

TOWN OF EAST LYME
ZONING COMMISSION
March 21, 2019
REGULAR MEETING MINUTES

Members Present: Matthew Walker, Chairman, George McPherson, Secretary, John Manning, Norm Peck, Terence Donovan, Kimberly Kalajainen, Anne Thurlow, alt., William Dwyer, alt., James Liska, alt.

Absent: Rose Ann Hardy, Ex-Officio. B. Mulholland, ZEO

Also Present: Gary Goeschel

Call to Order: M. Walker called the meeting to order at 7:32

FILED

Pledge of Allegiance: M. Walker led the Pledge of Allegiance

March 27 2019 AT 8:55 AM/PM
(Signature)
EAST LYME TOWN CLERK

Public Delegations: None

PUBLIC HEARING:

- 1. Request of Stephen Dinsmore, for a text Amendment to the East Lyme Zoning Regulations Section 25.5 for keeping of Honey Bees as an accessory use to residential uses.**

M. Walker stated the legal notice had been published.

Secretary G. McPherson read the letter dated March 7, 2019, from the East Lyme Planning Commission stating the proposed text amendment for bee keeping was consistent with the 2009 Plan of Conservation and Development. He also read a letter from SECOG stating the proposed text amendment would have no adverse inter- municipal impact. A letter from DEEP found the text amendment consistent with the Connecticut Coastal Management Act.

Steven Dinsmore, 57 Chesterfield Rd, applicant, stated he is President of the Connecticut Bee Keepers Association and helped develop the, "*Best Beekeeping Practices for Connecticut-Adopted 08-23-16.*"

S. Dinsmore stated he had spoken to ZEO Mullholland in the past concerning beekeeping. At that time there had only been one complaint from a resident in Giants Neck about a neighbor keeping bees. Recently S. Dinsmore spoke to ZEO Mullholland and he stated he had not received any other complaints and had no issues with the proposed text amendment concerning the keeping of honey bees.

S. Dinsmore informed the members that beekeeping is safe and any fear of bees is attributed to the more aggressive hornets and wasps as well as a lack of education about honey bees. He stated neighborhood bee colonies are less dangerous than a neighborhood dog.

S. Dinsmore submitted a picture of his son (who is allergic to bees) standing near a swarm of bees as exhibit A.

S. Dinsmore said the text amendment was endorsed by the conservation commission as well as their agribusiness subcommittee.

The Zoning members expressed concern over allowing colonies on properties in the R10 and R12 zones due to the small size of the lots and closeness of the houses.

S. Dinsmore informed them that people in New York City keep bees. If best practice measures are followed there is no issue as the bees are not aggressive and quickly fly up and over the heads of people.

Beekeepers have to register with the state and renew yearly.

K. Kalajainen suggested to use the standard of 2 colonies per ¼ acre instead of limiting the number of colonies to a zone. This would allow someone in R10 that has more than the required minimum acreage to have more colonies.

N. Peck observed that if the Commission adopts the text amendment as presented with the language, "Bees shall be maintained in accordance with Connecticut Best Management Practices," then that document would essentially be part of their regulation.

The Commission asked the applicant if it would be acceptable to him if they changed the proposed language and limit beekeeping to certain zones and other requirements. The applicant stated he was open to any changes the Commission thought necessary.

S. Dinsmore said that on smaller properties a small fence or wall can be erected where the colonies are close to a property line.

G. Goeschel informed the Commission that the bee equipment would be considered a structure and therefore would have to comply with minimum setbacks.

M. Creighton, CT Apiary Inspector, addressed questions on the need to supply bees with a water source. He stated bees prefer dirty brackish water and the only time they may visit a neighborhood pool would be in July when the weather is dry and hot. They try to educate beekeepers to supply water during those months.

M. Creighton stated he gets 2-3 calls a year from local zoning officials about conflicts with neighbors over bees; he will go with the ZEO and talk to the neighbors to educate and diffuse the situation. He stated most people that keep bees are usually on smaller lots.

M. Walker asked for public comment from people in favor of the text amendment.

Mark Christensen, Chairman East Lyme Agribusiness sub-committee (of Conservation Commission) stated that he is in support of the amendment. He was a beekeeper in the past and states that bees are safe and beneficial to the community

Kyle Corey, 75 Holmes Rd., stated he is in support of the amendment. He would like to keep bees in the future and with the adoption of the text amendment it would allow him to do it according to the regulations.

