

East Lyme
Zoning Commission
November 2, 2023, Regular Meeting Minutes

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Minutes of East Lyme Zoning Commission November 2, 2023, Regular Meeting

Date and time: 11/2/2023 7:28PM to 7:56PM

Present: Jessca Laroco, Recording Secretary, Members Present: Anne Thurlow, Chairman, Norman Peck, David Schmitt, Deb Jet-Harris, John Manning, Denise Markovitz, Alternate, Jay Ginsberg, Alternate, Marc Peterson, Alternate, Roseann Hardy, Ex-Officio (entered 7:35PM) William Mulholland, Staff.

Location: East Lyme Town Hall, Upper Conf. Room, 108 Pennsylvania Avenue

1. Call Meeting to Order & Pledge

Chairman Thurlow called the November 2, 2023, Regular Meeting of the East Lyme Zoning Commission to order at 7:28PM and led the Pledge of Allegiance.

2. Attendance

Ms. Thurlow sat Mr. Peterson as Alternate.

3. Public Delegations

Nancy Kalal, 80 Grassy Hill Road wished to speak of the commission vacancy and Ms. Thurlow noted that it was an item on the agenda and therefore not something that could be brought up at Public Delegation.

Nick Menapace, 38 Hope Street, attempted to speak to an item on the agenda, specifically the election of the vacancy on the Commission, and was subsequently gavelled by the Chairman, as being out of order.

4. Public Hearing

There was none.

5. Regular Meeting

5-1. Approval of Regular Meeting Minutes of October 19, 2023 (Attachment 1).

DECISION MOTION 1

Mr. Schmitt moved to accept the Minutes of October 19, 2023, as presented.

Ms. Jett-Harris seconded to Motion.

Motion carried 6-0-0.

5-2. Request of Eric Goodman to modify certain previously approved exterior aesthetic design elements on the buildings at the Elderly Housing development located at 138 Boston Post Road, Assessor Map 31.1 Lot 7.

DECISION MOTION 2

Mr. Schmitt moved to approve the Request of Eric Goodman to modify certain previously approved exterior aesthetic design elements on the buildings at the Elderly Housing development located at 138 Boston Post Road, Assessor Map 31.1 Lot 7.

Mr. Manning seconded the motion.

Motion carried 6-0-0.

5-3. Election to fill Zoning Commission vacancy (by Zoning Commission).

Ms. Thurlow noted that there were two (2) people who had expressed interest in filling the vacancy left by Mr. Granatek and she invited them to speak.

Michael Foley, of 37 Stone Ranch Road, East Lyme, stated he had lived in town (apart from college) his entire life and had served in various elected and appointed positions. He stated that he had no particular agenda with regard to zoning but thought he would do a good job filling in for two (2) years if chosen.

Nancy Kalal, 80 Grassy Hill Road, East Lyme, stated she would also like to sit on the council and that she had also lived in town for a long time. She stated that she wanted to be a person who made change and not one who complained, and that she would work hard.

Ms. Thurlow asked if she would accept a two (2) year term as opposed to the four (4) years she would serve, should she win at the upcoming elections. Ms. Kalal said yes.

Ms. Thurlow asked if anyone else would like to express an interest in the position and there was none.

Mr. Peck asked if Ms. Kalal was elected at this meeting, and then also won at the upcoming elections, what would happen.

Ms. Thurlow noted that there would then be another vacancy.

DECISION MOTION 3

Mr. Schmitt nominated Michael Foley, stating that he (Mr. Foley) had successfully served in previously appointed and elected positions, and had an open mind, and no set agenda.

Mr. Manning seconded the motion.

Ms. Jett-Harris was opposed.

Motion carried 5-1-0.

Ms. Thurlow reminded Mr. Foley that he would sit at the next Zoning Meeting once he was sworn in (at the Clerk's Office).

5-4. 2024 Regular Meeting Calendar.

Mr. Peck stated that he had sat on the committee that developed the Affordable Housing plan for East Lyme and the consultant hired stated that East Lyme was over six (6) % at that time. He questioned the report of less than six (6)%.

