

**East Lyme Zoning Commission**

**Regular Meeting**

**June 15, 2000**

**MINUTES**

**FILED IN EAST LYME TOWN  
CLERK'S OFFICE**

*June 23* 20 *00* at *12:35* **AM**  
*Esther B. Williams*  
**EAST LYME TOWN CLERK**

The East Lyme Zoning Commission held a Public Hearing and Regular Meeting on June 15, 2000 at the Town Hall, 108 Pennsylvania Ave., Niantic, CT. Mr. William Weber chaired the meeting. Mr. Weber called the meeting to order at 7:30 PM.

**PRESENT:** Chairman William Weber, Norman Peck, Shawn McLaughlin, David Chamberlain, Mark Nickerson, Robert Bulmer, and Donna Orefice.

**Absent:** Secretary Athena Cone, Ed Gada, and Rose Ann Hardy, Ex-officio.

**Also present:** William Mulholland, Zoning Officer. Charles Ambulos, Planning Representative

**PLEDGE OF ALLEGIANCE**

**PUBLIC DELEGATIONS**

**PUBLIC HEARING**

1. Application of Thomas J. Londregan, agent for Peter Andrade, for a Special Permit to operate a fast food restaurant (Dunkin Donuts) at 255 Main St., Niantic, CT. Property further identified as Lot #107 on East Lyme Assessor's Map #12.1

The public hearing was continued until July 13, 2000 at the request of the applicant.

**REGULAR MEETING**

- A. Approval of Minutes of June 1, 2000

Tabled until the next meeting.

- B. Application of Thomas J. Londregan, agent for Peter Andrade, for a Special Permit to operate a fast food restaurant (Dunkin Donuts) at 255 Main St., Niantic, CT. Property further identified as Lot #107 on East Lyme Assessor's Map #12.1

Public Hearing continued until July 13, 2000

C. Application of Janet G. Ghio for Coastal Site Plan Review to reconstruct the existing single-family dwelling at 54 East Shore Dr., Niantic, CT. Property further identified as Lot #95, East Lyme Assessor's Map #15.5.

Mr. Weber read into the record a letter dated June 13, 2000 to the East Lyme Zoning Commission from Zoning Official William Mulholland indicating that in his opinion, the applicant has demonstrated compliance with all applicable policies and goals of the Coastal Area Management Act.

David Coonrod, Land Surveyor, represented the applicant. He presented and briefly reviewed the CAM Application. There is an existing structure on the property which will be completely remodeled in the same location and add a new addition and covered porch. Municipal water and sewer service the existing single-family home. The Niantic Bay is adjacent and located to the east. The remodeling and construction will take approximately 3 months for exterior work with all work completed in 6-9 months. All excess material will be removed from the site with a minimal amount of excavation on the site. All disturbed area will be seeded and mulched. The only coastal resources on the site are a rocky shorefront and a beach along the easterly side of the property (Niantic Bay), which is abutted by a sea wall. The construction on the site will have no adverse impact on any coastal resource, however a silt barrier or hay bales will be installed along the Bay side of the project. The site falls outside of the FEMA Flood Plain Map area.

Mr. Bulmer inquired if the new structure would be service by municipal water and sewer. Mr. Coonrod indicated that the current dwelling is serviced by municipal water and sewer and the new structure also will be serviced by municipal water and sewer.

**Motion (1):** Mr. Bulmer moved to approve the application of Janet G. Ghio for Coastal Site Plan Review to construct the existing single family dwelling at 54 East Shore Drive, Niantic, CT.  
Mr. Chamberlain seconded the motion.  
Vote in favor: (6-0), Unanimous.

Reason: Application found to be consistent with all applicable coastal policies and includes all reasonable measures to mitigate any adverse impacts.

D. Application of John Cellino for Coastal Site Plan Review to construct an addition to the existing single family dwelling at 60 East Shore Drive, Niantic, CT. Property is further identified as Lot #97, Assessor's Map 5.15.

Withdrawn.

## OLD BUSINESS

### A. Gateway Planned Development District

Mr. Mulholland distributed the most current draft containing all changes thus far discussed by the Commission.

Mr. Weber noted that the Zoning Official, Mr. Mulholland, and Mr. Fraser, First Selectmen are in the process of reviewing the document and making their comments.

