

**TOWN OF EAST LYME
ZONING COMMISSION
August 2nd, 2018
PUBLIC HEARING MEETING MINUTES**

Members Present:

Matthew Walker, Chairman

Norm Peck

Terence Donovan

Anne Thurlow, Alternate (*Sat as a Regular Member)

James Liska, Alternate (*Sat as a Regular Member)

William Dwyer, Alternate (*Sat as a Regular Member)

Also Present:

Bill Mulholland, Zoning Officer

Rose Ann Hardy, Ex-Officio

Absent:

Kimberly Kalajainen

George McPherson

John Manning

FILED

Aug 7 2018 AT 9:30 AM/PM
William Mulholland
EAST LYME TOWN CLERK

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Walker led the assembly in the Pledge of Allegiance.

The Commission sat Mr. Dwyer, Ms. Thurlow, and Mr. Liska as Regular Members for the evening.

PUBLIC DELEGATIONS

Ron Rando of 194 Boston Post Road came forward to speak.

Chairman Walker clarified that the Public could not speak about Costco; the Master Development Plan was approved in 2008, and the site plan was approved 3 years ago. Mr. Walker added the Costco item on tonight's agenda is not a Public Hearing and Public Delegations is time set aside for items not on the agenda.

Mr. Rando intended to speak about Costco and when he could not, he left the meeting.

PUBLIC HEARING

1. Application of Cait Meeks for a text amendment to the East Lyme Zoning Regulations, Section 1.19.1, 7.2.5 and 25.5 to allow a Day Spa as a Special Permit in the R-10 Residential District.

- Mr. Walker noted the legal ad that was published for this application.
- Mr. Donovan read Mr. Mulholland's memorandum dated August 2nd, 2018 into the record.
- Mr. Walker read the email from Marcy Balint dated July 31st, 2018 into the record.
- Mr. Donovan read the letter from SCCOG dated June 28th, 2018 into the record.
- Mr. Donovan read the Planning Commission letter dated July 23rd, 2018 into the record.

Attorney William Sweeney of TCORS came forward representing the applicant. He gave a brief background of Ms. Meeks and said he wanted to conceptually present what the text amendment will translate into. Mr. Sweeney presented Exhibit 1 to the Commission.

Mr. Dwyer interjected that tonight's focus should be on the text amendment which is not site specific. He added that Mr. Sweeney and his exhibit are out of order. Mr. Sweeney explained that the first page outlines the language of the amendment:

Section 1.19.1 DAY SPA- An establishment that provides a combination and variety of services for the purpose of improving health, beauty and relaxation through personal care treatments including, but not limited to, facials, waxing, aromatherapy, manicures, pedicures, body wraps, body scrubs, and massage. A day spa may provide incidental retail sales of health and beauty products as well as the provision of light nourishment or refreshment to customers.

He said they utilized other communities as a model for this language.

Mr. Sweeney said they propose to add this use to Section 7.2 Special Permit Uses and would be subject to the Special Permit requirements of Section 25 and 25.5. He noted that Section 25.5 supplies performance standards to minimize locations and adverse impact to the neighborhood.

Mr. Sweeney went on to explain that the rest of the packet (Exhibit 1) is only a courtesy and he understands that their decision can't be based on his client's vision for a day spa.

Mr. Liska said that #3 of the controls says "The owner or manager of the day spa may reside on the premises" and isn't that site specific.

Mr. Sweeney responded that Bed & Breakfasts owners are required to live on the property and the inclusion of "may" to give his client flexibility.

Mr. Donovan asked if this is specific to the R-10 Zone and Mr. Mulholland said it's zoning district specific but not site specific.

Mr. Dwyer asked how many times we are going to change our regulations for the same property and Mr. Sweeney and Mr. Mulholland noted this application is not site specific.

Mr. Mulholland said if the amendment is approved the applicant will have to come before Zoning for a Special Permit, and the intended location may not be the same at that point.

Ms. Thurlow asked about the parking calculation and Mr. Sweeney explained the calculation is for all day spas.

Mr. Walker observed that he sees a lot of safeguards in this amendment and likes the special permit feature as a means of minimizing adverse conditions. He said nothing jumps out at him as problematic.

Mr. Peck asked how much parking will be needed based on a 2,500 square foot day spa. Mr. Sweeney said it's contingent on the number of treatment stations, number of employees and size of the treatment stations.

The Commission discussed treating a day spa like a fitness center; there is no formula because each one is different. Mr. Sweeney suggested using the word "minimum."

Mr. Mulholland said parking could simply be added to the special permit and Mr. Peck said he would rather catch any issues up front.

Mr. Peck suggested a footprint restriction with the requirement that a certain percentage of the building be residential. Mr. Sweeney said they are amenable to that as long as it's not mandated that it must be his client who lives in it.

Mr. Mulholland read Section 24.6 Buffers into the record.

The Commission discussed the footprint desired for such a use and Mr. Sweeney said all of this could be determined during the special permit process.

Mr. Walker called for Public Comment and there was none.

MOTION (1)

Mr. Donovan moved to close the Public Hearing at 8:21 p.m.

Mr. Dwyer seconded the motion.

Motion passed, 6-0-0.

2. Application of Theodore A. Harris, Esq., for a text amendment to the East Lyme Zoning Regulations Definitions and Section 7.2.5 to allow Tourist Cabins in the R-10 Residential District.

This Public Hearing was opened and continued without discussion per the Applicant's request.

Respectfully Submitted,

**Brooke Stevens
Recording Secretary**