

June 10 20 08 at 9:50 AM PM

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

Esther B. Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on the Application of Seymour Kessler of 51 Hope Street for a Special Permit under Section 9.3.3 for construction of a two-car garage 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 11:35 PM after the two previously scheduled public hearings.

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

ALSO PRESENT: 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 previously observed.

Public Hearing I

1. Application of Seymour Kessler of 51 Hope Street for a Special Permit under Section 9.3.3 for construction of a two-car garage.

Chairman Nickerson 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 Application Kessler 51 Hope Street – noting that the property is zoned CB commercial and that the use is permitted outright and is conforming. The regulations limit the structure to not less than six feet or more than twenty feet from the street line and Mr. Kessler would like to build his garage twenty-nine feet from the front property line which is nine feet beyond the required maximum front yard setback. Section 9.3.3 allows a Special Permit to be issued for a setback greater than 20 feet providing that the application complies with the items listed in Section 9.3.3.

Mr. Nickerson called upon the applicant or their representative for a presentation of this application. Seymour Kessler, applicant, said that he and his wife own 49-51 Hope Street and that they would like to put in a two-car garage. He submitted Exhibit 1 – a picture of his house for the record. He said that if he is forced to comply with the 20 feet that the garage would be located in front of the porch and would clock the stairway and garden in front of the house. The Special Permit would allow him to place it at 29' which would set it even with his house which would not only look better but would also be in line with the other homes near him. He said that the garage would be 15' high x 20' wide x 22' deep and that it would have a single door. He submitted Exhibit 2 – a picture of the garage with white vinyl siding. He said that the old standard allowed the garage at 20' or more and the new standard allows it by a Special Permit.

Mr. Peck commented that the garage would look nice even further back.
Mr. Kessler said that he could not move it further back as there is a stairway behind it.

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

Howard Turner Jr., 46 Hope Street said that he is speaking on Mr. Kessler's behalf as he has done many great improvements to this property and has enhanced the neighborhood. He said that he resides near the 38 Hope St. project.

Joseph Baribeau, 96 Hope Street said that they have done to their property what Mr. Kessler is doing and that they support what he wants to do here.

Mr. Nickerson then called for anyone from the public who wished to speak in opposition to this application –
Hearing no one –
Mr. Nickerson asked if the Commissioners had any other questions –
Hearing none –
Mr. Nickerson called for a motion to close this public hearing.

****MOTION (1)**

Mr. Salerno moved that this Public Hearing be closed.

Mr. Carpenteri seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 11:45 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary