

EAST LYME ZONING COMMISSION

PUBLIC HEARING

JANUARY 4, 2001

MINUTES

FILED IN EAST LYME TOWN
CLERK'S OFFICE

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ESTHER B. WILLIAMS
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing 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.

PUBLIC HEARING

:Mrs. Cone called the Public Hearing of the East Lyme Zoning Commission to order at 7:30 PM

Application of Patrick and Ann Quinn, 301 Chesterfield Road, East Lyme, to amend Section 20.17 of the Zoning Regulations.

Mr. McLaughlin will serve as acting secretary for this Hearing.

Mr. McLaughlin noted the publication of the Legal Ad in the New London Day, November 8, 2000.

Mr. Mr. McLaughlin read into the record:

1. Letter from Patrick and Ann Quinn dated October 24, 2000 to the East Lyme Zoning Commission which proposed a Regulation Amendment to Section 20.17.
2. Letter from Gene Lohrs, Chairman, Reference Committee, Southeastern Connecticut Council of Governments Regional Planning Commission dated December 6, 2000 to the East Lyme Zoning Commission.
3. Letter from the Town of Salem to Athena Cone, East Lyme Zoning Commission dated November 27, 2000.
4. Letter from Kathleen Jones, Chairman, East Lyme Planning Commission dated December 6, 2000.

Mrs. Cone opened the floor to Patrick Quinn. Mr. Quinn introduced Allen Beavers, Executive Director, Connecticut Campground Owners Association who addressed the Hearing.

Mr. Beavers discussed the difference between a Mobile Home Park and a Campground in the State of Connecticut. He submitted to the Commissions a list of eighteen items differentiating the two. Among them, he indicated that Mobile Home Parks must be licensed annually in the State of Connecticut. Campgrounds are supervised and under the auspices of the State Health Department. The Regulations for

Campgrounds were last updated in 1972. A recent review and updating of the Regulations, with a 26 member review board, with the State of Connecticut has occurred. The new proposed Regulations are currently before the State Legislature.

Mr. Beaver noted that per the Regulations one of the differences is that in a Mobile Home Park, children can attend the public schools and individuals can use the Mobile Home Park as a permanent address.

Mr. Beaver stated that the Campground Association feels that camping in general is one of the most positive experiences in the society. The experience of camping in a campground is felt to be safe by children and families. It is a location which statistically does not require police or fire protection to any degree or other Town services generally.

Mr. Beaver noted three areas as follows:

1. 60-day Occupancy Limitation: He noted that a number of other towns in Connecticut also restrict "occupancy". He discussed the difficulty or impossibility of enforcing actually "occupancy" of a trailer. Statistically, actual "occupancy" in a six month period in a trailer rarely exceeds 60 days. The trailer may sit on a site for an entire year, however. He added that in the State there are approximately 7,144 sites in private campgrounds. Additionally, the State has about 1,400 sites. Of these sites, 18% are cooperatives or part of an association. Forty percent (40%) of all sites are seasonal where people stay 6-7 months or a specific time limit. Forty-two percent (42%) are transient. He stated that over the past ten years, there have been three incidents where police assistance has been required by the campground in the State.

Mr. Beaver noted that the campground of the 1970's is significantly different from the campground of 2000. Today the average RV in a campground cost \$47,000, some as much as \$800,000. The clientele is a cross section of middle America with children, older retired, etc.

2. The tax base is sizable. East Lyme has 72 RV units on its tax roles according to 1997 figures. As previously mentioned, the campground rarely, if ever, uses Town police and fire services and does not place children in the school system. Aces High RV Park has tracked campground potential over the past three months and have estimated that they have turned away over \$20,000 of business in the past three months. There are five campgrounds in the State that are open all year. In each instance, each town has a 6 month limitation as per the 1972 Regulations. Those regulations have now been changed and there is no statement as to the length of operation of the campground. Mr. Beaver noted that there is no other business in the Town that has a restriction that they can only operate a limited number of months and yet pay taxes for the full 12 months of the year. He stated this is discrimination and restraint of trade and he is very concerned about that.

Mr. Beaver stated that in the Regulations before the State Legislature, everyone when signing into a campground must register a permanent address to ensure that they are not transient individuals. Also being written into Regulations is the restriction that when school is in session in Town, families with children of school age, cannot stay in the campground more than two weeks.

3. Recreational Use. Mr. Beaver noted that the campground industry nationally has changed. At Aces High, for example, there is a heated lodge, game room, facilities on the campground. Recreational opportunity are numerous in the Southeastern Connecticut area and recreational opportunities exist in the campground and surrounding area. He noted that vacation patterns

have changed and many families do not limit their vacation to summers only and this pattern impacts the economy of the Town. He added that the campground owners have in place a screening process when admitting RVs to the park. Mr. Beaver distributed to the Commissioners a copy of "Outdoor Hospitality" and the "Connecticut Directory for Campgrounds".

