

# Town of East Lyme

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357

Filed in East Lyme Town  
Clerk's Office

ZONING COMMISSION

PUBLIC HEARING

August 3, 1995

Aug 10, 1995 AT 10:35 AM  
M. Mulholland PM

PRESENT: Wayne Fraser, chairman; Paul Formica, William Dwyer, Chris Mullaney, Norman Peck III (who stepped down from the table during the public hearing) on Chapman Farms). Alternate: Shawn McLaughlin

ABSENT: Athena Cone and Alternate Kent Presley.

The chairman called the meeting to order at 7:35 p.m. Alternate Shawn McLaughlin was seated with the Commission.

Mr. Fraser explained the procedure for a public hearing and the Public Hearing was then opened.

1. East Lyme Zoning Commission proposal to amend Section 15 Flood Hazard Regulations as mandated by the Federal Emergency Management Agency and the State Department of Environmental Protection.

Mr. Mulholland read a memo re: FEMA AMENDMENTS, in which he strongly recommended adoption of this proposal with one addition. The addition is to remove the word "habitable" from Section 15.3.3 (c) (1).

Letters were read from the Southeastern Council of Governors, and the Bureau of Water Management. They recommended adoption.

Mr. Ron Rando asked if these new regulations would cost the land owners any more money.

Mr. Mulholland said these are only housekeeping improvements in the regulations.

The hearing on this item was closed at 7:46 p.m.

2.(3). Application of Patricia Waddington, 147 Main St., Niantic, to amend Section 1.50 (Restaurant Standard) of the East Lyme Zoning Regulations.

This was continued to August 24th because of illness in the family.

3. Application of Robert Tobin, agent for Chapman Farms L.L.C. for a change of zone from RU-40 to S.U. (Special Use) for the purpose of developing 65 units of elderly housing, East Lyme Tax Assessor's Map 166 Lot.17.

This portion of the public hearing was opened at 7:50 p.m. Planning Commission was unable to meet and send a reply on this application. They asked that the hearing be continued.

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Mr. Formica arrived at this time also. (Mr. Peck had stepped down from the Board during this portion).

A letter from Atty. Tobin dated 6/15/95 was read re: their application for rezoning of this property. A second letter from Atty. Tobin was read of same date as to their intent to develop the property for single-family detached units for senior citizens over age 62.

Mr. Fraser noted we have a copy of the legal ad which was run in The Day as required by law.

Southeastern Council of Governors saw no adverse municipal impact with this application.

Public Safety Director, Fred Johnson, wrote he had recommended some changes as to sight lines and had suggested cul-de-sacs so fire engines could make turns more easily. He said seven fire hydrants appear to be ample for the development.

A two-page memo was received from the Zoning Enforcement Officer with seven or more suggestions for consideration in this application.

A letter in favor of the project, dated July 30th, from Thomas Moriarity was received.

A letter from Janet & Hugh Herbert asked that a close study be made re: this application. They feel the density is too high for this area.

Mr. David Thompson wrote in favor of the project, and said smaller housing is needed for senior citizens.

It was noted that Conservation Commission has not taken any action as yet on this application.

Atty. Tobin, agent for Chapman Farms, LLC, and a resident of East Lyme spoke and said the Zoning Regulations were changed to allow this type of housing for elderly housing. He stated the East Lyme Plan of Development does consider different forms of elderly housing- alternative forms. They asked to change the Zoning here from RU 40 to SU.

Joanne Carroll was introduced to present a slide portion. She is Housing and Marketing Counsellor. She said 65 homes with handicapped facilities could be available.

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Atty. Tobin stated they have met with staff from both Zoning and Planning and have made changes to the plans as a result.

Mr. Angus MacDonald, engineer from Old Saybrook, showed aerial photos of the property with the proposed roads and showing the main entrance to the property as being exactly opposite East Pattagansett Rd. at a traffic signal.

He stated there would be 13 separate clusters of these private homes. There will be off-street parking near the homes. There are 20.3 acres here.

EXHIBIT #1- Aerial Photo

EXHIBIT #2- Sketch of the cluster- Over all Site Plan.

Mr. McDonald said the site is one mile to the center of town. It is also near the Senior Center off Society Rd. He said 23 lots adjoin this property. Those lots average around 26,000 s.f. There will be a 50 ft. buffer zone. He said some of the homes will be 60-70 ft. away from the buffer. He stated that privacy fences 6 ft. high will be built in some areas, and pine trees will also be planted.

He said a single entrance to the area is desired. The old Chapman road approach will be for emergency use only.

Atty. Tobin pointed out that some of the letters read will also overlap into the second part of this hearing. It was so agreed by Chairman Fraser.

Atty. Tobin said Windermere in Old Saybrook is a very similar development, but they have no garages; as these in Niantic would.

Angus MacDonald said they are making the cul-de-sacs as suggested by the fire departments. There will be no parking on the streets. They are proposing 11-12 street lights. There will be a gazebo, and there are a total of eight acres of open space. This exceeds the amount of open space required. They will not be building on the wetlands.

EXHIBIT # 3 - Chapman Farms Site and Comparative Data.

Four phases for construction are proposed.

Mr. David Sullivan, traffic engineer of Barken & Mesz distributed a traffic study.

EXHIBIT # 4 - "Traffic Study- Elderly Housing Facility.

EXHIBIT # 5 - One set of plans of Chapman Farms, LLC.

Mr. Sullivan said traffic counts were done in August 1994. The hour from 7:45 a.m. to 8:45 a.m. and again from 4-5 p.m. were the peak hours. A change in the signal light will be needed.

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Angus MacDonald said they have met with DOT several times.

EXHIBIT #6 - Interoffice Memo from DOT (John Castro) re: drainage.

Mr. MacDonald said drainage from the site will go into the highway drainage.

At 9:25 the chairman declared a five minute recess.

The hearing was called back to order at 9:30 p.m. The chairman announced that the applicants can continue to 10:00 p.m. This hearing, he said, can be continued to August 24th, and the people will be heard then.

Atty. Tobin asked Fire Marshal, R. Morris to speak. Mr. Morris said that Mr. Orvedal has been very cooperative as far as public safety. He said they see no problem with what has been proposed.

Mr. Ben Orvedal, builder, spoke next.

EXHIBITS:

Plan A - Chapman Farms- EXHIBIT # 7

Plan B - Chapman Farms -EXHIBIT # 8

Plan C - Chapman Farms - EXHIBIT #8

Typical Landscape Cluster Plan- EXHIBIT # 10.

Colored Photo of a Typical Building (computer generated)

- EXHIBIT #11

EXHIBIT # 12 is "View Toward Patterson Residence"

EXHIBIT #13 - Purpose of organization is to own real estate and develop senior housing in East Lyme.

This will be in an SU District with cluster zoning. There will be common ownership and there will be common maintenance of buildings and streets.

Mr. Orvedal said he has been a resident of East Lyme for twenty years, and said he has been looking for a site like this for some time. They have three basic homes, and they all have an attached one-car garage, a patio at the rear, 1½ baths, vinyl siding that will be maintenance free. All doorways will be 3 ft. wide to take care of handicapped persons. The houses will be about 15 ft. apart.

He pointed out that Cluster #10 is a northwest corner and showed typical landscaping. They are planting 6 ft. trees, he said. He plans to build privacy fences where pools are owned by adjacent property owners. He said there will be a minimal amount of lawn. He stated the landscaping will cost \$300,000 or about \$5,000 per home.

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He said regarding EXHIBIT #12 which looks toward the Patterson home, that he had a computer generated view of what it would look like with the trees in leaf and with a fence. He stated that this parcel has all the requisites of a senior housing development.

Mr. Orvedal said he looked over the Rose Court development in Rocky Hill's site plan, and said the Chapman Farms is a very similar development.

He said the regulations seem to require a sidewalk along the road side of the development. He said they are proposing a sidewalk from the emergency road down to the town's sidewalks. He pointed out that the property and landscaping will be maintained by the owners- like a condominium association.

EXHIBIT # 14 - re: Zoning of SU district.

Mr. Fraser said this hearing will be continued to August 24th.

Gary Patterson asked about Planning Commission not having any import here tonight. It was pointed out that they have had 35 days in which to reply.

Mr. Fraser said there will be a gravel pit application on 8/24 at 7:30 p.m. By 8:00 p.m. the Chapman Farms hearing should be opened and continued.

At 10:05 p.m. the portion of the hearing relating to the Application of Robert D. Tobin, agent for Chapman Farms L.L.C. for a Special Permit to construct 65 units of Elderly Housing, Assessor's Map 162, Lot 17.- was opened.

Mr. Kell Tyler asked if the Minutes of this meeting will be available before August 24th, and was assured of this.

EXHIBIT 15 - A collection of the slides which were shown earlier in the hearing.

Bonnie Patterson asked about the procedure for the Aug. 24th continuation. Mr. Fraser outlined the planned agenda for that meeting.

The hearings were closed at 10:15 p.m. The Commission then went immediately into their regular meeting.

Attest:

*Elizabeth J. Taylor*  
Elizabeth J. Taylor  
Recording Secretary