

EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, September 18th, 2003
MINUTES

FILED IN EAST LYME TOWN
CLERK'S OFFICE

PRESENT: Mark Nickerson, Chairman, Shawn McLaughlin,
Ed Gada, Norman Peck, Bob Bulmer, Andrew
Manter, Alternate

Sept 22 2003 at 2 AM
Esther B. Bulmer

ALSO PRESENT: William Mulholland, Zoning Official,
Rose Ann Hardy, Ex-Officio, Board of Selectmen
Matthew White, PE

EAST LYME TOWN CLERK

ABSENT: William Dwyer, Alternate, Marc Salerno, Alternate,
David Chamberlain

1. Call to Order

Chairman Nickerson called the Regular Meeting of the Zoning Commission to order at 9:12 PM immediately following the previously scheduled public hearing.

Public Delegations

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

Joe Kwasniewski, 67 Walnut Hill Road, East Lyme said that he would like to speak on matters that are addressed in the public hearing and asked when he could do so.

Mr. Nickerson said that he could speak during the public hearing when public comments were called for.

2. Accept Minutes of September 4, 2003 – Public Hearing and Regular Meeting.

Mr. Nickerson called for any corrections or discussion on the Zoning Commission Public Hearing I Minutes of September 4, 2003.

****MOTION (1)**

Mr. Manter moved to accept the Zoning Commission Public Hearing I Minutes of September 4, 2003 as presented.

Mr. Bulmer seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Nickerson

Mr. Nickerson called for any corrections or discussion on the Zoning Commission Regular Meeting Minutes of September 4, 2003.

****MOTION (2)**

Mr. Gada moved to accept the Zoning Commission Regular Meeting Minutes of September 4, 2003 as presented.

Mr. Manter seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Nickerson

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

Mr. Nickerson noted that they had just continued this public hearing until October 2, 2003.

4. 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. Mulholland said that Mr. White the Engineer is present. The building is to be occupied by light industrial, probably manufacturing. It has received Staff level approval however they are looking for a waiver of the sidewalk on Route 156. Liberty Way will have sidewalks however Route 156 has no place for the sidewalk to abut to. The applicant is asking that it be waived as it goes to nowhere. He added that he is not sure that it ever would connect to anywhere or that Route 156 would have sidewalks in that area.

Mr. Bulmer asked Mr. Mulholland if this isn't under his purview to handle this.

Mr. Mulholland replied yes but said that he could not waive the sidewalk requirement.

Mr. Bulmer asked Mr. Mulholland if he had explicitly marked the plan for where the sidewalk ends.

Mr. Mulholland said yes and added that engineering will see that the sidewalk is built to standard.

Mr. Nickerson said that the sidewalks were part of the plan and regulations so that we would get them and we keep denying them. He asked if Mr. Mulholland saw anywhere for them to connect to in 20 years.

Mr. Mulholland said that there have not been any in 20 years and he does not see sidewalks going to the connector road, bridge or the left hand turn in the next 20 years.

Mr. Peck said that there is the Bride Brook monument and the State has an easement across/along the river. To end the sidewalk would not encourage people to walk into a State Park that has seen a lot of activity in the last two years. Also, Rocky Neck State Park is across the street.

Matthew White, PE explained that the reason that he wants the waiver is that it is a bit of a physical problem to put the sidewalk on Route 156 with the bridge and the steel guardrail you would not get past a certain point. They are not going to rebuild the bridge to allow for only about a 100' stretch of sidewalk that drops off to a wetland and that would require a great amount of work.

Mr. Nickerson suggested that they could hold off on this and go look at it individually or ask Mr. Mulholland for his expert opinion.

Mr. Mulholland said that he looks at it and sees the physical conditions as Mr. White pointed out and the regulations speak to these types of conditions. It is a rough site and there are some wetlands there.

Mr. Nickerson asked why even bring the sidewalks out to the road.

Mr. Mulholland said that it was mandated.

Nickerson said exactly, so the front would be also.

Mr. McLaughlin and Mr. Gada said that you could see that it is tough to even walk there. They can see walking in Liberty Way but Route 156 is a tough place and the road is four lanes there.

Mr. Bulmer summed up that from the engineer and the recommendation of Mr. Mulholland that it would be extremely costly and difficult to put the sidewalk in and it would have marginal value. It seems very cumbersome with little benefit. On Route 156 it would take them to nowhere but the bridge which is an unsafe area. They also just approved a facility like a nursery with kids and it would not be wise to encourage a dangerous situation. They do have a sidewalk up and down Liberty Way that connects the businesses there.

Mr. Peck said it was a good point that the bridge has to be crossed.

Mr. Nickerson said that he would like to go see the area.

****MOTION (3)**

Mr. Nickerson moved that they postpone a decision on the request of Matthew White for a sidewalk waiver for Route 156, Niantic, CT to enable members of the Commission to go see the site.

Mr. Bulmer seconded the motion.

Vote: 4 – 0 – 2. Motion passed.

Abstained: Mr. Peck, Mr. Gada

OLD BUSINESS

1. Stormwater

Mr. Mulholland said that this is an old issue that he is still 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 is very, very busy with a lot of applications that they won't see as they are for projects less than 20,000 sq. ft. He is hearing a lot about too much development however you can drive up and down the street and you do not see development. The Stop & Shop will start in about four weeks and the Walgreen's probably in the early spring.

4. Comments from Ex-Officio.

Ms. Hardy said that she had nothing to report.

5. Comments from Zoning Board Liaison to Planning Commission

Mr. Bulmer said that he attended the last meeting of the Planning Commission. He reported that half of the meeting was spent on a public hearing on a proposed subdivision in Cranberry Lane off Walnut Hill Road. It was continued pending answers on who owns the land. Also, there are at least 18 approved subdivisions that add up to 300 new homes. They also entertained a Mystic Shoreline referral from Zoning. Their Ex-Officio Barbara Birmingham said that the Boardwalk bids are in line with the money that is available. She also reported that the trash trucks should be here by November 1, 2003. Mr. Dalrymple who is their Niantic Main Street representative gave a report on the most recent meeting regarding the street lamps and making some Zoning recommendations on banners and signage. Lastly, they passed a payment in lieu of open space concept some time ago to be able to get money to purchase land.

6. Liaison to Planning Commission Meeting

There was no one present.

7. Comments from Chairman

Mr. Nickerson said that the New York Times is doing an article on East Lyme and that the Zoning issues in Town are the focus of this article. He thinks that it will be in this Sunday's edition of the New York Times.

8. Adjournment

****MOTION (4)**

Mr. Peck moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 9:53 PM.

Mr. Bulmer seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary