

TOWN OF EAST LYME  
ZONING COMMISSION  
OCTOBER 3rd, 2019  
REGULAR MEETING MINUTES

**Members Present:**

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

**Also Present:**

Bill Mulholland, Zoning Office  
Rose Ann Hardy, Ex-Officio

FILED

October 9, 2019 AT 9:13 AM/PM  
*Brooke Howard* ATC  
EAST LYME TOWN CLERK

**Absent:**

John Manning

Chairman Walker called the Zoning Commission meeting to order at 7:33 p.m.

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

**Pledge of Allegiance**

Mr. Walker led the Pledge.

**Public Delegations**

There were none.

**Public Hearings**

There were none.

**Regular Meeting**

1. Application of Keith B. Neilson, P.E., Docko, Inc., Agent for Black Point Beach Club; for a Coastal Area Management Review to restore an existing authorized groin and to reinforce a concrete cap on top of the existing cap at 28 East Shore Drive, Niantic, Connecticut.

Mr. McPherson read Mr. Mulholland's memorandum dated October 3rd, 2019 into the record.

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

- This is an extensive restoration/renovation project of the middle steel shaped piling & concrete groin which is a part of the Black Point Beach Club Association property.
- The groin is about 275 feet long.
- The Army Corp of Engineers and DEEP permits for this work have been issued.
- The Application tonight is to receive permission for the portion in the Town's jurisdiction- where the high tide line touches the steel sheet piling on both sides of the groin.
- Steel sheets will be driven along the base of the north side of the groin; the south side is able to be sealed off from further deterioration through the use of a special grout mixture designed by Tilcon.
- Areas of the interior revealed will be completely filled with concrete and the steel sheets will seal off with north side.
- They've evaluated the coastal resources and determined there will be no environmental impact; they've avoided the eelgrass beds.
- In utilizing the construction methodology, there will be no seaborne activity on the site.
- The one eelgrass plant found within 3 feet of the steel sheet piling has been transplanted with the blessing of the DEEP.
- Silt fence and hay bales will be utilized for erosion control.
- Each day the Contractor regrades the beach at the end of the day.

Mr. Walker asked about the concrete being pumped into the voids and noted that it's more of a curiosity question. Mr. Neilson explained the void filling is very selective and detailed the process.

Mr. Donovan asked if the site will be open to the Public during construction and Mr. Neilson replied that it will not.

Ms. Kalajainen asked if this is the only groin in the area and what the original purpose was. Mr. Neilson said there are two others and that it served as a pier and to protect the beach.

Mr. Walker observed that the application is pretty straightforward.

**MOTION (1)**

**Mr. Donovan moved to approve the Application of Keith B. Neilson, P.E., Docko, Inc., Agent for Black Point Beach Club; for a Coastal Area Management Review to restore an existing authorized groin and to reinforce a concrete cap on top of the existing cap at 28 East 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.**

## **2. Approval of Minutes of September 5th, 2019.**

Mr. Donovan noted that Mr. McPherson is listed as absent but he was in attendance. Mr. Liska said he attended the meeting and that although he was not seated, he is comfortable voting.

### **MOTION (2)**

**Ms. Kalajainen moved to approve both the Meeting Minutes of September 5th, 2019 as amended.**

**Mr. McPherson seconded the motion.**

**Motion passed 6-0-0.**

### **Old Business-**

1. Subcommittee-Site Plan Requirements/Architectural Regulations

Mr. Mulholland supplied the Commission with a second draft for the Commission to review; he will be tweaking the procedural aspects and should have it completed within 30 days with an updated intro and map. He briefly discussed the current draft.

Mr. Peck asked about including the verbiage that all buildings in the CB Zone are subject to special permit. Mr. Mulholland further discussed the proposed regulations; the Commission will review the current draft and discuss it at the next meeting.

### **New Business-**

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 Road, Niantic, Connecticut.

Mr. Walker asked Mr. Mulholland to schedule this item for the next meeting.

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

There was none.

### **2. Zoning Official**

Mr. Mulholland shared the following:

- Costco is moving along.
- The Zoning office has been busy.
- He has been working with Walgreens to replace their diseased trees.
- Daddy's Noodle Bar has opened.

- The Niantic Center plantings still look sparse so he is still addressing this with the Contractor.

### 3. Comments from Ex-Officio

Ms. Hardy mentioned the Walkability study and Plan of Conservation and Development revision currently being done by the Planning Commission.

Ms. Hardy discussed the Town Meeting that occurred last night and the grant received for a new senior center bus.

Ms. Hardy reminded the Commission that the Conservation of Natural Resources finished their water study and would like to present it at a future Aquifer Protection Agency meeting and Mr. Walker asked Mr. Mulholland to schedule this.

Ms. Hardy supplied the Commission with a copy of the report given to the Board of Selectmen regarding the Sustainable CT Program (attached.)

### 4. Comments from Zoning Board Liaison to Planning Commission

Ms. Kalajainen was unable to attend the October 1st, 2019 Planning Meeting but will attend the next one.

### 5. Comments from Chairman

Mr. Walker said he has nothing to report.

## Adjournment

### **MOTION (3)**

**Mr. McPherson moved to adjourn the Zoning Commission Meeting at 8:28 p.m.**

**Mr. Donovan seconded the motion.**

**Motion passed 6-0-0.**

Respectfully Submitted,

Brooke Stevens  
Recording Secretary

**REPORT TO THE BOARD OF SELECTMEN**  
**SUMMARIZING the SUBMISSION FOR CERTIFICATION**  
**For the TOWN of EAST LYME in the**  
**SUSTAINABLE CT PROGRAM**

**Commission for the Conservation of Natural Resources**  
**Sustainable CT Subcommittee**

**Penny Howell Heller**

**Laura Ashburn**

**Harvey Beeman**

**October 2, 2019**

## Sustainable CT Program – Summary of Goals

- An online framework for logistical support to CT town officials looking to implement a range of economic, environmental and cultural improvements and attractions.
- Program provides grant opportunities to fund infrastructure and transportation projects, protect the environment, and create efficiencies in housing and public services.
- Program is coordinated by Eastern Connecticut State University Institute for Sustainable Energy, and funded by three CT nonprofits: the Emily Hall Tremaine Foundation, Common Sense Fund, and Hampshire Foundation (providing more than \$250,000 for small grants to towns for climate and energy-related projects).
- Each participating town becomes certified when at least one of many listed actions is completed in each of nine different program aspects (see list below). Higher certification levels are earned when more actions are completed.
- To date more than 34 towns, including Waterford and Groton, have signed on to the program; fewer have completed their certification process.
- Goals of the program are to save towns money by helping to improve energy efficiency, promote partnerships within and among towns, and assist with planning tools that help avoid expensive infrastructure damage during storms and power outages.

An article in *The New London Day* discussed more details about the program: ([NL, Groton eye recognition in program on sustainability](#) , By Benjamin Kail, Day Staff Writer, Jan 25, 2018).

### **SUSTAINABLE CT ACTION CATEGORIES** (See: <https://sustainablect.org/actions>)

1. Thriving Local Economies
2. **Well-Stewarded Land and Natural Resources**
3. Vibrant and Creative Cultural Ecosystems
4. Dynamic and Resilient Planning
5. Clean and Diverse Transportation Systems and Choices
6. Efficient Physical Infrastructure and Operations
7. Strategic and Inclusive Public Services
8. Healthy, Efficient and Diverse Housing
9. Inclusive and Equitable Community Impacts
10. Innovation Actions

**The Sustainable CT team (subcommittee of the Commission for the Conservation of Natural Resources) submitted the East Lyme Profile August 28, 2019.**

**Summary of Completed Actions by Topic:**

- 1. Thriving Local Economies- 4 actions:** brown field remediation; Main Street program; sponsored business events; adopted C-Pace
- 2. Well-Stewarded Land and Natural Resources-11 actions:** watershed education; local monitoring programs; open space program; water conservation education; LID education and website; guides for developers; LID in POCD & PZR; tree filters; Hole-in-the Wall maintenance plan; pest BMP
- 3. Vibrant and Creative Cultural Ecosystems-1 action:** ‘Discover EL’ pamphlet on web
- 4. Dynamic and Resilient Planning-6 actions:** sustainability language in PZR; agriculture regulations and education; community garden; hazard mitigation plan; became CLG
- 5. Clean and Diverse Transportation Systems and Choices- 2 actions:** Complete Street training; *Bike accessibility audit (which did not pass review)*
- 6. Efficient Physical Infrastructure and Operations- 1 action:** LED streetlights
- 7. Strategic and Inclusive Public Services -5 actions:** public talks/programs on nitrogen reduction to waterways, Bike&BBQ event to support historic properties, beach cleanup, farmers market; food accessibility audit; waste calculation posted on web; recycling additional materials; tobacco free parks
- 8. Healthy, Efficient and Diverse Housing – 4 actions:** expanded housing profile; created housing needs assessment & discussed at planning meeting; increased affordable housing
- 9. Inclusive and Equitable Community Impacts- 1 action:** applied “equity tool kit” to Food Accessibility Audit
- 10. Innovative Actions- 2 actions:** improved accessibility to Oswegatchie Hills Nature Preserve with innovative bridge; *ran pump out program in Niantic River (which did not pass review)*

## **Recommendations**

### **Topic 1: Thriving Local Economies**

Participate in and promote the C-Pace Program

- Work with the Connecticut Green Bank on outreach events to property owners.

### **Topic 2: Well-Stewarded Land and Natural Resources**

Prioritize future land acquisitions based on the criteria listed in the EL Open Space Plan:

- Protect upstream water supplies to maximize the quality and quantity of drinking water at the lowest cost by preventing contamination. Encumber funds to purchase undeveloped land, development rights, or easements north of existing Town wells.

- Designate significantly larger “Aquifer Protection Zones” surrounding each narrowly defined State “Aquifer Protection Area” for each Town well.
- Ensure that hazard mitigation plans are included in all roadway modifications carried out by the Town or CT Department of Transportation.
- Acquire, by purchase or easement with public access, the remaining acreage of open land adjacent to the northern boundary of Oswegatchie Hills Nature Preserve.

#### **Topic 4: Dynamic and Resilient Planning**

Climate Vulnerability Assessment Priorities:

- Complete critical roadway alterations and drainage improvements for emergency access and climate adaptation as listed in the Stantec Outcomes Report.
- Encourage living shorelines in lieu of hardened armoring through grants or tax abatement.

#### **Topic 5: Clean and Diverse Transportation Systems and Choices**

Promote Public transit and Other Mobility Strategies

- Implement a pedestrian and bicycle audit in order to develop “Complete Streets” projects where vehicle traffic patterns are a safety hazard.

#### **Topic 7: Strategic and Inclusive Public Services**

East Lyme Community Food Choices and Assessment:

- Create an intentional communications strategy among agencies, schools, Town departments, faith communities, etc. to increase the effectiveness of identifying needs as well as keeping officials informed as a way to impact policy.
- Increase the capacity of programs that deliver food to residents who cannot drive or do not have a private vehicle.
- Expand participation in the Niantic Farmers Market to increase residents’ access to fresh local food by facilitating the use of SNAP credit and creating a children’s Farmer’s Market Program.
- Create a summer meal program for children through an official summer lunch or breakfast program; expand summer gardening programs through more community gardens in easily assessable locations in Town.