

**TOWN OF EAST LYME
ZONING COMMISSION
June 6th, 2019
PUBLIC & REGULAR MEETING MINUTES**

Members Present:

**Matthew Walker, Chairman
George McPherson, Secretary
Norm Peck
Kimberly Kalajainen
John Manning
Anne Thurlow, Alternate (*Sat as a Regular Member)
James Liska, Alternate (*Sat as a Regular Member for item #2)
William Dwyer, Alternate**

Also Present:

**Bill Mulholland, Zoning Officer
Rose Ann Hardy, Ex-Officio
Gary Goeschel, Town Planner**

FILED IN EAST LYME
CONNECTICUT
June 12, 2019 AT 8:17 AM PM
Brooke McPherson
EAST LYME TOWN CLERK

Absent:

Terence Donovan

Chairman Walker called the Zoning Commission meeting to order at 7:31 p.m.

The Commission sat Ms. Thurlow as a Regular Member for the evening.

Pledge of Allegiance

Mr. Walker led the Pledge.

Public Delegations

There were none.

Public Hearings

- 1. Application of Eric J. Garofano, Esq., Agent for John H. Drabik, Owner, for a Special Permit for construction of a 175' tall amateur radio tower to be located on property identified in the Application as Ancient Highway, East Lyme Assessor's Map 30, Lots 1 & 2.**

Mr. Walker noted this item is now open but will be continued without discussion, to the June 20th, 2019 meeting at the request of the Applicant. Mr. Mulholland explained that the Applicant's Engineer had a conflict and had to attend another hearing.

2. Application of Danielle Kiertianis, for a text amendment to the East Lyme Zoning Regulations to add “Dog Grooming” to Section 11, LI, under Permitted Uses.

Mr. Peck recused himself from this item and Mr. Dwyer sat in his place, for this item only.

- Mr. Walker noted the legal ad published for this item.
- Mr. McPherson read Mr. Mulholland’s memorandum dated June 6th, 2019 into the record.
- Mr. Walker read the letter from SECOG dated May 1st, 2019 into the record.
- Mr. McPherson read the Planning Commission letter dated May 9th, 2019 into the record.
- Mr. McPherson read the DEEP email from Marcy Balint dated May 20th, 2019 into the record.

Ms. Kiertianis of 6A Plum Tree Drive in Norwich came forward to speak and noted her name in the legal ad and agenda is spelled incorrectly; it reads “Kierzianis” when it is in fact “Kiertianis.” She detailed her and her business partner’s current operation in Norwich as well as their plans for East Lyme and shared some of the following:

- They plan on moving into the light industrial zone if this amendment is approved.
- Appointments are staggered with 15 minute intervals; a couple of hours spent per dog-max of 4 hours..
- Dog owner is called 20 to 30 minutes prior to the completion of grooming for pickup.
- This is a grooming facility only and will not feature doggy daycare or overnight boarding.
- Parking is not a concern since the practice will be drop-off/pick-up by appointment only.
- The facility will close in the evening around 6pm.

Mr. Muloholland noted this is a text amendment so her operation will not be a special permit but a permit through his office.

Ms. Kalajainen asked what the max capacity in terms of scheduling would be and Ms. Kiertianis said it depends on the size of each dog but can be anywhere from 15 to 25 dogs per day.

Mr. Mulholland asked what would happen if an owner didn’t pick up their dog and Ms. Kiertianis said they’ve never encountered that problem but CT law requires that the town animal control being called, and they will come and take the dog away.

Ms. Thurlow asked if the dogs will be spending time outside and Ms. Kiertianis said no, they don’t handle the dogs outside, only the owners do.

Mr. Manning asked where they go to the bathroom if the owner is not there and Ms. Kiertianis said inside; waste is disposed of in the garbage or flushed down the toilet.

Mr. Liska asked about the potential of motors startling the dogs and Ms. Kiertianis said they plan on soundproofing the facility.

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

MOTION (1)

Mr. McPherson moved to close the Public Hearing.

Ms. Kalajainen seconded the motion.

Motion carried, 6-0-0.

Regular Meeting-

- 1. **Application of Eric J. Garofano, Esq., Agent for John H. Drabik, Owner, for a Special Permit for construction of a 175' tall amateur radio tower to be located on property identified in the Application as Ancient Highway, East Lyme Assessor's Map 30, Lots 1 & 2.**

This item has been continued until June 20th, 2019.

- 2. **Application of Danielle Kiertianis, for a text amendment to the East Lyme Zoning Regulations to add "Dog Grooming" to Section 11, LI, under Permitted Uses.**

Ms. Thurlow observed this is a nice addition. Ms. Kalajainen asked for clarification of special permit uses versus permitted uses and Mr. Mulholland explained how special permit uses are more intensive uses in nature.