Mr. Mulholland reported on new activity in town and wanted to be sure of having reliable numbers to report, not supposition, to the State and to town Council.

Ms. Jett-Harris asked if there would be Affordable Housing data on November 16, 2023, and Mr. Mulholland said he was hopeful but did not control how long it would take to gather and analyze the numbers correctly.

Next, Mr. Mulholland noted that the Attorney for the Stop & Shop was the same as the one doing a presentation on November 16, 2023.

7-3. Ex-Officio

Ms. Hardy did not speak.

7-4. Zoning Board Liaison to the Planning Commission

Mr. Schmitt confirmed he would attend the November 21, 2023, Planning Commission Meeting.

7-5. Correspondence.

There was none.

7-6. Comments from Chairman

Ms. Thurlow reminded the Commission that the November 16, 2023, would likely be a long meeting.

DECISION MOTION 5

Ms. Jett-Harris moved to adjourn the November 2, 2023, Regular Meeting of the East Lyme Zoning Commission at 7:58PM.

Mr. Schmitt seconded the motion.

Motion carried 6-0-0.

Respectfully submitted,
Jessica Laroco
Recording Secretary

Minutes of Zoning Commission October 19, 2023, Regular Meeting

Date and time: 10/19/2023 7:00 PM to 8:40 PM

Present: Jessica Laroco, Recording Secretary, Members Present: Anne Thurlow, Chairman, Norman Peck, David Schmitt, Deb Jett-Harris, John Manning, Denise Markovitz, Alternat, Jay Ginsberg, Alternate, Marc Peterson, Alternate, Roseann Hardy, Ex-Officio, William Mulholland, Staff. Terry Granatek, Secretary, absent.

Location: East Lyme Town Hall, Upper Conf. Room, 108 Pennsylvania Avenue

1. Call Meeting to Order & Pledge

Chairman Thurlow called the October 19, 2023, Regular Meeting of the Zoning Commission to order at 7:00 PM and led the Pledge of Allegiance.

2. Attendance

Ms. Thurlow noted that the Secretary, Terry Granatek, resigned on October 18, 2023, due to personal reasons. Ms. Thurlow noted that there will be discussion in an upcoming meeting regarding his place on the Board as he did have two (2) years left to his term.

Ms. Thurlow sat Ms. Markovitz, alt.

3. Public Delegations

There was none.

4. Public Hearing

4-1. Application of William R Sweeney Esq., Agent for Jasmina & Franc Paradise, LLC, for proposed text amendments to Sections 12.1.1A and 20.20.9 of the East Lyme Zoning Regulations.

Mr. Mulholland noted that the legal ads had been run.

Ms. Jett-Harris read a memo from Mr. Mulholland, Zoning Official, to the EL Zoning Commission into the record (Attachment 1).

Ms. Jett-Harris read a memo from Marcy Balint, of the CT DEEP to the EL Zoning Commission into the record (Attachment 2).

Ms. Jett-Harris read a memo from Kirk Scott, Secretary, of the EL Planning Commission to the EL Zoning Commission into the record (Attachment 3).

Ms. Jett-Harris read a memo from Nicole Haggerty, of the Southeastern CT Council of Governments to the EL Zoning Commission into the record (Attachment 4).

Attorney William Sweeney, Land Use Attorney and Partner at the law firm of Tobin-Carberry in New London CT, presented on behalf of the applicant, Jasmina & Franc, LLC, owner of the Aces High RV Park on Chesterfield Rd in East Lyme.

Mr. Sweeney also noted the operators of the park, Chris Taylor and Daniela Gjergjaj, were present to answer any operational questions if needed. The proposed text amendment was intended to modify Section 12.1.1A and to add Section 20.20.9 to the EL Zoning Regulations. This is to clarify the ability to establish restaurants and cafes both with and without liquor service as uses within commercial recreation complexes and resort areas in the SU Zone. A zoning text amendment is not directly associated with a specific project or location, but one of general applicability and would apply to all SU Zones. This application is solely focused on whether restaurants and cafes with and without liquor service should be allowed as part of commercial recreation complex for resorts in that SU Zone. If the amendment is adopted, Mr. Sweeney's client would then, in the future, apply to the Commission for a Special Permit application to add a restaurant or café with or without liquor service.

