

# Town of East Lyme

## APPLICATION FOR SPECIAL PERMIT

Date of Application: 11/24/2020 Zone: CA

Applicant's Name: Theodore A. Harris, Agent for Owner

Applicant's Address: 351 Main St., Niantic, CT 06357 Telephone: (860)739-6906

Location of Affected Premises: 159 Boston Post Rd. Assessor's Map/Block/Lot: 31.1/32

Owner of Record: 159 Boston Post Rd., LLC Volume/Page: 1017/447

Owner's Address: 360 Boston Post Rd. Telephone: (860)235-8500

**DESCRIPTION OF SPECIAL PERMIT REQUESTED** {Requires compliance with Zoning Regulations 24, 25 & 9 and all other applicable Zoning Regulations of the Town of East Lyme; also state which sections of Zoning Regulations Special Permit is subject to}:

Special permit for Mixed Use (CA) pursuant to

ZR8.2.2,25

Signature of Owner: 

Signature of Applicant: \_\_\_\_\_

**Attach a true copy of the Deed and a Site Plan {10 copies required}.** A copy of the deeds for all affected properties and a site plan demonstrating compliance with all applicable zoning code requirements must accompany this application.

**Proof of posting of Special Permit Application public notice sign (Section 25.4.3-1).** Proof of posting of the Special Permit Application for Public Notice must be submitted.

\*\*\*\*\*  
**Below this line for Office Use Only:**  
\*\*\*\*\*

Deed Copies Attached:	YES	NO	PERMIT FEE: SPECIAL PERMIT FEE	\$150.00	<u>500</u>
			OUTDOOR DINING RENEWAL	\$20.00	_____
Site Plan Attached:	YES	NO	N/A	SITE PLAN FEE	\$300.00 <u>300</u>
				STORM WATER	\$300.00 <u>300</u>
				STATE FEE:	\$60.00
CHECK #:	<u>29223</u>			TOTAL DUE:	\$ <u>1160.</u>

Date Approved: \_\_\_\_\_ Date Denied: \_\_\_\_\_

Approval subject to conditions below:

- \_\_\_\_\_
- \_\_\_\_\_

Approval to become effective upon publication and date of entry into the land records of the Town of East Lyme affecting the premises as described in this application.

Date: \_\_\_\_\_ Attest \_\_\_\_\_  
East Lyme Zoning Chairman

**APPLICATION NARRATIVE  
PETRIT MARKU**

This is an Application for a Special Permit for a Mixed Use Development in a CA Zone, as outlined in the Application..

The property is a pre-existing lot created long before Zoning, which is deficient as to frontage and therefore, lot width. This deficiency has direct implication in the site design. The first floor of the proposed building contains 2,950 s.f of commercial space, with a central entry and access to portions of the second floor by way of a stairway. The second floor contains four (4) one bedroom apartments and one two (2) bedroom apartment. There is additional apartment access from a separate stairway at the end of the building. There is also storage in a third floor attic.

The site is surrounded on two sides by parking area supporting the East Lyme High School, including planted buffers along the premises at both of these locations. The narrow nature of the lot had direct implications with respect to the site design and layout. The East Lyme Zoning Boards of Appeals, in recognition of the hardship this pre-existing nonconformity created, granted an 8 foot setback variance with respect to the Westerly side of the premises. This allowed an additional 4 foot to the total planted buffer along the existing High School parking. On the East, there is a parking lot serving a pizza restaurant. The nature of this use and the narrow nature of the site, has made the installation of a vinyl architectural fence, the better means of providing a buffer between the two parcels. This fence is shown on the plan and would be in lieu of a planted buffer as allowed by Section 24.6 of the Regulations.

Nineteen (19) parking spaces have been provided in accordance with the calculation for parking required by the Standards for Mix Use Development, which calculations are shown on the site plan.

Finally, the residential portion of the building does not exceed fifty (50%) percent of the improved floor area, as required by Section 8.2.2 of the Zoning Regulations.

