

**EAST LYME ZONING COMMISSION
REGULAR MEETING
MARCH 1, 2001
MINUTES**

FILED IN EAST LYME TOWN
CLERK'S OFFICE
3/7 01 at 1:30 AM (PM)
L. Ablain, etc.
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Regular Meeting on March 1, 2001 at the Town Hall, 108 Pennsylvania Ave., Niantic, CT. Robert Bulmer chaired the meeting.

PRESENT: Robert Bulmer, Norman Peck, Shawn McLaughlin, Ed Gada, David Chamberlain and William Dwyer.

Absent: Athena Cone, Donna Orefice, Mark Nickerson

Also Present: William Mulholland, Zoning Official

Panel: Mr. Bulmer, Mr. Peck, Mr. McLaughlin, Mr. Gada, Mr. Chamberlain and Mr. Dwyer.

I. PLEDGE OF ALLEGIENCE

II. PUBLIC DELEGATION

Marvin Schutt, 29 North Edgewood Rd., Niantic, speaking on behalf of the Waterfront Committee, stated that the Committee is charged with coordinating and recommending to the Board of Selectmen possible plans for Cini Park. He stated that members of the Committee are addressing the various Commissions in East Lyme and soliciting their comments and concerns before making recommendations to the Board of Selectmen. He stated that the Committee's next meeting is scheduled for Monday, March 19, 2001 and he would hope to have the Zoning Commission comment at that time.

III. PUBLIC HEARING - None

IV. REGULAR MEETING

A. Mr. Bulmer called the meeting to order at 7:35 PM.

B. Acceptance of the Minutes

Motion (1) Mr. Peck moved to accept the Minutes of February 15, 2001 as amended.

Mr. Chamberlain seconded the motion.

Discussion: Mr. Peck noted that Section 11A.2.5 should be corrected to read "Retail complex 20,000 feet and over (no one store over 20, 000 feet)".

Vote in favor: (5-0), Mr. Gada abstained.

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

Mr. Bulmer polled the panel. Each stated that he was familiar with the Public Hearing and deliberations of February 15, 2001.

Mr. Bulmer stated that, as was the case at the February 15th meeting, he will read each paragraph of Section 11A, then comment and discussion would follow. He stated that he would also note any comment regarding the paragraph before the Commission about which the Planning Commission had made comment.

11A.4.5 The Commission discussed box storage. It was determined to add a prohibition on box storage to this paragraph.

“No outdoor storage, including box trailers, shall be permitted.

11A.4.7 Mr. Bulmer had commented at the February 15th meeting that he believed corporate cafeterias, not open to the general public should not be included in this calculation. Following discussion, the Commission agreed and added after “(approximately 50 acres)”: the following:

“Coffee shops and cafeterias as accessory uses (not open to the general public) shall not be included in the above calculation.”

11A.5.1 Mr. Mulholland stated that he spoke with the Town Engineer regarding discharge of stormwater into the Pattagansett River. He indicated that the Town Engineer recommended in a memo that “No direct discharge...” be changed to, “Only indirect discharge...”

11A.5.4 The Planning Commission also recommended a new Section 11A.5. The Town Engineer made comment and has recommended modifying “run off” to “peak flow”. The Commission concurred.

The Planning Commission also recommended adding:

“The stormwater management plan must include specific criteria to assure continuity between developments for the management of runoff and Best Management Practices for stormwater management.”

Mr. Mulholland stated that the Town Engineer had indicated he would like to review the State’s recommendations. Additionally, specific criteria would have to be developed. Mr. Mulholland stated that this would require a Public Hearing as it is an expansion of the proposed amendment. The Commission agreed.

11A.6.1 Mr. Dwyer requested a definition of “upscale suburban”. Mr. Mulholland stated that the description is subjective and applications would have to be viewed on a case by case basis.

11A.6.2 The Commission discussed adding shakes and clapboard. Mr. Bulmer stated that brick and stone facades strictly limit the developer and that there are new materials being manufactured which are not classified as brick or stone, i.e. artificial stone block with decorative stone features. For any of these materials, the applicant would be required to come before the Commission. Mr. Mulholland cautioned the Commission that the State of Connecticut has statutes, which govern architectural review. Following discussion, Mr. Peck recommended:

“Materials shall consist of brick or stone or other material offering high quality appearance, unless otherwise approved by the Zoning Commission. The use of strictly cinderblock, preformed concrete, or metal for the outside façade of a building is prohibited.” The Commission concurred.”

11A.6.3 Following a brief discussion, the Commission agreed to change the last sentence to: “See also Landscape Requirements. Also see Appendix B, Standard Landscape Details.”

11A.6.7 Mr. Bulmer recommended including this paragraph as follows:
“All building and structure roofs shall be of gable, hip or gambrel roof design. Flat roof and shed room designs are prohibited.”
Mr. Peck commented that in a five story building, the owner or builder may prefer a flat roof design. He suggested affording the owner/builder the option by adding, “unless otherwise approved by the Zoning Commission”.

11A.7.1 Buffers 11A.7.1b – “.....Appendix C” should be corrected and refer to “Appendix B” throughout the proposal.

22A.7.1d There was discussion at the previous meeting regarding setbacks and buffers. Additionally, Mr. Gada noted that the Planning Commission had expressed some concern in their 01/28/01 letter regarding the higher the building, the greater the setback. Mr. Mulholland recommended
“A 100 foot buffer shall be required between the GPDD and any abutting residential zone.”

The Commission, following lengthy discussion, agreed that a building over 40 feet should have a greater buffer. Debate followed regarding the size of the buffer from 150 ft. to 300 ft. The Commission agreed to add:
“A 100-ft. buffer shall be required between the GPDD and any abutting Residential Zone: building heights up to 40 ft. shall have a 100-ft. buffer; building heights between 40 ft. and 55 ft. shall have a buffer of 200 ft.”

Mr. Peck suggested that any public open space between the GPDD and Residential Zone be allowed in the calculation of the buffer. The Commission, following brief discussion, added
“Where an open space in the Residential Zone abuts the GPDD, the open space may be counted toward the Buffer Requirement.”

Upon completing a review of each paragraph through 11A.8.5, Mr. Bulmer opened the floor to Commission members' questions and comments. There being none, he entertained a motion.

Motion (2) Mr. Peck moved approve the Zoning Commission proposed amendment to the East Lyme Zoning Regulations by adding a new Section 11A-Gateway Planned Development District (GPDD).
Mr. Chamberlain seconded the motion.
Vote in favor: (6-0), Unanimous.

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

Mr. Bulmer opened the floor to Commission members' questions and comments. There being none, he entertained a motion.

Motion (3) Mr. Peck moved approve the Zoning Commission proposal to create a new zoning district entitled Gateway Planned Development District (GPDD).
Mr. Dwyer seconded the motion.
Vote in favor: (6-0), Unanimous.

V. OLD BUSINESS

A. Subcommittees
No report.

VI. NEW BUSINESS

1. Application of Walter Sanders, LLC, for a Special Permit to construct a Hotel/Motel project at 5 Liberty Way, East Lyme.
2. Application of Walter Sanders, LLC, for a Special Permit to construct a Hotel/Motel project at 7 Liberty Way.

Mr. Bulmer instructed Mr. Mulholland to schedule a Public Hearing at the first available date. The next scheduled meeting is March 22, 2001.

3. Correspondence – none
4. Any business on the floor, if any, by the majority of the Commission

Motion (4) Mr. Dwyer moved to add to the Agenda, the application of the Flanders Baptist Church for a parking lot.
Mr. Chamberlain seconded the motion.
Vote in favor: (6-0), Unanimous.

Mr. Bulmer instructed Mr. Mulholland to schedule a Public Hearing for the first available date.

Mr. Peck suggested discussion regarding the Public Delegation request by Mr. Marvin Schutt. Mr. Bulmer stated that the Commission members' should place their written comments in the Waterfront Committee mailbox in the Town Hall. Mr. Bulmer will write a letter to the Committee informing them of this procedure. Mr. Mulholland informed the Commission that Cini Park is in the Marine Commercial Zone. Additionally, it would fall under the Zoning Regulation Section dealing with Public Parks.

5. Zoning Official
6. Comment from Planning Representative – none
7. Comment from Ex-officio – none
8. Adjournment

Motion (5) Mr. Gada moved to adjourn the meeting of the Zoning Commission at 9:50 PM.
Mr. Peck seconded the motion.
Vote in favor: (6-0), Unanimous.

Respectfully submitted,



Anita M. Bennett
7 March 2001