

Town of East Lyme June 19, 1995 AT 11:30  
Lesley Ables

AM  
PM

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357 East Lyme Town Clerk

ZONING COMMISSION

ZONING MINUTES-REGULAR MEETING

June 15, 1995

PRESENT:

Wayne Fraser, Chmn.; William Dwyer, Norman Peck III, and  
Alternate Shawn McLaughlin.

ABSENT: Athena Cone, regular member,  
Chris Mullaney, Alt. and Sharon Baroni, and Paul Formica, regulars.

The meeting was called to order at 7:35 p.m. at the Town Hall  
by Wayne Fraser, chairman. Shawn McLaughlin, alternate, was asked  
to sit with the commission in the absence of Paul Formica and  
Athena Cone.

The public hearing for Robert Jakubiel re: a Special Permit  
to operate an antique shop at 13 Plants Dam Rd., East Lyme, will  
be rescheduled to a July meeting.

The public hearing re: the Chapman property and Orvedal builder  
will also be rescheduled, as it was withdrawn for this date.

Acceptance of Minutes of May 18, 1995.

Mr. Dwyer moved to approve the Minutes of May 18th, 1995 as printed.  
Seconded by Mr. Peck, and so voted (3 ayes, 1 abstention by Mr.  
Fraser who was absent that meeting.)

4. Request of Harry Longinidis for a waiver of the site plan  
buffer requirements of Section 24.2 E-3 on property at 233 Main St.,  
Niantic, Ct.

Mr. Mulholland said the Family Pizza will be moving over to this  
building (former Coastal Savings), and it will be a standard restau-  
rant. He said there is an increase of 25% in the need for parking.  
The exterior of the building will be left as is, only the interior  
will be changed.

Maps of the property were shown to the Board.  
Section 24.3 Exceptions states that if any of Section 24.2 cannot  
be met because of previously existing physical conditions, the Com-  
mission may authorize appropriate modification.

MOTION

Mr. Dwyer moved to approve the request of Harry Longinidis for a  
waiver of the site plan buffer requirements of Section 24.2 E-3 on  
property at 233 Main St., Niantic, Ct. Duly seconded by Mr. Peck,  
and so voted unanimously (4-0). Voting aye: Messrs. Fraser, Dwyer,  
Peck and McLaughlin.

5. Election of Alternate.

Mr. Dwyer nominated Mr. Kent<sup>t</sup>Presley to fill the position of alternate to the Commission.

(This would be to replace Mr. Wilson who was never sworn in). Seconded by Mr. Peck, and so voted unanimously (4-0).

He resides at 7 Patrick Pl., Niantic, and the term would end after the next election.

OLD BUSINESS:

1. Subcommittees.

Mr. Fraser said he would like the Board to look at the possibility of new construction being considered separately from remodeling. He said he would like to keep our zoning regulations pretty much intact.

He will write a letter to the Planning Commission chairman to see if they are interested in having a joint meeting in September, to discuss 1- Site Plans 2-- Industrial Parks and 3- All sign boards. He would like to have an open forum and come out with a unified approach to move the town along.

Mr. Mulholland said there is a difference between old and new construction in the present site plans. He said a person must let staff know exactly what they need, and often it can be worked out with staff.

Mr. Fraser stated we are trying to help people come in without needing all kinds of maps etc. He said eliminating some of the requirement for bituminous paving as in Section 24.2 .A should certainly help.

Under proposed changes to Section 24 Site Plan: Add at end of 24.1.A. (4) "An A-2 survey may be waived by a majority vote of the Zoning Commission at the recommendation of the Zoning Enforcement Officer.

Also in this section add: An A-2 survey for a project larger than 12 offstreet parking spaces may be waived by the Zoning Enforcement Officer.

Mr. Peck said that Mr. Mulholland was going to check out some of the safety factors on these buffer strips (24.2).

Mr. Mulholland thought the Board might want to work on a lot for 20 spaces.

NEW BUSINESS:

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

Mr. Mulholland said this had been withdrawn after the last public hearing, and they cannot withdraw and then put it back in.

Mr. Mulholland said we are talking about a public hearing in August if this is to be considered.

Mr. Peck suggested a special meeting in July to help move it along.

page 3, Zoning, 6/<sup>15</sup>14/95

2. Application of Wilson Scott for a renewal of a Special Permit to excavate gravel at property off Stones Ranch Rd., East Lyme, Ct. Tax Map 24, Lot 27.

Mr. Wilson Scott was present to ask for a renewal of this permit which will run out in August.

It will have to be considered at a public hearing. Our first meeting in August is 8/3.

CORRESPONDENCE - none

BUSINESS ON THE FLOOR BY MAJORITY VOTE.

Mr. Mulholland said that Mr. Orvedal has re-submitted his application on the Chapman property as of 4:30 p.m. today.

MOTION:

Mr. Dwyer moved to put this item on the agenda tonight; seconded by Shawn McLaughlin, and so voted 4-0.

Mr. Mulholland said it was withdrawn previously because of a question of wetlands. This request must be referred to various agencies. This hearing could probably be set for the first meeting in August, or possibly for 7/27.

Mr. Mulholland asked the Commission to place another item on the agenda tonight re: the Niantic Aluminum Co., West Main St.

MOTION:

Mr. Dwyer moved to place this item on the agenda tonight; duly seconded by Mr. Peck, and so voted unanimously (4-0).

Mr. Mulholland said there has been an outstanding court order since 1980 on this Niantic Aluminum property when they were ordered to clean up the property. According to Town Counsel about 90% of the material on the site could be removed. He is entitled to keep material at the rear of the property. A Cease and Desist Order was sent out, but the owners are out of town. He said they have 10-15 days to clean the mess up. They have already had 10-15 years.

Mr. Mulholland said they would like to hire an outside contractor to go in there and clean it up. It could cost up to \$20,000. This would have to be a special appropriation. Mr. Thumm gave that estimate. Mr. Jourdan said the Selectmen have the right to reject any ridiculous figures, but would approve an appropriation for this.

MOTION:

Mr. Peck moved to appropriate up to \$20,000 for the clean-up of Niantic Aluminum and surrounding area as recommended by the Zoning Enforcement Officer.

Seconded by Mr. Dwyer.

Mr. Dwyer said he objected to this approach because it is the man's living there.

Mr. Peck commented that the place is atrocious, and the neighbors are really upset out there. The place is for sale, said Mr. Peck.

page 4, Zoning, 6/14/95

VOTE ON MOTION: 4 ayes (Voting: Messrs: Peck, Dwyer, Fraser and McLaughlin).

On June 28th there will be a public hearing on temporary activities.

Ex-officio rep. Donn Jourdan said EDC proposed inviting Zoning and Planning to a forum to talk about what the town can offer and what kind of regulations are needed. They will be sending out a notice on this meeting.

He reported that the ordinance which would have required the licensing of town restaurants probably will not happen as there are too many votes against it.

Mr. Peck moved to adjourn about 8:50 p.m., seconded by Mr. Dwyer, and so voted.

Attest:

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