REVISIONS

DEVELOPMENT SUMMARY

**SITE SUMMARY**

PIN: 31.1 32  
 Real Estate ID: 0.34 ACRES (14,975 SF)  
 EXISTING LAND AREA: 0.34 ACRES (14,975 SF)  
 R/W DEDICATION: 0.34 ACRES (14,975 SF)  
 GROSS LAND AREA: 3,500 SF (14,975 SF)  
 % SITE COVERAGE: 23% PROVIDED/30% MAX

EXISTING ZONING: CA  
 LAND CLASS: COMMERCIAL

**LOT SUMMARY**

MAX BUILDING HEIGHT: 30 FT RO'D/ 30' FT Provided  
 STREET YARD SETBACK: 20 FT RO'D/20 FT Provided  
 SIDE SETBACK: 12 FT RO'D/12 FT East Provided  
 SIDE SETBACK: 12 FT RO'D/ 4 FT West Provided

**OPEN SPACE/TREE CONSERVATION SUMMARY**

OUTDOOR AMENITY AREA 10% REQUIRED: 10% PROVIDED

**BUILDING SUMMARY**

EXISTING BUILDING AREA: 2,522 SF GROSS FOOTPRINT  
 PROPOSED BUILDING AREA: 3,500 SF GROSS FOOTPRINT

**PARKING SUMMARY**

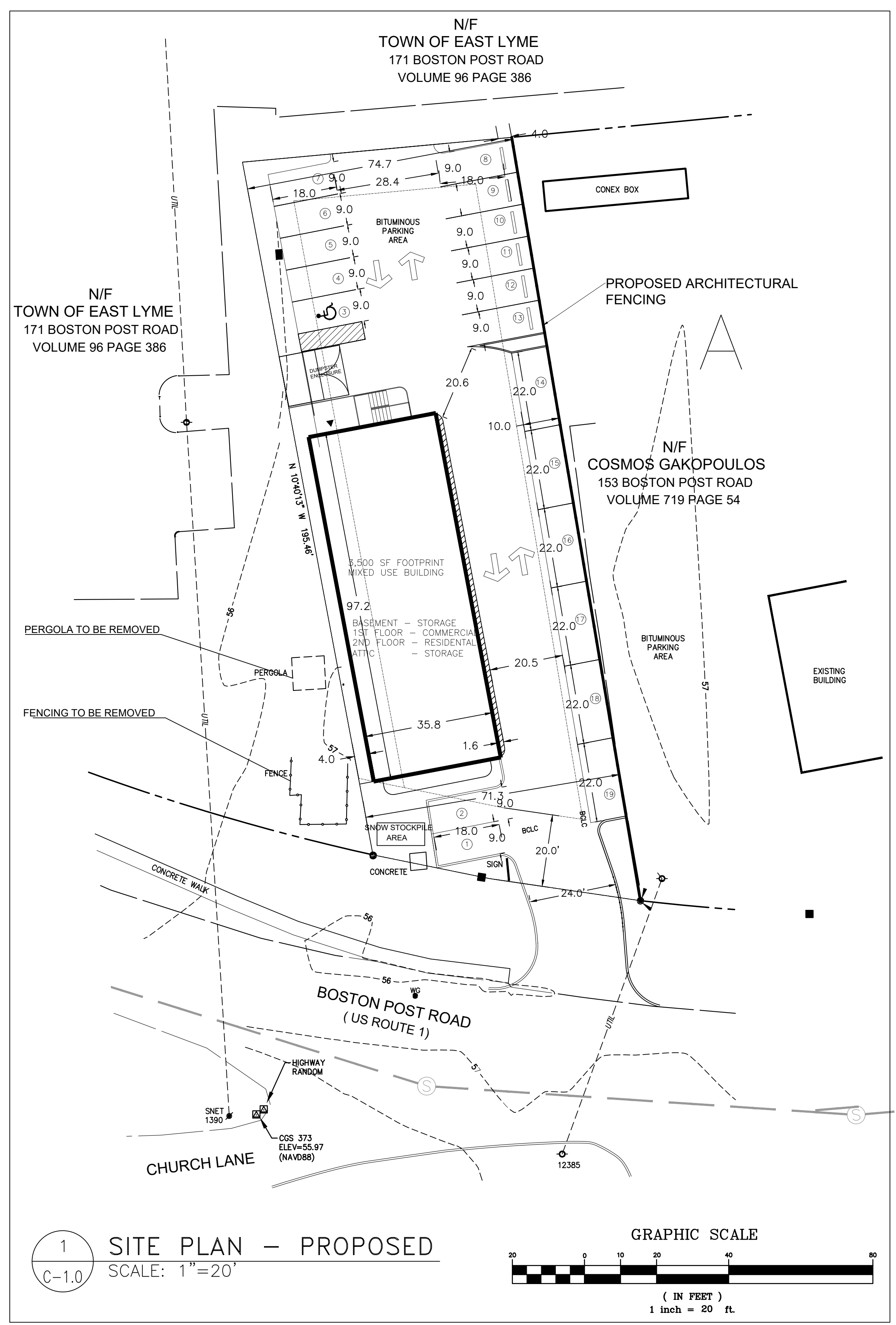
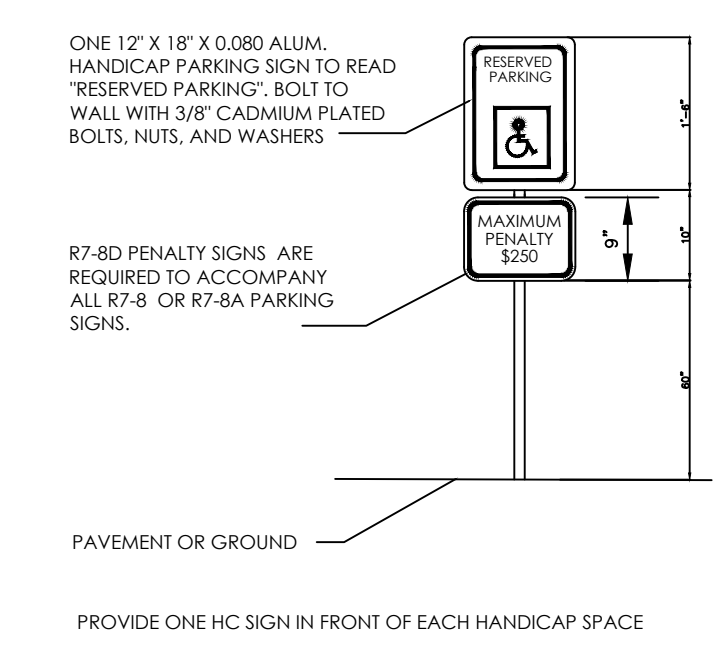
3,500 SF/250 SF = 14 SPACES  
 6 BEDROOMS x 1.5 PER BEDROOM = 9 SPACES  
 TOTAL PARKING REQUIREMENT = 14 SPACES + (9 SPACES x 50%)  
 = 18.5 or 19 SPACES  
 HANDICAP REQUIRED = 1 SPACE / PROVIDED 1 SPACE

**IMPERVIOUS SURFACE SUMMARY**

EXISTING IMPERVIOUS AREA = 7,549 SF  
 PROPOSED IMPERVIOUS SURFACE = 12,865 SF

GENERAL SITE NOTES

- PAVEMENT DESIGN:  
 8" CABC + 2" 59.58 (INTERIOR PARKING AREAS AND DRIVES)  
 FINAL DESIGN SUBJECT TO SOIL ANALYSIS.
- BUILDING, DRIVEWAY AND PARKING AREAS STAKE OUT TO BE PERFORMED BY A REGISTERED LAND SURVEYOR.  
 ALL DIMENSIONS FROM BLDG TO PL OR CL CONTROL AND PARKING LOT TO PL ARE TO BE FIELD VERIFIED. NOTIFY THE ENGINEER OF ANY DISCREPANCY.
- ALL PARKING LOT DIMENSIONS ARE TO EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED ON THE PLANS.
- ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE IN STRICT ACCORDANCE WITH TOWN OF EAST LYME AND CIDOT STANDARDS AND SPECIFICATIONS.
- WITHIN THE AREA OF THE DEFINED SIGHT TRIANGLE THERE SHALL BE NO SIGN OBSTRUCTING OR PARTLY OBSTRUCTING WALL, FENCE, SIGN, FOLIAGE, BERMS, OR PARKED VEHICLES BETWEEN THE HEIGHT OF 24 INCHES AND EIGHT FEET ABOVE THE CURB LINE.





