

**EAST LYME ZONING COMMISSION
PUBLIC HEARING I
Thursday, September 15th, 2005
MINUTES**

The East Lyme Zoning Commission held the Application of Gersham, Brown, & Associates for a Coastal Area Site Plan Review to construct a free standing retail building at property located at 55-58 Pennsylvania Avenue, Niantic, Connecticut. The property is further identified as East Lyme Assessor's Map 12.1, Lot 13 for Public Hearing on September 15, 2005 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 7:35 PM.

PRESENT: Mark Nickerson, Chairman; Rosana Carabella, Secretary; Marc Salerno, Edward Gada, William Dwyer, Shawn McLaughlin

ALSO PRESENT: William Mulholland, Zoning Official

ABSENT: Rose Ann Hardy, Ex-Officio – Board of Selectmen, Pamela Byrnes, Norm Peck

PANEL: Mark Nickerson, Chairman; Rosana Carabellas, Secretary; Marc Salerno, Edward Gada, William Dwyer, Shawn McLaughlin

Public Hearing I

- 1. Application of Gersham, Brown, & Associates for a Coastal Area Site Plan Review to construct a free standing retail building at property located at 55-58 Pennsylvania Avenue, Niantic, Connecticut. The property is further identified as East Lyme Assessor's Map 12.1, Lot 13.**

Mr. Nickerson, Chairman asked that Ms. Carabellas, Secretety read the following into record.

Ms. Carabellas, Secretary read the following into record:

- Memo to the East Lyme Zoning Commission dated September 15, 2005 from Mr. Mulholland, Zoning Official, RE: Coastal Area Site Plan Review. Proposed CVS, 55-58 Pennsylvania Avenue, Niantic, Connecticut. The memo detailed that the Commission must consider whether or not the potential adverse impacts of the proposed activity on coastal resources and water dependant activities are acceptable. The review of the project reveals that no coastal resources are located on the site or adjacent properties.

Mr. Nickerson, Chairman stated that the legal add for this application has already been run on September 5, 2005.

**FILED IN EAST LYME TOWN
CLERK'S OFFICE**

Sept 26 2005 at 8:20 AM

Esther B. Williams

EAST LYME TOWN CLERK

Robert Ranage, 135 South Rd, Farmington CT, representative of Gersham, Brown, & Associates explained that CVS is looking to demolish part of the strip shopping mall they are currently a tenant in and build a free standing building that they will then relocate into. He explained that they are not looking for any zone changes, just a site plan review of the project. He introduced Pat Dougherty, Project Engineer.

Mr. Dougherty, Project Manager from the firm of Berm, Bernasim & Brusman. He outlined the following details of the site: it sites on 3.3 acres, is bordered on all sites by commercial property, there are currently two building on site. The Coastal Property in question is already 90% paved in it's existing condition. The Coastal line is about 68 feet to the North of the property line. There are no other resources on the site. The current building that CVS is now located in formerly contained an Adams Market, Post Office, and CVS. Adams food market has since closed and only CVS and the Post office remain in that building. CVS proposes to demolish the part of the building that used to contain Adams Market and build the free standing building that would be 12,900 square feet. The end result of the changes would increase the green space on the property and improve the quality of the water run off from the site. This improvement would be made by implementing a new drainage system that would separate the roof run off from the paved area water runoff. The runoff from the paved area would be caught in catch basins that would flow to a new hydro-dynamic unit that would then discharge to the Hope St. drain system. The site meets all eight standards for the Coastal Management Review. The standards are met as follows:

1. The proposed project will not affect the water quality within the Niantic Bay.
2. The proposed project will not impact current drainage or circulation patterns of coastal waters.
3. The proposed project will not affect littoral transport of sediments.
4. Water drainage patterns will not be significantly altered by the proposed project.
5. The proposed project will not increase the hazard of coastal flooding because it occurs outside of the 100-year and 500- year flood plan.
6. The proposed project will not degrade the visual quality in the area because it will not be affecting any of the natural features of the area.
7. No essential wildlife, finfish, or shellfish habitat exist on or adjoining the subject property.
8. The proposed project will not alter the natural characteristics of any coastal resource area as none exist on or adjoining the Site. The building will be staying within the limits of the existing development.

