

9/14, 1998 AT 2:15 (AM/PM)

East Lyme Zoning Commission
Regular Meeting
September 10, 1998
Minutes

L.A. Blair, etc.
East Lyme Town Clerk

The East Lyme Zoning Commission held its regular meeting on September 10, 1998 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Paul Formica chaired the meeting.

PRESENT: Paul Formica, Chairman, Athena Cole, Secretary, Christopher Mullaney, Norman Peck, Shawn McLaughlin, William Dwyer.

ABSENT: Rose Ann Hardy, ex-officio, Daniel Price, William Weber

Mr. Formica called the meeting to order at 7:32 PM.

I. Public Delegation

Joe Kwasniewski, 67 Walnut Hill Rd., indicated that he had noticed a lot of permits for zoning changes recently. He felt that the Commission should be making necessary changes to the zoning regulations not outside individuals.

Marvin Schutt, 29 Edgewood Rd., indicated that he was under the impression that the letter from Ann and Pat Quinn, Aces High, would be up for public discussion this evening. He inquired if and when such public discussion would be taking place.

Mr. Formica informed Mr. Scott that if the Commission scheduled a public hearing on this matter, public notice would be published in The Day. He added that if and when a public hearing is scheduled he would notify Mr. Scott or Loretta Walker, President of the Shoreline Chamber of Commerce.

II. Public Hearing

Application of Orchards Associates, LLP to amend Section 23.4A-1 and Section 23.4 A-2 of the zoning regulation.

Mr. Formica read a letter from Granville P. Morris, representative of Orchard Associates, indicating that the Proposed Amendments were withdrawn.

III. Acceptance of the minutes of the July 9, 1998 meeting

The acceptance of the minutes will be deferred until the next regular meeting of the East Lyme Zoning Commission.

IV. Old Business

A. Subcommittees Zone Change Recommendations

Athena Cone read a letter from Harold Kaplan, Chairman of the Planning Commission, regarding residential rezoning of RU-40, RU-80, RU-120 properties with the DEP concerns regarding water supply in existing wells in mind. Given this concern for water and other resources in East Lyme, the Commission might readdress and examine the feasibility of rezoning residential zones.

Mr. Mulholland indicated there would be a redraft completed within the next few weeks and would possibly be ready for the next Zoning Commission meeting on the 24th of September. Mr. Formica suggested the Commission consider a 1-2 acre, 2-3 acres and 3-5 acres and specific language, and anticipate discussions to see if this is something the Zoning Commission would like to adopt and to send forward as an amendment to the regulations.

Mr. Mulholland added that the packets previously sent out to the Commission would be reissued along with supporting maps and data. The maps are currently being redrawn.

V. New Business

1. **Application of W.C. Smith for a special Permit excavate gravel on property off Chesterfield Road, property further identified as Lots #1 and #19 on East Lyme Assessor's Maps #44 and #45.** To be scheduled for hearing.

Motion (1): Mr. Peck moved to modify the agenda to place Item #8A. Letter from Ann and Pat Quinn of Aces High RV Park to #2 under New Business.
Mrs. Cone seconded the motion.

Vote in favor: (6-0), Unanimous

2. **East Lyme Zoning Commission application of Robert D. Tobin to amend Section 12.1.3 (Elderly Housing) of the zoning code to modify the age requirement for senior citizens.** To be scheduled for public hearing.
3. **Letter from Ann and Pat Quinn of Aces High RV Park.**

Mrs. Cone read the letter into the record.

Dated August 6, 1998, addressed to Mr. Mulholland.

Please be advised that Aces High RV Park, LLC is requesting the Zoning Commission to rescind or modify its 1997 decision prohibiting the on-site winter storage of RV vehicles from November through April.

There will be no camping or occupation during this time. The water and electric will be shut down during this period and the gate will be closed and locked. The only exception may be the proposed manager's permanent residence, which will be a structural house on site.

These RV's being garaged in East Lyme should be taxed in East Lyme, which will add to the grand list. The town of Bozrah generates between \$500 to \$700 per unit in that town.

Signed: Ann & Pat Quinn

Mr. Mulholland stated that in his opinion since there was originally a public hearing and this was a condition of the Special Permit, a public hearing will need to be held. He added that he would also need to refer it to Planning Commission since the site is on an aquifer.

Mr. Formica requested that Mr. Mulholland try to get this item back to Zoning Commission by the next meeting. A public hearing will be scheduled at the soonest available date. Mr. Formica indicated that the Commission had received a letter from Loretta Walker, President of the Chamber of Commerce, concerning this matter and he would, therefore, read it into the record at the public hearing on this matter.

Mr. Mulholland stated that there would have to be a sign and legal advertisement 10 days prior to the hearing. He added that he may have a date within the next few days and suggested those interested could call the Zoning Office to determine the date.

Mr. Formica noted that the remaining items under New Business were placed so that in the event the Commission could agree on the language this evening, the proposals could be forwarded on.

4. East Lyme Zoning Commission proposal to amend Section 18.1.11.1.2 "Political Signs" of the zoning regulations

Proposed Amendment: Delete Section 18.1.11.1.2-Political Signs which reads:

Signs associated with political campaigns within a time period of 90 days before and 14 days after an election. The total areas of all temporary political signs on a lot shall not exceed 32 feet.

And add new Section 18.1.11.1.2-Political Signs-which would read:

Signs associated with political campaigns are permitted within a time period 60 days before and 10 days after an election. A wall sign or freestanding sign may be erected on a property designated as a campaign headquarters. Such

signs shall not collectively exceed a total area of 32 square feet in area. Only one property may be designated as campaign headquarters.

Mr. Dwyer questioned the intent. Mr. Mulholland responded that the way it is written presently political signs would only be allowed at campaign headquarters.

Mr. Dwyer stated it was his understanding that political signs on private property could not be prohibited. He added that he was opposed to eliminating political signs.

Mr. McLaughlin stated that the political signs could be limited, but was opposed to the elimination of them. He was not in favor of eliminating political signs from private property.

Mrs. Cone indicated that she was in favor of the change in the time period from 90 days to 60 days before and 14 to 10 after an election.

Mr. Mullaney stated that he did not support the language of the proposed amendment. He was opposed to elimination of political signs on private property.

Mr. Peck expressed his concern regarding the difficulty of enforcement of the regulation. He added that the Commission should not hold a public hearing until parties involved are polled for their opinions.

Further discussion of this proposed amendment will be held over.

5. East Lyme Zoning Commission proposal to amend Section 18.1.10 of the zoning regulations to permit "Community Bulletin Boards".

Amend Section 18.1.10 by adding the following language:

Community Bulletin Boards – The Town of East Lyme may have three (3) community bulletin boards for the purpose of advertising community events, which are sponsored by any civic or registered non-profit organization recognized as having its permanent address within the Town of East Lyme. These signs may be erected on public or private land and be externally lit, but such lighting must be shielded from all adjunct properties. Any qualifying group shall obtain a permit from the Zoning Department prior to use of the bulletin board.

The bulletin board signs shall not exceed a total area of 80 square feet. Individual advertising signs placed on the board shall not exceed 2 feet by 3 feet and shall have 3-inch high black letters on white background.

Applications shall be submitted at least 30 days prior to an event and no more than 90 days in advance. The display of signboards shall not exceed 10 days and shall be removed immediately upon conclusion of the event.

The final design of the Community Bulletin Boards shall be reviewed and approved by the Zoning Commission.

The purpose of this proposal is to provide a forum for civic and non-profit public service organizations to advertise special events, which occur in the community.

Mr. Mullaney added the subcommittee's recommendation was that the bulletin boards be maintained by civic organizations and that three bulletin boards be located within the town.

Mrs. Cone added that the three signs would then be placed in the three major areas in Town, namely, Niantic, North of I-95 and Boston Post Rd.

Mr. Mulholland noted that there would have to be a designated party to handle the permits. This amendment would allow the bulletin boards to go up, but does not deal with the permit process.

Mr. Formica inquired if any member of the Commission was in conflict with the first paragraph. All members of the Commission concurred with this paragraph.

Mr. Formica then asked for comments and opinions regarding paragraph 2. Discussion followed concerning the size restriction and colors allowed.

Mr. Peck indicated that the Commission should take into account various shapes of signs. Mrs. Cone stated she would prefer there be allowed more creativity and color in the signs.

The Commission agreed to allow signs of 6 square feet rather than 2' x 3' and eliminate "and shall have 3" high black letters on white background.

Mr. Dwyer stated that he would obtain photographs of existing signs.

The Commission concurred with the removal of paragraph 3. Paragraph 4 shall stand.

This proposed amendment shall be placed on the New Business agenda for the next Zoning Commission meeting.

6. East Lyme Zoning Commission proposal to amend Section 11 (Light Industrial Districts) of the zoning regulations to allow "Motor Vehicle Repair Stations as a Special Permit Use.

This amendment would permit the use, subject to the specific regulatory controls of Section 25 – Special Permits and Section 24 – Site Plan Review.

The purpose of this proposal is to permit Motor Vehicle Repairer Stations to locate in Light Industrial Districts.

The following amendment is proposed:

Amend Section 11 – Light Industrial Districts by adding a new Section 11.2.8- Motor Vehicle Repairers Stations, as a use.

Add Section 20.19.1 – Notwithstanding the above, it is hereby expressly provided that a Motor Vehicle Repairers Station in a Light Industrial (LI) Zone shall be exempt from spatial separation distances found in 20.19.1

Mr. Dwyer noted that in that Section does not list Motor Vehicle Repair Station. Mr. Mulholland indicated that the State of Connecticut language is Motor Vehicle Repairer, General Repairer, and Limited Repairer.

Mr. Mulholland will refine the language and obtain a definition for the Commission.

The proposed amendment will be deferred to the next meeting for further discussion following refinement.

7. East Lyme Zoning Commission proposal to amend the zoning regulations by deleting Section 12.1.4 “Multi-Family Dwellings” from Section 12 “Special Use Districts”

Following brief discussion, the Commission agreed to reconsider this proposal at a later time.

8. East Lyme Zoning Commission proposal to amend Section 22.1.3 of the parking code by increasing the parking space requirement for Multi-Family, Multi-Story dwellings in CB Zones

It is specifically proposed to amend Section 22.1.3 by deleting the following language: “One space for each bedroom” and **substituting** “One and one-half space for each bedroom.

Motion (2): Mrs. Cone moved to propose an amendment to Section 22.1.3 by deleting the following language: “One space for each bedroom...” and substituting “One and one-half space for each bedroom.

Mr. Dwyer seconded the motion.

Vote in favor: (5-1). Mr. Mullaney was opposed.

The majority of the Commission was in agreement with the above language. A public hearing shall be scheduled.

V. Zoning Official

Mr. Mulholland informed the board that the Motel 6 was going to be razed and rebuilt completely along with a new sign.

VI. Comments from Planning Representative

Mr. McLaughlin informed the Commission that the Planning Commission, following extensive public hearing and discussion, turned down the proposed amendment for Greenbelt Development proposed by Orchard Associates.

There being no further business before the Commission,

Motion: (3): Mrs. Cone moved to adjourn the meeting at 9:17 PM
Mr. Dwyer seconded the motion.

Vote in favor: (6-0), Unanimous

Respectfully submitted,



Anita M. Bennett
Recording Secretary