

East Lyme Zoning Commission  
**REGULAR MEETING**

May 5<sup>th</sup>, 2005

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

**Also Present:** William Mulholland, Zoning Official  
Attorney Jeff McNamara, 94 Pennsylvania Avenue  
Donald Bergeron, 9 Methodist Street

**Absent:** Rosanna Carabelas, Marc Salerno, Alternate, William Henderson, Alternate

**1. Call to Order**

Chairman Nickerson called the meeting to order.

Chairman Nickerson seated Mr. Dwyer in replacement of Ms. Carabelas

FILED IN EAST LYME TOWN  
CLERK'S OFFICE

May 13 20 05 at 3:00 AM  
PM

*Esther B. Williams*

EAST LYME TOWN CLERK

**Pledge of Allegiance**

**Public Delegations**

Bob Gadbois, 358 Boston Post Road, would like to see grass instead of stones across from Stop and Shop on Route 161. He was previously told the rocks were put there because grass could not be grown but on the slopes in Waterford by the bridge grass is being grown.

Mr. Mulholland agrees but the State of Connecticut authorized this. Mr. Mulholland has asked several times to change this and Stop and Shop's developer has said they plan to change it.

Colleen Gresh, 47 Gross Circle, Executive Director of Niantic Main Street and resident has been working with Mr. Mulholland regarding design guidelines and design regulations to recapture the historic past of downtown. Ms. Gresh read a letter dated May 5, 2005 from Candice Shapiro, President of Niantic Main Street which was addressed to Mark Nickerson, Chairman, East Lyme Zoning Commission. The letter recommends that the East Lyme Zoning Commission consider amending the CB Commercial District to decrease setback allowances. Ms. Gresh asked if this could be added to agenda this evening.

Mr. Nickerson informed Ms. Gresh that her request will be discussed under New Business.

Mr. Nickerson called the Public Hearings to Order.

Mr. Nickerson called the Regular Meeting back to order immediately after the Public hearings.

Mr. Nickerson asked to forward the agenda.

**New Business**

**1. Any business on the floor**

Mr. Nickerson called for a motion to place the zoning amendment proposal from Niantic Main Street on the agenda.

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

**Pamela Byrnes moved to add the Niantic Main Street proposed zoning amendment to the agenda.**

**Norman Peck seconded the motion**

**Vote: 6-0-0. Motion passed.**

Mr. Nickerson is in favor to bring their proposal to public hearing. The Commission approved to schedule a public hearing for the Niantic Main Street proposal.

Mr. Nickerson forwarded the agenda to Donald Bergeron's application.

5. Application of Donald Bergeron for a Special Permit to construct a mixed use building and a Coastal Site Plan Review at property known as 9 Methodist Street, East Lyme Assessor's Map 12.1, Lot 100.

**\*\*\*\*MOTION (2)**

Pamela Byrnes moved to approve the Coastal Site Plan Review submitted by Donald Bergeron for a Special Permit to construct a mixed use building at property known as 9 Methodist Street, East Lyme Assessor's Map 12.1, Lot 100.

Norman Peck seconded the motion.

Vote: 6-0-0. Motion passed.

Reason: CAM application is consistent with all applicable policies and goals of the CAM Act and all reasonable measures have been taken to prevent any adverse impacts to coastal resources.

**\*\*\*MOTION (3)**

Norman Peck moved to approve the Application of Donald Bergeron for a Special Permit to construct a mixed-use building at property known as 9 Methodist Street, East Lyme Assessor's Map 12.1, Lot 100, with the waiver of sidewalk requirements.

Pamela Byrnes seconded.

Vote 6-0-0. Motion passed.

Reason: Applicant conformed to all applicable Zoning Regulations.

Mr. Nickerson asked to forward the agenda to the Zoning Commission to increase open space.

4. The East Lyme Zoning Commission proposes to amend the Zoning Regulations to increase open space in the Special Use (SU) and Special Use Elderly (SU-E) Districts to thirty percent (30%) and to reduce the density in the Special Use Elderly (SU-E) district from five (5) per acre to four (4) per acre.

There was a discussion on the percentage. Mr. Mullholland said the wording can be fine-tuned and moved to the next meeting.

Mr. Peck said a change cannot be done without re-advertising it.

Mr. Mullholland said it will be 40 days if it goes back to public hearing.

Mr. Mulholland quoted the definition of open space as unoccupied by accessory building, service drives, and it is dedicated to natural or passive recreational space. The way it is written now it cannot include any wetlands.

Mr. Dwyer recommends 25%. Mr. Nickerson agreed.

Mr. Peck asked what is required in other areas of the town. Mr. Mullholland said other areas is 50%.

Mrs. Byrnes suggested incorporating the conservation easement recommendation by the Planning Commission.

Mr. Nickerson suggested putting 75% of open space be contiguous. Mr. Peck liked the idea of suggesting open space on both sides.

Mr. Peck suggested rewording open space to be contiguous.

3. Neighborhood Business Zone Sub-Committee (Members: Mr. Peck & Mrs. Byrnes)

No discussion.

New Business

2. Zoning Official

Mr. Mullholland updated the Commission on the ZBA appeal of his comments by Attorney Londregan. He also reported that he has received correspondence that Landmark is reapplying and staff meetings have been requested.

3. Comments from Ex-Officio

None given

4. Comments from zoning board liaison to Planning Commission

None given

5. Comments from Chairman

Mr. Nickerson heard the Walnut Hill golf course is going to be built even with the reduction. Mr. McLaughlin heard it takes three years to build a golf course.

6. Adjournment

\*\*\*\*MOTION (6)

Pamela Byrnes made a motion to adjourn the Regular Meeting at 10:38 p.m.

Ed Gada seconded.

Vote: 6-0-0. Motion passed.

Respectfully Submitted,



Robin G.L. Koenigs, Recording Secretary