

**East Lyme Zoning Commission  
January 7th, 2021  
Regular Meeting Minutes**

**Members Present:**

**Norm Peck  
Terence Donovan, Secretary  
Bill Dwyer  
Kimberly Kalajainen  
Anne Thurlow  
George McPherson, Alternate  
Denise Markovitz**

**Also Present:**

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

FILED

Jan 11, 20 21 AT 8:20 AM/PM  
Brenda Stewart ATC  
EAST LYME TOWN CLERK

**Absent:**

**Matthew Walker, Chairman  
James Liska, Alternate**

**The Regular Meeting of the East Lyme Zoning Commission was held on Thursday, January 7th, 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**

Mr. Donovan, acting Chair, called the Regular Meeting of the Zoning Commission to order at 7:30 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.

No members of the public were in attendance.

**III. Public Hearings**

There were none.

**IV. Regular Meeting**

1. FY 2021/2022 Budget

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. Approval of Minutes
  - a. December 3rd, 2020

**MOTION (1)**

**Ms. Kalajainen moved to approve the meeting minutes of December 3rd, 2020 as presented.**

**Mr. Dwyer seconded the motion.**

**Mr. Donovan asked if the minutes should read that Mr. Walker abstained from the vote as Chair and Ms. Stevens responded that Mr. Walker voted for himself as Chair.**

**V. Old Business**

There was none.

**VI. New Business**

1. **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 171 Boston Post Road, subject to Section 5, 8, 24 and 25 of the East Lyme Zoning Regulations.**

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

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

Mr. Peck detailed his suggestion for a possible text amendment and noted some of the following:

- It pertains to the Section on floods, 15.1 of our current regulations regarding substantial damage/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.
- This 10 year period is in question and his proposal is to reduce this to a 2 or 3 year period.
- The 10 year period discourages property owners from repairing and improving their property.
- There have been several requests from property owners in East Lyme to reduce this.
- Old Lyme has decreased their regulation to 5 years.
- Waterford has decreased their regulation to 2 years.
- Stonington has decreased their regulation to 1 year.

- It's a simple change which will allow people to save, preserve their older dwellings/buildings while encouraging rehabilitation and improvement.
- He suggests forming a small subcommittee to address this item and would be happy to serve on it.
- He would like the Commission's permission to pursue this.

Ms. Thurlow said she thinks it's a good idea and asked if FEMA has rules about this and Mr. Peck replied that both FEMA and DEEP support what he's saying and that FEMA allows each Town to determine their own rules.

Mr. Mulholland said that Mr. Peck is correct and that Noank is also exploring a 2-3 year time period as well. He said the rule encourages people to tear down their homes and put them up on piers and if you have waterfront homes of character, you lose that character in order to meet the regulations.

Mr. Mulholland said FEMA gave us the option for 1 to 10 years and that the Commission decided to be conservative when this was first introduced and now that we're more experienced it might be more appropriate to reduce it if that's what the community desires.

Ms. Kalajainen asked about the 50% coverage and if that was determined by FEMA. Mr. Mulholland said our regulations are pretty standard and that what is changing is the time period.

Mr. Donovan asked what Mr. Peck thinks would be good for us and Mr. Peck said he'd like to see 2 years.

Mr. Mulholland said he can get together with Mr. Peck and they can look at this issue more closely.

Mr. McPherson said he backs up what Mr. Peck is saying and would also like to see this revised.

Mr. McPherson said he would like to serve on the subcommittee.

Mr. Mulholland said he will meet with Mr. Peck and Mr. McPherson and come back to the Commission with their determinations.

### **3. Zoning Official**

Mr. Mulholland said they're still busy and noted the new Mexican restaurant will be opening in March. He said Rocky Neck Village is under construction and he's meeting with their Head Engineer on Monday to address several issues.

Mr. McPherson asked about the highway construction and Mr. Mulholland said the DOT sent tree cutters down to cut trees by the Mobil gas station which they're taking sooner

rather than later; according to Gateway representatives the bridge project is the highest priority on the Governor's list and will be going forward. He said he also emailed the DOT for an update.

Mr. Peck asked about the status of the Stop & Shop trees and Mr. Mulholland said the Town Attorney is reviewing the cease and desist order he prepared as we speak.

**Adjournment**

**MOTION (2)**

**Ms. Kalajainen moved to adjourn the January 7th, 2021 Zoning Commission meeting at 7:54 p.m.**

**Ms. Thurlow seconded the motion.**

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

Respectfully Submitted,

Brooke Stevens, Recording Secretary