Mr. Sweeney noted that the award-winning Aces High Camping Resort is located on 94 acres, at 301 Chesterfield Rd. There are only a few other SU Zones in town as noted in Mr. Mulholland's memo. There are over 80 campsites at the park, and it has several facilities such as a fishing pond, a beach, a swimming pool, a play area, a camp store and an outdoor pavilion.

Mr. Sweeney stated that there had previously been a restaurant onsite and the clients would like to eventually bring that back to support their residents, or campers.

The initial plan, as previously discussed by Mr. Taylor and Ms. Gjergjaj and Mr. Mulholland, is to add a small snack bar café next to the outdoor pavilion, where campers (residents) could buy hamburgers, hot dogs, french fries and perhaps even beer or wine to be brought to the open-air pavilion. This is not a late-night venue or bar. The anticipation is only to operate it seasonally and it would close much earlier than a typical bar. Mr. Sweeney suggested 9 or 10 PM as a closing time.

If this were to be successful, then Mr. Sweeney noted his clients may be interested in creating a more traditional sit-down restaurant.

Mr. Sweeney stated that the State of CT requires full sit-down meals to be served for a full restaurant liquor permit and the word "café" is inserted into the Regulation because that is the next level down of liquor permit. Cafes are considered bars, but food must be served as well, by CT law.

Mr. Sweeney then went on to point out that the EL Zoning Regulations 12.1.1A already allows commercial recreation complexes, and resort areas, with restaurants as ancillary by Special Permit.

Mr. Sweeney noted that in earlier conversations with Mr. Mulholland, it was noted that in accordance with current Zoning Regulations, the desired snack bar may be covered, but that Mr. Mulholland thought it preferable to come before the EL Zoning Commission with this proposed text amendment to clarify to make sure that both restaurants and cafes, regardless of which liquor permit they are operating under, with or without liquor service, would be allowed as part of a commercial recreation complex or resort.

The addition of Section 20.20.9 would ensure the restaurants and cafes with liquor service, approved under Section 12 don't run afoul of separation requirements. Mr. Sweeney pointed out that in Section 20.20 specifically notes there are a variety of different types of liquor uses that start with "notwithstanding the above provisions" and basically allows those in certain areas and this addition would be a different allowance for these types of uses.

Mr. Sweeney noted that many modern campground/resorts do offer food and beverage services, it is a desirable amenity. It would be important in helping this business stay competitive.

Mr. Sweeney reminded the Board that any restaurant or café permitted under this amendment would still be subject to Special Permit review and an applicant would have to come before the Commission

with specific plans, for a specific project at a specific location, and that ensures that the Board is involved in the process. The Board would evaluate every proposal individually.

Additionally, Mr. Sweeney noted that restaurants and cafes that have liquor service, are permitted and regulated by the Department of Consumer Protection, Liquor Control Division and must have a liquor license to sell liquor in CT and they are strictly regulated for compliance by liquor enforcement agents. Mr. Sweeney called the proposed text amendment clarification of existing regulations and sees it as supporting the economic viability of small local businesses and promoting tourism related businesses in town which is consistent with the POCD.

Mr. Manning questioned Mr. Sweeney regarding Mr. Mulholland's memo in which Mr. Mulholland noted "as written, this section would eliminate all the existing alcoholic liquor outlet regulations found in Section 20".

Mr. Sweeney responded that what would be eliminated would be the separation distances. Section 20.20 lays out three (3) types of separation distances for alcoholic use. The first one is for the sale of alcoholic beverages for consumption on premise. That is 1500 feet from any other similar type of use. The next section speaks of 1500 feet for consumption off premise, such as with a package store. The third is 500 feet to certain types of uses like public schools and libraries. However, he pointed out that if this text amendment were to be adopted, it would have a notwithstanding clause and these distance requirements would not apply to this 20.20.9 Regulation.

