

**EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, NOVEMBER 4th, 2004
MINUTES**

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

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

ABSENT: William Dwyer, Alternate, Marc Salerno, Alternate

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Nov 8 20 04 at 3:15 AM
PM

Esther B. Williams
EAST LYME TOWN CLERK

1. Call to Order

Chairman Nickerson called the Regular Meeting of the Zoning Commission to order at 8:20 PM immediately following the two previously scheduled Public Hearings.

Public Delegations

Mr. Nickerson called for anyone from the public who wished to address the Commission on subject matters not on the Agenda.

There were none.

2. Acceptance of Minutes of Public Hearing I and Regular Meeting of September 29, 2004, Minutes of Public Hearing I, Public Hearing II & III and Regular Meeting of October 7, 2004 and Minutes of Public Hearing I and Regular Meeting of October 21, 2004.

Mr. Nickerson asked that they vote on the minutes as a group unless they had specific comments that warranted otherwise.

Mr. Nickerson called for any changes or corrections to the Public Hearing I or Regular Meeting Minutes of September 29, 2004.

****MOTION (1)**

Mr. Peck moved to accept the Public Hearing I and Regular Meeting Minutes of September 29, 2004 of the Zoning Commission as presented.

Ms. Byrnes seconded the motion.

Vote: 6 - 0 - 0. Motion passed.

Mr. Nickerson called for any changes or corrections to the Public Hearing I, Public Hearing II & III or Regular Meeting Minutes of October 7, 2004.

****MOTION (2)**

Ms. Carabelas moved to accept the Public Hearing I, Public Hearing II & III and Regular Meeting Minutes of October 7, 2004 of the Zoning Commission as presented.

Ms. Byrnes seconded the motion.

Vote: 6 - 0 - 0. Motion passed.

(Note: Ms. Carabelas joined the audience and Mr. Henderson was seated to vote on this next set of Minutes)

Mr. Nickerson called for any changes or corrections to the Public Hearing I or Regular Meeting Minutes of October 21, 2004.

****MOTION (3)**

Mr. Henderson moved to accept the Public Hearing I and Regular Meeting Minutes of October 21, 2004 of the Zoning Commission as presented.

Mr. McLaughlin seconded the motion.

Vote: 4 – 0 – 2. Motion passed.

Abstained: Ms. Byrnes and Mr. Gada

(Note: Ms. Carabelas rejoined the table and Mr. Henderson returned to the audience)

- 3. Application of Landmark Development Group, LLC and Jarvis of Cheshire, LLC for approval of the proposed development of the residential community as shown in plans entitled “River View Heights, (a residential community)” as an affordable housing development as defined in Connecticut General Statutes 8-30g (a)(1).**

Mr. Nickerson said that they had just continued this Public Hearing.

- 4. Application of Ralph and Rose Marie Whiting for a change of zone from RU-40 to Special Use Elderly (SU-E) for property identified in the application as 40 Roxbury Road, Niantic, Connecticut – and -**

- 5. Application of Ralph and Rose Marie Whiting for a Special Permit to construct 27 units of elderly housing at property identified in the application as 40 Roxbury Road, Niantic, Connecticut.**

Mr. Nickerson said that they had just continued this Public Hearing until their November 18, 2004 meeting.

Old Business

1. Stormwater

This work is in progress.

2. Aquifer Protection

This work is in progress.

New Business

1. Any business on the floor, if any, by the majority vote of the Commission

There was none.

2. Zoning Official/Proposed Amendment to Regulate “Shared Access Points” between adjoining properties

Mr. Mulholland said that he would like to hold off on discussion on this for another night, as he is not comfortable with the language and would like the time to further review it.

Mr. Mulholland also said that he would have language for them to review and discuss on changes to the open space requirement in the SU and SU-E areas as well as on density. He said, that he expects that they will have the time to discuss this at their next regular meeting on November 18, 2004.

Mr. Nickerson asked Mr. Mulholland to add to the agenda, in this area – Report from Subcommittee on Lot Sizes that he and Mr. Salerno and Mr. Henderson have formed and are on.

