

EAST LYME ZONING COMMISSION  
PUBLIC HEARING II  
Thursday, August 7th, 2003  
MINUTES

The East Lyme Zoning Commission held the Public Hearing to amend the Zoning Regulations by adding a new Section 32 – “Affordable Housing District” on August 7, 2003 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT.

Chairman Nickerson opened the Public Hearing and called it to order at 7:49 PM.

**PRESENT:** Mark Nickerson, Chairman, Robert Bulmer, Secretary,  
Shawn McLaughlin, Ed Gada, William Dwyer, Alternate  
and Andrew Manter, Alternate

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

**ABSENT:** Norman Peck, David Chamberlain

**PANEL:** Mark Nickerson, Chairman, Robert Bulmer, Secretary,  
Shawn McLaughlin, Ed Gada, William Dwyer, Alternate  
and Andrew Manter, Alternate

FILED IN EAST LYME TOWN  
CLERK'S OFFICE

Aug 11 20 03 at 3:05 AM  
PM

*Esther B. Williams*

EAST LYME TOWN CLERK

### Public Hearing II

1. East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations by adopting a new Section 32 entitled “Affordable Housing District.” This section will provide regulatory standards for the creation of Affordable Housing zones, requiring a minimum of 10 acres. The use will be by Special Permit subject to the Special Permit requirements and the site plan regulations.

Mr. Nickerson noted that the Legal Ad had run on July 25, 2003 and August 5, 2003 in the Day.

Mr. Bulmer read into the record:

1. Memorandum dated August 7, 2003 from William Mulholland, Zoning Official to the Zoning Commission – Re: Affordable Housing Amendment
2. Letter from George McPherson, Secretary of the East Lyme Planning Commission dated July 23, 2003 – Re: Zoning Referral – Proposed Affordable Housing District – found consistent with the Plan of Conservation and Development with a suggestion that Section 32.8.2 be amended to read adequate sewer capacity.
3. Letter to William Mulholland, ZEO from Marcy L. Balint, Sr. Coastal Planner, Office of Long Island Sound Programs - State of Connecticut - DEP dated August 5, 2003 - suggesting that consideration should be given to adding/specifying that there be a 150' non-disturbance buffer from tidal wetlands and watercourses.
4. Letter dated July 25, 2003 from High McKenney – SECCOG – Regional Planning Commission stating that the regulations are procedural and administrative in nature.

Mr. Nickerson noted that this has been discussed extensively over the course of many months. He additionally noted that two items that had just come up. The addition of 'sewer' to Section 32.8.2 and the 150' buffer.

Mr. Mulholland suggested that with reference to the 150' buffer that they add a Section 32.4.11 to read: that a 150' non-disturbed buffer shall be required from tidal wetlands and watercourses.

Mr. Dwyer noted that CAM reviews within 1000'.

Mr. Mulholland commented that there are a number of levels of reviews and referrals under this program that would have to be done should an application be received.

Mr. Dwyer said that he thought that SECCOG would not be involved unless it was within 500' of Waterford and the sewage was affecting them.

Mr. Mulholland said that they would get a referral on water if it were within 500' of Waterford and us. However, Sewer issues are under the jurisdiction of the Water & Sewer Commission and not this Commission.

Mr. Nickerson noted that the sewer capacity issue is what Planning has asked them to clarify.

Mr. Gada asked if they passed this tonight if there would be other stops after this.

Mr. Nickerson said no – this means that they would now have AHD Regulations in effect for this Town. It is a floating zone and the applicant would have to meet the regulations.

Mr. Nickerson asked if anyone from the public wished to speak in favor of these proposed regulations – hearing no one –

He asked if anyone from the public wished to speak against these proposed regulations – hearing no one –

He asked if anyone from the public wished to make a neutral comment on these proposed regulations – hearing no one –

He asked if the Commission had any other questions.

Mr. Dwyer said that they might want to mention that this is mandatory and that the State is requiring that they set up AHD regulations.

Mr. Nickerson explained that East Lyme does not meet the State numbers for Affordable Housing and that setting up these regulations will help the Town with guidelines for an AHD. He added that while this would help an applicant could still take their case to the courts.

Mr. Mulholland suggested that they tighten up the AHD regulations further by inclusion of the two points that were made here, during the decision process in their regular meeting.

**\*\*MOTION (1)**

**Mr. McLaughlin moved to close Public Hearing II – the East Lyme Zoning Commission proposal to amend the Zoning Regulations by adding a new Section 32 – 'Affordable Housing District' at 8:12 PM.**

**Mr. Gada seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary