

East Lyme Zoning Commission
PUBLIC HEARING
September 9, 1999
MINUTES

FILED IN EAST LYME TOWN
CLERK'S OFFICE
9/16, 99 at 2:30 AM/PM
L. B. Blair, etc.
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing and Regular Meeting on September 9, 1999 at Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut 06357. Paul Formica, Chairman, called the Public Hearings to order at 7:31 PM and the Regular Meeting to order at 8:40 PM

PRESENT: Chairman Paul Formica, Norman Peck, Shawn McLaughlin, William Weber, and Alternates Robert Bulmer and William Dwyer and Rose Ann Hardy, ex-officio

Also Present: William Mulholland, Zoning Officer.

Absent: Secretary Athena Cone, Daniel Price

Mr. Formica opened the meeting at 7:31 PM followed by the Pledge of Allegiance.

PUBLIC DELEGATION - None

PUBLIC HEARING I.

Application of Landmark Development Group to amend Section 2A of the Zoning Regulations to permit Elderly Housing and Golf Courses in the RU-120 District.

Mr. Formica opened the Public Hearing. Mr. Bulmer and Mr. Dwyer will sit for Mrs. Cone and Mrs. Price. Mr. Weber will act as Secretary in Mrs. Cone's absence. Mr. Formica polled the Commission members for conflicts. Mr. Peck will step down due to a conflict. Mr. Formica outlined the procedure for public hearings.

Mr. Theodore Harris, 351 Main St., Niantic, CT represented and presented for Landmark Development Group. He indicated that this amendment would amend the text of the RU-120 District to allow as an allowed use elderly housing and golf course/resort type use. He briefly outlined the proposal. To allow as a use common ownership multi-family dwellings either by apartments or detached dwellings providing standards for a minimum square footage of 450 sf; age limitations not less than 55, but if one person is 55 then one person may also be not less than 21; maximum coverage of the total lot area of 10%; internal roadways of 20 ft wide and access roadways of 24 feet; maximum density of 4 units per acre. The second proposal is with respect to golf courses which proposes a minimum lot size of 100 acres; hotel or other type of short-term living facilities as an accessory use with a density of 2 per acre based on total golf course acreage.

Mr. Harris indicated that this proposal was submitted prior to the elimination of the RU-120 Zoning District.

Mr. Formica read into the record:

1. Request letter dated 5/21/99 from Theodore Harris to William Mulholland, Zoning Officer.
2. Proposed text change to RU-120 Regulations.
3. Letter dated 7/15/99 from the Mario Locarno, Secretary of the Planning Commission indicating that the Planning Commission disapproved the application.
4. Letter dated 7/27/99 from the Southeastern Connecticut Council of Governments to the Zoning Commission.
5. Mr. Formica noted that the Legal Ad was placed in The New London Day on 8/27/99 and 9/6/99
6. Memorandum dated 9/8/99 from William Mulholland to the East Lyme Zoning Commission.

Mr. Formica invited questions and comments from the Commissioners.

Mr. McLaughlin noted that the SU-E District was recently created for Elderly Housing.

Mr. Dwyer stated that a golf course appears contrary to the philosophy of the Greenway concept. Mr. Formica indicated that a golf course was not a permitted use in the RU-120 District.

Mr. Bulmer requested Mr. Harris's comments regarding the comments made by the Planning Commission.

Mr. Harris stated that the Elderly Housing proposed use would incorporate Cluster Development leaving large open space areas with only 10 % coverage. This would allow for developing only in suitable areas, leaving steep slopes, etc. as open space. The golf course proposal is a use that can be compatible with difficult and sensitive topography and can be designed with large open space areas. Mr. Harris stated the elderly housing or retirement community would have its own recreational amenities contained within it and there are age differences from the SU-E District.

Mr. Mulholland read, for the record, the RU-120 Zoning Regulations, paragraph 1 which characterizes the district. He noted that the purpose for upgrading the RU-120 to RU-200 Greenway Conservation District were for conservation of natural resources. Mr. Mulholland also read the "Purpose of Regulations, East Lyme, Connecticut".

