

**EAST LYME ZONING COMMISSION
PUBLIC HEARING I
Thursday, JUNE 5th, 2008
MINUTES**

June 10 20 08 at 9:50 (AM)
PM

Esther B. Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on the Application of Theodore A. Harris, for Craig and Tricia Augone for a Special Permit and CAM Application for a project known as Methodist Street Condominiums at property located at 41-43 Hope Street and 45-47 Hope Street, Niantic CT on Thursday, June 5, 2008 at the East Lyme 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, Marc Salerno, Acting Secretary, Steve Carpenteri, Norm Peck, Ed Gada, Gregory Massad, Alternate

ALSO PRESENT: Attorney Theodore Harris, Representing the Applicant
Robert Pfanner, PE, Representing the Applicant
Peter Springsteel, Architect, Representing the Applicant
William Dwyer, Alternate
Bob Bulmer, Alternate
Rose Ann Hardy, Board of Selectmen Ex-Officio
William Mulholland, Zoning Official

ABSENT: Rosanna Carabelas, Secretary

PANEL: Mark Nickerson, Chairman, Marc Salerno, Acting Secretary,
Steve Carpenteri, Norm Peck, Ed Gada, Gregory Massad,
Alternate

Pledge of Allegiance

The Pledge was observed.

Public Hearing I

- 1. Application of Theodore A. Harris, for Craig and Tricia Augone for a Special Permit and CAM Application for a project known as Methodist Street Condominiums at property located at 41-43 Hope Street and 45-47 Hope Street, Niantic CT. Property further identified as Assessor's Map 11.2, Lot 123 and Map 12.1, Lot 8.**

Chairman Nickerson said that he had seated Alternate Gregory Massad at the table. He noted that the Legal Ad for this application had run in The Day on 5/23/08 and 6/2/08.

He then asked Marc Salerno, Acting Secretary to read the correspondence into the record.

Acting Secretary Salerno read the following correspondence into the record:

- ◆ Letter dated 6/5/08 to EL Zoning Commission from William Mulholland, Zoning Official – Re: Special Permit, Site Plan & CAM Application "Methodist Street Condominiums" 41-43 Hope Street, Niantic, CT – noting that the properties are located in a CB Commercial District and the use is allowed by Special Permit under Section 9.2.5 – multi-family, multi-story dwellings. It is suggested that the Commission should ensure that it finds the landscape plan in harmony with the surrounding properties and should also require submittal of specific architectural design details for building design harmony with the architectural character of the neighborhood. Section 22.1.3 on parking requires one and a half spaces for each bedroom unit and the applicant has proposed nine two-bedroom units at three spaces per unit for a total of 27 spaces; the site plan delineates 28 parking spaces.

- ◆ Correspondence dated 5/12/08 to EL Zoning Commission from Marcy Balint, OSLIP Sr. Coastal Planner CT DEP – Re: Methodist Street Condos Coastal Site Plan Review, Hope Street – noting that demolition of old buildings will be required and asking that details be provided and that proper sedimentation and erosion control measures are required and will be strictly monitored and enforced.

Mr. Nickerson called upon the applicant or their representative for a presentation of this application. Attorney Theodore Harris, place of business 351 Main Street said that this is the third phase of revitalization of Hope and Methodist Streets. He recalled that some years ago Don Bergeron took the triangle and revitalized that area and then 38 Hope Street came along and is in progress now. This area represents taking two older homes and transforming them into nine residences. He then submitted the following exhibits for the record:

- ◆ **Exhibit A** – Methodist Street Condos Record Plan – Revised 6/4/08
- ◆ **Exhibit B** – Methodist Street condos Typical floor plan and rear building elevations – undated
- ◆ **Exhibit C** – Copy of the sign posted on the site more than 15 days prior to this public hearing

Attorney Harris said that he would first talk about the CAM application. Because there are no coastal resources on or adjacent to this site, there are no impacts; however they do have to consider any indirect impacts and therefore the recommendation has been made that 80% of the solids are removed from the first 1" of rain/run-off and they will do this as part of the stormwater management plan.

He continued that the development highlights are that the entrance will be on Methodist Street and that it will consist of nine units of 1600 sf or 1900 sf in three buildings. Each unit will have a garage and a deck. There will be a sidewalk all around the area and they will be served by public water & sewer from Methodist Street. There will be deciduous and evergreen plantings around the area; minimal lighting around the outer perimeter and there will be front steps to the units of one to two steps each that will be placed within the setback area. He explained that this meets the four criteria items for a Special Permit that is found in Section 25.5: they need 2000 sf per unit or a total of 18,000 sf and they have 34,000 sf; the minimum size of the units has to be 800 sf and they are proposing units of 1600 and 1900 sf; they would have to provide elevators in a building of three stories or more and they are only building two stories and – it requires a public water & sewer connection and they have that as 38 Hope Street included a lateral. He said that a traffic study is not required and was not done as there would be no discernible difference with seven more units given that there are two houses already there. This is the first application under the CB zone and the new regulations and they are applying under this. They are bringing back the old style street architecture and Peter Springsteel will explain this to them later. He then introduced Robert Pfanner Sr. to explain the drainage and other engineering concepts.

Robert Pfanner Sr., PE noted that the CAM must not have been sent with the drainage details as they have an underground structure that will hold 1" of rain and that gathers 80% of the solids. He said that this is a .76 of an acre site and explained how the water moves in the drainage report. With regard to lighting, he said that they would be four lights on the interior that are ornamental type – similar to those found at the CVS. He submitted **Exhibit D** for the record – a picture of the lamp post style light at 6 ohms. The units also have their own front and back lights plus Hope and Methodist Streets have the street lights. With respect to the landscaping there would be no trees on Hope Street as they only have 6' to work with. On Methodist Street there will have a variety of sugar maples, dogwoods, azaleas, rhododendrons, pines and arborvitaes. There will also be a 50' long berm on the Methodist Street side that will be grassed and a fence.

