**Town of East Lyme**



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MEMO TO: East Lyme Zoning Commission

FROM: William Mulholland, Zoning Official

RE: Proposed Zoning Regulation Text Amendment Section 20.26

DATE: May 2, 2024

The Applicant, Eric S. Parker, Esq, is proposing a Text Amendment to Section 20.26 of the Zoning Regulations. As the Commission is aware, applicants may submit such proposals at any time for consideration by the Board. The Board must process the application within the time frames provided in the applicable General Statutes, either denying, modifying, or approving any proposal.

Section 20 of the Zoning Regulations is the general section of code which contains a variety of additional regulations. These regulations provide criteria for a number of miscellaneous matters such as farm stores, filling stations, alcoholic liquor outlets, and many others.

Section 20.26, the subject of this application, provides standards for drive thru facilities for banks, financial institutions, pharmacies, bakeries, and fast-food restaurants in the CA Zones. This section has 12 standards which must be complied with for any of the above noted uses (a copy of the existing regulations is attached). Attorney Parker is proposing to amend this regulation by adding a new standard; Section 20.26M. This standard would state in full:

**20.26-M Notwithstanding the foregoing provisions, it is hereby expressly provided that a restaurant or food service establishment with a drive through facility may be built or established upon a lot or premises that has no direct ingress or egress onto a State Road, even if such lot is within a radius of 1,000 feet of any part of any other building, lot or premises used for such purpose. Any establishment must still comply with the requirements of 20.26 (A) through (J).**

This language would allow a drive thru within 1,000 feet of another use with a drive thru as described above. Presently, Section 20.26 items K & L require all such facilities to be separated by 1,000 feet.

As proposed, the regulation would essentially eliminate this requirement by allowing drive thrus that aren’t accessible directly from a state road to be established in a CA Zone. At question would be whether this proposal would have any adverse impacts on traffic on state roadways.

The Commission should carefully evaluate this proposal to ensure that this regulation, if adopted, would not exacerbate the traffic conditions on state roadways such as Flanders Road and any feeder roads that deliver traffic to these roadways.

 **Motion to Approve**: Application of Eric S. Parker, Esq., for Proposed Text Amendment to

 Section 20.26 of the East Lyme Zoning Regulations.

 **Motion to Deny:** Application of Eric S. Parker Esq., for Proposed Text Amendment to Section

 20.26 of the East Lyme Zoning Regulations.