

EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, October 2nd, 2003
MINUTES

FILED IN EAST LYME
Oct 8, 2003 AT *9:30* *PM*
L. A. Blair, atc
EAST LYME TOWN CLERK

PRESENT: Bob Bulmer, Acting Chairman Shawn McLaughlin,
Ed Gada, Norman Peck, Marc Salerno, Alternate
and Acting Secretary, Andrew Manter, Alternate

ALSO PRESENT: William Mulholland, Zoning Official,
Rose Ann Hardy, Ex-Officio, Board of Selectmen
Attorney Theodore Harris, Applicant

ABSENT: Mark Nickerson, Chairman, William Dwyer, Alternate,
David Chamberlain

1. Call to Order

Acting Chairman Bulmer called the Regular Meeting of the Zoning Commission to order at 10:59 PM immediately following the two previously scheduled public hearings.

Public Delegations

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

There was no one.

2. Accept Minutes of September 18, 2003 – Public Hearing and Regular Meeting.

Mr. Bulmer called for any corrections or discussion on the Zoning Commission Public Hearing I Minutes of September 18, 2003.

****MOTION (1)**

Mr. Manter moved to accept the Zoning Commission Public Hearing I Minutes of September 18, 2003 as presented.

Mr. Gada seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Salerno

Mr. Bulmer called for any corrections or discussion on the Zoning Commission Regular Meeting Minutes of September 18, 2003.

Mr. Peck directed them to Page 2, Item 4. - the last two lines of Paragraph 2 and asked that they be changed to read: *To end the sidewalk would not encourage people to walk into a State Park. Bride Brook Park has seen a lot of activity in the last two years.*

****MOTION (2)**

Mr. Gada moved to accept the Zoning Commission Regular Meeting Minutes of September 18, 2003 as amended.

Mr. Manter seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Salerno

3. Application of Theodore A. Harris to amend Section 25.5 (Multi-family SU-11) of the East Lyme Zoning Regulations

Mr. Bulmer asked if Attorney Harris would mind if they continued their decision on this until their next meeting due to the lateness of the hour.
Attorney Harris said that would be fine.

4. **Application of Mystic Shoreline Investment, Inc., for a change of zone from RU-40 to CA-Commercial for a rear portion of property identified in the application as 199 Flanders Road, Lot 44 on East Lyme Assessor Map 26.3 and –**
5. **Application of Mystic Shoreline Investment, Inc., for a Special Permit to construct twenty-five (25) single family elderly housing units on property identified as 199 and 181 Flanders Road, Lots 44 and 45 on East Lyme Assessor Map 26.3**

Mr. Bulmer noted that they had just continued this public hearing until their next meeting on October 16, 2003.

6. **Request of Matthew White, PE for an exception (24.7) to 24.6.c “sidewalks” for property at the corner of Route 156 and Liberty Way, Niantic, Connecticut**

Mr. Gada said that he has personally walked the property, as he is sure the other Commission members have. In a nutshell, this is a death trap and it is an invitation to go out to Route 156 to an area where the light has an arrow that never turns red and where someone will be hurt when they try to cross.

Mr. Bulmer said that he went out and looked at the area and was out on the bridge when an 18-wheeler came by and nearly blew him over and off the bridge. They should not have sidewalks there as it is a death trap. They should encourage that no sidewalks go to that corner.

Ms. Hardy said that in the past, if a waiver was given on sidewalks that something was given in kind.

Mr. Mulholland said that there was a discussion of initiating that but more through the front office than this Commission. It is something that should be addressed by the Board of Selectmen or by Ordinance rather than by this Commission.

Ms. Hardy said that the abatement here could be to put the sidewalk somewhere else.

Mr. Peck said that the developer is already putting in sidewalks, this is just for no sidewalk across the main street (Rte. 156).

Mr. Mulholland said that he would look into this with staff regarding if anything was discussed about in kind or abatements.

****MOTION (3)**

Mr. Gada moved that they grant the waiver request of Matthew White to eliminate the 100' of sidewalk that runs parallel with Route 156.

Mr. Manter seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Salerno

7. **Application of John Fosgraw for a Coastal Site Plan review to remove an existing dwelling and construct a new single family dwelling in its place at 44 Shore road, Niantic, Connecticut.**

Mr. Mulholland said that the applicant has requested that he be heard at their next meeting in two weeks.

OLD BUSINESS

1. **Stormwater**

Mr. Mulholland said that this is an on-going process that he and the Town Engineer are working on.

NEW BUSINESS

1. **NONE**

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

There was none.

3. **Zoning Official**

Mr. Mulholland said that he attended an EDC Seminar this past Tuesday evening concerning the regional focus of the towns. It seems that most of the towns in this regional area are looking for the same dollars. What

he got out of this was that they should try to keep the businesses that they have, as a 'Pfizer' is not going to drop into every town.

4. Comments from Ex-Officio.

Ms. Hardy said that she would update them on the Town trash plan. First, she asked if with Mr. Harris's proposal for non-conforming roads (Saunders Point and Pine Grove are problems for the new trucks and an old truck will have to be retrofitted for use there) that if they are going to allow newer developments to do this that perhaps they should require that they won't be picking up their trash.

Mr. Bulmer asked if we currently pick up trash in gated communities.

Mr. Mulholland said that we do as some time ago they needed it to meet their quota even though they now have more than they need. However, in the newer developments they have made sure that there is enough room for the trucks to get in and turn around and that special places are designed for the trash to be put for pick-up. All of this has been discussed.

Ms. Hardy said that they will be getting a trash container with their own ID # and with a bill for \$20 delivered to their homes. The recycling will remain the same and they expect to continue it on the same day as the regular pick-ups.

5. Comments from Zoning Board Liaison to Planning Commission

There were no meetings since Mr. Bulmer last reported.

6. Liaison to Planning Commission Meeting scheduled for October 7th

To come.

7. Comments from Chairman

Mr. Bulmer thanked everyone for hanging in through the late hour.

8. Adjournment

****MOTION (4)**

Mr. Peck moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 11:15 PM.

Mr. Gada seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary