

**TOWN OF EAST LYME
ZONING COMMISSION
September 6th, 2018
PUBLIC HEARING MEETING MINUTES**

Members Present:

**Matthew Walker, Chairman
Norm Peck
Terence Donovan
Kimberly Kalajainen
John Manning
Anne Thurlow, Alternate
William Dwyer, Alternate (*Sat as a Regular Member)**

FILED IN EAST LYME
CONNECTICUT
Sept 11, 2018 AT 10:20 AM/PM
B. [Signature] ATC
EAST LYME TOWN CLERK

Also Present:

Bill Mulholland, Zoning Officer

Absent:

**George McPherson
James Liska, Alternate
Rose Ann Hardy, Ex-Officio**

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 as a Regular Member for the evening.

PUBLIC DELEGATIONS

There were none.

PUBLIC HEARING

- 1. 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.**
 - Mr. Walker noted the legal ad that was published for this application.
 - Mr. Donovan read Mr. Mulholland's memorandum into the record.
 - Mr. Donovan read the email from Marcy Balint dated July 31st, 2018 into the record.

- Mr. Walker read the letter from SCCOG dated July 3rd, 2018 into the record.
- Mr. Donovan read the Planning Commission letter dated July 23rd, 2018 into the record.

Attorney Theodore Harris of 351 Main Street came forward for his presentation and explained the following:

- The Application is for a Special Permit use in the R-10 Zone.
- This harkens back to the 1940s tourist facilities and Mom & Pop operations.
- Minimum lot size is 1 acre.
- Maximum density 8 units per acre, one of which will be a caretaker's residence.
- Individual units will not exceed 500 feet and will be one story.
- He takes issue with the comments made by Planning; the POCD says tourism should be promoted while maintaining the Village and Downtown atmosphere and this does that.
- The Special Permit process will require public notice, a sign on the premises and a Public Hearing which will enable the Public to speak on this matter; the Commission would determine if the location is an appropriate use.
- Sections 24 and 25 of the Regulations address the DEEP comments, would be reviewed by Town Staff, and occur in the design stage not when requesting a text amendment.
- The same can be said about any concerns in regards to Water & Sewer- approval would be need from the Health Department for any project to proceed.
- Since the Day Spa approval at the previous meeting this request actually refers to Section 7.2.6 and not 7.2.5.
- He has added more parking than required to be overly cautious given the residential neighborhood setting; 1 1/2 parking space per unit.
- The size restriction will not pertain to the caretaker facility.
- These standards as well as Sections 24 and 25 would enable the Commission to monitor the use.

Mr. Manning asked what would prevent people from establishing residencies there and Mr. Harris said it will operate on the same principle as a hotel or motel.

Mr. Manning discussed limiting the number of individuals per cabin.

Mr. Harris said the length of stay could be restricted so a permanent residence is not established, but there is no real difference between staying a day or a week in terms of intensity.

Mr. Mulholland asked if this is an appropriate use in the R-10 Zone.

Mr. Harris said the special permit process allows improvements which is not the case with existing nonconforming uses.

Mr. Dwyer said he can't envision transients all summer long in the Residential Zone.

Mr. Mulholland and Mr. Peck pointed out all the R-10 Zone areas on the Town map.

Mr. Peck said he's not too excited about this; all the existing tourist cabins started off as seasonal. Having the operation run from May 1st thru October 1st would be more favorable and/or consistent with the current regulations. He said this would result in only ½ the requested cabins. Mr. Peck further added that if the cabins are preexisting, if foot print is already there and

in existence in some form, he would really be in favor of this. He said he's worried about it morphing into a permanent unattractive neighborhood.

Mr. Mulholland brought up Aces High as a similar site which needs to be policed; time constraints will require more Town Staff for policing purposes.

Mr. Donovan said there are ways to get around a thirty day occupancy restriction. He said he associates tourist cabins as a seasonal use and has no issue with a seasonal special permit. Mr. Harris replied that tourism is not strictly a summer occurrence. Mr. Donovan said the operation is hard to police if not seasonal.

Mr. Walker asked for a historical perspective of why this use was eliminated in '96. Mr. Mulholland explained the Commission at that time wanted to pull some of the commercial out of the residential. Mr. Peck added that it was actually one of the original regulations from the 1950s.

Mr. Walker said there are only two areas he can envision for this type of operation- the Golden Spur area and West Main Street. He said he's not enthralled with this concept; the Town has moved in a different direction and this use might be a thing of the past.

Mr. Harris suggested coming back at a later date with some modifications that might address and satisfy the concerns of the Commission.

Mr. Walker asked the Commission how they felt about this request. Mr. Dwyer said he is opposed and doesn't believe in the concept. Mr. Donovan said it's not a bad concept if it's a seasonal operation and he's not against Mr. Harris revising and coming back.

Mr. Peck said he doesn't think they have anything to lose by allowing him to come back again and Mr. Donovan said they deserve the chance to present. Mr. Walker said he is comfortable extending that courtesy to hear more in the future.

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

MOTION (1)

Mr. Donovan moved to continue the Public Hearing.

Mr. Peck seconded the motion.

Motion passed, 4-2-0.

Mr. Manning and Mr. Dwyer voted against the motion.

The Public Hearing ended at 8:20 p.m.

Respectfully Submitted,

Brooke Stevens
Recording Secretary