3. Comments from Ex-Officio

Ms. Hardy reported that regarding a possible moratorium, Mr. Fraser brought a folder of documents that he received when he contacted CCM for information on this. It appears that it could be anyone who could call for a moratorium however she thinks that the initial responsibility would lie with the Zoning Commission. She has volunteered to be a Subcommittee of One to review the documents and make recommendations. She said that she still wants all of the land use commissions to get together and meet.

Ms. Hardy also reported that they are discussing the offer from Northeast Utilities and Dominion of the Main Street property for the Town to use. They are discussing this in terms of a temporary use while the Public Safety Committee works on locating a suitable permanent area.

Ms. Carabelas asked if the old Police Station could be expanded or a second story added to it.
Ms. Hardy said that she thinks that it is in such poor shape that it would not be worth doing.

Mr. Nickerson asked about the Charter Revision changes from the recent election.
Ms. Hardy said that what passed that pertains to them is that the Planning and Zoning Commission Alternate positions will be permanently added to the Charter. What also passed was that the person who loses his/her bid for the First Selectman position is no longer eligible for a seat on the Board of Selectmen.

4. Comments from Zoning Board liaison to Planning Commission

There were none.

5. Comments from Chairman

Mr. Nickerson said that he would like them to put the discussion on the SU and SU-E open space requirements and density towards the front of their next agenda so that they can move on this. It will have to go to Public Hearing and that won't happen until January if they can move on it now.

6. Adjournment

****MOTION (4)**

Ms. Byrnes moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 8:32 PM.

Mr. Gada seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

Agenda

East Lyme Zoning Commission
Public Hearing and Regular Meeting
November 4, 2004 - 7:30 P.M. East Lyme Town Hall
108 Pennsylvania Ave, Niantic CT 06357

L. P. P. A. T. C.
EAST LYME TOWN CLERK

Pledge of Allegiance

Public Delegations

Time set aside for the public to address the Commission on subject matters not on the Agenda.

Public Hearing

1. Continuation of Public Hearing on the application of Landmark Development Group, LLC and Jarvis of Cheshire, LLC for approval of the proposed development of the residential community as shown in plans entitled "River View Heights, (a residential community)" as an affordable housing development as defined in Connecticut General Statutes 8-30g(a)(1).
2. Application of Ralph and Rose Marie Whiting for a change of zone from RU-40 to Special Use Elderly (SU-E) for property identified in the application as 40 Roxbury Road, Niantic, Connecticut.
3. Application of Ralph and Rose Marie Whiting for a Special Permit to construct 27 units of elderly housing at property identified in the application as 40 Roxbury Road, Niantic, Connecticut.

Regular Meeting

1. Call to order.
2. Acceptance of minutes of Public Hearing I and Special Meeting of September 29, 2004, Public Hearing I, Public Hearing II & III, and Regular Meeting of October 7, 2004, and Public Hearing I and Regular Meeting of October 21, 2004.
3. Continuation of Public Hearing on the application of Landmark Development Group, LLC and Jarvis of Cheshire, LLC for approval of the proposed development of the residential community as shown in plans entitled "River View Heights, (a residential community)" as an affordable housing development as defined in Connecticut General Statutes 8-30g(a)(1).
4. Application of Ralph and Rose Marie Whiting for a change of zone from RU-40 to Special Use Elderly (SU-E) for property identified in the application as 40 Roxbury Road, Niantic, Connecticut. Accompanying the zone change proposal is a request for a Special Permit to construct 27 units of elderly housing.
5. Application of Ralph and Rose Marie Whiting for a Special Permit to construct 27 units of elderly housing at property identified in the application as 40 Roxbury Road, Niantic, Connecticut.

Old Business

1. Stormwater
2. Aquifer Protection

New Business (None)

1. Any business on the floor, if any by the majority vote of the Commission.
2. Zoning Official / Proposed amendment to regulate "shared access points" between adjoining properties (Discussion).
3. Comments from Ex-Officio
4. Comments from zoning board liaison to Planning Commission
5. Comments from Chairman
6. Adjournment

Mark Nickerson

Mark Nickerson, Chairman
October 26, 2004