

Minutes of the East Lyme Zoning Board of Appeals Regular Meeting February 5, 2024

Date and Time: 2/5/2024 7:00 PM to 7:20PM
Present: Members: Steve Carpenteri, Chairman, Larry Fitzgerald, Spencer Clapp, Wayne Blair, Kevin Mace. Alternate: John Manning
Location: East Lyme Town Hall, Upper Conf. Room, 108 Pennsylvania Avenue

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EAST LYME, CT
2024 FEB -7 A 8:06

Carroll Williams
TOWN CLERK

1. Call Meeting to Order

Chairman Carpenteri called the February 5, 2024, Regular Meeting of the East Lyme Zoning Board of Appeals to order at 7:00PM.

2. Attendance

Mr. Carpenteri called the roll and noted the applicant was in attendance.

3. Public Hearing

Appeals Case 1-2024 Application of Noble East Lyme, LLC, for a variance of the East Lyme Zoning Regulations Section 18.1.8.5 “Limit on Number and Height of Freestanding Signs” for property located at 51 Boston Post Road. Said parcel appears on the East Lyme Assessor Map 36.0 Lot 61.

Mr. Carpenteri noted the legal ads had been run and abutters notified, and that copies were in the file.

Michael Frisbie, owner of Noble Energy Real Estate Holdings and Noble Gas Inc. noted that he had redeveloped the above referenced property and was in front of the Board to talk about signage. He stated that the Connecticut based company was being well received by the residents and the business was enjoying a large success. Mr. Frisbie noted that the high-rise sign consists of 1120 square feet and that the current EL Zoning Regulations only allow for 965 square feet, therefore, the Noble Gas is over the allowed signage. Because of this, there wasn't any more square footage for an entrance sign. The primary reason for the sign request is for people driving to use it as an identifier as well as for safety.

Mr. Frisbie pointed out the illustration in the Member's packets and explained the layout of the proposed sign on the property. He offered to go through the packet to point out the current signage.

Mr. Carpenteri noted that was unnecessary as those signs had been approved on the original sign package.

Mr. Frisbie showed the proposed sign of 180 square feet. He noted it had panels for the Noble name, for Nardelli's, for ice cream, and for fuel.

Mr. Blair asked after one of the pictured existing signs.

Mr. Frisbie indicated it was the high-rise sign, which was grandfathered in.

Mr. Carpenteri explained how the square footage works regarding the internally illuminated signs and how to calculate the square footage. He noted that if Mr. Frisbe were looking for more advertising signage, the variance would not be allowed as that would violate the regulations as it would not be considered a hardship. Mr. Carpenteri noted, however, that if Mr. Frisbie were looking for signage because of safety then that would be something the Board could consider.

Mr. Carpenteri suggested the sign eliminate the word “Noble” and replace it with the word “Entrance” and asked if Mr. Frisbie was looking for and “Exit” sign as well.

Mr. Frisbie clarified that he was only looking for one (1) double sided sign to indicate the entrance to the property from both directions.

Mr. Frisbie demonstrated how the sign would be seen from the road, in both directions.

Mr. Fitzgerald noted it would reduce confusion.

Mr. Blair stated that he had driven to the property and agreed that the entrance sign would help with the safety concerns.

Mr. Frisbie approached the Board and showed the Members which page he was referring to and where on the site map the proposed sign would go.

Mr. Carpenteri again stated that he would like to see “Entrance” in place of “Noble” on the sign.

There was discussion on the placement of the sign in relation to the roadway.

Mr. Frisbie asked if the square footage would work (180 square feet).

Mr. Carpenteri responded that the square footage wasn’t the issue, he was making sure the request is for safety and not for more advertising, as safety is a hardship, and more advertising is not.

Mr. Blair asked the size of the high-rise sign.

Mr. Frisbie stated that the sign ran with the land and his attorney, Bill Sweeney, had determined that the sign had been grandfathered.

Mr. Mace asked if it would be an option to reduce the size of the high-rise sign.

Mr. Carpenteri noted that because the sign was grandfathered in and had already been approved by the Zoning Department and that it was grandfathered in, a variance could be granted because of the safety issue, without reducing the size of the high-rise sign.

DECISION MOTION 1

Mr. Clapp moved to close the public hearing.

Mr. Blair seconded the motion.

Motion passed 5-0.

DECISION MOTION 2

Mr. Blair moved to open the regular meeting.

Mr. Fitzgerald seconded the motion.

Motion passed 5-0.

4. Appeals Case 1-2024 Application of Noble East Lyme, LLC, for a variance of the East Lyme Zoning Regulations Section 18.1.8.5 “Limit on Number and Height of Freestanding Signs” for property located at 51 Boston Post Road. Said parcel appears on the East Lyme Assessor Map 36.0 Lot 61.

Mr. Carpenteri stated that hardship is not shown if the request is for advertising, but hardship is shown if the request is for safety.

Mr. Fitzgerald stated that in researching the topic, safety is an acceptable reason for a variance.

Mr. Clapp agreed with Mr. Fitzgerald.

Mr. Mace agreed as well and stated that he believed making it safer would reduce the risk of potential accidents.

DECISION MOTION 3

Mr. Clapp moved to approve Appeals Case 1-2024 Application of Noble East Lyme, LLC, for a variance of the East Lyme Zoning Regulations Section 18.1.8.5 “Limit on Number and Height of Freestanding Signs” for property located at 51 Boston Post Road. Said parcel appears on the East Lyme Assessor Map 36.0 Lot 61. In addition, move to grant a variance of 180 square feet of additional signage, subject to the change of the signage from “Noble” identification to “Entrance” identification. The variance is granted for safety; therefore, the additional signage is required to read “Entrance” as appropriate.

Mr. Mace seconded the motion.

Motion passed 5-0.

DECISION MOTION 4

Mr. Blair moved to adjourn the February 5, 2024, Regular Meeting of the East Lyme Zoning Board of Appeals at 7:20 PM.

Mr. Fitzgerald seconded the motion.

Motion passed 5-0.

Respectfully Submitted,
Jessica Laroco
Recording Secretary