

**East Lyme Zoning Commission  
January 21st, 2021  
Regular and Public Hearing Meeting Minutes**

**Members Present:**

**Matthew Walker, Chairman**  
**Terence Donovan, Secretary**  
**Bill Dwyer**  
**Kimberly Kalajainen**  
**Anne Thurlow**  
**George McPherson, Alternate (joined at 7:46 pm)**  
**Denise Markovitz (Sat as a Regular Member)**  
**James Liska, Alternate**

**Also Present:**

**Bill Mulholland, Zoning Official**  
**Jennifer Lindo, Zoom Moderator**

**Absent:**

**Norm Peck**

**Present for Applications:**

**Dave Putnam, Director of Parks & Recreation**  
**Jonathan Tunsky**

**The Regular Meeting of the East Lyme Zoning Commission was held on Thursday, January 21st, 2021, at 7:30 p.m., via Zoom; this teleconference was recorded in its entirety and in accordance with the requirements of executive order 7B, issued by Governor Lamont, which allows for public meetings to be held over teleconference.**

**I. Roll Call and Call to Order**

Chairman Walker called the Regular Meeting of the Zoning Commission to order at 7:32 p.m. and took roll call.

**II. Public Delegations**

Time set aside for the public to address the Commission on subject matters not on the Agenda.

Susan, a member of the public who did not provide her last name, asked about the sign by East Lyme Pizza noticing the public hearing. She said she's curious about the work the Commission does. Mr. Mulholland explained that the public hearing she's inquiring about will not be heard until the next zoning meeting.

FILED

Jan 27 20 21 AT 1:18 AM/PM  
*Brooke Horan ATC*  
 EAST LYME TOWN CLERK

### **III. Public Hearings**

- 1. Application of Theodore A. Harris, Esq., Agent for 159 Boston Post Road, LLC, Owner, for a special permit for Mixed Use (CA) pursuant to Section 8.2.2. and Section 25 at property located at 159 Boston Post Road, East Lyme Assessor's Map 31.1 Lot 32.**

The Commission opened and continued this public hearing at the request of the Applicant; Mr. Mulholland noted they had some technical issues to address prior to presenting their application to the Commission and stated a sign has been installed noticing the public.

- 2. Application of Jonathan Tunsky, Senior Landscape Architect, todesign, for Town of East Lyme/Miracle League for the renovation of an existing play area and addition of a new bathroom/storage building at 159 Boston Post Road, subject to Section 5,8,24 and 25 of the East Lyme Zoning Regulations.**

Mr. Walker noted the legal ad for this item has been run.

Jonathan Tunsky from the Miracle League office located at 114 West Main Street in New Britain, showed a rendering of the Miracle League project at 159 Boston Post Road, East Lyme.

Mr. Tunsky and Mr. Putnam briefly detailed the project and its history noting the previously approved Phase 1 was completed this Summer, while Phase 2 and 3 are now combined into one phase.

Mr. McPherson joined the meeting at 7:46 p.m.

Mr. Dwyer asked for confirmation that Town funding is not involved and Mr. Putnam confirmed that it's not.

Mr. Walker inquired what trees will be utilized for the canopy and Mr. Tunsky said red maples and zycodas. Mr. Tunsky explained that no lighting is planned and the field will have strictly daytime programming.

Mr. Donovan asked about the snack bar and Mr. Putnam said they will be prepackaged and there will be no fryers.

Mr. Putnam explained that the Board of Education will be responsible for the field during the school day and Parks & Rec will be responsible for it from 4:30 p.m. on.

Mr. Mulholland said the project is consistent with what's out there and approved by the Commission in 2017; they're no staff issues.

Mr. Dwyer asked if they've considered a health station and Mr. Putnam replied there will be supplies in the restroom building.

Mr. Walker called for Public Comment and Susan who did not provide her last name, said the site looks great and she looks forward to seeing it completed.

**MOTION (1)**

**Mr. Donovan moved to close the Public Hearing.**

**Mr. Dwyer seconded the motion.**

**Motion carried, 6-0-0.**

**IV. Regular Meeting**

- 1. Application of Theodore A. Harris, Esq., Agent for 159 Boston Post Road, LLC, Owner, for a special permit for Mixed Use (CA) pursuant to Section 8.2.2. and Section 25 at property located at L59 Boston Post Road, East Lyme Assessor's Map 31.1 Lot 32.**

This item has been continued until the next Zoning meeting.

Mr. Donovan said he would be more comfortable discussing this item when Mr. Walker is also in attendance and the Commission tabled this item until the next meeting.

- 2. Application of Jonathan Tunsky, Senior Landscape Architect, to design, for Town of East Lyme/Miracle League for the renovation of an existing play area and addition of a new bathroom/storage building at 159 Boston Post Road, subject to Section 5,8,24 and 25 of the East Lyme Zoning Regulations.**

Mr. Walker said the work they've done is incredible.

**MOTION (1)**

**Ms. Kalajainen moved to approve the application of Jonathan Tunsky, Senior Landscape Architect, to design, for Town of East Lyme/Miracle League for the renovation of an existing play area and addition of a new bathroom/storage building at 159 Boston Post Road, subject to Section 5,8,24 and 25 of the East Lyme Zoning Regulations, as presented.**

**Mr. Dwyer seconded the motion.**

**Motion carried, 6-0-0.**

**3. FY 2021/2022 Budget**

Mr. Mulholland reported the Zoning Department brought in \$45,000-\$50,000 this year when they usually do \$25,000 since they're not a revenue generating department. He said the draft budget presented is exactly the same as last year with one exception; \$500 has been added to

compensate Ms. Lindo as zoom meeting moderator. Mr. Mulholland noted we have no way to predict how long zoom meetings will be necessary.

Mr. Walker thanked Ms. Lindo for all her efforts noting she does an extraordinary job, which is much appreciated.

#### **4. Approval of Minutes**

a. January 7th, 2021

##### **MOTION (2)**

**Mr. Donovan moved to approve the meeting minutes of January 7th, 2021 as presented.**

**Ms. Thurlow seconded the motion.**

**Motion carried, 5-0-1.**

**Mr. Walker abstained from the vote due to his absence from the January 7th, 2021 meeting.**

#### **V. Old Business**

There was none.

#### **VI. New Business**

- 1. Request of the Town of East Lyme, Bill Scheer, Director of Public Works, Agent for Coastal Area Management Review for property located at the end of Laurel Street, for Erosion Mitigation and Stabilization of an Embankment.**

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

Mr. Mulholland shared the forthcoming special permit request by Andrea Rose Shute Daulaire of 44 Cardinal Road, who is seeking to have more than 6 livestock chickens.

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

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

Mr. Mulholland detailed his phone call from Mr. Peck regarding our current flood regulations as it pertains to substantial damage and improvement; Currently if a homeowner, business owner, property owner wants to repair and/or improve their place and they spent over 50% of the market value of the property over the course of 10 years, that triggers the whole building to be put into current codes. Mr. Peck questioned this 10 year period at the previous zoning meeting, and proposes it be reduced to a 2 or 3 year period.

Mr. Peck has requested that this item be brought to public hearing on March 4th, 2021.

The Commission discussed the unfortunate passing of Mr. Peck's mother, and noted that he and his family are in their thoughts and prayers.

### **3. Zoning Official**

Mr. Mulholland said they continue to be busy and more projects are coming.

### **4. Ex-Officio**

Ms. Hardy was not in attendance.

### **5. Comments from Zoning board liaison to Planning Commission**

#### **a. Dwyer – January 12, 2021**

Mr. Dwyer reported that Ledge Light Health District has been backed up and will be for months, which is adversely affecting the Planning Commission's schedule of meeting items. He added that they found the Landmark Text Amendment inconsistent with the East Lyme Plan of Conservation and Development.

#### **b. Donovan**

Mr. Donovan is scheduled to attend the February 9th, 2021 Planning Commission meeting.

### **6. Comments from Chairman**

Mr. Walker thanked Mr. Donovan for filling in as Chair. He had nothing else to report.

## **Adjournment**

### **MOTION (3)**

**Mr. Donovan moved to adjourn the January 21st, 2021 Zoning Commission meeting at 8:20 p.m.**

**Mr. Dwyer seconded the motion.**

**Motion carried, 6-0-0.**

Respectfully Submitted,

Brooke Stevens, Recording Secretary