Mr. Formica then opened the hearing to those wishing to speak in favor of the application.

Joe Kwasniewski, 67 Walnut Hill Rd., inquired were Landmark Development Group was located. Mr. Harris stated that the Group was from Middletown, CT.

Mr. Formica the opened the hearing to those wishing to speak in opposition to the application.

Mike Dunn, 15 Cove Hill Rd. referred to the Public Hearing of July 8, 1999, specifically to the public support for eliminating RU-120 and the change to RU-200 Greenway Conservation District. He also stated that a golf course requires clear cutting and runoff particularly during construction in an environmentally sensitive area, the use of pesticides and fertilizers. He requested the Commission deny this application.

Walt Prochonera, 420 Boston Post Road agreed with Mr. Dunn's comments and is in opposition to the application.

There being no other speakers in favor or opposed to the application, no further questions or comments from the Commission members or Zoning Official, Mr. Formica closed the Public Hearing at 8:00 PM.

PUBLIC HEARING II

Application of J. Robert Pfanner to amend Section 20.13 and Section 24.6E-3 of the East Lyme Zoning Regulations.

Mr. Formica opened the Public Hearing at 8:00 PM

Commission members are Mr. Formica, Mr. Peck, Mr. Weber, Mr. McLaughlin, Mr. Bulmer and Mr. Dwyer. Mr. Formica polled the Commission for any conflicts and found none.

Mr. Formica read into the record:

1. Letter dated 7/7/99 from J. Robert Pfanner & Associates, P.C. to the Zoning Commission requesting changes in the current regulations.
2. Mr. Formica noted the Legal Ad was published in The New London Day on 8/27/99 and 9/6/99.
3. Letter dated 8/12/99 from the Planning Commission indicating its disapproval of proposed amendment to Section 20.13 and an approval of proposed amendment to Section 24.6E-3.
4. Letter dated 8/25/99 from Southeastern Connecticut Council of Governments to the Zoning Commission.
5. Memorandum from William Mulholland to the Zoning Commission dated 9/8/99.

Robert Pfanner, Civil Engineer and Land Surveyor, 37 Grand St., Niantic, CT addressed the Commission regarding the proposed changes to Section 20.13 and 24.6E-3, respectively. Mr. Pfanner indicated the difficulty in placing appropriate and sufficient parking on commercial lots under current regulations. He indicated that this is a Townwide problem. Mr. Pfanner presented sketches to demonstrate the parking variations allowed with these proposed changes. Mr. Pfanner in referring to proposed changes to Section 24.6D-3, noted that at times it would be advantageous to connect two small commercial lots, with a combined driveway or connecting across the rear of the property.

Mr. Bulmer inquired if these changes would apply only to Commercial Zones. Mr. Mulholland indicated that it would apply to all zones as it is in the General Regulations, however, there are more issues regarding parking in the Commercial Zone.

Discussion ensued regarding the preservation of the buffer areas. The buffer area required between commercial and residential zones is 25 feet and would not be impacted by these changes. No parking would be allowed in a buffer area, but would be allowed in a building setback area, which currently allows driveways.

Mr. Formica opened the hearing to those wishing to speak in favor of the application.

Mike Dunn, 15 Cove Hill Rd., stated he felt these changes were reasonable and would contribute to solving the parking problem.

Walt Prochonera, 420 Boston Post Road stated his concern for protecting the buffers and the safety issue of parking close to the sidewalks or street to the front of the building.

Mr. Formica opened the hearing to those wishing to speak in opposition to the proposed changes. Mr. Formica noted Mr. Prochonera's opposition previously stated.

There being no further questions or comments from the public, Commission members, Zoning Official, or Mr. Pfanner, Mr. Formica closed the Public Hearing at 8:40 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Anita M. Bennett".

Anita M. Bennett
Recording Secretary