

**TOWN OF EAST LYME
ZONING COMMISSION
January 2nd, 2020
REGULAR MEETING MINUTES**

Members Present:

**Matthew Walker, Chairman
Norm Peck
Terence Donovan
Anne Thurlow
Kimberly Kalajainen
Denise Markovitz, Alternate *(Sat as Regular Member)**

Also Present:

**Rose Ann Hardy, Ex-Officio
Gary Goeschel, Planning Director**

FILED

Absent:

**Bill Mulholland, Zoning Official
Bill Dwyer
James Liska, Alternate**

January 6, 2020 AT 8:55 AM/PM
Brooke J. Thomas AIC
EAST LYME TOWN CLERK

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

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

Pledge of Allegiance

Mr. Walker led the Pledge.

Mr. Walker welcomed the audience and Commission to the meeting. He thanked George McPherson for his many years of service and noted the Alternate vacancy now available. Mr. Walker clarified that this matter is now under the purview of the Board of Selectmen because it has been 31 days; the Charter requires that the Commission act within 30 days otherwise the responsibility falls to the Board of Selectmen. He noted that the Commission could determine which candidate they endorse and forward on the recommendation to the Board of Selectmen. Mr. Walker invited the two interested parties to say a few words if they so wished.

Peter Lynch of 10 Smith Street came forward and stated that he has served on the Planning Commission for the last four years in addition to working on the current revision of the Plan of Conservation & Development (POCD) being crafted. He said he had not thought previously to

apply until approached by Ms. Hardy and Mr. Donovan. Mr. Lynch said he is not entirely sure of what the Zoning Board does but that he would like to continue working with the Town.

George McPherson of 419 Boston Post Road came forward and noted that he has served on the Zoning Commission for the last 8 years, 5 years as Secretary, and 10+ years on the Planning Commission.

Mr. Walker said this item will be discussed later in the evening.

Public Delegations

There were none.

Public Hearings

There were none.

Regular Meeting

- 1. Application of John Paul Mereen, LS, CFM, Agent for Bruce and Ellen Bellucci, Owner; for a Coastal Area Management Review for the construction of a new home at 26 Bishops Bay Road, East Lyme Assessor's Map 22.10, Lot 28.**

Mr. Donovan read Mr. Mulholland's letter dated January 2nd, 2020 into the record.

Ms. Markovitz and Ms. Thurlow recused themselves from this item.

John Paul Mereen of 191 Boston Post Road came forward representing the Applicant and shared the following:

- This is a fairly standard CAM application.
- It's a complete teardown and rebuild which will be raised up and built to FEMA standards.
- The home will be pushed back a bit further from the water and the setback is based on the three other homes in the area.
- Everything on this road is on municipal water and it was recommended to them, to dig down 8 feet to ensure there is no ledge, and there is none.
- There will be a detached freestanding deck so that it's not located in the flood zone.

MOTION (1)

Mr. Donovan moved to approve the Application of John Paul Mereen, LS, CFM, Agent for Bruce and Ellen Bellucci, Owner; for a Coastal Area Management Review for the construction of a new home at 26 Bishops Bay Road, East Lyme Assessor's Map 22.10, Lot 28 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 both on coastal resources and future water dependent uses.

Mr. Peck seconded the motion.

Motion carried, 4-0-0.

2. Approval of Minutes of December 5th, 2019.

Ms. Kalajainen abstained from the vote due to her absence from the December 5th, 2019 meeting.

MOTION (2)

Ms. Thurlow moved to approve both the Meeting Minutes of December 5th, 2019 as presented.

Mr. Donovan seconded the motion.

Motion carried 5-0-1.

Old Business-

1. Chapman Farms Violation Update

Gary Goeschel, the East Lyme Planning Director, came forward and reminded the Commission that he handled this item due to Mr. Mulholland's conflict; Mr. Mulholland lives at Chapman Farms. He said he is here to follow up on this matter and provided the Commission with his memorandum dated January 2nd, 2020 (attached.)

Mr. Goeschel said he is satisfied with the new plantings and believes that the Association is now in compliance. He observed that the downside is that Chapman Farms failed to maintain the original plantings which actually won some landscaping awards when created. Mr. Goeschel said an entire Management Plan has been formulated based on Chapman Woods' own. He recommends that the violation be lifted.

Mr. Peck asked about the trees with the canopy row and Mr. Goeschel explained that they were originally planted too close together.

MOTION (3)

Mr. Donovan moved to lift the Chapman Farms Violation.

Ms. Thurlow seconded the motion.

Motion carried, 6-0-0.

1. Subcommittee-Site Plan Requirements/Architectural Regulations

Mr. Walker said the Public Hearing for this item will take place on January 16th, 2020.

New Business-

1. Alternate Vacancy

Mr. Peck said that unfortunately he doesn't know Mr. Lynch and that he certainly wouldn't mind having Mr. McPherson back.

