

Town of East Lyme

Zone TA Permit # _____

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Date Entered into ZTA Log _____

APPLICATION FOR ZONING REGULATION TEXT AMENDMENT

Date of Application: January 14, 2022

Applicant's Name: AMG, PUB II LLC.

Applicant's Address: 555 So Columbus Ave Suite 201 Mt Vernon, NY 10550 Telephone: 917-209-5720

Text Amendment of Section #: 20.26

DESCRIPTION OF TEXT AMENDMENT OF ZONING REGULATIONS REQUESTED {*must comply all other applicable Zoning Regulations of the Town of East Lyme*}:

Summary: To amend the distance between drive-thru facilities within the CA District. This includes no drive thru within 1000' of Interstate 95's non-access line. In other areas of the CA District no drive thru shall be within 250' between centerline of nearest drives serving each separate parcel.

See attached proposed language which formulates the basis of this application.

Signature of Applicant: *Jack Belowich*

Below this line for Office Use Only:

Attach a copy of what is being changed, omitted or added to the Zoning Regulations.

AMENDMENT PROPOSAL ATTACHED YES NO

PERMIT FEE: TEXT AMENDMENT \$300.00

STATE FEE: \$60.00

CHECK #: _____

TOTAL DUE: \$ _____

At its meeting on the _____ day of _____, _____, the East Lyme Zoning Commission voted and accepted the above referenced Text Amendment to the Town of East Lyme Zoning Regulations.
Dated: _____
Matthew Walker, Chairman
East Lyme Zoning Commission

20.26 DRIVE THRU FACILITIES: Drive-thru Facilities are permitted for Banks, Financial Institutions, Pharmacies, Bakeries and Fast Food Restaurants only in CA Zones and are subject to the following requirements:

- A. The drive-thru facilities shall clearly be accessory and subordinate to the primary use;
- B. Drive-thru facilities, including required stacking lanes, shall be located in the rear or side yards only;
- C. Drive-thru facilities shall not generate the need for additional driveway curb cuts;
- D. A minimum of five vehicle-stacking spaces shall be provided on site for each drive-thru station, including the vehicle being serviced. Where a restaurant order board and service window are proposed each service aisle shall provide a minimum of ten (10) stacking spaces with a minimum of five (5) stacking spaces before the order board. Each service aisle shall not have more than two service windows;
- E. Stacking lanes shall be separate from internal traffic aisles to allow traffic to circulate through the site without entering the drive-thru facilities;
- F. Stacking lanes shall be a minimum of ten feet (10') wide and each vehicle stacking space shall be twenty feet (20') in length;
- G. Stacking lanes shall be designed to minimize traffic congestion and to promote pedestrian safety;
- H. Drive-thru facilities shall be screened from view from public streets with substantial landscaping using a variety of evergreen and deciduous species;
- I. Outdoor speakers shall be located a minimum of one hundred (100) feet from the boundary of any residentially zoned property and shall not be audible from other property;
- J. Drive-thru facilities should be designed as a compatible architectural element of the primary building;
- K. No Restaurant or food service establishment with a drive through facility shall be built or established upon a lot or premises within a radius as follows:
 - i. Within a radius of 1000 feet of any part of any other building, lot or premises, when the proposed location is within 1000 feet of the Interstate 95 Non-access line; and
 - ii. No driveway serving a Drive Thru Facility shall be closer than 250' from another Drive Thru Facility as measured between centerline of the nearest driveways serving the Drive Thru Facilities when outside of the 1000 foot radius of the I-95 Non-access line.
- L. ~~No restaurant or food service establishment with a drive through facility shall be built or established upon a lot or premises within a radius of 1000 feet of any part of any other building, lot or premises used for such purpose.~~ Existing premises used for such a purpose prior to this regulation shall not be deemed non-conforming when located within 1000 feet of the Interstate 95 non-access line or within 250' of another existing Drive Thru Facility.
- M. Notwithstanding the foregoing provisions it is hereby expressly provided that a retail bakery as that term is defined in Section 1.6 of these regulations may be permitted a drive-thru facility subject to Section 8.2.12 Drive-thru facilities. NOTE: All Fast Food Restaurants are by Special Permit. See Section 8.2.7.