Mr. Manning said he doesn't understand why this would be an appropriate use in the light industrial zone.

Mr. Liska said because there is concern about this being a permitted use it might be better to treat this as a special permit use and Mr. Mulholland replied that he thinks the industry regulates itself.

Mr. Walker said the Planning Commission found this amendment consistent and he is comfortable with this amendment, but he doesn't take Mr. Liska and Mr. Manning's observations lightly.

The Commission further discussed the amendment.

Ms. Kalajainen asked for a reminder of the LI Zones in Town which Mr. Mulholland showed her on the Town Zoning Map.

MOTION (2)

Ms. Kalajainen moved to approve the Application of Danielle Kiertianis, for a text amendment to the East Lyme Zoning Regulations to add “Dog Grooming” to Section 11, LI, under Permitted Uses.

Ms. Thurlow seconded the motion.

Motion carried, 4-2-0.

Nay: Mr. Manning and Mr. Liska.

Mr. Liska returned to the audience and Mr. Peck rejoined the Commission.

Mr. Mulholland said this will be published next Thursday June 13th, 2019 and will be effective Friday June 14th, 2019.

3. Request of Teddy Ignatiadis, for Main Street Grille, for a modification of a Special Permit for Outdoor Dining to include live entertainment at 252 Main Street, Niantic.

Mr. Mulholland noted that Mr. Ignatiadis is not in attendance and instructed the Commission to scratch this item off the Agenda.

4. Application of Guy’s Oil Service Station, Inc., Owner, for a Coastal Area Management Site Plan (CAM) and a Site Plan Review (Section 24) to construct a 28,320+ sq ft garage/storage building at 79 W Main St and 87 W Main Street, East Lyme Assessor’s Map 11.1 Lot 1, and East Lyme Assessor’s Map 11.3 Lot 101.

Mr. McPherson read Mr. Mulholland’s memorandum dated June 6th, 2019 into the record. Mr. Walker reminded the Commission that this item is for a CAM and Site Review Plan only.

Ellen Bartlett of CLA Engineers located at 317 Main Street in Norwich came forward to detail the project and shared the following:

- The property is 4.7 acres located off of West Main Street.
- The building will be completed in two phases.
- The project had been put on hold but has resumed due to the damage caused by a recent fire.
- The existing garages will be demolished and one 28,800 square foot building will be created; only the existing auto repair shop building will remain.
- The gas station and office space will remain in the existing building and the new building will contain a parts department, a vehicle wash stall and an oil separator.
- Connection to public sewer will be provided for the floor drain.
- All the parking and landscaping will be completed in phase 1.
- The off-site tidal wetlands will not be adversely impacted and the runoff from the site will actually be improved.

- There is an extensive landscaping plan which will act as a buffer.
- Since Phase 1 won't be built for some time they've graded the area to hide the foundation of the building and the landscaping will aid in this.
- The initial height of the trees planted will be 10 ft which will offer a real impact.
- They've asked for a sidewalk waiver and instead, would like to do a landscape streetscape along the front of the property. A landscape buffer will be placed across the street as well.
- There will be 42 parking spots.

Fred Marzec President of Marzec & Associates located at 282 Franklin Street in Norwich came forward and detailed the plans for the building.

The Commission discussed the application.

Mr. Mulholland discussed his support of the proposed landscape buffer and said despite being a sidewalk guy, for this location he prefers the buffer.

Mr. Mulholland observed this is more of a CAM housekeeping application and site review plan. He said Town Staff has reviewed this application in great detail and is comfortable with it.

Mr. Goeschel the Town Planner said in regards to sidewalks, the Planning Commission has a sidewalks subcommittee and their plan does not include this area; they envision sidewalks as far as the Book Barn. He added that going further is not practical and they're not enough residences to warrant it.

Mr. Peck said he's hesitant to put his name on a project that requires so many trees for a two year period and Mr. Mulholland and Ms. Bartlett explained there is a possibility that Phase 1 will be completed in a manner where they're not needed; if the temporary trees are needed despite the expense they will be moved as well as replanted, and they have the equipment to do so.

Mr. Peck suggested using evergreens in the front year and eliminate the two year camouflage. Mr. Mulholland said it could take a great deal of time before this project is completed, which is why they're looking at such an approach.

Mr. Walker said he is comfortable with this being handled at staff level; he is confident they will ensure this site will be pleasing to the eye.

Ms. Thurlow said she likes the idea of the trees covering the work if is going on for a while.