Mr. Beaver stated that the 60-day limitation eliminates seasonal camping, which produced 40% of the revenues and creates a problem for the industry and individual businesses.

Mrs. Cone invited questions and comments from the Commissioners.

Mrs. Orefice inquired if the campground owners are obliged to enforce the Town Regulation of 60-day occupancy. Mr. Beaver stated that he hoped and expected that the owners enforce the Regulations of the Town in which they do business, however, the owners cannot realistically count the number of days each RV is occupied.

Mr. Mulholland stated that historically, the onus is on the campground owner and applicant to know, follow and enforce the Regulations and conditions of their Permit. He added that the town officials cannot enforce every rule at every time and the Permit holder has an obligation to abide by the Regulations and Permit conditions.

Mr. Chamberlain inquired as to the screening process mentioned by Mr. Beavers. Mr. Beaver stated that campground owners' attempt through questions and discussion with campers to determine if a potential problem may exist.

Mr. McLaughlin stated that it was his understanding that Aces High wished to increase the length of stay to accommodate transient workers. He noted that per the Regulations, the use of the RV park or campground is for recreational use. Mr. Beaver stated that statistically, ¼ of 1% of the traffic through State campgrounds are transient workers. He stated that by transient worker he referred to those individuals whose work requires travel to work sites throughout the country for stays of several months to a year or so generally. He added that these transient workers could be expect to utilize the recreational facilities at the campground and in the Town and surrounding area. Additionally, they would support other businesses.

Mrs. Cone then opened the floor to those wishing to speak in favor of the proposed amendment.

Marvin Schutt, 29 Edgewood Rd. North, Niantic, CT stated his support for the proposed amendment. He recommended eliminating the 60 day requirement. Mr. Schutt stated that the time period limitation should not be based on "occupancy", but rather based on the length of time that the camper or RV will be on an approved site or a seasonal period of time, which for most campgrounds is 6-7 months.

Mrs. Orefice noted that the application before the Public Hearing is to amend the Regulation to allow 7 months per calendar year. She stated that her concern was that the amendment does not specific "consecutive months" nor does it specify dates.

Wayne Fraser, First Selectman, Town of East Lyme. Mr. Fraser stated that he was a past Zoning Commission member and involved in the initial permitting of the Aces High RV Park. He stated that since that time, the Quinns have opened and built a respected and substantial business on property that, if used for residences, would require significant Town services. He stated that they have also educated the Town on the campground of the 2000's, which is different from the campground of the 1970's or even 1980's. He noted that the RV's utilizing the park require major investment on behalf of the owners. As

Police Chief, he stated that he is not aware of any incident at Aces High RV Park that required police or fire services. Mr. Fraser stated that he felt that the 6-7 months to allow the owners to be profitable and maintain and expand the property is to the benefit of the Town and he supported the change.

George McPherson, 419 Boston Post Road, East Lyme stated that he was in favor of the proposed amendment noting the addition to the tax list.

Rose Ann Hardy, 6 Overbrook Rd., East Lyme commented that once the Regulation is changed, it is permanent. There is no guarantee that future owners will as reputable and responsible.

William Dwyer requested clarification of when RVs would be taxable property. Mr. Fraser stated that if stored in town after October first, the property is taxed by the town. Mr. Quinn indicated that he provides the Assessor and Tax Collector with a list of RVs stored during the winter.

Mr. Peck reminded the Commission shall not consider the tax implications in its deliberation.

Mr. Schutt stated that any applicant for a permit for a campground must abide by the Zoning Regulations as well as any conditions of their Special Permit, which goes with the property at the time of sale. He added that the Regulation currently refers to "occupancy" in reference to the 60-day limitation. He recommended that the RV be allowed on the approved site and eliminate "occupancy".

Mr. Peck inquired of the Commission as the meaning of "occupancy" and inquired if this is the issue. Mr. Beaver stated that if a site is paid for, it is considered "occupied" even if there is no one physically present.

Mrs. Cone opened the floor to those wishing to speak in opposition. There being none, Mrs. Cone opened the floor for any other comment.

Mr. Mulholland stated that there seems to be a question on the language of the proposed amendment. The application put forward states "seven months per calendar year". He noted that the Permit held by Aces High has a April 1st to October 31st operating period.

Following discussion, it was agreed to delete "calendar" from the proposed amendment.

Mrs. Cone inquired if there was any other comment or question. There were none.

Mrs. Cone closed the Public Hearing at 8:40 PM.

Respectfully submitted,



Anita M. Bennett
Recording Secretary
11 January 2001