There is a parcel of land directly to the north of Aces High RV Park, which directly abuts the parcel and is a Catholic Church. Under the separation requirement of Section 20.20.3, this is not allowed but if the text amendment is adopted then, with a Special Permit, it could be granted. He wanted to note that because the Special Permits go before the Board, they could require, at a particular site, additional buffering or certain locations on a parcel as part of the Special Permit approval.

Ms. Thurlow asked if the Campground café would be open to the public or only people staying at the RV Park.

Mr. Sweeney responded that the intention would be just for the camper residents and their guests only. He suggested it would be similar in structure to Fairview Oddfellows Retirement Community in Groton CT in that there is a café with a café liquor license which is only open to the residents and their guests, and one would not even know such a café existed because it is not advertised nor open to the public.

Mr. Peck noted that Mr. Sweeney stated that the proposed text amendment would apply to any SU Zone and wondered if Mr. Sweeney was applying for public access to the restaurant and bar or only campers only.

Mr. Sweeney stated that the Special Permit could be granted to a project that is ancillary to a campground or resort, and therefore the only other established SU Zone address which could apply for a Special Permit under this proposed text amendment would be the KOA on Route 156.

Mr. Sweeney clarified that the basic requirement of being a commercial recreation complex or resort area would prevent other locations, such as the AHEPA from applying under this proposed text amendment.

Mr. Sweeney advised that the Board had three (3) choices with an application like this. To approve, to deny, or to approve with conditions, and those conditions could be “approved, with the condition it is only open to campers and their guests”.

Ms. Jett-Harris asked how close the café would be to the onsite playground.

Mr. Sweeney stated that the beach, pond and campground are close to the entrance and to the right whereas the pavilion is beyond the access gates, because it is a secure facility. Mr. Sweeney pointed out that with the approval of this text amendment of 20.20.9 the separation distances would not apply. However, because it would require Special Permit approval, there could be some control over the location of the café to the playground upon approval.

Mr. Mulholland asked that Mr. Sweeney go over the state of CT definitions of a café.

Mr. Sweeney responded: cafes and restaurants are both considered “on premise establishments” meaning the liquor must be consumed on premise. There is one exception, because of COVID, that you can take a corked bottle of wine off premise. The difference between a café and a restaurant is time. Cafés must open later than restaurants. Cafes may open at 11am and restaurants can open earlier. The primary difference, though, is the level of food. A restaurant must provide full course sit down meals, typically with wait service. Cafés may serve alcohol as well, but they must serve substantial food, not peanuts and chips, but sandwiches, soups etc. Mr. Sweeney noted that CT does not allow bars, it used to allow taverns, but has now wrapped those into cafes.

Ms. Markovitz asked: because it is outdoor dining would it require a permit annually?

Mr. Mulholland responded that because the facility hadn’t been discussed, because this is a text amendment not the Special Permit application.

Mr. Sweeney responded that any outdoor dining Special Permit application there would have to meet all of the requirements of the outdoor dining regulations to be approved, which would include an annual application.

Mr. Mulholland wanted it noted that Mr. Sweeney had mentioned a pavilion and asked if said pavilion had a roof, to which Mr. Sweeney responded “yes”. Mr. Mulholland then noted that the current Regulations do not permit that. Mr. Sweeney acknowledged.

Ms. Jett-Harris asked if the RV Park currently permitted campers to bring alcohol onto the premises.

Mr. Sweeney responded that this is currently allowed, and the campground rules have significant controls.

Mr. Schmitt noted he had been to the RV Park on invite from the owner and as he tried to gain access the gate came down on his vehicle and so he agreed that the access is limited.

Ms. Thurlow asked for public comment for in support, or against or neutral to the proposed amendment.

There was none.

DECISION MOTION 1

Ms. Markovitz moved to close the hearing.