MOTION (3)

Mr. Peck moved to approve the Application of Guy's Oil Service Station, Inc., Owner, for a Coastal Area Management Site Plan (CAM) and a Site Plan Review (Section 24) to construct a 28,320+ sq ft garage/storage building at 79 W Main St and 87 W Main Street,

East Lyme Assessor's Map 11.1 Lot 1, and East Lyme Assessor's Map 11.3 Lot 101 for the following reasons:

1. The application is consistent with the goals and conditions of the CAM Act .
2. The Applicant has taken all reasonable measures to mitigate any adverse impacts of the proposed activity on both coastal resources and future water dependent uses.

Ms. Kalajainen seconded the motion.

Motion carried, 6-0-0.

MOTION (4)

Mr. Peck moved to approve the Application of Guy's Oil Service Station, Inc., Owner, for a Coastal Area Management Site Plan (CAM) and a Site Plan Review (Section 24) to construct a 28,320+ sq ft garage/storage building at 79 W Main St and 87 W Main Street, East Lyme Assessor's Map 11.1 Lot 1, and East Lyme Assessor's Map 11.3 Lot 101 with a waiver of the sidewalk requirement.

Mr. Manning seconded the motion.

Motion carried, 6-0-0.

Ms. Hardy left the meeting at 8:49 p.m.

5. Mixed Use in CB Zone- Subcommittee discussion with Commission

Mr. Mulholland said he has had an extensive discussion about this with Mr. Goeschel and since it will eventually go before Planning he thinks it's appropriate that he weigh in.

Mr. Walker said they want to make decisions that result in good, smart development; they don't want to make decisions that will subvert all the progress we have seen downtown.

Mr. Goeschel said he has the same sentiment and looking at the proposal there are a few things that we might want to better identify:

1. What kind of scale do we want?
2. How much retail can be supported downtown by the existing residences?

He said If you want to expand that density more residential units will probably be needed downtown.

Mr. Goeschel said it would be great to get some funding for a market analysis downtown. He said our light industrial areas are relatively small and are getting eaten up by affordable housing; JAG Capital Drive is a good example of this. He said we need to decide what we want in terms of the commercial.

The Commission discussed the CB Zone and the limiting of commercial building size to a 5,000 square foot footprint.

Mr. Peck said the objective was to discourage the tearing down of blocks of older buildings that can't be replaced architecturally; they're trying to preserve the character of downtown. He said they're fine with mixed use and that they're trying to save the architecture.

Mr. Mulholland said the question is what is the right balance and what does it look like.

Mr. Walker said he wants to see what the Public thinks.

The Commission had an in depth conversation about the character of the downtown and the special permit process.

Mr. Mulholland said he and Mr. Goeschel can take two weeks to polish the architectural side of this which the Commission can then review.

6. Approval of Minutes of May 16th, 2019.

MOTION (5)

Mr. McPherson moved to approve both the Regular Meeting Minutes of May 16th, 2019 as presented.

Mr. Peck seconded the motion.

Motion carried, 5-0-1.

Ms. Kalajainen abstained from the vote due to their absence from the May 16th, 2019 meeting.

Old Business-

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

These items are being worked on.

Mr. Mulholland said that since Mr. Goeschel is in attendance he can bring everyone up to date on Chapman Farms. Mr. Goeschel provided the Commission with photos (attached) given to him by Mr. Cooper who lodged a complaint which caused the enforcement action; the photos illustrate the clear cutting done. Mr. Goeschel shared the following:

- They have a planting plan.
- They've undertaken work to revegetate the area.
- He has granted them a two week extension to complete this work.
- The original landscaping has not been maintained well.
- He has encouraged them to adopt a landscape management plan and cited Chapman Woods Association as a fantastic example for them.

Mr. Walker observed that the Association should be handling all of this. Mr. McPherson noted for the record that the new plantings are too short. Mr. Goeschel said Mr. Cooper has said he is okay with the new plantings, they will grow, and he planted a shed to help with this endeavor.

New Business-

1. Application of Pazz Construction, Applicant, for Margaret Prokop, Co-Conservator/Owner, for a zone change from existing RU-40 to CA of a portion of the property at 285 Boston Post Road, East Lyme Assessor's Map 30.1 Lot 59.

Mr. Walker asked Mr. Mulholland to schedule this item.

2. Application of Pazz Construction, Applicant, for Margaret Prokop, Co-Conservator/Owner, for a special permit for the construction of four units of elderly housing at 285 Boston Post Road, East Lyme Assessor's Map 30.1 Lot 59.

Mr. Walker asked Mr. Mulholland to schedule this item.

1. Any business on the floor, if any by the majority vote of the Commission.
There was none.

2. Zoning Official

Mr. Mulholland said Costco is moving at a great pace and he has nothing else to report.

