regarding outside dining on Flanders Road; he has however, received complaints

about outside dining in the Village. Mr. Mulholland stated that sites are unique and should be considered as such.

Ms. Kalajainen said it sounds like each application should be addressed separately. Mr. Donovan said they already approved the applications from last month as a group. Mr. Manning asked if the same conditions exist for Smarty's and the Black Sheep and was informed that the same conditions do not exist. Mr. Walker clarified that the applications from last month were taken together merely because no one had any issues with the renewals. Ms. Kalajainen explained she meant looking at each permit individually. Mr. Mulholland said referrals can be taken together when there are no issues.

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. Peck said the Applicant is doing his best to rectify the wall situation. Mr. Donovan said he is opposed to reinstating the sitting at a table condition. Mr. Manning said he agrees; if the condition doesn't exist for Smarty's, it shouldn't for the Black Sheep. Ms. Kalajainen suggested amending the condition so it said "seated at a table or for a special event." Mr. Mulholland said he would like input regarding the fence around the wall, and Mr. Roche said he would have no problem with that. Mr. McPherson suggested including the comment that this condition doesn't apply during special events.

MOTION (2)

Mr. McPherson moved to approve the Application of Strive LLC, for a Renewal of a Special Permit for Outdoor Dining at property identified in the application as 247-2 Main Street,

Niantic, with the previously approved conditions, and with the additional condition that patrons must be seated at a table when consuming alcoholic beverages; this condition does not apply during special events.

Ms. Kalajainen seconded the motion.

Motion carried, 5-0-1.

Mr. Manning abstained from the vote.

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.

MOTION (3)

Mr. McPherson moved to approve the Application of Harry and Trifonas Logindis dba Family Pizza for a Renewal of a Special Permit for Outdoor Dining at property identified in the application as 247-2 Main Street, with the condition that patrons must be seated at a table when consuming alcoholic beverages; this condition does not apply during special events.

Ms. Kalajainen seconded the motion.

Motion carried, 6-0-0.

- 5. Application of Kostas Anastasiou, for Niantic Diner, for a renewal of a Special Permit for Outdoor Dining at 26 W Main Street, Niantic.**

Mr. Mulholland clarified this has yet to be built and is for the future.

MOTION (4)

Mr. Donovan moved to approve the Application of Kostas Anastasiou, for Niantic Diner, for a Renewal of a Special Permit for Outdoor Dining at property identified in the application as 26 W Main Street, Niantic.

Mr. McPherson seconded the motion.

Motion carried, 6-0-0.

- 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.**

Mr. Donovan said he like to include the sitting at a table condition for this renewal as well.

MOTION (4)

Ms. Kalajainen moved to approve the Application of Teddy Ignatiadis for Main Street Grille, for a Renewal of a Special Permit for Outdoor Dining at property identified in the application as 26 W Main Street, with the condition that patrons must be seated at a table when consuming alcoholic beverages; this condition does not apply during special events.

Mr. McPherson seconded the motion.

Motion carried, 6-0-0.

- 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.**

Mr. Mulholland clarified this has yet to be built and is for the future.

MOTION (4)

Mr. Donovan moved to approve the Application of Eugen Emini for Black Point Pizza, for a Renewal of a Special Permit for Outdoor Dining at property identified in the application as 44 Black point Road, Niantic.

Mr. Manning seconded the motion.

Motion carried, 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.**

MOTION (5)

Ms. Kalajainen moved to approve the Application of Petrit Marku, for il Pomod'Oro, for a Special Permit for Outdoor Dining at property identified in the application as 360 Boston Post Road, with the condition that low, soft music may be played.

MOTION (6)

Mr. Donovan moved to approve the Application of Petrit Marku, for il Pomod'Oro, for a Special Permit for Outdoor Dining at property identified in the application as 360 Boston Post Road, with the condition that low, soft music played outside will be shut off when the patio is nit in operation; the hours of outside dining will 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.

Ms. Kalajainen seconded the motion.

Motion carried, 6-0-0.

9. Approval of Minutes of April 19, 2018.

MOTION (7)

Ms. Kalajainen moved to approve the Public Hearing and Regular Meeting Minutes of April 19, 2018 as presented.

Mr. McPherson seconded the motion.

Motion carried, 6-0-0.

Old Business-

1. Subcommittee- Mixed Use in CB Zone

Mr. Mulholland said he is working on the Village District material.

2. Subcommittee- Site Plan Requirements/Architectural Regulations

Mr. Mulholland said he would like to get this out as soon as possible.

3. Subcommittee- Alternative Care Dispensaries

Mr. Mulholland said they met a second time and invited the Town Planner, who brought maps for illustrative purposes.

New Business-

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

Mr. Walker detailed McIlhenny resignation as Alternate and the current vacant Republican seat. The Republican Town Committee has no candidate for the seat. Mr. Walker noted that although this is a political process, Zoning is not a political Commission.

MOTION (8)

Mr. McPherson moved to nominate Bill Dwyer as Alternate.

The Commission discussed how Mr. Dwyer previously served as a regular member of the Zoning Commission.

Mr. Peck said he would like to see a choice and discussed the political process; he suggested waiting until the next meeting to vote.

Mr. Donovan seconded the motion.

Motion carried, 4-1-1.

Ms. Kalajainen voted against the motion.

Mr. Peck abstained from the vote.

Mr. Peck reminded everyone about Russell Arndt's Land Use Seminar on the 10th, and noted it's very important that everyone from Zoning and planning attend, along with all the Alternates.

Mr. Mulholland said he would send out another email. Mr. Peck said it would be better if people were called.

2. Zoning Official

Mr. Mulholland said the Gada project continues and his office has been busy.

3. Comments from Ex-Officio

Ms. Hardy was not in attendance.

12. Comments from Zoning Board liaison to Planning Commission

Mr. McPherson said the main application was withdrawn and has to be redone.

13. Comments from Chairman

Mr. Walker congratulated Mr. Dwyer.

ADJOURNMENT

MOTION (9)

Mr. Donovan moved to adjourn the meeting at 8:42 p.m.

Mr. McPherson seconded the motion.

Motion passed 6-0-0.

Respectfully Submitted,

Brooke Stevens