Mr. Schmitt seconded the motion.
Motion carried 6-0-0.

4-2. Application of Paul Geraghty, Esq., Agent for English Harbor Capital Partners, LLC, for zone change at property located at 237 Upper Pattagansett Road, East Lyme, Assessor Map 39.0 Lot 10-2, as noted by the applicant.

Mr. Mulholland noted that the legal ads had been run.

Ms. Jett-Harris read a memo from Mr. Mulholland, Zoning Official, to the EL Zoning Commission into the record (Attachment 5).

Ms. Jett-Harris read a memo from Marcy Balint, of the CT DEEP, to the EL Zoning Commission into the record (Attachment 6).

Ms. Jett-Harris read a memo from Kirk Scott, Secretary, of the EL Planning Commission, to the EL Zoning Commission into the record (Attachment 7).

Ms. Jett-Harris read a memo from Kevin Seery, Chairman of the EL Water & Sewer Commission, to the EL Zoning Commission into the record (Attachment 8).

Attorney Paul Geraghty, of Law Firm of Geraghty and Bonnano, in New London CT spoke on behalf of the applicant. Mr. Geraghty handed out three (3) maps (Attachments 9-11).

Mr. Geraghty indicated the GIS map showed the abutters to the referenced property, all of which had been notified via certified mail and of which copies were provided to Mr. Mulholland. Mr. Mulholland agreed. The second map was of the current area sought under the zone change. The third map was the original affordable housing district zone which showed the phases of the affordable housing project.

Mr. Geraghty stated that the original affordable housing application and designation was done by the predecessor of title who was New England National. Several years ago, English Harbor conveyed 38 of the 44 acres to the East Lyme Land Trust, subject to a DEEP conservation easement, which would be held in perpetuity preserving the 38 acres that were conveyed to the EL Land Trust.

Mr. Geraghty noted that affordable housing district requires a minimum of ten (10) acres. After the transfer there were only six (6) acres left and so the affordable housing project is no longer viable for this property. His client believes that converting it back to the RU-40 district is consistent with the POCD and the Planning Commission felt the same way and approved that. He is asking the EL Zoning Commission to revert the property back to the RU-40mso there may be some potential development of the property in the future. Presently there are no articular plans. Mr. Geraghty stated that this would be a less intense proposal of development the property and would eliminate a number of concerns of the local residents and with the Planning and Zoning Commissions relative to the intensity of development.

Ms. Thurlow noted her pleasure with the application.

Mr. Schmitt wanted to confirm that this previously was an RU-40 zone and Mr. Geraghty confirmed.

Ms. Thurlow asked for public comment for in support, or against or neutral to the proposed zone change.

There was none.

DECISION MOTION 2

Mr. Schmitt moved to close the hearing.

Ms. Jett-Harris seconded the motion.

Motion carried 6-0-0.

5. Regular Meeting

5-1. Approval of Regular Meeting Minutes of October 5, 2023 (Attachment 12).

DECISION MOTION 3

Mr. Schmitt moved to approve the Regular Meeting Minutes of October 5, 2023, as presented.

Ms. Jett-Harris seconded the motion.

Ms. Markovitz abstained.

Motion carried 5-0-1.

5-2. Application of William R Sweeney Esq., Agent for Jasmina & Franc Paradise, LLC, for proposed text amendment to Sections 12.1.1A and 20.20.9 of the East Lyme Zoning Regulations.

Mr. Peck stated he wanted to require the approval have the condition of the residents and guests only.

Ms. Jett-Harris agreed.

Mr. Schmitt noted, for the record, he had owned properties in a different RV Park, and he liked the idea of offering a beverage with a meal, to the residents and guests.

Ms. Jett-Harris asked to be sure that the alcohol would only be served in the café and not in the camp store.

Mr. Mulholland noted that would be addressed with a Special Permit application.

DECISION MOTION 4

Mr. Schmitt moved to approve the Application of William R Sweeney Esq., Agent for Jasmina & Franc Paradise, LLC, for proposed text amendment to Sections 12.1.1A and 20.20.9 of the East Lyme Zoning Regulations, with the modification to restrict to resort residents and their guests.