Mr. Mulholland briefly reviewed some of the areas of the document where he has comments or recommended changes the Commission should consider. He added that he requires some additional time to investigate the interfacing of this document with the existing Zoning Regulations to determine if there are any incompatible areas or areas needing clarification. Mr. Mulholland stated that overall the GPDD proposal is a very good document.

He then itemized those areas requiring additional study and consideration at this time. He estimated that within a week he could complete his review and satisfy many of his initial questions.

1. Specific definition or description of "Upscale suburban architecture"(11A.6.1)
2. Architecture (11A.6.2): in addition to stone or brick face, the possibility of allowing clapboard, and cedar shingle. Have metal roofs currently being used by some developers been considered as a possible option?
3. Buffers (11A.7.1): Referring to Section 24.6E of the Site Plan - Zoning Regulations discusses buffers, Mr. Mulholland noted that those requirements are different from the GPDD. Mr. Mulholland indicated that he would need to ensure that there was no conflict between these two sections.
4. Parking Garage by Special Permit (11A.2.6). Is this allowed as a primary use of the property? Would parking garages be intended for employees of businesses in the district? The proposal also allows Public Transit Centers(11A.2.4). Can these two functions be integrated in some fashion that would be contrary to the intent of the regulations.
5. Mr. Mulholland noted that most inquiries he receives are from retail businesses. Does the Commission intend to prohibit all retail from the district?
6. Light Manufacturing not involving processing by Special Permit (11A.2.1). Specifically, what processing or processing of what? Assembly? Most light industrial manufacturing involves processing or assembly of some kind?
7. Allow by Special Permit recording studios for television, radio and motion pictures (11A.2.2) Is it the intent to not allow theaters?
8. Dimensional requirements (11A.3.2): Section 20, Zoning Regulations allows rear lots. Mr. Mulholland will investigate whether State Statutes state that Planning Regulations will be in compliance with Zoning Regulations.
9. Height(11A.3.6): No building or structure shall exceed 4 stories or 60 feet in height. Can one story be office space and three stories of parking garage? Typically, a 4-story building is 40 feet.
10. (11A.5.1) Buffer along the Pattagansett River. The Conservation Commission has jurisdiction and requires a 100' buffer but can reduce it to 50 feet.

Mr. Weber noted that Mr. Mulholland's concerns revolve around areas needing clarification, which may or may not be in compliance with existing Zoning Regulations and areas that need study from a long-term perspective. He suggested Mr. Mulholland categorize his comments into these three areas and that the Commission hold a Special Meeting to discuss them.

Mr. Bulmer commended Mr. Mulholland for his work in reviewing the document and presenting his initial thoughts. He noted that the Planning Department and Zoning Department have, by nature, different perspectives. He added that the documents received from the Planning Department are very well thought out and have good concepts in them. He stated that the Zoning Commission must develop the Zoning Regulations and that ultimately the Zoning Officer interfaces with developers and resolves conflicts. He suggested that the Commission review those items the Zoning Officer recommended. He also recommended that before the Commission members review documents that impact on the Zoning Regulations, that the Zoning Officer review to ensure clarity and compliance with the Regulations.

It was the consensus of the Commission to tentatively schedule a Special Meeting July 29, 2000 for the purpose of reviewing in detail the GPDD proposal and Mr. Mulholland's comments before scheduling a Public Hearing.

B. Subcommittees: Architectural Review

Nothing further at this time.

**NEW BUSINESS**

A. Correspondence

Letter from Chairman Barrett, Economic Development Committee, dated 6/15/00 to Chairman Weber, Zoning Commission.

B. Comments from the Zoning Official

Mr. Mulholland stated that he has scheduled a Public Hearing, July 13, 2000 Proposed Amendment Section 28 – application for zone changes.

C. Comments from the Planning Commission Representative – Charles Ambulos

Mr. Ambulos inquired if the property owners in the proposed Gateway Planned Development District have been surveyed for their opinions and input.

Mr. Mulholland indicated that to this point, the GPDD has been an internal document generated by the Planning Department and that the town has the right to rezone as long as it is not spot zoning. Typically, property owners have the opportunity to make comment and express their opinions at the Public Hearing. Mr. Mulholland noted that the proposed GPDD document is a public document.

D. Adjournment

**Motion (2):** Mr. Bulmer moved to adjourn the Regular Meeting of the East Lyme Zoning Commission at 8:30 PM.  
Mr. Nickerson seconded the motion.  
Vote in favor: (6-0), Unanimous.

Respectfully submitted,



Anita M. Bennett  
Recording Secretary  
16 June 2000