

Town of East Lyme

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357

ZONING COMMISSION

PUBLIC HEARING

May 19, 1994

Filed in East Lyme Town
Clerk's Office

May 26, 1994 AT 12:05 AM
Shawn A. McLaughlin PM
asst East Lyme Town Clerk

PRESENT:

Wayne Fraser, Chmn., Athena Cone, Sharon Baroni, Norman Peck III and William Dwyer. Alternates Chris Mullaney and

ABSENT:

Paul Formica

/Shawn McLaughlin.

The meeting was called to order at 7:31 p.m. at the Town Hall by Wayne Fraser, chairman. He asked Chris Mullaney to sit on the Board in the absence of Paul Formica. He asked Mr. Dwyer to be acting secretary.

PUBLIC DELEGATIONS:

Mr. James Lagrotteria, Lincoln St., Niantic, spoke about Sections 8.2.2 and 9.2.3 re: Mixed Use Dwelling Units. He felt these sections had outlived their usefulness. He did not see why they needed to be in the Zoning regulations now that we have sewer. He said a change here could help stores by having apartments over them.

PUBLIC HEARING:

Mr. Fraser announced that the Public Hearing for Mobil Oil's application has been withdrawn.

The Public hearing tonight is on Shell Oil Co.'s application for a Special Permit to reconstruct the existing non-conforming gasoline service station facility located at the corner of Boston Post Rd. and Chesterfield Rd., further identified as Lot #17 on East Lyme Assessor's Map 49.

Atty. David Sherwood and Professional Engineer Henry Nodarse were present to represent Shell Oil. Mr. Nodarse of Ayoub Engineering, Inc. said they plan to eliminate the structures presently on the site. He said the gas pumps having a 500 gallon tank will be removed. A 20x50 foot Mart building will be built. They said they have applied for a permit to put the car wash waste water into the sewer. They said that DEP has said they do not have jurisdiction over this site because it will not cause any toxic materials, and will not generate hazardous wastes.

Mr. Mulholland said he had a certified letter submitted by Ayoub Engineering signifying that the underground tanks are as legally required.

Correspondence as read by Wayne Fraser, Chmn.:

- 1- Narrative of Proposed Activity - dated May 9, 1994
- 2- Planning Commission Letter - approving application if it meets necessary criteria.
- 3- A letter re: certification of tanks from Ayoub Engineering.

It stated tht all underground facilities will be protected against rust etc. There will be spill prevention equipment, and there will be an alarm system which would alert employees to any leakage of ground tanks.

Mr. Nodarse of Ayoub Engineers said re: the Aquifer District Report that they will not generate any toxic waste.

- 4- Letter from the DOT, dated 5/16/94. They listed seven suggestions, including that two existing drives closest to Route 1 and Route 161 shall be closed off.
- 5- A letter from Phil Bergeron, Town Engineer, to the Zoning Officer.
- 6 - Letter from Steve Lord, dated May 17th, stating he was greatly concerned because of the location over the aquifer. He questioned whether the two uses should be allowed.
- 7- Letter from William Corkhill questioned if the use should be discontinued until all requirements are met.
- 8- Letter from George Calkins, Town Sanitarian, stated he will want to see the final construction grade plans.

Responses to the Letters:

Atty. Sherwood spoke in regard to the D.O.T. letter, and said they are aware of these recommendations and hope to modify in a minor way their comments, particularly as to exits and entrances. As to two letters received, he said there is now a car wash and food store on the property. They simply want to improve the property with state of the art equipment.

Board member, Norman Peck asked about the recycling of water. Atty. Sherwood said they will be using recycled water, which is preferred by the Dept. of Environmental Protection.

Henry Nardose, engineer, spoke about the car washes' soaker process. He said they will use about 15 gallons per car, and the water will be reclaimed. Next, the car gets ten gallons of fresh water. He said seven gallons will go into the holding tank, and then into the sanitary sewer. He said the final three gallons will also be sucked back into the system from a trench drain.

Mr. Nardose said the tanks are steel and will remove sand etc. and they will be pumped out every six months.

Sharon Baroni asked about any oil that might be in the system of tanks, and if there is any safety system to monitor it.

Atty. Sherwood said sensors could be installed on the tanks. He said it is not hazardous waste. There might be 1" of oil on top of the water, he said.

Mike MAGLIONE, operator of the Flanders Shell station, said they do not wash engines, and there is really no oil.

Atty. Sherwood pointed out that people will not be washing cars in their driveways if they use the car wash. He said they do about 100 cars a day.

Mr. Dwyer asked about parking for the store. Atty. Sherwood said there are four parking spaces set aside for this.

Mr. Mulholland said they meet all requirements.

Athena Cone asked about the canopy at the pumps, and asked if there is fire protection on these. Atty. Sherwood said that is not a firecode requirement, but it could be installed.

Mr. Lagrotteria said he owns two properties north of the gas station. He said it has been a pleasure to look at since Shell Oil has owned it. He thinks this is the highest and best use for the property.

Wilson Scott spoke of the station being run efficiently, and is attractive.

Joe Kwasniewski asked about a place a Plants Dam Rd., and how do they wash cars there. He thought they could use Shell also. Mr. Fraser said we must stick to the Shell Oil hearing.

Speaking against the permit: (none)

It was stated that they have met all fire marshal's requirements.

Mr. Fraser asked about the 500 gallon tank being removed, and was told they hold heating oil and will not be replaced.

Atty. Sherwood thanked the Commission and Mr. Mulholland for their help.

The hearing was closed at 8:40 p.m.

Attest:

Elizabeth J. Taylor
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Recording Secretary