

FILED IN EAST LYME
Nov 14, 2005 AT 8:00 M

**EAST LYME ZONING COMMISSION
PUBLIC HEARING I
Thursday, NOVEMBER 3RD, 2005
MINUTES**

L. A. Blais
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held the Application of George P. Mitchell for a Special Permit to construct a multi-family/multi-story dwelling and Coastal Area Management Site Plan Review at property identified in the application as 308 Main St, Niantic, CT. The property is further identified in the application as East Lyme Assessor's Map 12.1, Lot 120 for public hearing on November 3, 2005 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson opened the continued Public Hearing and called it to order at 7:30 PM. (*Continuation*)

PRESENT: Mark Nickerson, Chairman, Pamela Byrnes, Secretary,
Norm Peck, Ed Gada, Shawn McLaughlin, Norman Peck
Rosanna Carabelas, William Dwyer, Alternate

ALSO PRESENT: William Mulholland, Zoning Official
Rose Ann Hardy, Ex-Officio - Board of Selectmen
(Arrived at 8:35 PM)
William Henderson, Alternate
William Dwyer, Alternate

ABSENT: Marc Sallerno

PANEL: Mark Nickerson, Chairman, Pamela Byrnes, Secretary,
Ed Gada, Shawn McLaughlin, Rosana Carabelas, Norman
Peck

Call to Order

Mr., Nickerson, Chairman, called the November 3, 2005 meeting of the East Lyme Zoning Commission to order at 7:30 PM.

Pledge of Allegiance

The Pledge was observed.

Public Delegations

Mr. Nickerson advised the public that they set aside time in the beginning of each meeting to discuss any issues of public concern that might not be listed on the Agenda for this meeting.

Hearing none, he moved to the Public Hearing.

Public Hearing I

- 1. Application of George P. Mitchell for a Special Permit to construct a multi-family/multi-story dwelling and Coastal Area Management Site Plan Review at property identified in the application as 308 Main St, Niantic, CT. The property is further identified in the application as East Lyme Assessor's Map 12.1, Lot 120. (*Continuation*)**

Mr. Nickerson asked for more presentation from the applicant.

George Mitchell, 48 Attawan Rd, Niantic, CT said that at the last meeting he was asked to re-think the design of the building he is asking to construct. Since then, he has worked with Mr. Mulholland and staff on a new design theme. Mr. Upjon, the project Architect, has worked a new plan and made a model to best show the design to the commission.

Mr. Mitchell turned the floor over to Mr. Upjon, project Architect for details of the new design.

Mr. Upjon explained that he took suggestions from Mr. Mulholland in coming up with the new design of the building. He showed the Commission the model of the building and also referenced some pictures that were done of the new design. Per suggestions from Mr. Mulholland they have added porches to the building and a mansard roof. They were not able to do anything with the stair towers and elevator shaft as those are aspects of the building that needed to be outside of the main building in order to get the 12 units in the building.

Mr. Nickerson entered the following exhibits into record.

Exhibit 1 - 308 Main Street Extension

Exhibit 2 – Site plan dated 7/27/2005

Exhibit 3 – Engineering Site Plan

Exhibit 4 – Various pictures of Niantic

Exhibit 5 – Three dimensional Model of proposed building

Mr. Mulholland asked where the Air Conditioning units will be on the building and reminded Mr. Upjon that the architectural regulations require that they be hidden from view on the building.

Mr. Upjon said that they will be on the roof and hidden from view.

Mr. Mulholland advised him that they will need to see the design detail in order to ensure that they are hidden should the commission endorse this design. In special permit section 25.4.1 it is required that AC units shall be fully screened.

Mr. Mulholland asked what materials will be used on the façade of the building.

Mr. Upjon said that the area on the model that shows red will be brick, the covering of the stair towers will be 1x6 vertical cedar siding, a stone base to building, and a architectural shingle on the mansard roof.

Ms. Carabelas asked if there's any way to move them back further against the wall.

Mr. Upjon said that their intention was to have the stairwells look like silos, but there isn't any way to push them further back into the building.

Mr. Mulholland explained that they had discussed bringing the front of the building out further to enclose the stairs and elevator shafts, but that it was expressed to him that it would not be possible.

Mr. Upjon said that it is not economically or functionally feasible to do that because there would be a lot of wasted space inside the building.

Mr. Peck asked if those are divided light windows in the back of the building.

Mr. Upjon said that yes, they are showing divided lights, double hung except for the porch.

Mr. Mulholland explained that those are inserts that fit into the window to make them look like smaller panes.

Mr. Upjon said that they are showing swing doors on the porch, like French doors that do not have the divided lights in them, but that is something they are capable of doing.

Mr. Mulholland said that one of the commissions concerns from the last meeting was that this sits on the boardwalk and that it is viewable from the water if that becomes a harbor.

Mr. Nickerson said that the building is virtually the same as the rendering that were originally presented and that the applicant has made it clear that the back of the building is going to be almost all windows in order to take advantage of the water views.

Ms. Byrnes asked if the siding on the back of the building will be the same cedar siding as the stair silos.

Mr. Upjon said that it will be the same vertical siding and that it will have a brown/gray tone to it at this point.

Mr. Peck asked what his opinion of a mansard roof is with dormers going across the top floor of a building.

Mr. Upjon said that he has never seen a look like that that "works". In addition, that top floor is the best view and that want to use it as a selling point to get people into the building.

Mr. Nickerson asked Mr. Mitchell to go over the waivers that are being requested.

Mr. Mitchell explained that there are two buffers that are required by regulations, but the Zoning Commission can waive these buffers. In both cases, the adjoining property owners have requested that they not put in the required buffers in order to promote the free flow of traffic between properties for the Auto Part store and Bakery in front of the building. In the other case, Rings End Lumber has requested that they not put a fence up because the workers on the train get out of the train to stop traffic and allow the train to cross. If a fence were there, it would stop that because the workers wouldn't be able to get off the train. They have a buffer on the East side of the property between the site and the Police Station as well as a buffer to the South side of the property between the site and the ocean. They are asking that the North and West side buffers be waived.

Mr. Mulholland explained that the options for buffers according to Section 24.6E3 are either a 6 foot landscaped divide, or a fence between adjoining properties. He also said that he feels that Mr. Mitchell has a good point about the buffer along the side where the railroad tracks are. He feels that is a unique situation.

Mr. Mitchell explained that they also own the property on the other side of the railroad tracks.

Mr. Mulholland explained that one of the things they are also looking to do in the long term, is to build a sidewalk to connect the beach area with the village and that the parking area there would then also be able to be used as an accessory municipal parking lot when not in use for the beach.

Mr. Mitchell said that the plan that they show in the lobby shows that walkway that crosses this property and that it will be a shortcut from Hole in the Wall to Main St.

Mr. Nickerson asked if there are any other questions from the commission. Hearing none, he moved to public comment.

Mr. Nickerson asked if anyone would like to speak in favor of the application.
Hearing none-

Mr. Nickerson asked if anyone would like to speak in opposition of the application.
Hearing none-

Mr. Nickerson asked if anyone had any neutral comments in regard to the application.
Hearing none-

Ms Byrnes noted for the record that even though she was not here for the previous meeting on this application, she has read thoroughly over the meeting minutes and feels confident to sit on the panel for this topic.

Mr. Nickerson called for a motion to close the public hearing if there are no other questions.

Mr. Nickerson asked if the footprint of the building is the same.

Mr. Mulholland asked Mr. Upjon to go over the dimensions of the building.

Mr. Upjon said that the length of the building is 32'5" x 79.5' plus the mansard plus the towers; equaling approximately 43.5' x 88'.

Mr. Nickerson noted that they were right at the height limit for the building last time, and now they've added a mansard roof and screening for an Air Conditioning unit. He asked id they are still within the 40' limit.

Mr. Upjon said that they are still within that limit because they were able to shrink another part of the building to accommodate the added height. He said that they also haven't started their structural's yet so they will be able to move things around a little bit to gain some inches where needed.

Mr. Nickerson called for a motion to close the Public Hearing.

**** Motion (1)**

Mrs. Byrnes motioned to close the Public Hearing for the Application of George P. Mitchell for a Special Permit to construct a multi-family/multi-story dwelling and Coastal Area Management Site Plan Review at property identified in the application as 308 Main Street, Niantic, CT. The property is further identified in the application as East Lyme Assessor's Map 12.1, Lot 120.

The Motion was seconded by Mr. Peck.

Motion Passed. 6-0-0

Mr. Nickerson closed this Public Hearing at 8:57 PM.

Respectfully submitted,

Beth Williams,
Recording Secretary (Pro-Tem)