

**EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, JULY 10th, 2008
MINUTES**

FILED IN EAST LYME TOWN
CLERK'S OFFICE

July 15 20 08 at 10 (AM)
PM
Esther B. Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Regular Meeting on Thursday, July 10, 2008 at the East Lyme Middle School, Society Road, Niantic, CT.

PRESENT: Rosanna Carabelas, Acting Chairman, Marc Salerno, Acting Secretary, Steve Carpenteri, Norm Peck, Ed Gada

ALSO PRESENT: William Dwyer, Alternate
William Mulholland, Zoning Official
Rose Ann Hardy, Ex-Officio, Board of Selectmen

ABSENT: Mark Nickerson, Chairman, Bob Bulmer, Alternate, Gregory Massad, Alternate

1. Call to Order

Acting Chairman Carabelas called this Regular Meeting of the Zoning Commission to order at 10:41 PM after the five (5) previously scheduled Public Hearings. She noted that she had seated William Dwyer, Alternate at the table.

Pledge of Allegiance

The Pledge was previously observed.

Public Delegations

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

Maureen Bell, Upper Walnut Hill Road expressed her disappointment at the agenda not being on the Town website as of early that morning.

Regular Meeting

1. Application of Francis and Robert Mattison for a Special Permit under Section 3.2.3 to operate a dog kennel at property identified in the Application as 98 Grassy Hill Road, East Lyme, CT.

Ms. Carabelas said that they had just closed this Public Hearing.

2. Application of Theodore A. Harris, agent for Village Crossing of Niantic LLC for approval of an Affordable Housing development, site plan and coastal area management site plan review to construct one hundred residential units (100) on property identified in the Application as Assessor's Map 11.1, Lot 19.

Ms. Carabelas said that they had just continued this Public Hearing to August 7, 2008.

3. Application of Theodore A. Harris, agent for Village Crossing of Niantic LLC to re-zone from its existing zoning designation (RU-40 Residential) to Affordable Housing for property identified in the Application as Assessor's Map 11.1, Lot 19.

Ms. Carabelas said that they had just continued this Public Hearing to August 7, 2008.

4. Application of Jeffrey A. McNamara for a text amendment to the East Lyme Zoning Regulations Section 4.1.3 "Nursery or Greenhouse provided they are not less than 100 feet from any lot line."

Ms. Carabelas said that they had just continued this Public Hearing to August 7, 2008.

5. Application of Paradise Property Management LLC for a Zone Change from LI to CA Commercial for property identified in the Application as 11 Industrial Park Road, East Lyme, CT. Property further identified as Assessor's Map 26.1, Lot 3.

Ms. Carabelas called for discussion.

Mr. Salerno said that this is an interesting parcel as it is surrounded by commercial and is in the aquifer area and while it may make more sense to have it be commercial, he is concerned with losing the LI as he has always been in favor of having LI.

Mr. Gada said that it has CA all around it.

Mr. Carpenteri agreed with Mr. Gada and said that with the CA all around it that it should go that way and that it would be different if it was surrounded by LI instead.

Mr. Mulholland noted that under the list of uses that height and other issues would bring this back in front of them should they chose to change it.

Mr. Peck said that this is a negative issue as they have the Rocky Neck business park that is just about completely built out and the Colton Road area that is built out except for some 20 acres of wetlands. After bob's, this Board change the LI regulations to eliminate restaurants, etc. so that they could bring them up to date. He said that he thinks that they have almost nothing left of the LI and that they should not encourage manufacturing to go to Mexico. The 200 acres of the Gateway is enough as CA and he would be very disappointed if this Board votes to change this to CA.

Ms. Carabelas said that her emotional side agrees but her rational side says that no one has come before them with anything for LI and she has to ask how long they would want it to sit vacant. She said that she does not see this one parcel bringing any LI business in the near future.

Mr. Peck said that if they allow this to go then others will be lining up to change form LI to CA.

Mr. Salerno said that he agrees with Mr. Peck and added that he and Mr. Peck were on a subcommittee to work on just this type of thing.

Ms. Carabelas asked when was the last time that LI wanted to come here and what the percentage is.

Mr. Mulholland said that they have a variety of uses in the LI area such as gymnastics, Bob's, the lumber Co., and Aerospace.

Mr. Peck said that he was also concerned that hotels and motels would have traffic and that restaurants my also generate more traffic for that area.

Mr. Dwyer noted that they did not make any zone change for Bob's to be where it is.

Ms. Carabelas asked if they were ready to make a motion on this.

****MOTION (1)**

Mr. Salerno moved to DENY the Application of Paradise Property Management LLC for a Zone Change from LI to CA Commercial for property identified in the Application as 11 Industrial Park Road, East Lyme, CT.

Mr. Peck seconded the motion.

Ms. Carabelas said that the traffic issue sold her.

Vote: 5 – 0 – 1. Motion passed to DENY the zone change.

Abstained: Mr. Carpenteri

Mr. Mulholland said that this would publish on July 17, 2008.

6. Approval of Minutes – May 8, 2008 Special Meeting; May 15, 2008 Public Hearing I & II Minutes; May 15, 2008 Regular Meeting Minutes; Public Hearing I, II, III, IV & V Minutes of June 5, 2008; Regular Meeting Minutes of June 5, 2008; Public Hearing I, II & III and IV Minutes of June 19, 2008 and Regular Meeting Minutes of June 19, 2008.

Ms. Carabelas called for discussion on, or corrections to the Special Meeting Minutes of May 8, 2008.

****MOTION (2)**

Mr. Salerno moved to approve the Special Meeting Minutes of May 8, 2008 of the Commission as presented.

Mr. Carpenteri seconded the motion.

Vote: 4 – 0 – 2. Motion passed.

Abstained: Mr. Gada, Mr. Dwyer

Ms. Carabelas called for discussion on, or corrections to the Public Hearing I & II Minutes and Regular Meeting Minutes of May 15, 2008 of the Commission.

****MOTION (3)**

Mr. Carpenteri moved to approve the Public Hearing I & II Minutes and Regular Meeting Minutes of May 15, 2008 of the Commission as presented.

Mr. Salerno seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Ms. Carabelas called for discussion on, or corrections to the Public Hearing I, II, III, IV & V Minutes and Regular Meeting Minutes of June 5, 2008 of the Commission.

****MOTION (4)**

Mr. Carpenteri moved to approve the Public Hearing I, II, III, IV & V Minutes and Regular Meeting Minutes of June 5, 2008 of the Commission as presented.

Mr. Salerno seconded the motion.

Vote: 4 – 0 – 2. Motion passed.

Abstained: Ms. Carabelas, Mr. Dwyer

Ms. Carabelas called for discussion on, or corrections to the Public Hearing I, II & III and IV Minutes and Regular Meeting Minutes of June 19, 2008 of the Commission.

****MOTION (5)**

Mr. Peck moved to approve the Public Hearing I, II & III and IV Minutes and Regular Meeting Minutes of June 19, 2008 of the Commission as presented.

Mr. Carpenteri seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Dwyer

Old Business

1. Stormwater

There was nothing new to report.

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

There was no report.

3. Subcommittee – Adult Uses (Rosanna Carabelas)

Ms. Carabelas said that she was waiting on Attorney O'Connell for some information.

4. Transitional Zones Subcommittee Northern Areas of Town & Scenic Roads – (Marc Salerno & Norm Peck)

There was no report.

5. Subcommittee – Rezoning - Northern Areas of East Lyme & Scenic Roads – (Marc Salerno, Mark Nickerson & Norm Peck)

Mr. Salerno reported that they had held one meeting.

New Business

1. Application of Dave Putnam, Director, East Lyme Parks and Recreation, Special Permit to construct a Press Box for Men's Softball at Bridebrook Field.

Ms. Carabelas asked that Mr. Mulholland schedule this for Public Hearing.

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

There was none.

3. Zoning Official

Mr. Mulholland reported that they are still busy and that they are planning on holding a Special Meeting on the Gateway on the 24th of this month.

4. Comments from Ex-Officio

Ms. Hardy said that they were working on a right to farm ordinance and that they would send a draft to Zoning as they will need support from them on it.

Ms. Carabelas asked if it would mean that people could farm in areas that they normally would not.

Ms. Hardy said that it would encourage keeping the farms intact ie: Cows, mowing, manure, tractors, etc.

5. Comments from Zoning Commission liaison to Planning Commission

There was no report.

6. Comments from Chairman

Due to the lateness of the hour, there were no further comments.

7. Adjournment

****MOTION (6)**

Mr. Carpenteri moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 11:18 PM.

Mr. Gada seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary