

EASTLYME ZONING COMMISSION

Regular Meeting, May 18, 2023. 7:30 PM

East Lyme Town Hall, main room

Members Present: Chairman Anne Thurlow, Debbie Jett-Harris, Norm Peck, Terry Granatek, Dave Schmitt, Alt., Jay Ginsberg, Alt,

Members Absent: Denise Markovitz, Alt

Also Present: William Mulholland, Zoning Official, Anne Cicchiello, BOS liaison, Sue Spang, Recording Secretary

Call to Order: Chairman Thurlow called the meeting to order at 7:30

D. Schmitt and J. Ginsberg were seated.

I. PLEDGE OF ALLEGIANCE-recited

A. Thurlow announced that two members resigned.

MOTION: (Jett-Harris/Granatek) to vote now for filling vacancy. APPROVED unanimously.

Nominations were called for three times.

Jett-Harris nominates John Manning, seconded by Granatek.

N. Peck nominates D. Markovitz-no second.

John Manning is appointed unanimously.

II. PUBLIC DELEGATION:

Margot Orlander, 2602 Maple Tree Lane, is concerned about the lack of affordable senior housing. She is on a waiting list for senior housing. It is not fair to the seniors in town who have supported attendance and budgets in the past.

Nick Menapace, 38 Hope St., loves the walkability of downtown Niantic and suggested a new development be made a priority to provide walkability and bikability.

T. Granatek leaves meeting (7:45)

RECEIVED FOR RECORD
EAST LYME, CT
MAY 24 P 2:41
TOWN CLERK

II. PUBLIC HEARINGS:

1. Application of Dr. Cara Obadowski, of the Niantic Veterinary Hospital, for a Special Permit to operate a veterinary practice at 9 Lake Ave, Niantic, Assessor's map 11.2 lot 131. (7:45)

The legal notice for the application was placed and the memo from B. Mulholland was read into the record. The new owner is seeking a Special Permit to ensure opportunities to intensify the business in the future.

Dr. Cara Obadowski, 9 Lake Ave., informed the members that the business will continue to use the site as a small animal hospital, with the same hours. She wants to make the business conforming to the regulations.

MOTION: (Schmitt/Jett-Harris) to close the public hearing. Vote: APPROVED unanimously. (7:48)

2. Continuation of Proposed Text Amendment, East Lyme Zoning Regulations, Niantic Village Bulk Mixed Use (7:48)

N. Peck stated that over the years the public has spoken about the older buildings in town being torn down and replaced by large buildings. The downtown is losing its small town charm.

Public Comment

Margot Orlander, 2602 Maple Tree Lane, asked the Commission to explain the changes and reasons for the amendment.

N. Peck describe the history of the buildings that have been taken down and what has replaced them.

He explained that they are trying to preserve the “charm” of Niantic.

N. Peck described, mixed use, and the process going forward if the amendment is adopted.

M. Orlander said New Yorkers coming to the town expect upscale amenities and will make it harder for seniors and people who cannot afford the higher prices. She asked, “who are we catering to”.

Nick Menapace, 38 Hope St. asked if a two-story building can be destroyed and replaced by a mixed use building, or if someone can add a second story to an existing building.

Margot Orlander, 2602 Maple Tree Lane, grew up in a small town and has seen big box stores come in which require services and infrastructure which will make taxes go up.

Gary Pivo, 4 Colonial Dr., said he supports mixed use but on a reasonable, small scale, not something like the ZDM scenario, where a number of buildings are torn down and a larger, taller building takes its place.

N. Peck stated that a few years ago they tried to limit buildings in the CA zone to 5000 sq.ft. but it was rejected.

J. Ginsberg asked why the Planning Commission did not support the amendment.

B. Mulholland did not know why they came to that conclusion.

N. Peck said the POCD did support preserving historic buildings.

MOTION: (Ginsberg/Jett-Harris) to close the Public Hearing. Vote: APPROVED unanimously. (8:07)

3. Application of Kristen Clarke, P.E., for conceptual Site plan Review, for an affordable housing multi-family residential development pursuant to CGS § 8-30g at property located on Holmes Rd, East Lyme, CT, Assessor’s Map 55.0 Lot 30

The legal ad was run and an outline of CGS § 8-30g by attorney Casey was read into the record.

Attorney Paul Geraghty, for the applicant submitted a letter to B. Mulholland (Exhibit A) April 3, 2023, concerning two questions that were raised by B. Mulholland. The first was if they had an exception application as part of the conceptual site plan, the answer is no. Second item (Exhibit B) is a letter from K. Clarke to B. Mulholland in response to G. Goeschel letter May 16, 2023.

A site line map for the entrance of the property was submitted as Exhibit C.

The application is also part of the record.

P. Geraghty explained there were over 300 acres donated to the East Lyme Land Trust (ELLT). He referred to the G. Goeschel letter referencing the 2009 POCD but P. Geraghty stated the newly adopted POCD 2020, no longer has many of the issues raised by G. Goeschel.

P. Geraghty said the application is in compliance with the state statutes and the town regulations. CGS § 8-30g states the applicant can ask for a conceptual site plan review in order to receive favorable feedback so the applicant is not put through a series of actions and money only to be denied.

He said they are waiting for the Ledge Light Health District approvals, and they do not need state health department approvals. The septic systems will be contained on the lots.

The site plan conforms to section 32.9 of the East Lyme Zoning Regulations.

They are proposing 19 single family homes and 24 town houses. There is no open space proposed as it is not required. There are no endangered species or wetlands on the property. There will be internal roads, onsite wells, and septic systems. There are easements for utilities. All the residences are rentals. The town houses are two bedrooms.

P. Geraghty said the property was originally approved for 70 homes and a golf course in the late 90’s.

B. Mulholland pointed out that that proposal had also included more acres.

T. May, P.E. stated the traffic impacts are not the same level as they would have been with the previous proposal of the active adult community with the golf course.

P. Geraghty said the proposal is for private drive to each home and the septic systems are designed for 3-bedroom homes. Each home will have a rain garden with native plants. There will be no clear cutting along the road and a vegetative buffer will be maintained. They will have a traffic expert at the next

meeting.

Public Comment:

There were no comments in favor of the proposal

Lou Raciciot, 378 Homes Road, said Homes Road is very narrow. There is a big difference between how Holmes Rd. is maintained between Montville and East Lyme. There are no water services and he is concerned about fires, especially with electric vehicle fires which take a lot of water to put out.

P. Geraghty stated they plan to negotiate an easement with the ELLT for access to a fire pond.

Heather Longo-Raciciot, 38 Holmes Road, said the amount of affordable housing in town is sufficient. Holmes Road has a 2-acre lot minimum. She is worried about the blasting for wells and the effect on the existing wells and homes. There is no walkability for the proposal as it is way out in the country, and it is also not close to any employment.

Louise Grosskopf, Lincoln St., said the Commission needs to think about the environmental impact and water quality. She said the developer will do well but will walk away from problems. She asked, who pays for the added services and infrastructure?

Lindsey Muscarella, 33 Upper Walnut Hill Road, is concerned about the increased traffic as the road is very narrow and cars travel at high speeds. There is no public transportation which is part of affordable housing. She said they should think about the north part of town and to leave it the way it is.

MOTION: (Jett-Harris/Schmitt) to continue the Public Hearing. Vote: APPROVED unanimously

IV. REGULAR MEETING

1. Approval of Minutes of April 20, 2023

MOTION: (Jett-Harris/ Peck) to approve the April 20, 2023, minutes as presented.

Vote: APPROVED unanimously.

2. Application of Dr. Cara Obadowski, of the Niantic Veterinary Hospital, for a Special Permit to operate a veterinary practice at 9 Lake Ave, Niantic, Assessor's map 11.2 lot 131.

MOTION: (Schmitt/Jett-Harris) to approve the Application of Dr. Cara Obadowski, of the Niantic Veterinary Hospital, for a Special Permit to operate a veterinary practice at 9 Lake Ave, Niantic, Assessor's map 11.2 lot 131.

3. Continuation of Proposed Text Amendment, East Lyme Zoning Regulations, Niantic Village Bulk Mixed Use

J. Ginsberg said the amendment is not perfect, but it goes a long way to preventing developers from tearing down multiple buildings and putting up large buildings in their place.

A. Thurlow thought it would be better to look at parking to achieve the same thing.

N. Peck said there is a need to approve this amendment tonight as there are rumors that more large scale development is coming to downtown Niantic. He said that any issues could be addressed with additional amendments.

MOTION: (Peck/Schmitt) to approve the Text Amendment, Section 9, CB commercial District, Section 9.2.3 Mixed use Development and Section 25.5 under mixed use, and Section 9.2.3 mixed use Existing Buildings as presented.

Amended by (Jett-Harris/Schmitt) the subcommittee meets one more time and we tweak it and except for now, but with the intention that in the next 30 days we will have a meeting possibly in the first week of June. Vote: Approved. In favor-Peck, Jett-Harris, Ginsberg, Schmitt. Opposed-Thurlow. Abstaining-none.

4. **Application of Kristen Clarke, P.E., for conceptual Site plan Review, for an affordable housing multi-family residential development pursuant to CGS § 8-30g at property located on Holmes Rd, East Lyme, CT, Assessor's Map 55.0 Lot 30**
Continued.

V. OLD BUSINESS-

1.Subcommittees

A. Architectural Design Review Regulations CA Commercial Zone

Will be discussed in June.

VI. NEW BUSINESS

1. **Election of Regular Member (fill Mr. Dwyer's vacant seat)-discussed earlier**
2. **Application for the Town of East Lyme, for a Special Permit, for a scale house, scale, and a restroom at the East Lyme Transfer Station, property located at 91 Roxbury Rd, Niantic, Assessor's Map 15.0 Lot 2.**

A public hearing will be scheduled.

1. **Any Business on the floor, if any, by the majority vote of the Commission- Dev's on Main looks good**
2. **Zoning Official-no report**

Comments from Ex-Officio-R. Hardy reported the Conservation Commission is concerned about rain runoff at several locations. She thought the Zoning Commission that is also the Aquifer Protection Commission may be concerned about the runoff going into local streams. She announced the towns budget had just passed.

3. **Comments from Zoning Commission liaison to Planning Commission:**
4. **Comments from the Chairman:**

VII. ADJOURNMENT

MOTION: (Jett-Harris/Ginsberg) to adjourn at 9:33. Vote: APPROVED unanimously

Respectfully Submitted
Sue Spang,
Recording Secretary