

**EAST LYME ZONING COMMISSION
PUBLIC HEARING I
Thursday, April 1st, 2004
MINUTES**

FILED IN EAST LYME
Apr 5, 2004 AT 3:30 M
L.A. Blais atc
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held the Proposal to Amend Section 18 (Sign Regulations) Public Hearing on April 1, 2004 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, Ed Gada, Secretary,
Norm Peck, Shawn McLaughlin, Pamela Byrnes,
Rosanna Carabelas

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

ABSENT: No One

PANEL: Mark Nickerson, Chairman, Ed Gada, Secretary,
Norm Peck, Shawn McLaughlin, Pamela Byrnes,
Rosanna Carabelas

Pledge of Allegiance

The Pledge was observed.

Public Hearing I

1. East Lyme Zoning Commission proposal to amend Section 18 (Sign Regulations) of the East Lyme Zoning Regulations, to permit suspended signs.

Mr. Nickerson asked Mr. Gada to read the correspondence into the record.

Mr. Gada, Secretary read the following correspondence into the record:

- ◆ Letter dated 3/17/04 to Edward P. Gada, Secretary EL Zoning Commission from Gene Lohrs, Chairman SECCOG Regional Planning Commission Reference Committee – Re: Proposed Amendments to the Town's Zoning Regulations – Section 18 Suspended Signs & Section 8.2.2 & 9.2.3 (Increase Mixed Use Floor Ratios) finding no adverse inter-municipal impact.

Mr. Gada noted for the record that the Legal Ad was published in the New London Day on March 19, 2004 and March 29, 2004.

Mr. Nickerson asked Mr. Mulholland to explain this proposal.

Mr. Mulholland recalled that several weeks ago he had brought this to their attention suggesting the modifications and that they had asked him to schedule a public hearing. He read the four amendment items (See attached at end of Minutes) to them noting that this was as a result of requests for suspended advertising signs. The four items fit within their zoning regulations.

Mr. Peck asked if now there were no internally lit signs allowed.

Mr. Mulholland said that currently they are allowed one internally lit sign per property however you are penalized for having it as the face is counted twice and you are only allowed one. This will alleviate this ambiguity.

Mr. Nickerson asked what the typical area of use would be for these.

Mr. Mulholland said that it could be used typically in any CA or CB zone. They try not to discriminate. This also could typically be used in the village district. Suspended signs typically can be quite attractive for a community.

Mr. Nickerson asked if this would be allowing more signage or the same amount of signage.

Mr. Mulholland replied no, this would not allow anymore signage. The signage would still be based as it has been before and this would just become another option available.

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

Hearing no one –

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

Hearing no one –

Mr. Nickerson called for anyone from the public who wished to comment in general on this application –

Hearing no one – and – Hearing no further questions or comments –

Mr. Nickerson called for a motion to close this public hearing.

****MOTION (1)**

Mr. Gada moved that this public hearing be closed.

Ms. Carabelas seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 7:42 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

Proposed amendment Section 18 "Sign Regulations"

As a result of numerous requests over several years I am recommending that this Commission review ~~discuss~~ the feasibility of permitting suspended advertising signs. Should the Board choose to move forward I would suggest the following amendment.

1. Delete in Section 18.1.12 "signs Prohibited Under this Ordinance" the words "Suspended signs".
2. Modify Table 1.5A "Permitted Signs by Type and Zoning District" by deleting the letter "N" in zoning district in all columns for suspended signs and adding the letter "S".
Modify Table 1.5C "Number Dimensions and Location of Individual Sign by Zoning District" by adding the words "Suspended Sign" after "Freestanding" in block one under "Type of Sign".
3. Add the following statement at the bottom of the page;
The minimum height from the ground to the bottom of the suspended sign shall be Ten feet.
4. Modify table 1.5D by adding the following text after the period in the sentence "No more than one internally-lit sign shall be permitted for each zone lot." Add "Suspended signs shall not be internally illuminated"
Sect. 8.2.2 + Sect. 9.2.3
5. Modify Section 8.2.2, CA Commercial District and Section 9.2.3-CB Commercial District by **deleting** "40 percent" and **replace** the text with "50 percent".

For
Public
Hearing
I

For
Public
Hearing
II

Attachment - Public Hearings I + II

Zoning
Commission
4/1/04

**EAST LYME ZONING COMMISSION
PUBLIC HEARING II
Thursday, April 1st, 2004
MINUTES**

FILED IN EAST LYME
Apr 5, 2004 AT 3:30 P
L. Blair
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held the Proposal to Amend Sections 8.2.2 and 9.2.3 (Increase mixed used floor ratios) Public Hearing on April 1, 2004 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson opened the Public Hearing after the previously scheduled Public Hearing and called it to order at 7:42 PM.

PRESENT: Mark Nickerson, Chairman, Ed Gada, Secretary,
Norm Peck, Shawn McLaughlin, Pamela Byrnes,
Rosanna Carabelas

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

ABSENT: No One

PANEL: Mark Nickerson, Chairman, Ed Gada, Secretary,
Norm Peck, Shawn McLaughlin, Pamela Byrnes,
Rosanna Carabelas

Public Hearing II

1. East Lyme Zoning Commission proposal to amend Sections 8.2.2 and 9.2.3 of the Zoning Regulations to increase the floor ratios for mixed use development in CA and CB Commercial Zones.

Mr. Nickerson asked Mr. Gada to read the correspondence into the record.

Mr. Gada, Secretary read the following correspondence into the record:

- ◆ Letter dated 3/17/04 to Edward P. Gada, Secretary EL Zoning Commission from Gene Lohrs, Chairman SECCOG Regional Planning Commission Reference Committee – Re: Proposed Amendments to the Town's Zoning Regulations – Section 8.2.2 & 9.2.3 (Increase Mixed Use Floor Ratios) finding no adverse inter-municipal impact.

Mr. Gada noted for the record that the Legal Ad was published in the New London Day on March 19, 2004 and March 29, 2004.

Mr. Nickerson asked Mr. Mulholland to explain this proposal.

Mr. Mulholland explained that this is a housekeeping measure particularly aimed at the downtown area and the rectangular buildings found there that do not meet the 60/40 mixed-use ratio. In CA and CB zones 60% of the use can be for commercial on the bottom floor and the top 40% can be for apartment use. Buildings are typically rectangular and therefore this ratio does not work. It would require an addition on the top floor to meet the ratio requirement.

Mr. Peck asked if the 40% came from trying to encourage pitched roofs.

Mr. Mulholland said no, that as he recalls, this arose in the 1980's as a result of a Commission looking to come up with a number, everyone was tired and this ratio came out and was adopted. The 50% proposed here is much more likely and would encourage the use of those difficult buildings that people are reluctant to purchase and utilize due to the inherent cost to suit the 60/40.

Mr. Nickerson commented that he does not see anything negative arising from this change and asked Mr. Mulholland if he did.

Mr. Mulholland said no and added that in fact some buildings have not been able to be utilized due to the 60/40 requirement.

Mr. Nickerson called for anyone from the public who wished to speak in favor of this application –
Hearing no one –

Mr. Nickerson called for anyone from the public who wished to speak in opposition to this application –
Hearing no one –

Mr. Nickerson called for anyone from the public who wished to comment in general on this application –
Hearing no one – and – Hearing no further questions or comments –

Mr. Nickerson called for a motion to close this public hearing.

****MOTION (1)**

Ms. Byrnes moved that this public hearing be closed.

Mr. Gada seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 7:46 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

Proposed amendment Section 18 "Sign Regulations"

As a result of numerous requests over several years I am recommending that this Commission review ~~the~~ the feasibility of permitting suspended advertising signs. Should the Board choose to move forward I would suggest the following amendment.

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Sect. 8.2.2 + Sect. 9.2.3

For
Public
Hearing
II

5. Modify Section 8.2.2, CA Commercial District and Section 9.2.3-CB Commercial District by **deleting** "40 percent" and **replace** the text with "50 percent".