

FILED IN EAST LYME TOWN

CLERK'S OFFICE

East Lyme Zoning Commission  
Regular Meeting  
May 20, 1999  
Minutes

May 21, 1999 at 11:30 AM

Esther B. Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held Public Hearings and Regular Meeting on May 20, 1999 at Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut 06357. Paul Formica, Chairman, called the Regular Meeting to order at 9:24 PM following the Public Hearings.

PRESENT: Paul Formica, Chairman, Athena Cone, Secretary, Daniel Price, William Weber, Norman Peck, and Alternates Robert Bulmer, William Dwyer.

Also Present: William Mulholland, Zoning Officer.

Absent: Shawn McLaughlin, Rose Ann Hardy, ex-officio,

Mr. Peck requested he be excused from the panel this evening. Mr. Formica appointed Alternates Mr. Bulmer and Mr. Dwyer to sit as full members of the Commission for this Regular Meeting.

**I Regular Meeting**

- A. Mr. Formica called the Regular Meeting to order at 9:24 PM.
- B. Approval of Minutes of May 6, 1999.

Mr. Price noted that on page 2 of 4, paragraph #1, sentence #4 should be corrected to read: "Mrs. Cone inquired if the owners of these properties have been notified."

Mr. Bulmer referred to page 3 of 4, paragraph #1 which starts "Add: (1) Each dwelling shall be occupied by:" as an example of one of several of the same paragraphs which needs to be clarified and/or corrected.

It was decided that the tape of the May 6, 1999 meeting should be reviewed and, therefore, approval of the minutes will be tabled until the next meeting.

- C. Application of Robert D. Tobin, Agent for West Hill, LLC, for a Special Permit to construct 15 units of Elderly Housing at 237 Flanders Rd., East Lyme, CT.

Mr. Price stated that the connections between the buildings technically comply with the Zoning Regulations. He added that based on previous work done by Mr. Orvedal, this project can be expected to be an enhancement to the Town.

Mrs. Cone stated that it is a well planned project. She added that there is a difficult traffic situation on Rte. 161.

Mr. Weber concurred. He added that with the traffic light at the entrance on Rte. 161, and with 15 units, traffic is not as much of an issue.

Mr. Bulmer stated that he is opposed specifically referring to Section 1.17A of the Zoning Regulations. The structures between the units/homes designed for storage do not bring the units into compliance.

Mr. Dwyer stated that the drawings refer to 'single units' throughout and "detached building" in Section 1.17A. He stated that it is his interpretation that the structures do not comply with this Section.

Mr. Formica referred to 1.7-Building Definition- "Any structure with walls and roof securely affixed to the land and entirely separated on all sides from any other structure and which is designed for the shelter, enclosure, protection of persons, animals or....."

Mr. Weber pointed out "Building Area" which further defines the area of a building as being something similar to covered porches.

- MOTION (1):** Mr. Price moved to approve the application of Robert D. Tobin, Agent for West Hill, LLC, for a Special Permit to construct 15 units of Elderly Housing at 237 Flanders Rd., East Lyme, Connecticut with the following stipulations:
1. Dwelling designs will be limited to those reviewed and approved as part of this application.
  2. Require site plan As-builts will be submitted as requested by staff.
  3. A waiver granted of Section 25.5 in Elderly Housing CA, #12 dwelling separation distances reduced from 24 feet to 15 feet.
  4. That a bond be posted of \$6000.00 to cover environmental items.

Mr. Weber seconded the motion.

Discussion and Comment: Mr. Dwyer questioned the amount of the bond. Mr. Mulholland stated that it covered soil and erosion control, grading, loaming and seeding.

Vote in favor: (5-1).

In favor: Mr. Formica, Mrs. Cone, Mr. Weber, Mr. Price, Mr. Dwyer.

In opposition: Mr. Bulmer

D. Application of Benjamin Orvedal to modify the existing gravel stockpiles Special Permit for 239 Flanders Road, East Lyme, CT.

Mr. Bulmer noted that the stockpile was surrounded by rocky outcropping and vegetation.

- MOTION (2):** Mrs. Cone moved to approve the application of Benjamin Orvedal to modify the existing gravel stockpile Special Permit for 239 Flanders Road, East Lyme, Connecticut

Mr. Price seconded the motion.

Vote in favor: (6-0), Unanimous.

**III. Old Business**

None

**IV. New Business**

1. Correspondence: None.

2. Business on the Floor by the majority vote of the Commission: None.

3. Zoning Official:

Mr. Dwyer requested the Commission seek a legal opinion regarding the Oswegatchie Hills 3:5 Rezoning. Mr. Mulholland was then directed to consult Town Attorney for a legal opinion regarding Oswegatchie Hills 3:5 rezoning.

4. Comments from Planning Representative: None.

5. Comments from Ex-Officio: None.

6. Adjournment

**MOTION (3):** Mr. Price moved to adjourn the Regular Meeting of the East Lyme Zoning Commission at 9:45 PM.

Mr. Dwyer seconded the motion.

Vote in favor: (6-0), Unanimous.

Respectfully submitted,



Anita M. Bennett  
Recording Secretary