

# Town of East Lyme

P.O. DRAWER 519

FILLED IN EAST LYME TOWN

CLERK'S OFFICE

Aug 28 19 95 at 2:25 AM  
PM  
NIANTIC, CONNECTICUT 06357

*Esther B. Willbaw*

EAST LYME TOWN CLERK

ZONING COMMISSION

REGULAR MEETING  
August 24, 1995

Immediately after the Public Hearing on the Locarno application to renew a Special Permit to excavate gravel, a regular meeting was convened about 7:40 p.m. by Wayne Fraser, chairman.

MOTION: Mr. Formica moved to approve the application of Peter C. Locarno for renewal of a Special Permit to excavate gravel on property off Chesterfield Rd. further identified as Lot #1 on East Lyme Tax Assessor's Map 45 with the following conditions:

1. Hours of operation - 7:30 A.M. to 4:30 P.M. Monday-Friday, 7:30 A.M. to 1:00 P.m. on Saturday.
2. No on-site fuel storage

3. Submittal of a \$25,000 Bond

Seconded by Bill Dwyer, and so voted unanimously (6-0). Voting aye: Messrs: Formica, Dwyer, Fraser, Peck, Mullaney and Mrs. Cone. This Permit will be effective upon publication.

It was noted that the \$25,000 bond is a continuance of it.

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After the hearing on the application of Patricia Waddington, to amend Section 1.50 (Restaurant Standard) a regular meeting was again called to order to consider this item.

There was considerable discussion over amending this section by inserting the word "normally" between the words "employee" and "takes" .

Mr. Dwyer spoke in opposition to this change and felt it would make too much of a "hodge podge" of the regulations.

Mr. Peck did not see a problem since the Zoning Officer felt he could deal with it on a day to day basis. Mr. Pressley and Mr. Formica felt the same and that the Board could help business by inserting this.

Mr. Dwyer said it will not show any difference between the two types of restaurants, and it could add to thousands of dollars in law cases.

MOTION: Mr. Peck moved to approve the application to modify the definition of Section 1.50, "Restaurant Standard" in our Zoning Regulations by inserting the word "normally" between the words "employee" and "takes" in the first sentence of that definition. Seconded by Chris Mullaney.

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VOTING AYE: Messrs. Fraser, Mullaney, Presley, Peck, and Mrs. Cone. VOTING-NAY: Mr. Dwyer. (5 ayes, 1 nay)

This will be effective upon publication.  
Reason: It attempts to clarify a Zoning definition.

At 8:25 p.m. the Commission returned to the Public Hearing re: Chapman Farms.

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At 10:30 p.m. the Chapman Hearing was adjourned, and the regular meeting was called to order at 10:33 p.m.

Acceptance of Minutes of August 3, 1995.

MOTION by Mr. Mullaney to accept the Minutes of Aug. 3, 1995 as presented, seconded by Bill Dwyer, and so voted - 5 ayes, 1 abstention by Athena Cone who was absent that meeting.

Request of Kurt Stiles for exceptions of Sections 24.2 E-1,2,3,4,5 of the Site Plan requirements for property at 135 Boston Post Rd., East Lyme. (Moose Hopper)

Mr. Formica stepped down from the Commission on this matter, and Mr. Pressley, alternate, took his place.

Mr. Mulholland explained that the Zoning Commission must grant waivers if this request is to be approved. This restaurant would be in a shopping center and the new regulations cannot be applied here. He said Mr. Stiles is increasing his parking area because he will have a larger square foot area here.

MOTION by Mr. Presley to waive Section 24.2 E-1,2,3,4 and 5 of the Site Plan requirements for property at 135 Boston Post Rd., East Lyme. Seconded by Athena Cone, and so voted 6 ayes, no nays.

Voting aye: Messrs. Presley, Dwyer, Fraser, Peck, Mullaney, and Mrs. Cone.

Reasons: This is located in a legal pre-existing non-conforming property, which at one time conformed to Zoning code. Where a pre-existing physical condition exists on a property, the Site Plan Section was designed to provide relief in those cases.

SUBCOMMITTEES AND SITE PLANS- (Passed over this evening)

Mr. Formica felt the Board needs to work on the site plans soon. Mr. Fraser would like to finish work on it and the reasons for the change.

No correspondence and no ex-officio report.

Moved to adjourn by Mr. Formica about 10:55 p.m.; seconded by Athena Cone and so voted unanimously.

Attest:

*Eugene J. Taylor*  
Recording Secretary