Mr. Donovan said he does know Mr. Lynch and at the time he expressed interest, he was not aware that Mr. McPherson was also interested. He said that he knows that Mr. Lynch would like to continue his work with the POCD but that at this time, he would lean towards Mr. Pherson.

Ms. Thurlow said that Mr. Lynch and Mr. Dwyer are related and it's encouraged not to have family members on the same Commission. She said that Mr. McPherson also has more experience.

Ms. Kalajainen said she is paraphrasing, but Mr. Lynch said he really doesn't know what Zoning does. She thinks he would have done some research if he were more interested in the position.

Ms. Makovitz said she also agrees with what the other Members have said and leans towards Mr. McPherson.

Mr. Walker said that Mr. McPherson was always present and participated in Zoning meetings, and that he would support recommending Mr. McPherson for all these reasons and more; he doesn't understand how he wasn't reelected after his many years of service.

Mr. Walker said that he will draft a letter for the Board of Selectmen with their recommendation.

Mr. Goeschel said that Mr. Lynch can be a member at large for the the POCD Subcommittee if he would like to continue. He said the POCD Public Forum is on January 29th, 2020 at 7pm.

Mr. Peck asked if two nights should be devoted for the forum and Mr. Goeschel responded that a survey has been put online to glean public input and that he will see about putting notice on Channel 22. Mr. Donovan suggested putting notice on the electronic board out front as well. The Commission discussed how they can later determine if they should dedicate a portion of their February meeting to this.

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

Mr. Peck mentioned an editorial in the newspaper regarding the Aquifer Protection Zone being reduced. He said that at the time the State of Connecticut delivered the new mapping they were hesitant at the time but were told by the Town Attorney that they had to adopt it. He said he would like to have Mr. Mulholland revisit this and get a second and even third opinion.

Mr. Donovan agreed that it wouldn't hurt to revisit this.

Ms. Hardy said that she is aware of two other Towns in the State that are appealing this. She suggested contacting the Council of Governments and said it's time for a fresh look.

3. Zoning Official

Mr. Mulholland was not in attendance.

4. Comments from Ex-Officio

Ms. Hardy had none.

5. Comments from Zoning Board Liaison to Planning Commission

The Planning Commission meeting has not occurred yet.

6. Comments from Chairman

Mr. Walker said he has nothing to report. He thanked Mr. McPherson for attending.

Adjournment

MOTION (4)

**Ms. Thurlow moved to adjourn the Zoning Commission Meeting at
8:13 p.m.**

Mr. Donovan seconded the motion.

Motion passed 6-0-0.

Respectfully Submitted,

Brooke Stevens
Recording Secretary

Town of

P.O. Drawer 519

Department of Planning &
Inland Wetlands

Gary A. Goeschel II, Director of Planning /
Inland Wetlands Agent



East Lyme

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

January 2, 2020

Matt Walker, Chairman
East Lyme Zoning Commission
Town of East Lyme
P.O. Box 519
Niantic, Connecticut 06357

**RE: Zoning Enforcement Action – Cease and Desist Order for the clearing of vegetation
within approved open space in conducted in violation of the site plan approval.**

Chairman Walker:

I corresponded to report that the above referenced violation has been corrected and the subject site is, in my opinion, no longer in violation of the East Lyme Zoning Regulations. The plantings have survived two (2) full growing seasons with a survival rate of nearly a 95% or better. As such, the matter has been resolved to my satisfaction. Therefore, I respectfully request the Zoning Commission release the above referenced order.

If you have any further questions regarding this letter or the POCD, please do not hesitate to contact me, Gary A. Goeschel II, Director of Planning at (860) 691-4105 or ggoeschel@eltownhall.com.

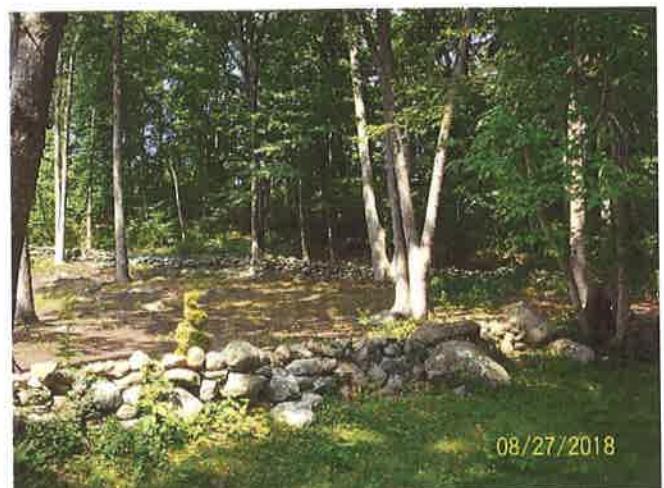
Sincerely,

A handwritten signature in black ink, appearing to read "Gary A. Goeschel II".

Gary A. Goeschel II,
Director of Planning/Inland Wetlands Agent

cc: William Mulholland, Zoning Official
file

Post Clearing



Post Planting