Ms. Jett-Harris seconded the motion.

Motion carried 6-0-0.

TASK Staff will run the legal ad 10/26/23, effective 10/27/23.

5-3. Application of William R Sweeney Esq., Agent for Jasmina & Franc Paradise, LLC, for proposed text amendment to Sections 12.1.1A and 20.20.9 of the East Lyme Zoning Regulations.

General discussion of happiness with the application.

There was no concern.

DECISION MOTION 5

Mr. Schmitt moved to approve the Application of Paul Geraghty, Esq., Agent for English Harbor Capital Partners, LLC, for zone change at property located at 237 Upper Pattagansett Road, East Lyme, Assessor Map 39.0 Lot 10-2, as noted by the applicant.

Ms. Jett-Harris seconded the motion.

Motion carried 6-0-0.

TASK Staff will run the legal ad 10/26/23, effective 10/27/23.

5-4. Application of Robert Lorenzo, owner, for a Coastal Area Management site plan review for a single-family home construction, for property located at 12 E. Shore Dr, BPBC, Niantic, Assessor Map 05.11 Lot 66.

Ms. Jett-Harris read a memo from Mr. Mulholland, Zoning Official, to the EL Zoning Commission into the record (Attachment 13).

Mr. David Coonrod, Land Surveyor for DMC LLS, representing the owner, gave a presentation. He stated there was a house on the property originally, and it had been removed in 2019. The owner has decided to build a house in the same location as the old house, which is outside the flood zone as per the FEMA maps. The new house will also be outside the flood zone. There will be a silt fence construction and the grading will not change from what is currently there. The garage was not removed when the house was and it will stay up, where it is. The pea stone driveway is already there and will be used for the new house. The construction would follow the Black Point Zoning Regulations.

Mr. Mulholland noted on page four (4) of the application that the following had been marked as on-site: general coastal resources, beaches & dunes, and rocky shorefront.

Mr. Coonrod confirmed.

Mr. Mulholland asked that the General Development- CGS Sections 22a-92(a)(1), 22a-92(a)(2), and 22a-92(a)(9) would be followed for the project and Mr. Coonrod confirmed.

Mr. Mulholland stated that the application noted no identification of Potential Adverse Impacts on Water-dependent Uses.

Mr. Coonrod confirmed.

Mr. Mulholland summarized by asking Mr. Coonrod; in his opinion, that there would be no adverse Impacts on coastal resources from the proposed activity.

Mr. Conrod confirmed.

Mr. Schmitt asked about the water and sewer and Mr. Coonrod confirmed the property is public sewer and water.

DECISION MOTION 6

Ms. Jett-Harris moved to approve the Application of Robert Lorenzo, owner, for a Coastal Area Management site plan review for a single-family home construction, for property located at 12 E. Shore Dr, BPBC, Niantic, Assessor Map 05.11 Lot 66.

Mr. Schmitt seconded the motion.

Motion carried 6-0-0.

6. Old Business

There was none.

7. New Business

7-1. Application of Christopher Herbert, for Constantine's on the Bay, for a Special Permit for Outdoor Dining for property located at 252-2 Main Street, Niantic, Assessor Map 12.1 Lot 15.

7-2. Application of Michael Frisble, for Noble East Lyme, LLC, for a Special Permit for additional signage for property located at 51 Boston Post Road, Niantic, Assessor Map 36.0 Lot 61.

7-3. Any business on the floor, if any.

Ms. Jett-Harris asked Mr. Mulholland if he had heard back regarding the Stop & Shop questions.

Mr. Mulholland indicated that although Attorney Sweeney had been there previously in the evening, he could not stay. Mr. Mulholland indicated that Atty. Sweeney would tentatively be at the 11/19/2023 Regular Zoning Commission Meeting to speak about it.

7-4. Zoning Official

Mr. Mulholland indicated that Café Sol was about 70% finished with the renovations and anticipated a November 2023 opening.

He also noted that the 326 Main Street gas station remodel was moving along and there was just some landscaping to be done.

Mr. Mulholland mentioned that the Main Street Grille would change management and reopen as Constantine's on the Bay, year-round, in November 2023.

Mr. Mulholland noted that t Lillian's had changed hands.

Mr. Mulholland stated that the Soapy Noble Carwash is about a month behind because of the rain but that they are preparing to pave soon.

Mr. Mulholland also shared that another fulltime staff person had been hired for the Land Use department and will start in October.

Ms. Thurlow noted her recent experience with hearing good things about the changes downtown.

7-5. Ex-Officio

Ms. Hardy briefly touched on the Charter Revisions and that the proposed changes will be at the polls as individual questions in November during the regular elections.

Ms. Hardy noted that the referendum on the Land Use had passed, and that the voter turnout was somewhat small. She noted that the decision gave the town the ability to negotiate with the owners about a sale price, but the town could not exceed that number.

7-6. Planning Liaison to the Zoning Commission

Mr. Peck reported the two (2) referrals from the Zoning Commission (the proposed text amendment and the proposed zone change) were discussed and approved.

Additionally, there was a discussion of a three (3) lot subdivision on Scott Road which is an extension of a previously approved subdivision.

The other discussion was regarding no business to be conducted (regarding subdivisions) until all taxes and fees due to the town are brought current.

7-6a.

Ms. Thurlow indicated Mr. Schmitt would be attending the 11/21/2023 Planning Commission Meeting.

7-7. Chairman's Comments

Ms. Thurlow noted that in December there would be hearings on two (2) text amendments: the design review for the Flanders end of town as well as revisions on the landscaping.

She noted 10/23/2023 would be the next Ad Hoc Committee meeting regarding Short Term Rentals at the Town Hall at 7:00 PM.

DECISION MOTION 7

Mr. Schmitt moved to adjourn the Regular Meeting of the East Lyme Zoning Commission at 8:40 PM.

Ms. Jett-Harris seconded the motion.

Motion carried 6-0-0.

Respectfully Submitted,
Jessica Laroco
Recording Secretary

Attachment 2

Town of

Zoning Department



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357

(860) 691-4114

Fax (860) 691-0351

MEMO TO: East Lyme Zoning Commission

FROM: William Mulholland, Zoning Official *WM*

RE: Goodman Request-Building exterior design modifications, Elderly Housing Development
138 Boston Post Road, East Lyme

DATE: October 30, 2023

Eric Goodman has requested a design change to the exterior of the building at the above referenced development. At this time, the specific request is to change the exterior entry door on Buildings A, B, C and the rear door on Building B from shaker style to a 9 lite, two-panel style. It is also requested to change the siding manufacturer from Gentek to Norandex and to change the siding color of Building B from wicker/sandstone to Chesapeake grey.

As the Commission may recall, this project is an 18-unit Elderly Housing Development, was approved at a Commission Meeting on August 4, 2022, where there was extensive discussion about the development and the building design. Peter Springsteel, the Project Architect, emphasized the New England style building design during the design portion of the meeting. Mr. Springsteel noted the color choices for the building exterior was grey, white, wicker with black windows.

During the discussion, some Members had concerns about the design and the siding choices and colors. After some debate, the Commission subsequently approved the project.

Mr. Goodman has submitted to the Commission to make certain modifications to the building exteriors as noted above. The Commission should carefully evaluate the request and determine whether to allow any modifications or to require the project to be constructed as previously approved, including all exterior design elements and colors.

Move to Approve: Request of Eric Goodman to modify certain previously approved exterior aesthetic design elements on the buildings at the Elderly Housing development located at 138 Boston Post Road, Assessor Map 31.1 Lot 7.

Move to Deny: Request of Eric Goodman to modify certain previously approved exterior aesthetic design elements on the buildings at the Elderly Housing development located at 138 Boston Post Road, Assessor Map 31.1 Lot 7.