Mr. Peck asked what type of fence.

Mr. Pfanner said that there is a detail on the back of the plan and that it would be white vinyl or wood. Attorney Harris said that the buffer requirements are a fence or plantings and they are doing both.

Mr. Peck asked if the fence would only be on the two sides.

Mr. Pfanner said yes.

Mr. Mulholland noted that there is a two-family home nearby that has been improved.

Mr. Salerno asked for an overview of the neighbors.

Mr. Pfanner said that there is a two-family home, Gary Lakowsky backs up to this and the rest are the back lots from the Main Street buildings/homes. Exhibit E was submitted for the record – a picture of the side of the house to the west of this application.

Mr. Massad asked if there would be a dumpster and how it would be addressed.
Attorney Harris said that there would be a fence between the property and the dumpster and a fence in front of the dumpster and it would be gated.

Mr. Carpenteri asked if there would be basements in these units.
Mr. Pfanner said yes; they would be below grade with the garages on grade.

Mr. Carpenteri asked the size of the decks.
Mr. Pfanner said that they would be 12' x 12' or 12' x 14'.

Mr. Nickerson asked about the water & sewer.
Attorney Harris said that they are entitled to a connection as both laterals are in. He added that they will make an application to the Water & Sewer Commission for service as necessary.

Mr. Nickerson asked if the parking lot would be asphalt.
Mr. Pfanner said yes.

Attorney Harris introduced Peter Springsteel, Architect to explain the building styles.
Peter Springsteel, Licensed Architect from Mystic, CT said that he has taken the plans and expanded them to fit into the downtown neighborhood which fosters the revitalization of the new downtown Niantic. He explained the history of the architectural styles that would have been in Niantic through the centuries and said that he combined these styles to come up with a style based on Greek Revival which traditionally sat close to the street and had earth tones that were subtle but attractive.

Mr. Salerno asked if the garage is a one-car garage.
Mr. Springsteel said yes.

Mr. Gada asked how much space there is in the attic and if someone could stand up in them as he was thinking that they would be ideal for the air handler mechanicals.
Mr. Springsteel said that a person could just barely stand up in them and that they would be fine for the mechanicals.

Mr. Nickerson asked if the tenants/owners would have everyday access through the back.
Mr. Springsteel said yes.

Mr. Salerno asked where the compressors would be located – in the back.
Mr. Pfanner said yes, they would be in the back and that there is room for them.

Mr. Salerno asked what materials they would be using on the buildings.
Mr. Springsteel said that it would be PVC or wood or fiberboard cement and vinyl wrap with architectural shingles.

Mr. Peck asked what the elevation/height of the buildings was.
Mr. Springsteel said that it would be similar to the homes that are there at present.

Mr. Carpenteri asked about the heating system type.
Mr. Pfanner/Attorney Harris said that it would be heat pumps.

Mr. Nickerson then called for anyone from the public who wished to speak in favor of this application – Gary Lakowsky, 12 Methodist Street said that he is the owner of the adjacent property and that they have been looking at the eyesores that are there for too long and that this would be much better. He asked if the lighting would be cut-off lighting and where the compressors would be –

Mr. Pfanner said that the lighting would be cut-off and that the compressors would be located outside.

Mr. Lakowsky asked about the height of the buildings.

Mr. Pfanner said 36'.

Mr. Lakowsky noted that the corner tree is in the way of the driveway and asked if they would be removing it.

Mr. Pfanner said that it would be coming down.

Mr. Lakowsky said that he is in favor of this application and that as an abutter he likes the fence and the buffer area.

Mr. Nickerson explained that any questions need to be directed to the Commission and that they would then ask the applicant.

Mr. Nickerson then called for anyone from the public who wished to speak in opposition to this application – Robert Hudyma, 40 Grassy Hill Road asked where they are going to get all of this water – they have 151 units on the 38 Hope St. project now. He asked the capacity of the wells as he is concerned with the water and what would happen in the event that there was a fire. He cited the Norwich Peachtree project that recently burnt down. He said that he also wants to know about the water pressure and what it will be with all of these buildings going on line and if they will have enough pressure to fight a fire.

Mr. Nickerson called for other public comments –

Hearing none –

Mr. Nickerson asked if the Commissioners had any other questions –

Mr. Massad asked where they get the 28 parking spaces.

Attorney Harris explained that the garage area is considered a space and the spot in front of the garage is another space.

Mr. Pfanner pointed them out on the plan as there are spaces behind the buildings.

Mr. Salemo asked if these were condos and what about the condo documents.

Attorney Harris said that yes, they would be condos although they might be rentals initially.

Mr. Mulholland said that it is multi-family housing.

Attorney Harris said in closing that clearly water is an issue in Town however it is the function of the Water & Sewer Commission and they are drilling two new wells. He said that he first thinks that the application should be approved as it meets the regulations and secondly it is part of the overall improvement and revitalization of the downtown Main Street area. He said that he resides on Main St. and that for 30 years he has seen two basic types of signs in the storefronts – for sale or for rent – and now they are on the comeback with establishments offering outdoor dining and a number of new and exciting things. This is an improvement to the existing buildings on this property and this is the type of momentum that keeps the revitalization going.

Mr. Nickerson asked if there were any other comments – hearing none – he called for a motion to close this public hearing.

****MOTION (1)**

Mr. Salemo moved that this Public Hearing be closed.

Mr. Massad seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 8:30 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary