

**TOWN OF EAST LYME
ZONING COMMISSION
OCTOBER 17th, 2019
REGULAR MEETING MINUTES**

Members Present:

**Matthew Walker, Chairman
Norm Peck
Terence Donovan
George McPherson, Secretary
Kimberly Kalajainen
Anne Thurlow, Alternate
William Dwyer, Alternate *(Sat as Regular Member)**

Also Present:

Rose Ann Hardy, Ex-Officio

Absent:

**Bill Mulholland, Zoning Official
John Manning
James Liska, Alternate**

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

The Commission sat Mr. Dwyer as a Regular Member for the evening.

Pledge of Allegiance

Mr. Walker led the Pledge.

FILED

Public Delegations

There were none.

October 18, 20 19 AT 8:15 AM/PM

Brooke Horner ATC
EAST LYME TOWN CLERK

Public Hearings

There were none.

Regular Meeting

1. Application of Keith B. Neilson, P.E., Docko, Inc., Agent for Mr. and Mrs. Ziomek, for a Coastal Area Management Review for a beach fence and landscaping around the existing dwelling at 18 Shore Drive, Niantic, Connecticut.

Mr. McPherson read Mr. Mulholland's memorandum dated October 17th, 2019 (attached) into the record.

Mr. Neilson came forward representing the Applicant, detailed the project and shared some of the following:

- He prepared the application documents submitted with the exception of the site plan; Mary Richardson from Burnett's Landscaping prepared the site plan.
- The project is an effort to make the best use of their (the Ziomek's) property.
- The house as well as the site are in accordance to FEMA Standards but there is a considerable amount of loose and shifting sand underneath it.
- They wish to stabilize the sand with a patio like structure beneath the main part of the house.
- Concrete will be installed beneath the elevated deck and vehicle storage place.
- A split rail fence will be installed to help define property limits and offer some security as well as privacy.
- There will be a beach front patio over to the existing barbecue and access to the northeast corner of the house where they will be installing an outside shower.

Mr. Neilson turned the presentation over to Mary Richardson so she could discuss the vegetative site plan.

Mary Richardson of Burnett's Landscaping in Salem came forward and shared some of the following:

- In addition to the soil mound they would like to remove there are some invasive species such as bittersweet and mugwort that they'd like to eliminate.
- Some of the nice features that exist now are the american beach grass and seaside goldenrods which they would like to encourage and add to.
- They plan to add some bayberry and virginia rose on the west side partially to offer a bit of screening from the public boardwalk.
- Around 200 american beach grass plugs will also be added to keep the dune effect and at the same time, tidy the site up.
- If you factor in what's removed as opposed to what is being added, they're in the plus column.

Mr. Neilson further reviewed the submitted application documents with the Commission.

Mr. Walker clarified that this project is entirely land work under DEEP's jurisdiction. He noted the site will look much better.

Mr. McPherson asked if there will be a need for silt fences or hay bales and Mr. Neilson said there is no need given that the water is absorbed immediately at the ground.

Mr. Walker observed that the application is pretty straightforward.

Mr. Dwyer and Mr. Donovan agreed that the application seems fairly simple.

MOTION (1)

Mr. Donovan moved to approve the Application of Keith B. Neilson, P.E., Docko, Inc., Agent for Mr. and Mrs. Ziomek, for a Coastal Area Management Review for a beach fence and landscaping around the existing dwelling at 18 Shore Drive, Niantic, Connecticut, for the following reasons:

- 1. The Application is consistent with all applicable 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 activities.**

Ms. Kalajainen seconded the motion.

Motion carried, 6-0-0.

Mr. Walker said he will ask Mr. Mulholland to publish the legal notice next Thursday 24th and effective Friday the 25th.

2. Approval of Minutes of October 3rd, 2019.

Mr. Peck said that on page 3, under old business, second paragraph- the word "all" should be replaced with "new" in regards to the suggestion that buildings in the CB zone being subject to a special permit.

MOTION (2)

Mr. McPherson moved to approve both the Meeting Minutes of October 3rd, 2019 as amended.

Mr. Donovan seconded the motion.

Motion passed 6-0-0.

