

FILED IN EAST LYME TOWN
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J. A. Blain, etc.
EAST LYME TOWN CLERK

EAST LYME ZONING COMMISSION

PUBLIC HEARING

February 15, 2001

MINUTES

The East Lyme Zoning Commission held a Public Hearing on Thursday, February 15, 2001 at the Town Hall, 108 Pennsylvania Ave., Niantic, CT. Mr. Bulmer called the meeting to order at 7:30 PM.

PRESENT: Robert Bulmer, Shawn McLaughlin, Norman Peck, David Chamberlain, Alternates Mark Nickerson, Donna Orefice and William Dwyer.

Absent: Athena Cone, Ed Gada.

Also present: William Mulholland, Zoning Officer; Meg Parulis, Land Use Coordinator.

Panel: Mr. Bulmer, Mr. McLaughlin, Mr. Peck, Mr. Chamberlain, Mrs. Orefice, and Mr. Nickerson

I. Pledge of Allegiance

Mr. Bulmer recommended changing the order of the Agenda in order for Meg Parulis, Land Use Coordinator, to make a presentation regarding the proposed GPDD boundaries. The Zoning Commission members concurred.

PUBLIC HEARING 1

East Lyme Zoning Commission proposal to create a new zoning district entitled Gateway Planned Development District (GPDD).

Mr. Nickerson read into the record

1. Letter from Southeastern CT Council of Governments – Regional Planning Commission dated February 1, 2001 to Athena Cone, Secretary of the East Lyme Zoning Commission.

Mr. Bulmer read into the record:

1. Letter from Rosecliff Neighbors Association dated February 12, 2001 to Mr. Bulmer, Chairman of the East Lyme Zoning Commission.

Mr. Bulmer introduced Mrs. Parulis, who is a member of the Planning Dept. Staff and has worked extensively on the proposed GPDD. Mrs. Parulis presented a color map showing the proposed GPDD and will address some of the questions and concerns expressed at the February 1, 2001 Public Hearing.

Mrs. Parulis stated that the GPDD has been under consideration by the Town of East Lyme since 1997, and is not being "fast tracked". Gateway Planned Development District (GPDD) was endorsed initially by Yale Economic Development specialist, made part of the Yale Charette Report, and adopted as part of the Plan of Conservation and Development. In 1998 there was a public information forum held that was duly advertised and there was an article published in the newspaper. The draft regulations have been before the Planning Commission and Zoning Commission since April 2000.

Mrs. Parulis then addressed the concerns and questions expressed at the February 1, 2001 Public Hearing.

1. Scale of the map. The map presented on 2/1/01 was to scale, however, the scale was not given. From Laurelwood the shortest distance to the GPDD boundary is 600-feet of undeveloped residential property with a 40-ft. buffer strip. From Dean's Ridge the shortest distance is 900-feet to the boundary of the GPDD. The Conservation Commission regulations require a buffer of 100-feet from wetlands. She also pointed out the open space, which is owned by a land trust associated with Laurelwood Subdivision. The open space has trails and with any development, the attempt will be to continue the trails and open space.
2. Topography. Mrs. Parulis presented an overhead transparency of the topographical map. She pointed that from the western corner of the proposed GPDD to I-95 slopes downward. She also pointed out the flat land and steep slopes (in excess of 40% slope), which are difficult to develop.
3. Rationale for expanding into RU-40 District.
Access. She noted that residents of Laurelwood have expressed concern that they don't want to see Ancient Highway developed as a road. Mrs. Parulis noted that the RU-40 District is not developable at this time because of access problems. The only other access to that district is over undeveloped East Society Rd. The attempt with this proposal, and with the basic infrastructure plan, is to open access to that property.
3. Increased traffic: Mrs. Parulis presented a map showing the infrastructure concept. She stressed that the map was conceptual. She noted that the Town does not want any developer's proposal to preclude access to Rte. 1(Boston Post Rd.), Rte. 161 (Flanders Rd.) and, if Exit 74 is realigned, a new access road. The concept is to have a boulevard with sidewalks accessing the GPDD from Rte. 1 near the cemetery, Rte. 161 near The Shack and one over Pattagansett River between the River and I-95 to access the current RU-40 District property, thus disbursing the traffic in two different areas. She noted that traffic lights might well be required at these access boulevards, however, the State Dept. of Transportation and Traffic Commission would have jurisdiction.
4. Mrs. Parulis pointed out photos and sketches depicting buildings the can currently be constructed on this property and buildings, and those, which are referred to as "upscale suburban", that would be conceivable in the GPDD.
5. Mrs. Parulis presented cross-section views of the topography from Laurelwood (1/3rd mile) and from Dean's Ridge (3/4th mile). She noted that the top of the ridge is heavily vegetative and it is the goal of the Town to preserve this vegetation.

6. Lighting. There is no provision in the GPDD regulation dealing with lighting except for appearance. At the time of an application, the developer must submit a formal Lighting Plan. Mr. Mulholland noted that the Town Engineer does a review of the Site Plan.
7. Aquifer Protection. There are measures outside of the Zoning Regulations that protect the aquifer, i.e. Conservation Commission. Also, as a requirement of the developer's application, a Storm Water Management Plan, which is totally evaluated to ensure that Best Management Practices are followed and there would be no potential pollution to the aquifer.

Mr. Bulmer invited questions and concerns from the Zoning Commission.

Mr. McLaughlin requested clarification of what the current districts are in the proposed GPDD. Mr. Mulholland responded as follows: Light Industrial, CA and RU-40.

Mrs. Orefice commented that this proposal is not being "fast tracked" and that, to her knowledge, there are no applications or development proposals before the Zoning Commission and she has not heard of any coming before the Commission.

Mr. Nickerson inquired as to the percentages within the proposed GPDD that are LI, CA and RU-40. He noted that most of it appears to be Light Industrial.

Mr. Bulmer request that Mr. Mulholland read the permitted uses and special permit uses in a Light Industrial Zone. Mr. Mulholland read directly from the Regulations book. The permitted uses currently include: Permitted by right are trucking terminals, printing/publishing, warehouse, hotel, wholesale storage, commercial nursery, office complex and by special permit, fast food restaurants, drive in theater, motor vehicle repair, regional shopping center, commercial indoor recreation, hotels, and convalescent homes.

Mr. Mulholland than read the permitted uses in the GPDD District. Permitted by right are research facilities, trade schools, professional offices, deli/coffee shop, standard restaurant, daycare, tourist information center, retail under 20,000sf and studios. By special permit light manufacturing facilities, public transit center, hotel/conference center, retail store over 20,000 sf, residential as mixed use with limitation to one floor above retail.

Mr. Bulmer opened the meeting to comments from the public who oppose the proposal. He stated that the purpose of the Commission is to gather information and evidence for use during deliberations.

Andy Krinzman, 25 Willow Lane commented that the 600-ft and 900-ft distances Mrs. Parulis pointed out cross developable land and questioned the actual accuracy of these distances. He noted that East Society Rd. was not mentioned as a possible access road and that this road is close to existing houses in the area. He stated his objection to including the RU-40 in the GPDD.

Robert Rocco, 17 Rose Lane questioned why the RU-40 was included in the GPDD. He stated that access to this property, to his understanding, would be via a frontage road parallel to I-95. He also

inquired as to if there was are mechanisms in place to deal with “eyesores” created by the GPDD users, i.e. businesses.

Nigel Evans, 34 Willow Lane stated that if Ancient Highway is not developed, there is no access into the RU-40. He commented that the larger the development is the less pleasant it will be and the proposed GPDD should be scaled back.

Bill Savage, 3 Meetinghouse Lane, representing the Flanders Baptist Church. He stated that the Church owns property along Church Rd., which it is considering for a parking lot. Per the GPDD, the Church would not be able to construct a parking lot, but could build a parking garage. Mr. Mulholland stated the currently a parking lot is allowed by Special Permit, but does not appear in this application. This is an item that the Commission can consider.

Michael O’Hara, 4 Bittersweet Dr. stated that his concern was with regard to increased noise from I-95 as the existing trees are removed. He added that light pollution is another concern and he is reluctant to see a retail store over 20,000sf on that property. He stated that the permitted uses are reasonable and an improvement upon Light Industrial permitted uses. The special permit uses are a concern, however.

There being no other speakers in opposition, Mr. Bulmer opened the meeting to those wishing to speak in favor of the proposal.

Bill Savage, 3 Meetinghouse Lane stated that the uses of GPDD are better than what can go into the current districts.

There being no further speakers, Mr. Bulmer closed the Public Hearing at 8:30 PM

PUBLIC HEARING 2

East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations by adding a new Section 11A-Gateway Planned Development District (GPDD).

Mrs. Orefice read into the record:

1. Letter from Rosecliff Neighbors Association dated February 12, 2001 to Mr. Bulmer, Chairman of the East Lyme Zoning Commission.

Mr. McLaughlin read into the record:

1. Letter from Southeastern CT Council of Governments – Regional Planning Commission dated February 1, 2001 to Athena Cone, Secretary of the East Lyme Zoning Commission.

Mr. Bulmer opened the hearing to anyone wishing to speak in opposition to the proposal.

Rick Cornell, 23 Jeremy Dr. questioned why there are two separate Public Hearings for these items.

Mr. Mulholland explained that Public Hearing 1 and Public Hearing 2 are two separate actions: a zone change and an amendment to the regulations. Each action is viewed separately and by Statute two separate motions are require. In addition, a public record must be created on each proposal.

Mr. Bulmer stated that the Commission collects data and evidence from the various Commissions, DEP and public for consideration and deliberation and is not set up for dialogue during the Public Hearing. The Zoning Office is open and specific questions can be directed to Mr. Mulholland.

Robert Rocco, 17 Rose Lane stated that he had met with Mr. Mulholland and the map presented at this Hearing was not prepared at that time. He stated his frustration with the process.

Lisa Ritz, 5 Alexander Dr. stated she was opposed to the Special Permit Use of 20,000 sf or over retail.

Michael O'Hara, 4 Bittersweet Dr. stated that he is opposed to the Special Permit Uses.

Gary Robinson, 14 Bittersweet Dr. stated his concern for the environmental impact of a frontage road on the Pattagansett River. He questioned if a sufficient buffer existed between the River and I-95.

Mr. Mulholland stated that the Conservation Commission would review any application to cross the wetlands. There currently exists the requirement of 100-foot distance from a wetland.

Paul Lussier, 9 Alexander Dr. suggested changing the LI District to GPDD, and leave the RU-40 as is.

Mr. Bulmer then opened the meeting to those wishing to speak in favor of the proposal.

Lisa Ritz, 5 Alexander Dr. stated that she thought it was a great idea to develop a “village”, but is concerned about the boundaries.

Bill Savage, 3 Meetinghouse Lane stated that he is in favor of the proposal, but is concerned that if the RU-40 is to be rezoned, a 1000-ft. distance should be required between the boundary and Dean’s Ridge and Laurelwood instead of the 900-feet and 600-feet pointed out by Mrs. Parulis.

Gary Robinson, 14 Bittersweet Dr. supported rezoning Light Industrial to GPDD, but no RU-40.

Nigel Evans, 34 Willow Lane stated that the concept is good and he likes the idea of controlled development.

Andy Krinzman, Willow Lane also stated his support of changing the LI to GPDD and his opposition to including the RU-40 in the GPDD.

Mr. Peck requested Mrs. Parulis continue her presentation and discuss the permitted uses. Mr. Nickerson and Mr. McLaughlin concurred.

Mrs. Parulis addressed the Aquifer Protection Zone. She stated that these regulations place additional restrictions on the developer. In addition, the Town Engineer reviews site plans and makes comments on it. She further responded to a question regarding the boulevard concept by indicating that a boulevard is two one-way lanes with a land median. She added that there is no plan specifying the location of those boulevards at this time.

Mr. Mulholland stated that there is a section in the Zoning Regulations that speaks specifically to the Aquifer Protection Zone. He added that the Town Engineer serves as the Town’s technical advisor.

Mark Bennett, 10 Bittersweet Dr. inquired if by eliminating RU-40 from the GPDD, would jeopardize the goals expressed by Mrs. Parulis and intent of the Commission.

Joe Mingo, 397 Boston Post Rd. stated that with the GPDD the Town will have more control over what happens on that property. He added that he hoped people who live in RU-40 zones know what are permitted uses in that zone.

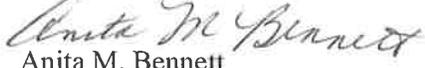
Gary Robinson, 14 Bittersweet Dr. inquired as to the permitted uses of the RU-40 district.

Mr. Mulholland read the RU-40 Permitted Uses from the Zoning Regulations.

Permitted Uses: single-family dwellings, forestry, nursery/greenhouses. Special Permit Uses: rest home, convalescent home, B&B, agricultural/farm use including the raising of live stock or poultry, roadside stands, kennels, veterinarian hospitals, riding or boarding stables, commercial golf, tennis or similar club, commercial greenhouse/nursery and antique shop.

There being no further speakers, Mr. Bulmer closed the Public Hearing at 9:10 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Anita M. Bennett".

Anita M. Bennett

Recording Secretary

19 February 2001