

East Lyme Zoning Commission  
Regular Meeting  
October 7, 1999  
MINUTES

Filed in East Lyme Town

Clerk's Office

Oct 18 1999 AT 10:00 AM  
M. A. Bulmer  
East Lyme Town Clerk

The East Lyme Zoning Commission held a Public Hearing and Regular Meeting on October 7, 1999 at Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut 06357. Paul Formica, Chairman, called the Public Hearings to order at 7:43 PM and the Regular Meeting to order at 11:52 PM

PRESENT: Chairman Paul Formica, Shawn McLaughlin, William Weber, and Alternates Robert Bulmer and William Dwyer.

Also Present: William Mulholland, Zoning Officer. Rose Ann Hardy, ex-officio. Jeanne Davies, Planning Director, Planning Commission Liaison Mario Locarno.

Absent: Athena Cone, Daniel Price, Norman Peck

**PUBLIC DELEGATIONS**      **None**

**REGULAR MEETING**

1. Mr. Formica called the meeting to order at 11:52 PM

2. Acceptance of the Minutes of September 9, 1999

**MOTION (2):**      Mr. Bulmer moved to approve the Minutes of the Public Hearing and Regular Meeting of September 9, 1999 as amended.  
Mr. Dwyer seconded the motion.  
Discussion: Amend the Public Hearing Minutes as follows: Page 1 of 4, para. 1 should read ".....Mr. Bulmer and Mr. Dwyer will sit for Mrs. Cone and Mr. Price.  
Amend the Regular Meeting Minutes as follows: Motion (4) Vote in favor: (4-0).  
Vote in favor as amended: (5-0), Unanimous

3. Application of Theodore Harris, agent for Benchmark, LLC for a Special Permit and Coastal Site Plan Review to construct a 66-unit Assisted Living Facility at 417 Main Street, 8 and 14 Lake Avenue, Niantic, Ct.

It was the consensus of the Commission to table discussion until the next regular meeting of the Commission.

4. East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations by adding new Section 22.6 "Areas of Exemption from Parking Requirements".

Mr. Weber stated that he supported the amendment, however would prefer that the Commission have the right to waive in some particular situations. Mr. Mulholland recommended the proposed amendment, and if at some point, the Commission deems it inappropriate, that it may rescind it.

**MOTION (3):** Mr. Dwyer moved to approve the East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations by adding new Section 22.6 "Area of Exemption from Parking Requirements" and the accompanying map.

Reasons: Promotes the public health, safety, and welfare. In keeping with authority granted the Commission in Section 8-2 of Chapter 124 of the Connecticut General Statutes.

Mr. Bulmer seconded the motion.

Vote in favor: (5-0), Unanimous

Mr. Formica noted that the Commission is passing this amendment with the opportunity to review its effectiveness at a later time and if the Commission deems it necessary that it be brought forward to a public hearing.

Effective upon publication.

5. Request of Theodore A. Harris for exception to Section 24.6-E-3 "Buffer Strip" for property known as 22-26 Chesterfield Road, East Lyme, CT.

Mr. Formica recused himself.

**MOTION (4):** Mr. Formica moved to appoint William Weber temporary Chairman.  
Mr. Dwyer seconded the motion.  
Vote in favor: (4-0). Chairman Formica did not vote.

Mr. Weber read into the record:

1. A letter of request from Mr. Theodore Harris to the William Mulholland, Zoning Enforcement Officer dated September 29, 1999.
2. A letter from William Mulholland to the Zoning Commission dated October 7, 1999

Mr. Bulmer, Mr. Dwyer, Mr. Weber, and Mr. McLaughlin each stated that although the subject property is owned by the Chairman of this Commission, each can and will act impartially and objectively on this matter. Mr. Weber noted that the abutting property is the East Lyme High School.

Mr. Harris presented plans showing the property and outlining the zone district line. The High School driveway abuts the property on the northerly property line and a portion of its parking lot abuts in part on the westerly boundary, is zoned R40 residential and requires a 25 foot buffer. Mr. Harris indicated

that this situation is absent the reason for the buffer requirement of 25- feet and is requesting a reduction of buffer to 6-feet.

Mr. Harris is indicated that the regulations allow, when there is shared parking, a waiver of buffer requirements to allow traffic flow between the properties and is requesting that waiver in this case.

Mr. Bulmer inquired as to other cases in this area and in commercial/residential zones where waivers for buffers have been granted.

Mr. Mulholland indicated that the Commission granted a waiver request recently in this area on the easterly and westerly side of property to allow for a drive to go around the building. The Commission also granted a waiver request to a manufacturing facility on Capital Drive, on the northerly side to permit a fire lane to go up the property the line and a construction of a fence.

The Commission reviewed the plans and discussed the topography and landscaping.

**MOTION (5):** Mr. Bulmer moved to approve the request of Theodore Harris for exceptions to Section 24.6-E-3 "Buffer Strip", reduction from 25 feet to 6 feet along the northerly and westerly property lines at 22-26 Chesterfield Road, East Lyme, Connecticut and to eliminate the evergreen tree buffer requirement and to eliminate the buffer between 22 and 26 Chesterfield Road.

Mr. Dwyer seconded the motion.

Vote in Favor: (4-0), Unanimous. Mr. Weber, Mr. Dwyer, Mr. McLaughlin and Mr. Bulmer voted in favor.

**MOTION (6):** Mr. Bulmer moved to adjourn the meeting at 12: 15 AM  
Mr. Dwyer seconded the motion.  
Vote in favor: (5-0), Unanimous.

Respectfully submitted,



Anita M. Bennett  
Recording Secretary