Mr. Dougherty also explained that the area between the buildings would have a two way water runoff and that the entire area would have two way circulation of runoff except of the area of the drive-thru lane in the back of the building. The loading trucks will enter in the side of the building that is farthest from Pennsylvania Avenue and will off-load merchandise on a raised cement platform that will be flush with the building. The existing mailboxes on the property will be moved slightly but still placed in a protected area with islands protecting them in the parking lot. Also, the project would be adding an additional leach field to the site on the East side of the new building. There will not be a fire line in front of the new building.

Mr. Mulholland, Zoning Official explained that the Fire Marshal is satisfied with there not being a fire lane in front of the building because there is access to the building on all four sides and they typically only require access on three sides of the building.

Mr. Nickerson, Chairman asked why this plan does not comply with the wishes of the Main Street Development Plan by moving the building closer to the street to promote walking along the Main Street and having the parking in the back of the building.

Mr. Ranage explained that they did move the building closer to the street than originally planned. The remaining issues were that a single parking area would be insufficient for the building and that it would render the remaining back section of the building unrentable for the owner of the building.

Mr. Dougherty also explained they have attempted to maintain the continuity of the Main Street Development plan by building a raised sidewalk from Pennsylvania Avenue to the building in an effort to connect the two areas.

Ms. Carabellas, Secretary asked what type of design is planned for the back and side of the building since it will be visible from both Hope Street and Pennsylvania Avenue.

Mr. Mulholland, Zoning Official explained that he is working with the developer on different design options but at this time, one has not been decided on.

Mr. Dougherty said that they will be leaving the existing curb-cut trees and will be adding additional trees to "dress-up" the site. He also explained that having the two-way traffic pattern will reduce the congestion on the site and that they see this type of layout of many sites and that the pattern functions very well.

Mr. Nickerson, Chairman and Mr. Salerno agree that having the two-way traffic pattern will be an issue, but that they don't see a way around the issue with the volume of traffic.

Mr. Kevin Patton, Senior Associate at BK Architects, detailed the newer alternate design form what was proposed in the application. It will have pitched roof building, architectural asphalt shingles and gabled roofs. It will have a covered walkway and windows. All the mechanicals in the back of the building will be concealed inside a gabled roof on the building. They are still working on some further designs of the drive-thru elevation and the rear of the building with Mr. Mulholland as well as detailing some other treatments to the roof line and windows.

Mr. Nickerson, Chairman said that CVS has an opportunity to be an anchor in the downtown revitalization.

Mr. Mulholland, Zoning Official feels that parts of the building need additional treatments to create a better looking building and he will be working with the applicant to try to come up with a better design.

Mr. Patton explained that CVS is not intending to mimic the design of the existing structures on the property.

Mr. Molholland, Zoning Official has the drawings of what the remaining building for the Post Office will look like. They're intending to build a wrapped porch design around the new blank wall that will be left when the Adams Market portion of the building is torn down. He also explained that the sign plans for the building have not been done. The lighting plan that has been developed will be a continuation of the period lighting that is being put in on the street.

Mr. Ranage indicated that they intend to mimic the lighting design that the town is planning on doing at the street front.

Mr. Nickerson, Chairman invited the public to speak on the issue. Nobody wished to speak "In Favor of", "Opposed", or "Neutral" to the application.

**** Motion 1**

Mr. Salerno motioned to continue the Public Hearing for the Application of Gersham, Brown & Associates for a Coastal Site Plan Review to construct a free standing retail building at property located at 55-58 Pennsylvania Avenue, Niantic, Connecticut. The Public Hearing is to be continued to October 6, 2005.

The Motion was seconded by Ms. Carabellas.

Motion Passed. 6-0-0