

FILED IN EAST LYME
July 23, 2008 AT 10:00 M

**EAST LYME ZONING COMMISSION
PUBLIC HEARING V
Thursday, JULY 10th, 2008
MINUTES**

L. Blain
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on 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 on Thursday, July 10, 2008 at the East Lyme Middle School, Society Road, Niantic, CT. Acting Chairman Carabelas opened the Public Hearing at 10:15 PM after the previously scheduled Public Hearings.

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

ALSO PRESENT: Attorney Mathew Greene, Representing the Applicant
William Mulholland, Zoning Official
Rose Ann hardy, Board of Selectmen, Ex-Officio

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

PANEL: Rosanna Carabelas, Acting Chairman, Marc Salerno, Secretary,
Steve Carpenteri, Norm Peck, Ed Gada. William Dwyer,
Alternate

Pledge of Allegiance

The Pledge was previously observed.

Public Hearing V

1. 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 is further identified as Assessor's Map 26.1, Lot 3.

Acting Chairman Carabelas called this Public Hearing to order at 10:15 PM after the previously scheduled public hearings. She noted that as Mr. Nickerson was not feeling well that he had left the meeting and that she had seated William Dwyer, Alternate at the table.

Ms. Carabelas noted that the legal ad had run in the Day on June 27, 2008 and July 7, 2008. She asked Mr. Salerno to read the correspondence into the record.

Mr. Salerno read the following correspondence into the record:

- ◆ Letter dated 7/10/08 to East Lyme Zoning Commission from Wm. Mulholland, Zoning Official – Re: Zone Change Application – 11 Industrial Park Road – noting that the property is located immediately east of Bob's Furniture and that if the Commission approves the change that it must give reasons for doing so.
- ◆ Letter dated 3/26/08 to Wm. Mulholland, Zoning Official from Mathew H. Greene, Atty. for Paradise Properties Management LLC – Re: request for parcel to be changed to CA.
- ◆ Letter dated 6/18/08 to Mark Nickerson, Chairman Zoning Commission from Francine Schwartz, Secretary EL Planning Commission – Re: Paradise Property Management Zone Change - noting that the Commission found the zone change from LI to CA consistent with the Plan of Conservation & Development.
- ◆ Memo dated 6/24/08 to Mark Nickerson, EL Zoning Commission Chairman from EL Water & Sewer Commission – Re: Zone Change 11 Industrial Park Road from LI to CA – noting that while the property is

served by public water and sewer that there is a lack of sufficient water reserve to meet summer time peak demand for a few months time. They therefore would ask the applicant to provide other water supply alternatives including the installation of on-site wells to supplement the Town's water supply especially during the period of summer peak demand.

- ◆ Letter dated 5/16/08 from Attorney Mathew Greene of Synodi, Videll & Greene to EL Zoning Commission – Re: Zone Change – 11 Industrial Park Rd. – identifying the specifics of the property and what the applicant is seeking for the zone change.

Ms. Carabelas called upon the applicant or their representative to present this application.

Attorney Mathew Greene, place of business 300-302 State Street, New London, CT submitted a list of the abutting property owners and a picture of the sign posted on the property which was entered into the record as Exhibit 1. He explained the location of the property and the LI Zone and noted that this particular piece of property is visible from I-95. He noted the allowable uses under the LI Zone; such as a trucking terminal and said that with all of the commercial property surrounding this piece that it would make sense to change it to the CA Zone. Additionally, he said that while they have indicated some sort of use in terms of a hotel and restaurant; that really is not material for discussion here as anything listed under the CA Zone would be allowed and they would certainly entertain what would work best for them and the area. The fact is that this piece sits in the middle of CA zoning and the uses under LI would not be a complement to the Town here. With respect to the letter from the Water Commission, that is a standard letter and with respect to any use going forward; they would meet the requirements of the Water & Sewer Commission and would apply to them. He lastly said that they did hear from three neighboring property owners who said that they were in favor of this change.

Mr. Gada asked about the proximity of this piece to Stop & Shop.
Attorney Greene said that it is an abutting property.

Mr. Salerno said that they could also have asked to amend the LI regulations and asked why they chose to go this way.

Attorney Greene said that if they had asked to change the regulations for LI to allow for a restaurant that it would affect all LI areas throughout the Town and that may not be something that they would want.

Mr. Salerno asked how they would access the area.

Attorney Greene pointed out a 40' wide easement and added that the road area is going to be shifted somewhat as was stated with the Bob's application to provide for better travel.

Mr. Dwyer asked if they were just talking about the zone change here and nothing specific going in at this time.

Attorney Greene said that was correct – they are only submitting an application for a zone change and they feel that the CA items are a better complement to the Gateway, etc. in the area than manufacturing would be. If this is approved, they would then come forth with another application for something specific and a site plan, etc.

Mr. Salerno asked about the road realignment.

Mr. Mulholland said that the Town Engineer assured them that it would be done as they speak as they wanted to wait until school was out before starting it.

Attorney Greene said that he has spoken with the attorney for Bob's Furniture who said that the road work would be underway soon.

Ms. Carabelas asked if there were any other questions –

Hearing none –

Ms. Carabelas called for anyone from the public who wished to speak in favor of this application –

Hearing no one –

Ms. Carabelas called for anyone from the public who wished to speak against this application or neutrally on this application -

Hearing no one –

Ms. Carabelas asked the Commissioners if they had any further questions –
Hearing none –
Ms. Carabelas asked if there was a motion to close this public hearing –

****MOTION (1)**

Mr. Salerno moved that this Public Hearing be closed.

Mr. Gada seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Ms. Carabelas closed this Public Hearing at 10:40 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary