

EAST LYME ZONING COMMISSION

REGULAR MEETING

MINUTES

JANUARY 23, 2003

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Feb 3 2003 at 12:25 AM PM

Esther B. Williams

EAST LYME TOWN CLERK

A REGULAR MEETING was held at the East Lyme Town Hall, 108 Pennsylvania Ave., Niantic, CT on January 23, 2003.

Present: Mrs. Cone, Mr. McLaughlin, Mr. Gada, Mr. Peck, Mr. Chamberlain and Alternates Mr. Bulmer and Mr. Dwyer

Also Present: Mr. Mulholland, Zoning Official

PANEL: Mrs. Cone, Mr. McLaughlin, Mr. Gada, Mr. Peck, Mr. Chamberlain and Alternate Mr. Bulmer.

Mrs. Cone opened the Regular Meeting following Public Hearings I and II at 9:50 PM

PLEDGE OF ALLEGIANCE

PUBLIC DELEGATION

Marvin Schutt, 29 Edgewood Rd., North, Niantic, CT stated that he had sent a letter to the Conservation Commission, Zoning Commission and Water & Sewer Commission concerning the proposed Stop & Shop project.

REGULAR MEETING

Mrs. Cone opened the Regular Meeting following the Public Hearing.

1. Minutes of January 9, 2003 – Tabled until the next meeting
2. Minutes of November 25, 2002 – Tabled until the next meeting
3. Application of Attorney Theodore A. Harris for a change of zone from CA, Commercial and RU-40 Residential to SU-E Special Use-Elderly for the following properties as submitted by the applicant: 10 Indian Woods Rd. (portion-East Lyme Assessor Map 10.4, Lot #13); 4 Indian Woods Rd. (Assessor Map 10.4, Lot #10); 142 West Main St.

(Assessor Map 10.4, Lot #10-1); 8 Indian Woods Rd. (Assessor Map 10.4, Lot # 12) and 6 Indian Woods Rd. (portion-East Lyme Assessor Map 10.4, Lot #11), Niantic, CT

4. Application of Attorney Theodore A. Harris for a Special Permit and Coastal Area Management Site Plan Review to construct 80 units of Elderly Housing for the following properties as submitted by the applicant: 10 Indian Woods Rd. (portion-East Lyme Assessor Map 10.4, Lot #13); 4 Indian Woods Rd. (Assessor Map 10.4, Lot #10); 142 West Main St. (Assessor Map 10.4, Lot #10-1); 8 Indian Woods Rd. (Assessor Map 10.4, Lot # 12) and 6 Indian Woods Rd. (portion-East Lyme Assessor Map 10.4, Lot #11), Niantic, CT

Mr. Peck stated he thought the project would be an asset to the Town of East Lyme. He stated that the Zoning Commission may or may not have jurisdiction with respect to archaeological sites but noted that historically there has been a lot of activity around or on that site which has been documented. He stated he was concerned with the preservation of any historic site.

Mr. Chamberlain agreed with Mr. Peck with respect to the possible archaeological importance of the area and inquired as to language, which could be used in a motion. Mr. Mulholland stated that the Commission could encourage the applicant, but not require, to be mindful of the possibility of historic artifacts on the site.

Mr. McLaughlin noted that the application conformed to Zoning Regulations.

Mrs. Cone noted that the applicant is also requesting a waiver of the requirements for sidewalks and she supported the request.

MOTION (1): Mr. Bulmer moved to approve the Attorney Theodore A. Harris for a change of zone from CA, Commercial and RU-40 Residential to SU-E Special Use-Elderly for the following properties as submitted by the applicant: 10 Indian Woods Rd. (portion-East Lyme Assessor Map 10.4, Lot #13); 4 Indian Woods Rd. (Assessor Map 10.4, Lot #10); 142 West Main St. (Assessor Map 10.4, Lot #10-1); 8 Indian Woods Rd. (Assessor Map 10.4, Lot # 12) and 6 Indian Woods Rd. (portion-East Lyme Assessor Map 10.4, Lot #11), Niantic, CT and to encourage the applicant to be sensitive to archaeological considerations expressed by Mr. Bellantoni, State Archaeologist.
Seconded by Mr. Chamberlain.
Vote in favor: (6-0), Unanimous.

MOTION (2): Mr. Bulmer moved to approve the application of Theodore A. Harris for a Special Permit to construct 77 units of elderly housing for the following properties as submitted by the applicant: 10 Indian Woods Rd (portion-East Lyme Assessor Map 10.4, Lot #13), 4 Indian Woods Road (Assessor Map 10.4, Lot #10), 142 West Main Street (Assessor Map 10.4, Lot 10-1), 8 Indian Woods Rd. (Assessor Map 10.4, Lot 12), and 6 Indian Woods Road (portion-East Lyme Assessor Map 10.4, Lot#11), Niantic, CT and grant a waiver of the requirement for sidewalks under Section 24.7 of the Zoning Regulations and to encourage the applicant to be sensitive to the archeological considerations expressed by Mr. Nicholas Bellantoni, CT State Archaeologist.

Mr. Chamberlain seconded the motion.

Vote in favor: (6-0), Unanimous.

- REASON: 1. Complies with East Lyme Zoning Regulations.
2. Consistent with Plan of Conservation and Development.

Effective: 2/6/03.

OLD BUSINESS

1. Subcommittees – nothing further
2. Storm Water – nothing further
3. Affordable Housing – nothing further

NEW BUSINESS

1. Application of John C. Damato, Jr. for a Special Permit to excavate, deposit and regrade earth products on Lot 9, 12, 16, 17 and 18 on Freedom and Liberty Way in Business Park West.

Mrs. Cone requested Mr. Mulholland schedule a public hearing.

2. Adjournment

Mr. Bulmer moved to adjourn the meeting at 10:35 PM. Mrs. Cone seconded the motion.

Vote in favor: (6-0), Unanimous.

Respectfully submitted,



Anita M. Bennett

February 3, 2003