

EAST LYME ZONING COMMISSION
REGULAR MEETING

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Jan 8 20 01 at 12:25 AM PM
Esther B Williams
EAST LYME TOWN CLERK

JANUARY 4, 2001
MINUTES

The East Lyme Zoning Commission held a Regular Meeting on Thursday, January 4, 2001 at the Town Hall, 108 Pennsylvania Ave., Niantic, CT. Mrs. Athena Cone chaired the meeting.

PRESENT: Athena Cone, Shawn McLaughlin, Norman Peck, Ed Gada, David Chamberlain , Alternates Donna Orefice, and Mark Nickerson.

Absent: Chairman Robert Bulmer.

Also present: Rose Ann Hardy, ex officio, William Mulholland, Zoning Officer.

Panel: Mrs. Cone, Mr. McLaughlin, Mr. Gada, Mr. Chamberlain, Mr. Peck and Mrs. Orefice.

- I. Pledge of Allegiance
- II. Public Delegation – none
- III. Public Hearing held prior to Regular Meeting
- III. Regular Meeting

Mrs. Cone called the Regular Meeting of the East Lyme Zoning Commission to order at 8:45 PM.

A. Acceptance of Minutes

Motion (1): Mr. Peck moved to approve the Minutes of the December 5, 2000 Regular Meeting as written. Mr. Gada seconded the motion.
Vote in favor: (5-0): Mrs. Cone, Mr. Peck, Mr. McLaughlin, Mr. Chamberlain and Mr. Gada.
Mrs. Orefice abstained.

B. Application of Patrick and Ann Quinn, 301 Chesterfield Road, East Lyme, to amend Section 20-17 of the Zoning Regulations.

Mr. Peck stated that per the evidence presented, the common practice in every campground is to have a seasonal stay, which is more than two months. He stated that the 60-day limitation is antiquated. He added that the camping experience has changed and the Regulation should be amended.

Mr. Chamberlain stated that he appreciated comments made by Mr. Fraser, which presented a historical perspective. He stated he supports the modification of the Regulation.

Mrs. Orefice stated that although she supports some modification she does have reservations. She stated that she would support a date restriction from April 1 to October 31 restriction, but not carte blanche 7 months per year, which would permit winter camping.

Mr. McLaughlin pointed out that the date restriction is not in the Regulation, but rather a part of the Special Permit issued to the Aces High RV Park.

Mr. Peck added that the proposed amendment is not site-specific, i.e., Aces High RV Park, but rather a general regulation. Mr. Peck added that the town has not permitted winter camping to date. He added that another application and Public Hearing would be required to include in the Regulations specific date restrictions.

Mr. Mulholland stated that if a Special Permit has a condition, i.e., date restriction, the campground must abide by the Special Permit, not the Regulation. He stated that he believed any existing campground would have to request and receive an amendment to their Special Permit. However, he will discuss this with Town Attorney for clarification. He added that the Special Permit goes with the property in the event of a sale of that property.

Mrs. Cone noted the letter disapproving this proposed amendment from the Planning Commission.

Mrs. Orefice stated that it was disconcerting to hear during the Public Hearing, that the campground owner/operators do not enforce the time limitations placed on Special Permits or in Regulations.

Mrs. Hardy added that the applicant has made a case for winter business, which is currently denied to them. If some other campground applicant came into East Lyme to establish a campground, that applicant would be allowed winter camping. This, she stated, seems to be unfair.

Mr. Peck stated that any new applicant would be required to obtain a Special Permit. If the Zoning Commission is consistent, it would not seem that it would allow winter camping. It would indeed be unfair to allow winter camping for one and not the other. He added by amending the regulation to allow 7 months does not automatically give any other campground applicant winter camping. The Special Permit would or would not allow winter camping.

Mr. Mulholland, adding to Mr. Peck's comments, stated that any new campground business needs to be in a SU-District, which are limited in East Lyme. A new applicant would have to apply for a zone change and a Special Permit to operate a recreational vehicle campground. There are, therefore two levels of review required.

Mrs. Cone read from the East Lyme Zoning Regulations, Section 20.17, noting the proposed change. She also noted that the Regulation does not contain a date limitation, but rather a time/days limitation.

Motion (2): Mr. Peck moved to approve the application of Patrick and Ann Quinn, 301 Chesterfield Rd., East Lyme, CT, to amend Section 20.17 of the East Lyme from "60 days" to "seven months per year". Mr. McLaughlin seconded the motion.
Vote in favor: (5-1): Mrs. Cone, Mr. Peck, Mr. McLaughlin, Mr. Chamberlain and Mr. Gada.
Mrs. Orefice opposed.

Effective upon publication.

IV. Old Business

A. Subcommittees

1. Architectural Review

Mr. Peck stated that there is no report this evening, however, he will be contact subcommittee members to schedule another meeting.

V. New Business

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

Mrs. Cone indicated that the Commission currently has a vacancy for an Alternate. She added that the Commission has 30 days, as indicated at the last Regular Meeting, to elect a new Alternate or the Board of Selectmen will name the Alternate. She requested the Commission member's opinion as to their pleasure.

Motion (3): Mrs. Orefice moved to place on the Agenda the election of an Alternate to the East Lyme Zoning Commission.
Mr. Gada seconded the motion.
Vote in favor: (6-0), Unanimous - Mrs. Cone, Mr. Peck, Mr. McLaughlin, Mr. Chamberlain. Mr. Gada, and Mrs. Orefice.

Mrs. Cone opened the floor to nominations for Alternate. Mr. Peck inquired as to the names of any individuals who have stated their interest. Mrs. Cone read a letter of interest from Carol Hallas, 191 Whistletown Road, East Lyme; a letter of interest from George McPherson, 419 Boston Post Road, East Lyme (present). She noted that William Dwyer 12 Sunnyside Dr., East Lyme (present) had also expressed interest and invited him to make comments regarding his interest and qualifications.

Mr. McLaughlin inquired if party affiliation applied for this election. Mrs. Cone indicated that in this case, party affiliation is moot. Currently, the Commission has one Republican and one Democrat Alternate.

Mrs. Cone opened the floor for nominations. She added that the election of the Alternate must be by majority vote.

Motion (4): Mr. McLaughlin nominated Mr. William Dwyer as Alternate on the East Lyme Zoning Commission.
Mr. Peck seconded the nomination.
Vote in favor: (6-0), Unanimous - Mrs. Cone, Mr. Peck, Mr. McLaughlin, Mr. Chamberlain. Mr. Gada, and Mrs. Orefice.

Motion (5): Mr. Gada nominated Mr. George McPherson as Alternate on the East Lyme Zoning Commission.
Mrs. Orefice seconded the nomination.
Vote in favor: (6-0), Unanimous - Mrs. Cone, Mr. Peck, Mr. McLaughlin, Mr. Chamberlain. Mr. Gada, and Mrs. Orefice.

The consensus of the Commission was to vote by written ballot.
Mrs. Hardy counted the ballots.

The vote for Alternate was 4 votes for Mr. Dwyer and 2 votes for Mr. McPherson. Mr. Dwyer was elected Alternate to the East Lyme Zoning Commission.

B. Correspondence – none

C. Zoning Official

Mr. Mulholland thanked the Commission members for their support over the past year.

D. Comments from Planning Representative - none

E. Comments from Ex-Officio

Mrs. Hardy stated that the Board of Selectmen at their meeting January 3, 2001, voted to approve \$25,000 to support any legal claims that might need to be advanced in related to the development of Oswegatchie Hills. Final approval of the Board of Finance is also required.

F. Adjournment

Motion (6): Mr. Chamberlain moved to adjourn the Regular Meeting of the East Lyme Zoning Commission at 9:15 PM.

Mrs. Orefice seconded the motion.

Vote in favor: (6-0), Unanimous - Mrs. Cone, Mr. Peck, Mr. McLaughlin, Mr. Chamberlain. Mr. Gada, and Mrs. Orefice.

Respectfully submitted,



Anita M. Bennett
Recording Secretary
8 January 2001