

**EAST LYME ZONING COMMISSION
REGULAR MEETING
October 4, 2001
MINUTES**

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Oct 9 20 01 at 12:10 AM
PM

Esther B. Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Regular Meeting on Thursday, October 4, 2001 at the Town Hall, 108 Pennsylvania Ave., Niantic, CT. Mr. Bulmer called the meeting to order at 7:30 PM.

PRESENT: Chairman Robert Bulmer, Athena Cone, Shawn McLaughlin, Norman Peck, Ed Gada, David Chamberlain, and Alternate Mark Nickerson.
Absent: Alternate William Dwyer, and Alternate Donna Orefice
Also present: William Mulholland, Zoning Officer; Rose Ann Hardy, ex-officio.

Pledge of Allegiance

Public Delegations - none

REGULAR MEETING

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

P

1. Call to Order Mr. Bulmer called the Regular Meeting to order at 7:46 PM.

2. Approval of Minutes

Mr. Nickerson sat in place of Mr. Chamberlain.

MOTION (1) Mr. Nickerson moved to approve the Minutes of the Public Hearing of September 20, 2001 as amended.

Amended: Page 1 of 5 – Para beginning “Mr. Dwyer...” correct sentence to read: “Mr. Bulmer stated that the regulation in question refers to a drive thru restaurant”.

Page 3 of 5 –Para 6 correct to read: “Mr. Nickerson stated his concern with the off-set of the driveway with that of True Value.” – Dele “and Mr. Bulmer”

Page 5 of 5 –correct sentence to read: “Mr. Bulmer recommended that Wendy’s International abide by the decision of the Fire Marshall and Building Official with respect to the enclosure of the propane tank if after review they deem it necessary.”

Mr. Gada seconded the motion.

Vote in favor: (4-0), Mr. Bulmer, Mr. McLaughlin, Mr. Gada, Mr. Nickerson. Mrs. Cone and Mr. Peck abstained.

MOTION (2) Mr. Gada moved to approve the Minutes of the Regular Meeting of September 20, 2001.

Mr. Nickerson seconded the motion.

Vote in favor: (4-0), Mr. Bulmer, Mr. McLaughlin, Mr. Gada, Mr. Nickerson. Mrs. Cone and Mr. Peck abstained.

3. Application of Timothy B. Yuhas for a Special Permit to operate a fitness-training facility (commercial indoor recreational) at 34 Industrial Park Rd., Niantic, CT.

Mr. Chamberlain sat on the panel and Mr. Nickerson sat out.

Mr. Bulmer invited questions and comments on the application. There being none, he then entertained a motion.

MOTION (3) Mrs. Cone moved to approve the application of Timothy B. Yuhas for a Special Permit to operate a fitness-training facility (commercial indoor recreational) at 34 Industrial Park Rd., Niantic, CT including the waiver of Section 24.6C-Sidewalks and Section 24.6E(3) Buffer Strips.
Mr. Peck seconded the motion.
Vote in favor: (6-0), Mr. Bulmer, Mrs. Cone, Mr. McLaughlin, Mr. Gada, Mr. Peck and Mr. Chamberlain.

OLD BUSINESS

1. Set new effective date and publication date for “East Lyme Zoning Commission’s approval to rezone the existing RU-120 zoning district to RU-200 Greenway Conservation District and the adoption of new zoning regulations – Section 2A.

Mr. Mulholland indicated that this action had previous taken place but due to an error regarding the publication date in the New London Day, a new effective date needs to be set and published.

MOTION (4) Mrs. Cone moved to approve a Resolution fixing effective date of Zoning Amendments. In accordance with the orders of the Superior Court for the Judicial District of New London in the matters of Wilson v. East Lyme Zoning Commission (No. 552212) and Wilson, v. East Lyme Zoning Commission (No. 552213), which require that certain July 29, 1999 actions of the Zoning Commission to rezone the then existing RU-120 zoning district to a RU-200 Greenway Conservation District and to adopt new regulations regarding the Greenway Conservation District, be remanded to the Zoning Commission for “the purpose of fixing a new effective date pursuant to Section 8-3(d) and to publish another notice prior to the new fixed effective date,” it is hereby
RESOLVED, that the effective date of the above described change of zone and zoning regulations previously adopted by this Commission is hereby fixed as October 12, 2001.
Mr. Chamberlain seconded the motion.
Vote in favor: (6-0), Unanimous.

2. Subcommittees
A. Backlots - Nothing new at this time.

NEW BUSINESS

1. Correspondence – none
2. Any business on the floor, if any by the majority vote of the Commission – none
3. Zoning Official – none
4. Comments from Ex-officio – none
5. Comments from Zoning Board Liaison to Planning Commission – none
6. Zoning Board Liaison to Planning Commission – E. Gada, October 16, 2001.
7. Comments from Chairman – none
8. Adjournment

MOTION (4) Mrs. Cone moved to adjourn the Regular Meeting at 8:04 PM.
Mr. Chamberlain seconded the motion.
Vote in favor: (6-0), Unanimous.

Respectfully submitted,



Anita M. Bennett
Recording Secretary
8 October 2001