3. Comments from Ex-Officio

Ms. Hardy was not in attendance.

4. Comments from Zoning Board Liaison to Planning Commission

Mr. Peck attended the Planning meeting and detailed the West Lane Public Hearing that was continued as well as the reading of public hearing rules by the Chairman.

5. Comments from Chairman

Mr. Walker said he has nothing to report.

Adjournment

MOTION (6)

Mr. McPherson moved to adjourn the Zoning Commission Meeting at 9:40 p.m.

Ms. Kalajainen seconded the motion.

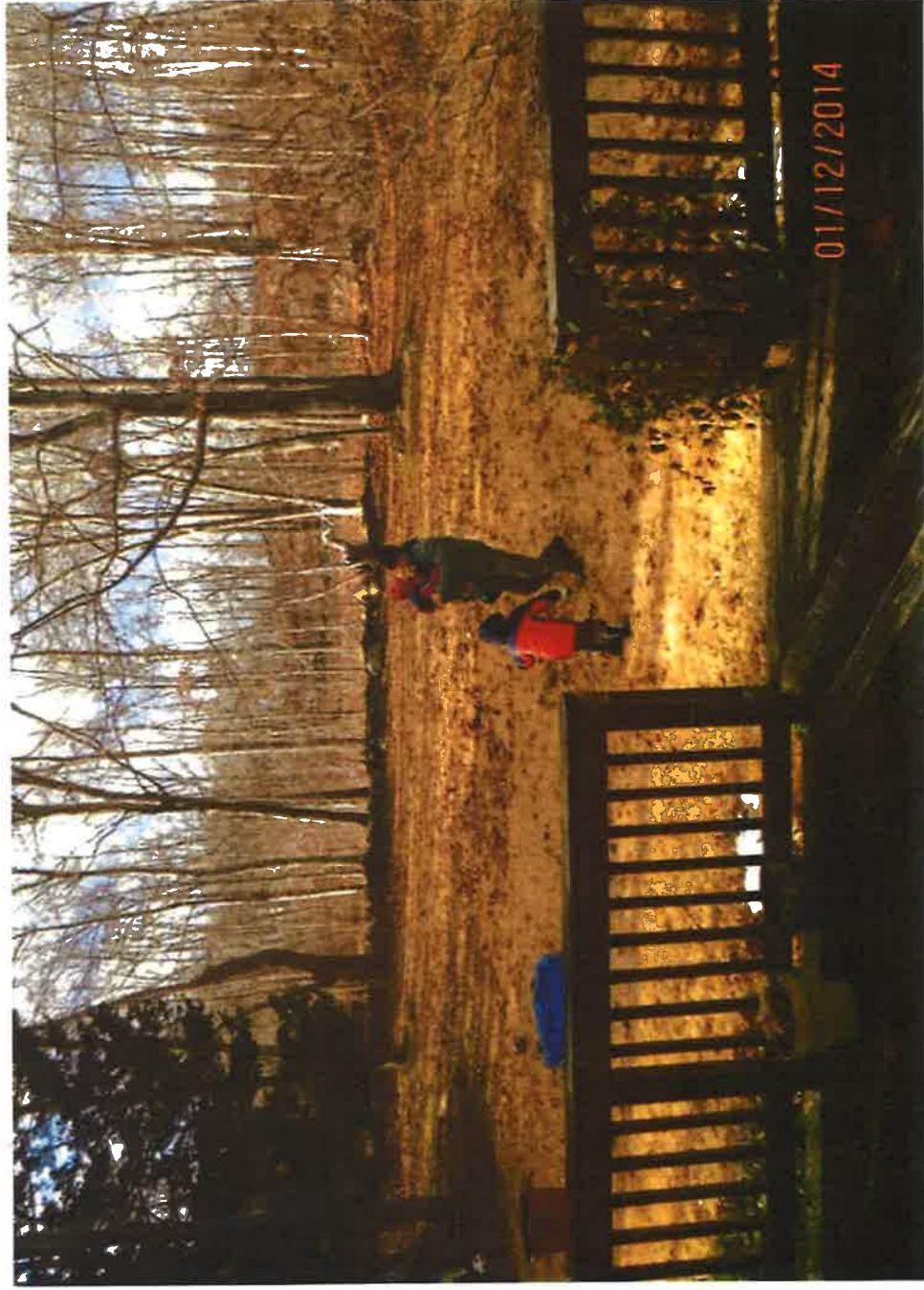
Motion passed 6-0-0.

Respectfully Submitted,

Brooke Stevens
Recording Secretary



09/27/2014



01/12/2014