M. Walker asked for public comment from people opposed to the text amendment.

No comments opposed.

MOTION: (McPherson/ Kalajainen) to close the Public Hearing. Vote: Approved. Unanimously.

REGULAR MEETING:

- 1. Request of Stephen Dinsmore, for a text Amendment to the East Lyme Zoning Regulations Section 25.5 for keeping of Honey Bees as an accessory use to residential uses.**

The Commission thought the presentation was very informative but they would like to hear from ZEO Mulholland concerning some of the issues and ideas that have come up during the Public Hearing. Changing the language of the proposed text amendment to limit the colonies according to acreage instead of zones, limiting to certain zones and giving the ZEO the ability to call the state bee inspector are some of the issues they would like to have the ZEO comment on. It was the consensus of the members to continue the discussion to their April meeting.

- 2. Application of Edward H Wenke III, PE, Agent for Regina Hitchery, Owner: for a Coastal Area management Review for demolition of an existing single family dwelling and construction of a new single family dwelling on property located at 27 Saunders Dr. East Lyme Assessor's Map 22.14 Lot 65.**

E. Wenke III gave a brief history of the property and stated that he had presented a CAM application in 2018. Due to construction issues they have encountered they have decided to change the plan and are presenting a new CAM application.

He stated that the previous application had the house straddling two zones; a VE and X zone. The new plan modifies the house to fit entirely into the X zone. He stated there is a new proposed septic in back of the house which is code compliant and being reviewed by Ledge Light Health District. E. Wenke stated there were no adverse effects from the proposed plan.

The members agreed that the new application was more acceptable than the previous one.

MOTION: (McPherson/Donovan) move to approve application of Edward H Wenke III, PE, Agent for Regina Hitchery, Owner: for a Coastal Area management Review for demolition of an existing single family dwelling and

construction of a new single family dwelling on property located at 27 Saunders Dr. East Lyme Assessor's Map 22.14 Lot 65. For the following reasons:

- Application is consistent with all applications and conditions of the CAM act
- Applicant has taken all reasonable measures to mitigate all adverse impact from the proposed activity on both coastal resources and future water dependent uses

Vote: Approved. Unanimously

3. Approval of March 7, 2019 Regular Meeting Minutes

MOTION: (Kalajainen/Donovan) to approve the March 7, 2019 regular meeting minutes as amended.

Page 2, ¶ 6. Re Rico *Mastranuzzio* of Brom Builders

Vote: Approved. In favor- G. McPherson, J. Manning, N. Peck, T. Donovan, K. Kalajainen. Opposed-none. Abstaining- M. Walker

OLD BUSINESS

1. Subcommittee-Mixed Use in CB Zone
2. Subcommittee-Site Plan Requirements/Architectural Regulations

N. Peck stated that the subcommittee discussed both issues. He stated they have some very basic changes. In regards to the architecture they only want to do the CB zone.

Concerning re-development in the downtown CB zone they are proposing reducing building height for mixed use, reducing size of any new construction and eliminated special parking. The reason for the proposed changes is a concern that all the old smaller buildings are being torn down, leaving all new buildings which takes away from the character of the town. They would like to save as much as possible.

NEW BUSINESS

1. Request of Theodore A. Harris, Esq., for a Text Amendment to the East Lyme Zoning Regulations Section 25.5 for Elderly Housing Standards applicable within the CA Zone

The commission will schedule a public hearing for a future meeting.

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

G. Goeschel is sitting in for ZEO Mullholland.

Renewals for Outdoor Dining scheduled for April 4, 2019, Public Hearing.

3. Zoning Official

G. Goeschel is acting on behalf of the commission on an enforcement action in Chapman Woods development. B. Mulholland, ZEO lives in the development and could not act in his capacity of ZEO.

G. Goeschel stated a resident in the development cleared a required vegetative buffer on the property. G. Goeschel has been in contact with the resident and she has implemented a plan for a replacement buffer. The property owner has installed many of the plantings and will continue to install the remaining plantings.

Liaison to Planning

G. MacPherson will be the liaison to the April Planning Commission meeting.

ADJOURNMENT: MOTION: (Donovan/MacPherson) to adjourn at 8:56. Approved.

Unanimously

Respectfully Submitted

Sue Spang

Recording Secretary