

March 8, 1999 AT 12:30 ^{AM} _{PM}

East Lyme Zoning Commission
Regular Meeting
March 4, 1999
Minutes

L. O. Blair, etc
East Lyme Town Clerk

The East Lyme Zoning Commission held a Regular Meeting on March 4, 1999 at Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut 06357. Norm Peck, acting Chair, called the Meeting to order at 7:30 PM.

PRESENT: Norman Peck, Christopher Mullaney and Alternates William Weber, Robert Bulmer, William Dwyer.

Also Present: Rose Ann Hardy, ex-officio, William Mulholland, Zoning Officer. Dave Zoller, Planning Commission Liaison

Absent: Paul Formica, Chairman, Athena Cone, Secretary, Shawn McLaughlin, Daniel Price

I. Public Delegation

Robert Gadbois, 358 Boston Post Road, inquired as to the status of the rezoning of property north of I-95.

Mr. Mulholland responded that time constraints on the Staff at this time due to the Plan of Conservation and Development and other timely items, have delayed this item. It will be coming onto the agenda in the near future.

Bob Simpson, 30 Sleepy Hollow Road, asked why the last Zoning Commission meeting was rescheduled for 5:30 PM?

Mr. Mulholland stated that the agenda was cancelled and the only item before the Commission was to schedule a public hearing.

II Regular Meeting

Mr. Mullaney nominated Norm Peck to chair this evening's meeting. Mr. Dwyer seconded the nomination. The vote of the Commission was unanimous.

Mr. Peck indicated that Mr. Weber, Mr. Dwyer and Mr. Bulmer will be seated as full members of the Commission this evening in the absence of Mr. Formica, Mrs. Cone and Mr. McLaughlin.

A. Approval of Minutes of February 4, 1999

Not all members of the Commission had copies of the Minutes, therefore this item will be tabled until the next Regular Meeting.

B Application of Hugh and Joanne Crow for a Coastal Area Management (CAM) Site Plan review to construct a new single-family dwelling at 2 Barrett Drive, Niantic, Connecticut, Tax Assessor's Map 8.2, Lot 176.

Mr. Peck read into the record a letter from Mr. Mulholland to the East Lyme Zoning Commission dated November 5, 1998 describing the Coastal Area Management and its purposes and requirements. He described the proposed dwelling: 1700 sq. ft. including attached two-car garage, 8 x 24 ft. deck on the rear of the dwelling, two-story colonial style, 14,103 sq.ft. lot, the property to east is occupied by an existing single family dwelling, abutting property to the north consists of uplands which are adjacent to wetlands that are 50 ft. northeast of the proposed dwelling. The site does not contain any existing coastal resources. The proposed construction activity will not directly or indirectly impact the coastal resource wetlands to the northeast of the site.

Mr. Mulholland expressed his opinion that the applicant has demonstrated compliance with all the applicable policies and goals of CAM.

Mr. Mulholland added that typically single family houses are exempt from Coastal Management review unless they are within 100 feet of certain coastal resources. This property is within that 100-foot limit.

Mr. David Coonrod, Land Surveyor presented the plans to the Commission. The property has municipal sewer and water to the site. He pointed out the tidal wetlands location on the plans. Due to the fact that a portion of the foundation falls within the flood plan area, there will be no grading in the rear of the house and there will not be a full cellar, but a slab with no crawl space. Silk barriers will be in place during and for a time after construction to maintain and stabilize the area. Construction should be completed in approximately 6 months. Excess material will be removed from the site. All disturbed areas will be re-seeded and mulched. There is no impact on coastal resources with the proposed plan.

Mr. Mullaney inquired if the building was above the 12 foot above high water level.

Mr. Coonrod stated that the flood plan area is 10 ft. and all utilities have to be above 10 ft. and the finished floor will be at 12 ft.

Mr. Mulholland added that Mr. Coonrod has worked with him and the Building Official on this issue and other issues that need to be resolved. These issues will be properly addressed prior to the issuance of a building permit.

Mr. Mulholland read into the record the General Development A - Coastal Use Policies applicable in this instance.

A. To ensure that development, preservation, or use of land in water resources of the coastal area proceeds in a manner consistent with the capability of the land and water resources to support development, preservation, or use without significantly disrupting either the natural environment or sound economic growth.

Mr. Bulmer inquired what other issues were being worked on with the Building Official.

Mr. Mulholland stated that construction techniques and how the application will conform with FEMA regulations. Zoning and Building Officials are charged with enforcing FEMA regulations. He added that sheet flow will be to the rear of the property and the slope drops 4 feet over 100 feet.

Motion (1):

Mr. Mullaney made a motion to approve the application of Hugh and Joanne Crow for a Coastal Site Plan Review to construct a new single family dwelling at 2 Barrett Drive, Niantic, Connecticut for the following reasons:

1. Application found to be consistent with all applicable coastal policies and includes all reasonable measures to mitigate any adverse impacts.

Mr. Dwyer seconded the motion.

Vote in favor: (5-0), Unanimous.

C. Old Business

1. Subcommittees

A. Elderly Housing – Age

Mr. Bulmer reported that he and Mr. Mulholland have had several conversations. Mr. Mulholland is working on language that Mr. Bulmer and Mr. Dwyer can review prior to the next meeting. This item will be placed on the agenda for the next meeting.

B. Oswegatchie Hills 3.5 Acre Zoning

Nothing further. This item will be tabled until the next meeting.

D. New Business

1. Correspondence - None

2. Zoning Official

Mr. Mulholland informed the Commission that there was a Staff Review Team Meeting to discuss and review a proposal for Chapman Woods and Nathan Hale Commons. Both are scheduled for Public Hearing.

He added that there are several inquiries regarding Elderly Housing, restaurants, and the industrial park. With the advent of water and sewer in the Colton Rd. area, there have been increased inquiries regarding the industrial park. He added that Staff this spring will be extremely busy.

Mr. Mullaney inquired if there were any proposals to expand the SU zones.

Mr. Mulholland stated that there is an application for zone change and Elderly Housing scheduled for March 18, 1999 public hearing.

Mr. Mulholland informed the Commission that the Sunoco Station sign has been removed and the *Foxwood* sign at Lulu's has been turned off in compliance with Zoning Official order.

3. Planning Representative: Dave Zoller

Mr. Zoller informed the Commission that there have been schedule two public hearings regarding the Proposed 1999 Plan of Conservation and Development Last Tuesday's public hearing was continued until March 16, 1999 when additional comments will be taken.

4. Ex-Officio - Rose Ann Hardy

Mrs. Hardy informed the Commission that there have been several inquires, one at the Board of Selectmen's meeting, regarding the sandwich boards. What is the status of the Community Bulletin Boards?

Mrs. Hardy suggested that there be a Press Release regarding the sandwich boards, the Zoning Officials plans for enforcement and the status of the Community Bulletin Boards. She noted that sandwich boards have blown into the streets and present a driving hazard.

Mr. Peck noted that the Bulletin Boards have been assigned to the Shoreline Chamber of Commerce. The Chamber has been in discussion with other civic organizations and that there is progress being made.

Mr. Mulholland stated that he has had conversations with Motel 6. One of the issues discussed has been the lower piece of property at Flanders Road and the possibility of using it for a Tourist Information Center. He has been in contact with Mr. Marvin Schutt of the Chamber of

Commerce, as well as Jean Davies and they are currently dealing with Motel 6 regarding this possibility

Mr. Bulmer inquired as to SU Special Permits.

Mulholland stated that Special Permits go with the land and are granted forever. If there is no expiration date, a SP restaurant, for example, can be sold as a restaurant. If property is sold and used for other than a restaurant, they will have to come back and apply for SP for that purpose.

Motion (2): Mr. Mullaney made a motion to adjourn the meeting at 8:12 PM.
Mr. Bulmer seconded the motion.

Vote in favor: (5-0), Unanimous.

Respectfully submitted,



Anita M. Bennett
Recording Secretary