

East Lyme Zoning Commission FILED IN EAST LYME TOWN
CLERK'S OFFICE

August 4, 2005

Public Hearing 1

Aug 12 20 05 at 11:30 AM PM

Esther B. Williams

EAST LYME TOWN CLERK

Present: Mark Nickerson, Chairman, Shawn McLaughlin, Pamela Byrnes, Norman Peck, Ed Gada, and William Henderson, Alternate.

Also Present: William Mulholland, Zoning Official
William Dwyer, Alternate
Marc Salerno, Alternate
Rosanne Hardy, Ex-Officio

Absent: Rosanna Carabelas

Panel: Mark Nickerson, Chairman, Shawn McLaughlin, Pamela Byrnes, Norman Peck, Ed Gada, and William Henderson, Alternate.

Pledge of Allegiance

Public Delegations

None

Mark Nickerson called the public hearing to order at 7:30 p.m.

Mr. Nickerson stated for the record that Mr. Henderson was seated at the table.

Application of Attorney Theodore A. Harris to amend Section 12A.5.1 of the East Lyme Zoning Regulations to modify the setback and separation requirements as they apply to single family dwelling units. With respect to all other structures, a minimum setback of six feet from internal roadways shall apply.

Mr. Nickerson asked Mr. Henderson to read the following correspondence into the record:

- A letter from Theodore A. Harris to William Mulholland, Zoning Enforcement Officer dated June 15, 2005. The letter included a proposed change to the East Lyme Zoning Regulations and asked that it be placed on the Commission's agenda.
- A letter from William Mulholland, Zoning Official to East Lyme Zoning Commission dated August 4, 2005 regarding the Proposed Zoning Regulation Text Amendment - Section 12A.5.1. He noted that Attorney Harris' proposes to add a provision to the Special Permit requirements by adding an item #6 to Section 12A.5 regarding setback and separation requirements.
- A letter from Greg Ellis, Secretary, Town of East Lyme Planning Commission dated July 26, 2005 to East Lyme Zoning Commission regarding Section 12A.5.1 Referral. The letter stated that the Planning Commission found the Application consistent with the Plan of Conservation and Development goal through a vote of 4-1-0.
- A letter from Gene Lohrs, Chairman of the Reference Committee of the Southeastern Connecticut Council of Governments Regional Planning Commission to East Lyme Zoning Commission dated July 22, 2005. Based on their review of the information submitted, it was determined that the proposed text amendments would not have any adverse inter-municipal impact but they recommend that the Commission limit the setback reduction to private streets only.

- A email correspondence from Marcy Balint, Senior Coastal Planner, CT DEP, Office of Long Island Sound Programs to Rosanna Carabelas, Secretary, East Lyme Zoning Commission dated July 18, 2005 regarding the amendment to Section 12 A.5.1 of the East Lyme Zoning Regulations. The OLISP reviewed the proposed amendments from a coastal management perspective and found them consistent with the goals and policies of the CCMA.

Mr. Nickerson noted that a legal ad was published correctly in The Day on July 22, 2005 and again on August 1, 2005.

Mr. Nickerson asked for a presentation from the applicant.

Attorney Theodore A. Harris, 351 Main Street, Niantic handed out a copy of the proposed addendum and relevant section of the regulations to the panel members. Mr. Nickerson noted this was already included in the record with the application.

Attorney Harris stated that his application requests to add a number 6 to section 12.A.5.1 which reads "The setback and separation requirements of § 2 shall apply to single family dwelling units only. With respect to all other structures, a minimum set back of six feet from internal roadways shall apply." Attorney Harris stated that the application is a technical correction to a regulation adopted a year ago and only refers to 300 acre or larger parcels. This proposal maintains the separation and setback requirements of the those single family residents that are part of 300 acre or larger parcels but establishes a reduced setback of multi-unit, multi-family and multi-purpose buildings composed in the central village area enabling them to reach the intended goal.

After Mr. Peck questioned future developments, Mr. Mulholland reminded the Commission that the requirement of a special permit allows the Commission to approve or deny future developments.

Attorney Harris reminded the panel that this addendum will only apply to 300 acre or larger parcels because it only falls under that particular section of the regulations. After questioned by Ms. Byrnes, Attorney Harris noted that the setback reduction is only for private streets as recommended in the SECT Council of Governments Regional Planning Commission letter.

Mr. Nickerson called for anyone from the public to speak for the application—
Hearing no one—

Mr. Nickerson called for anyone from the public to speak against the application—
Hearing no one—

Mr. Nickerson called for anyone from the public to speak neutral to the application—
Hearing no one—

Mr. Nickerson called for a motion to close the public hearing.

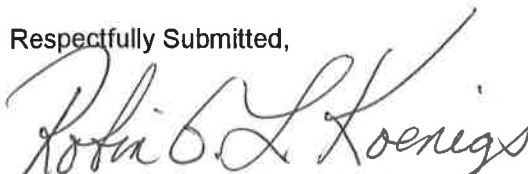
******MOTION (1)**

Pamela Byrnes moved to close Public Hearing I at 7:50 p.m.

William Henderson seconded the motion.

Vote: 6-0-0. Motion passed.

Respectfully Submitted,



Robin G.L. Koenigs, Recording Secretary