

**East Lyme Zoning Commission  
Special Meeting  
July 27, 2000**

**MINUTES**

The East Lyme Zoning Commission held a Special Meeting on July 27, 2000 at the Town Hall, 108 Pennsylvania Ave., Niantic, CT. Mr. William Weber chaired the meeting. Mr. Weber called the meeting to order at 7:05 PM.

**PRESENT:** Chairman William Weber, Norman Peck, Ed Gada, Athena Cone, Donna Orefice and David Chamberlain,

**Absent:** Robert Bulmer, Mark Nickerson.

**Also present:** Meg Parulis, Land Use Coordinator

- I. Pledge of Allegiance**
- II. Public Delegation – None**
- III. Special Meeting**

FILED IN EAST LYME TOWN  
CLERK'S OFFICE

Aug 7 2000 at 12:25 <sup>AM</sup>~~PM~~

Esther B. Williams

Discussion of Gateway Planned Development District

EAST LYME TOWN CLERK

The Commission discussed the new proposal to Zoning Regulations, Section 11A to establish a GPDD.

Mr. Weber stated that he has spoken with EDC, Planning Commission, First Selectman and others regarding establishing this new District. Initially, it was proposed as an upscale, high-tech, corporation, research center, light industrial - business-park. He indicated that in his discussions with the above individuals, there does not appear to be any interest demonstrated in this type of park. There are industrial parks in East Lyme with space available. He stated that the type of business initially proposed, i.e. high-tech, research facilities, or Fortune 500 tend to build around colleges and universities. He stated that interest in the proposed land area has been primarily retail. Retail stores prefer to be close to an interstate exit. He added that if the District was restricted and limiting in the type of businesses that are Permitted, and there is no need for it, the town would have created something that no one wants.

Mr. Weber noted that the East Lyme School System is an asset to the town, but the lack of housing is a deterrent to a large firm, Fortune 500, research center, transferring employees into the area.

Mr. Weber requested comments from the Members regarding proposed Section 11A.1 PERMITTED USES and Section 11A.2 SPECIAL PERMIT USES.

Mr. Weber suggested Health Club(11A.2.3)and Studios for Recording Television, Radio, and Motion Pictures (11A.2.2), currently SPECIAL PERMIT USES, be moved to PERMITTED USES. Discussion followed briefly and the Commission members agreed.

Mr. Weber requested discussion regarding "Residential as a mixed use" as a SPECIAL PERMIT USE. Mrs. Orefice inquired if this was considered residential/apartment above a retail store. Mr. Weber stated that this is one type of mixed use. Typically residential as a mixed use requires a Special Permit in the Regulations.

Mr. Weber requested any other comments the Members wished to make regard any other possible changes to the PERMITTED USES and SPECIAL PERMIT USES.

Mr. Peck stated that the land area proposed as the GPDD deserves something other than retail. He strongly recommended striking retail and restaurants from PERMITTED USES. He strongly recommended the town hire a marketing company perform a significant marketing analysis for this property. He stated that there has not been any serious marketing of this property. He indicated that the land could and should be developed for offices or corporate headquarters. He added that more retail would be detrimental to other businesses in East Lyme. He stated that this is the best piece of land between New York and Boston and should be developed appropriately and another large retail store/plaza diminishes the property. Mr. Peck noted that the town spent \$25,000 on the Yale study and that this property deserves many times the amount of expenditure to properly develop the property in the proposed GPDD. He added that a new exit 74 and a frontage road would require extensive State and Town efforts and expense, but without the road and exit, the traffic problem would be major. He indicated that the frontage road is mentioned in the Plan of Development.

Mr. Chamberlain stated that he was apprehensive about allowing retail in the district, particularly large single store retail buildings. He supported a major marketing effort. He added that there are plenty of other uses for the property and the cost of a marketing analysis would be worth the effort.

Mr. Gada stated that it may be advantageous to have a representative from a marketing firm address the town on the nature and scope of their services.

Mr. Peck noted that the Planning Department, and Economic Development Committee do not have time or personnel to perform any marketing studies, and SECTOR covers the region as a whole.

Mr. Weber stated that the conversations he has had with members of other town Commissions, and public officials bear out that the interest in a hi-tech, large scale, corporate park is not present for this location due to demographic reasons, economics, and residential housing not readily available, etc.

Mrs. Parulis noted that in the original proposal, retail was included. Planning Dept. wanted mix use and was concern that retail would make up most of the district. Originally, a limit on retail was proposed – no more than 30 percent of the entire site can be retail. She added that this would be a benefit to the first business that constructs on the site. If retail initially goes into the district, and it can support building the infrastructure, the rest of the site will be more developable. However, that initial retailer could use up the entire 30% limitation.

Mrs. Orefice inquired if Mrs. Parulis knew of what kind and scope of research has been done regarding this property.

Mrs. Parulis stated that in the Yale report, John Shapiro proposed mixed use, campus setting or totally residential. To her knowledge the town has not funded a marketing study.

Mr. Gada stated that if a Fortune 500 or large corporate organization developed initially in the district, the retail would be supportive and limiting retail would not be necessary. He stated that from previous discussions and the initial proposal, it was his understanding that a large corporate organization was the favored initial occupant.

Mr. Weber stated that one of the options is to initially attract a retail organization, which would fund the development of the infrastructure. Once the infrastructure is developed, the larger corporation and other businesses would then be attracted.

Mr. Peck noted that some of the total 184 acres of the site is undevelopable due to wetlands. He recommended leaving parcel 26/2 and 25/36 out of the calculation for retail limitation (30%).

Mrs. Orefice inquired why the Planning Commission is proposing this zone change.

Mrs. Parulis stated that the GPDD has been a planning concept for some time. It was endorsed by the Yale Charette and has been in the Plan of Development. The plan is to obtain maximum development of the property. The infrastructure plan is critical to prevent any portion of the property from becoming landlocked, given the limited frontage on Route 161.

Mr. Peck stated that surrounding towns have ample or an overage of retail space and this property should be reserved for a better use. The land may not be developed for 5 or 10 years from now and he supports planning for this piece of property for the best possible outcome.

Mr. Weber stated that, if the town is to develop the property as prime real estate, with a frontage road and infrastructure, architectural reviews, etc., to have some retail as a part of the development will not diminish the quality of the development.

Discussion followed as to the calculation of the retail limitation percentage and what that percentage or number of acres might be. Mrs. Parulis will calculate the number of developable acres, excluding parcels 26/2 and 25/35 as recommended by Mr. Peck, than take 30% of that number to arrive at the retail acreage limitation.

SPECIAL PERMIT USE, Section 11A.2.8 Residential as mixed use.

Mr. Gada noted that there are people who want to live within close range of their place of employment.

Mr. Weber stated that people who can't buy houses in town would also rent the apartments. He also stated that hi-tech companies like to have rental housing available for their employees. He also stated that he would like a developer to be able to read the East Lyme Zoning Regulations and know what he can and cannot do.

Mr. Peck stated that he would be in favor of including Elderly Housing in the GPDD village atmosphere, plus mixed use residential as an accessory use to a corporate business. He stated that he was not in favor of 4-story residential apartment over a retail business.

Mr. Weber stated that if Elderly Housing were allowed, he would prefer restrictions on total acreage and no stand-alone residences allowed.

Mrs. Parulis indicated that the Gateway Planned Development District must be included in Section 25 or develop a set of controls specific to the GPDD.

Mrs. Cone and Mrs. Orefice stated that they did not believe this district was an appropriate location for Elderly Housing. Mr. Weber added that Elderly Housing was inconsistent with a corporate park. Mr. Peck stated that he thought the northern most area of the district would be appropriate for Elderly Housing.

Mrs. Parulis stated that it is proposed that another parcel, at the junction of Church Lane and Boston Post Rd., be added to the Proposed Gateway Planned Development District.

Following discussion, the Commission agreed that residential be limited to a specific amount of acreage, that it be restricted to one floor above office or business space, and that no stand-alone residential units be permitted.

Mr. Weber inquired if incorporating Flanders Four Corners into the district was considered and what the negatives would be in such a situation. Mrs. Parulis stated that if retail is a permitted use, any business that would be expanding would be subject to the new regulations and architectural controls.

Mrs. Cone suggested that Zoning and Planning Commissions and EDC hold a joint Special Meeting to share opinions, comments and ask questions regarding GPDD. If a public hearing is scheduled, members of the Planning Commission cannot speak and their opinions will not be heard. The referral letter received from the Planning Commission is one-way and does not allow the Zoning Commission members to inquire as to the thinking of the Planning Commission or any member of the Committee and vice versa.

Mr. Weber stated that in conversation with other Commission members and public officials, he has not hear anyone seriously opposed to multi-family, stand-alone residences, not in excess of four units.

Mr. Weber summaries: 1. Schedule a public hearing (probably Nov.). 2. Schedule common meeting with Planning Commission, EDC, Board of Finance and Board of Selectmen to talk about GPDD before the public hearing or 3. Send a copy of the Proposed GPDD to other Commission members and request their comments.

Mr. Peck requested that when Mrs. Parulis edits the Proposal to include in the maximum acreage limitation calculation for retail, (11A1.5) Deli, coffee shops, cafeteria, standard restaurant. He added that Business Services Establishment (11A1.8) is 'Staples', for example, and that is retail and should be included in the calculation. He also suggested the limitation be placed at 10 acres.

Mrs. Parulis inquired if Mr. Peck is including the parking associated with retail in the acreage limitation. Mr. Peck stated include anything dedicated to retail.

Mr. Weber inquired if the Commission agreed with Mr. Peck's method of ascertaining retail limitation acreage. The Commission unanimously agreed.

Following further discussion the Commission agreed that in calculating the retail acreage limitation the following Sections would be included as retail:

Section 11A.1.5	Deli, Coffee Shop, Cafeteria, Standard Restaurant
Section 11A.1.8	Business Services Establishments, Personal Service Establishments
Section 11A.1.9	Retail Stores under 20,000 sf
Section 11A.2.3	Health Club (to be renumbered to 11A.1.10 as Permitted Use)
Section 11A.2.7	Retail Stores over 20,000 sf.

The Commission agreed to DIMENSIONAL REQUIREMENTS (11A.3.1 – 11A.3.6) as presented.

GENERAL REQUIREMENTS: "No single use as permitted in Section 11A.1.1 and 11A.1.2 shall exceed 30% of the entire acreage of the Gateway Planned Development District (approx. 184 acres)." Mrs. Parulis will calculate the acreage or retail -i.e., 30% of buildable land in the proposed district, exclusive of parcels 25/35 and 26/2, plus the new parcel on Route 1, Boston Post Rd.

ENVIRONMENTAL REQUIREMENTS – As presented

ARCHITECTURAL REQUIREMENTS – As presented

LANDSCAPE REQUIREMENTS – As presented

ADDITIONAL APPLICATION REQUIREMENTS – As presented

**Motion (3):** Mrs. Cone moved to adjourn the meeting at 10:35 PM.  
Mr. Chamberlain seconded the motion.  
Vote in favor: (4-0), Unanimous

Respectfully submitted,



Anita M. Bennett  
Recording Secretary  
4 August 2000