

**EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, MARCH 15th, 2007
MINUTES**

The East Lyme Zoning Commission held a Regular Meeting on March 15th, 2007 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT.

PRESENT: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary,
Ed Gada, Marc Salerno, Norm Peck, William Dwyer, Alternate

ALSO PRESENT: William Mulholland, Zoning Official
Joe Barry, Alternate

Rose Ann Hardy, Ex-Officio, Board of Selectmen (arrived
around 7:50 PM and left early)

FILED IN EAST LYME TOWN
CLERK'S OFFICE

MAR 23 20 07 at 12:30 AM
PM

ABSENT: Pamela Byrnes, Bob Bulmer, Alternate

Ethel B. Williams

PANEL: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary, EAST LYME TOWN CLERK
Ed Gada, Marc Salerno, Norm Peck, William Dwyer, Alternate

1. Call to Order

Chairman Nickerson called this Regular Meeting of the Zoning Commission to order at 8:30 PM after the two previously scheduled Public Hearings. Mr. Nickerson noted that Mr. Dwyer, Alternate was seated at the table.

Public Delegations

Mr. Nickerson called for anyone from the public who wished to address the Commission on subject matters not on the Agenda.

There were none.

Regular Meeting

- 1. Application of Mr. Greg Terracciano: Owner of Flanders Donut & Bake Shop Inc. to amend the East Lyme Zoning Regulations by adding a definition of a "Bakery"; amend Section 8 to allow a bakery as an outright permitted use and to amend Section 20 to allow a bakery with a drive-thru facility within One Thousand Feet (1000') of a business having a drive-thru that sells similar bakery products.**

Mr. Nickerson opened the discussion on this application as they had just closed the Public Hearing earlier this evening.

Ms. Carabelas said that she personally has no problem with this, she just wants them to get the language right as it is not site specific.

Mr. Nickerson agreed.

Mr. Salerno also agreed and said that he thinks that he would like a bit more time to do a 'worst-case scenario' analysis.

Mr. Dwyer also agreed and said that he thought that it might be able to be applied to Krispy Kremes, Dunkins or other of those types of donut shops that ship in donuts, etc.

Mr. Salemo said that he did not see that as an issue as they have seating and they bake off premises.

Mr. Nickerson said that it is very rare today to have Dunkin Donuts without seating.

Mr. Salerno asked about the gas stations with the donut and subway shops inside of them.

Ms. Carabelas said that she would be hard pressed to see a Subway shop as a bakery as the definition here states that everything is baked on the premises with their own recipes.

Mr. Nickerson suggested that they take this up at their next meeting and think about it carefully in the meantime as they received new information this evening.

Ms. Carabelas suggested that they also think about if they want a percentage and said that she would like some professional input from Mr. Mulholland on this.

2. Application of GPF Flanders Plaza LLC for a special permit for a fast food restaurant at property identified in the Application as 15 and 19 Chesterfield Road, Niantic, CT. Property is further identified as Lots 55 and 54 on the East Lyme Assessor's Map 31.1.

Mr. Nickerson said that they had just continued this at the request of the applicant.

3. Approval of Minutes – Special Meeting, Public Hearings I and II and, Regular Meeting of February 1, 2007 and Public Hearing I and Regular Meeting of February 15, 2007

Mr. Nickerson said that he had not had a chance to read these and asked that they table them until the next meeting.

Old Business

1. Stormwater

There was nothing new to report.

2. Subcommittee – Niantic Village – CB Zones (Mark Nickerson, Marc Salerno & Norm Peck)

Mr. Nickerson said that they are still working on this and that it is moving along.

3. By-Laws Subcommittee (Mark Nickerson & Pamela Byrnes)

Mr. Nickerson said that the draft of these changes is with the Town Attorney for his review. He said that he still has not heard anything on this and that he would check with the Attorney to see if they would be ready for a future meeting.

4. Subcommittee – Adult Uses (Rosanna Carabelas)

Ms. Carabelas reported that Mr. Mulholland sent her some information that he had found on regulations already in existence. She said that she thought that she might also want to wrap it up on the ordinance end also. She said that she is reviewing the information.

New Business

1. Any other business on the floor, if any, by the majority vote of the Commission.

Mr. Nickerson said that he would take from the floor, the request from Mr. Salemo regarding a subcommittee.

Mr. Salemo said that he has asked to form a subcommittee on public buildings and how they appear to not have to necessarily follow/suit the zoning regulations.

Mr. Nickerson asked if anyone was interested in serving on this subcommittee with Mr. Salerno.

Ms. Carabelas said that she would be interested in it.

Mr. Nickerson said that Mr. Salerno and Ms. Carabelas would be the subcommittee on public buildings.

2. Zoning Official

Mr. Mulholland asked that they schedule a special meeting of the Commission for April 26, 2007 as they are very busy and will need this meeting. He also said that he would be speaking with John Rozum regarding the NEMO presentation and that he hoped that they might be able to do this sometime in April.

3. Comments from Ex-Officio

Ms. Hardy had left early.

4. Comments from Zoning Commission liaison to Planning Commission

No one was present to comment.

5. Comments from Chairman

Mr. Nickerson said that he had attended the last Planning commission meeting and that they were very confused on the bakery and how it was regarded and what the application meant. He said that he also went to the EDC Meeting and that they are in the process of doing a study of the last 24 months of new businesses and will come back with that information.

6. Adjournment

****MOTION (1)**

Mr. Peck moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 8:57 PM.

Mr. Salerno seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary