

**EAST LYME ZONING COMMISSION
PUBLIC HEARING IV
Thursday, MAY 17th, 2007
MINUTES**

May 21 20 07 at 3:40 AM
PM

Esther B. Wilshaw

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on the Application of Theodore Harris for a change of zone from an Affordable Housing District to Light Industrial for property identified in the application as 22 Liberty Way, East Lyme Assessor's Map 9.0, Lot 28-1, on May 17, 2007 at the Community Center meal site, 37 Society Road, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 11:10 PM after the previously scheduled public hearings.

PRESENT: Mark Nickerson, Chairman, Pamela Byrnes, Ed Gada, Marc Salerno, Norm Peck, Bob Bulmer, Alternate

ALSO PRESENT: William Mulholland, Zoning Official
Attorney Theodore Harris, Representing the Applicant
Rose Ann Hardy, Ex-Officio, Board of Selectmen

ABSENT: Rosanna Carabelas, Secretary, William Dwyer, Alternate,
Joe Barry, Alternate

PANEL: Mark Nickerson, Chairman, Pamela Byrnes, Ed Gada, Marc Salerno, Norm Peck, Bob Bulmer, Alternate

Public Hearing IV

- 1. Application of Theodore Harris for a change of zone from an Affordable Housing District to Light Industrial for property identified in the application as 22 Liberty Way, East Lyme Assessor's Map 9.0, Lot 28-1.**

Chairman Nickerson recalled that they had received a letter from the Planning Commission finding this to be consistent with the POCD and that the legal ads had been run. He called upon Attorney Harris to present this.

Attorney Theodore Harris, place of business, 351 Main Street said that he represents the applicant and presented **Exhibit 1** – a plan board showing the perimeter survey dated 1/9/07, **Exhibit 2** – a plan board of the presentation plan dated 5/6/07 and **Exhibit 3** – the certificates of mailing. He said that this is a request for a change of zone for a portion of the AH area (1.13 acres) to LI. He said that there were a significant number of trees that had to come down in that area and once down, it left these units divorced from the rest of the project and it just did not work. Of the eight (8) units there, they would replace six (6) of them in the original development and they will have the same ratio of AH units – just two (2) less market rate units. They are proposing to make a small office building in the LI area which is a better use of that area.

Mr. Nickerson called for anyone from the public who wished to comment on this application.

Tom Southworth, 15 Freedom Way, Building K said that he resides in a market rate unit now and that he is present so support moving those units away and changing the zone as he would have been able to reach out and touch them had they been put near him. They would have been much too close.

Mr. Nickerson noted that they had advised this initially when the project came forth and asked if the Commission had any questions –

Hearing none –

He called for a motion to close this Public Hearing.

***MOTION (1)**

Mr. Salerno moved that this Public Hearing be closed.

Ms. Byrnes seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 11:18 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary