

Town Of East Lyme

P.O. Drawer 519

Niantic, Connecticut 06357

ZONING COMMISSION

FILED IN EAST LYME TOWN

CLERK'S OFFICE

MINUTES
EAST LYME ZONING COMMISSION
REGULAR MEETING
THURSDAY, SEPTEMBER 11TH, 1997 - 7:30 P.M.

Sept 22, 1997 at 4:30 PM

Esther B. Willaun

EAST LYME TOWN CLERK

CALLED TO ORDER

Mr. Wayne Fraser called the September 11, 1997 Regular Meeting of the East Lyme Zoning Commission to order at 9:56 p.m.

ATTENDANCE

Four regular members were in attendance: Wayne Fraser, Norman Peck, Bill Dwyer and Christopher Mullaney. One alternative member was in attendance: Shawn McLaughlin.

ACCEPTANCE OF MINUTES OF AUGUST 21, 1997 MEETING

William Dwyer moved to accept the minutes of the August 21, 1997 meeting. Chris Mullaney seconded the motion. Four members were in favor of the motion. One member abstained. No member was opposed. The motion carried.

APPLICATION OF ROBERT I. REARDON, JR. FOR A CHANGE OF ZONE FROM RU-40 RESIDENTIAL TO A CA COMERCIAL FOR THE FOLLOWING PROPERTIES:

- a. 435 Boston Post Road, further identified as Lot 25, East Lyme Assessor's Map 24.
- b. 436 Boston Post Road, further identified as Lot 131, East Lyme Assessor's Map 24.
- c. 296 North Bride Brook Road, further identified as Lot 130, East Lyme Assessor's Map 24.

Wayne Fraser asked the Commission what there thoughts were on the application before them.

Shawn McLaughlin stated that it was "spot zoning".

Norman Peck stated that he did not want to risk the legal problems with using "spot zoning" as an issue. He stated that the whole area was residential and that a CA Zone here is not good, there would be too many possible problems. He continued with the fact that the Ballet may not stay. Mr. Peck stated that a CA Zone invites possibilities that are in appropriate for this area. He stated that the traffic in that area goes pretty quick.

Chris Mullaney stated that he agreed. If three lots were established as CA Zone then it would grow. He stated that the Planning Commission owed them (Zoning Commission) an explanation on the two maps. He stated that he would like to hear the explanation before he voted on the application.

William Dwyer stated that the area is not commercial and that they had made Flanders commercial then it grew. He stated that the same thing would happen in that area. He said that it would creep down one lot after another and the Commission would lose control of it. He stated that he was against and that they shouldn't be changing laws for one person.

Wayne Fraser stated that he agreed. He also noted that no one had spoke against allowing them (applicants) to have a store. He stated that he was not sure how it could be done. He also stated that the Ballet was definitely an asset to the Community. He stated that it all fits now, but what would happen if they moved.

Wayne Fraser directed William Mulholland to look at the two maps "Future" and "Existing" with Planning to determine what the objective of each was.

Chris Mullaney stated that the land is currently taxes as commercial land and that a zone change is a zone change, it would be beneficial to turn land over to non profit and then see if the town could help.

Gary Lakowsky stated that they could apply for a grant.

Bill Dwyer moved to deny the Application of Robert I. Reardon, Jr. for a change of zone from RU-40 Residential to Ca Commercial for the following properties:

- a. 435 Boston Post Road, further identified as Lot 25, East Lyme Assessor's Map 24.
- b. 436 Boston Post Road, further identified as Lot 131, East Lyme Assessor's Map 24.
- c. 296 North Bride Brook Road, further identified as Lot 130, East Lyme Assessor's Map 24.

Norman Peck seconded the motion. Chris Mullaney noted that he would like to hear Wayne Fraser's direction to Bill Mulholland to find out meaning of two maps.

Norman Peck explained that the "future" map was what the Planning Commission was working towards.

Wayne Fraser stated one map is "future" and one is "existing".

Norman Peck stated that the "future" map indicates what the Planning Commission saw for the next ten years.

Chris Mullaney stated he needed an explanation. He stated that before the Commission voted they should be sure of what Planning Commission wants.

Norman Peck stated that the Commission had to follow the latest plan. He said that this intersection was not discussed, that means that we are not changing it, it was not an issue.

Five members were in favor of the motion. No member was opposed to the motion. The motion carried.

EAST LYME ZONING COMMISSION'S PROPOSAL TO AMEND SECTION 20.20.6 (Liquor for Standard Restaurants) OF THE ZONING REGULATIONS.

Norman Peck stated that he was not at the last meeting relative to this proposal, but that he had read the minutes and discussed to William Mulholland and that he was comfortable to vote on the issue or continue it.

Wayne Fraser indicated that he was in favor of approving the change minus the "200 feet".

Norman Peck moved to approve the East Lyme Zoning Commission's proposal to amend Section 20.20.6 (Liquor for Standard Restaurants) of the Zoning Regulations first rewrite. Bill Dwyer seconded the motion. Four members were in favor of the motion. One member was opposed to the motion. The motion carried. Effective upon publication because it agrees with Economic Development Commission.

No New Business

Correspondence

Mr. Kaplan letter to Mr. Wayne Fraser dated September 10, 1997. Mr. Fraser directed Bill Mulholland to correspond to the Planning Commission.

Zoning Enforcement Officer

Bill Mulholland indicated that it was a very busy time for the Zoning Office. He said the office was newly computerized and thanked the Commission for that. He stated that the office was becoming much more organized.

There was no Planning Representative at the meeting.

Comments From Ex-Officio

Gary Lakowsky stated that he was disappointed that the Commission took out the 200 feet in the regulation change, he stated that it gave the schools a bad impression.

Mr. Lakowsky stated that if he is re-elected for the Board of First Selectmen, that he would be requesting to be ex-officio to Zoning again, he indicated that he had learned a lot.

ADJOURNMENT

Chris Mullaney moved to adjourn the meeting at 10:35 p.m. Norman Peck seconded the motion. All members were in favor. The meeting was adjourned.


Recording Secretary