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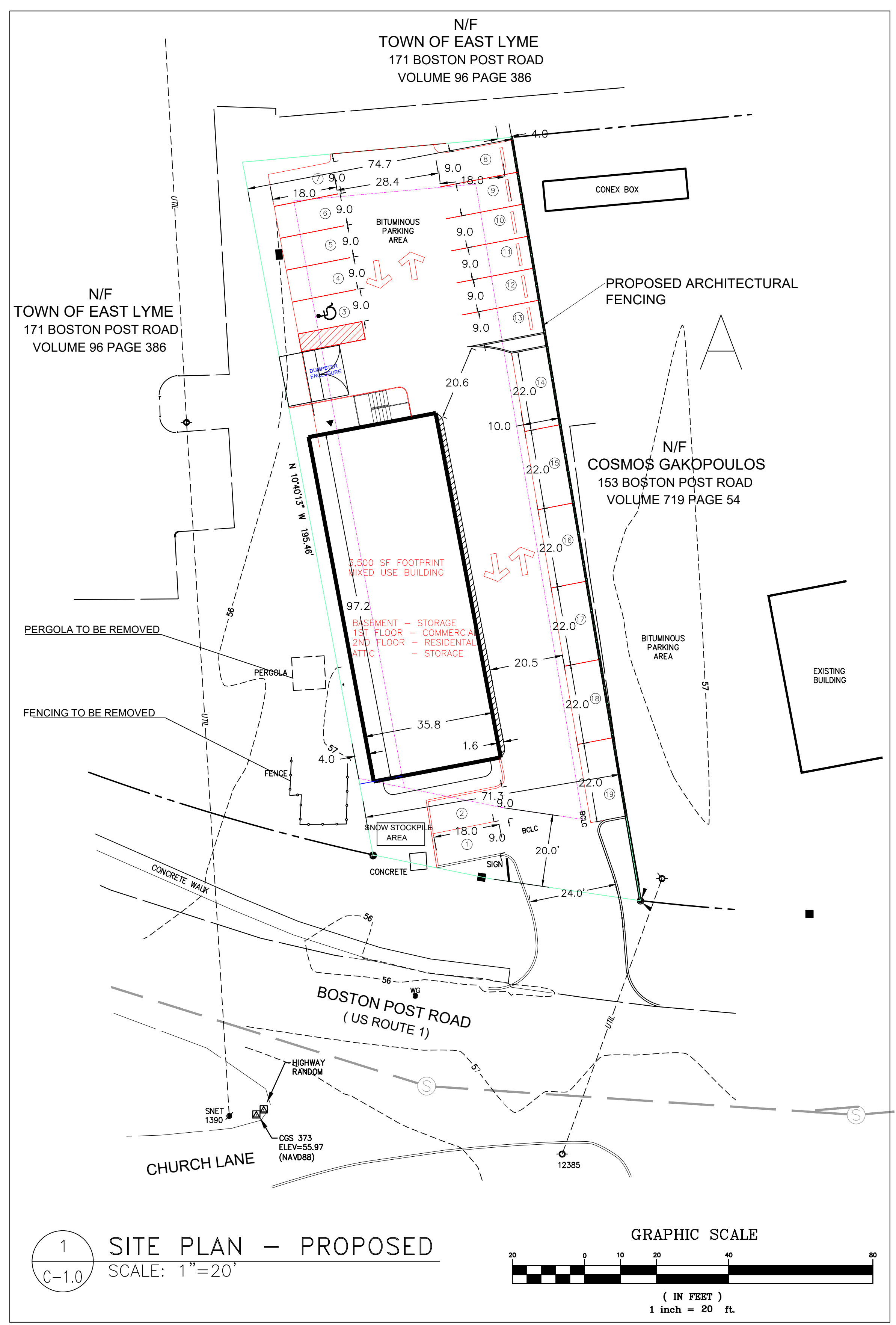
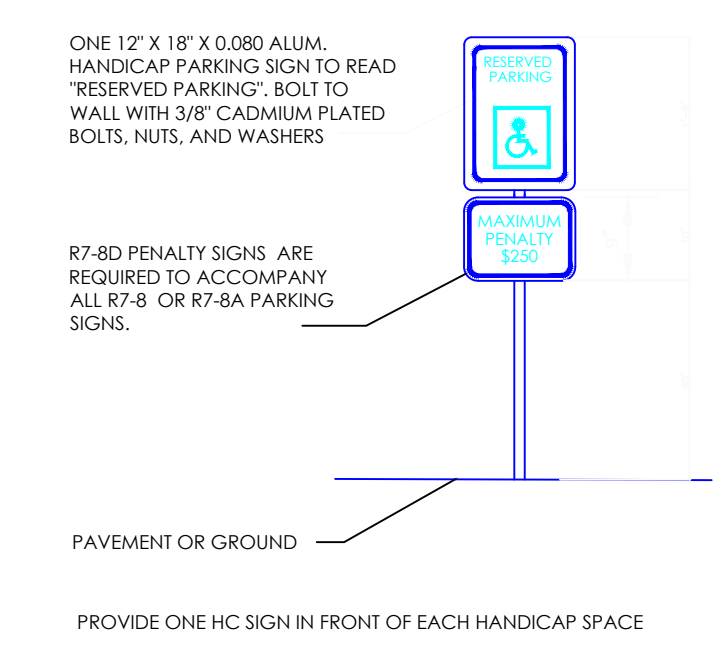
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1 SITE PLAN - PROPOSED  
 C-1.0 SCALE: 1" = 20'