Old Business-

1. Subcommittee-Site Plan Requirements/Architectural Regulations

Mr. Walker said he spoke with Mr. Mulholland earlier in the day and he indicated that he might be unable to attend. He suggested the Commission thoroughly review the draft in order to discuss it at the November meeting.

New Business-

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

There was none.

2. Zoning Official

Mr. Mulholland was not in attendance.

3. Comments from Ex-Officio

Ms. Hardy reminded the Commission that the Conservation of Natural Resources water study and their plan to present it at a future Aquifer Protection Agency meeting and Mr. Walker said he will remind Mr. Mulholland to schedule this for the November 7th meeting.

She said the Commission can decide if they would like the Public to comment on this; it's permissible given that it's an advisory presentation to an appointed Board, and no decision is needed to be made by the Commission. She said Planning will be sending some representatives and she will invite Water & Sewer as well.

Ms. Hardy briefly discussed the new Public Safety Building and the various untrue rumors associated with it. She noted the initial quote from the Architect included all the bells and whistles and will be trimmed down quite a bit. She said she thinks a list should be formulated by the Vision Committee and put out to the Public detailing what the needs are as well as potential costs; the Public could then weigh in as to what should be completed now as opposed to later.

Ms. Hardy said the Police Commission is an appointed Board that includes the Board of Selectmen; an ordinance is being put forth to remove the First Selectman and replace with another Member. She said she is a bit concerned about an entire appointed Board that they will see what happens at the upcoming Public Hearing.

Ms. Hardy briefly discussed the Cemetery Association presentation that was given at the Board of Selectmen meeting and noted there are 19 cemeteries in Town- most of them historic. She discussed the lack of burial room available. She asked if the Zoning Regulations include sideline requirements for properties boarding cemeteries and suggested reviewing that in the future.

4. Comments from Zoning Board Liaison to Planning Commission

Ms. Kalajainen reminded the other Commissioners that she has agreed to cover the December meeting.

Mr. McPherson said they need to make sure the schedule doesn't revert back to the beginning of the alphabet for the new year.

5. Comments from Chairman

Mr. Walker said he has nothing to report.

Adjournment

MOTION (3)

Mr. Donovan moved to adjourn the Zoning Commission Meeting at 8:03 p.m.

Mr. McPherson seconded the motion.

Motion passed 6-0-0.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Brooke Stevens".

Brooke Stevens

Recording Secretary

Town of

P.O. Drawer 519
Zoning Department



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357
(860) 691-4114
Fax (860) 691-0351

DATE: October 17, 2019
TO: East Lyme Zoning Commission
FROM: William Mulholland *WM*
RE: Coastal Site Plan Application –18 Shore Rd, Niantic

Coastal Site Plan reviews are mandated under the Coastal Management Act as found in Chapter 444 of the Connecticut General Statutes. This regulatory program is designed to protect the states coastal resources from unsuitable development on lands within the coastal boundary. Local shoreline communities must review specific types of development for compliance with the act.

In this application, the applicant is proposing to construct a beach fence and landscaping around the existing dwelling.

Keith Neilson, Docko, Inc., is here on behalf of the owners, Mr. and Mrs. Ziomek and has prepared this application and will give a presentation. The commission will have to evaluate the application and make a determination as to whether it finds the application consistent with all applicable control use policies and whether or not any potential adverse impact of the proposed activity on both coastal resources and future water dependent uses are acceptable.

1. **Move to APPROVE:** Application of Keith B. Neilson, P.E., Docko, Inc., Agent for Mr. and Mrs. Ziomek for a Coastal Area Management Review for a beach fence and landscaping around the existing dwelling at 18 Shore Road, Niantic, Connecticut.

Reasons:

1. Application is consistent with all-applicable goals and conditions of the CAM Act.
 2. Applicant has taken all reasonable measures to mitigate any adverse impacts of the proposed activity on both coastal resources and future water dependent uses.
2. **Move to DENY:** Application of Keith B. Neilson, P.E., Docko, Inc., Agent for Mr. and Mrs. Ziomek for a Coastal Area Management Review for a beach fence and landscaping around the existing dwelling at 18 Shore Road, Niantic, Connecticut.