

**Town of**

**Zoning Department**

*William Mulholland*  
Zoning Official



**East Lyme**

108 Pennsylvania Ave

Niantic, Connecticut 06357

(860) 691-4114

Fax (860) 691-0351

January 31, 2025

Richard Gordon, Chairman  
c/o Gary Goeschel, Director of Planning, Town of East Lyme  
East Lyme Planning Commission  
Town of East Lyme  
PO Box 519  
Niantic, CT 06357

RE: East Lyme Zoning Commission  
Referral/ Zoning Regulation Text Amendment Proposal

Dear Mr. Gordon,

I am writing to refer the following application for your review and comment in accordance with Section 8-3 a of chapter 124 of the Connecticut General Statutes.

1. Application of Edward M Cassella, attorney for Pelletier Niantic CT LLC, for proposed Text Amendment, to create new Section 12B SU-EMC a floating special use district with additional controls in Section 25.5, of the East Lyme Zoning Regulations.

The Zoning Commission has scheduled a public hearing for **March 20, 2025**. Please forward any comments for inclusion into the public hearing record. If you have any questions, please do not hesitate to contact the Zoning Commission staff person, Mr. Mulholland.

Sincerely,

Nancy Kalal  
Secretary, East Lyme Zoning Commission

Hand Delivered: G. Goeschel

Email Return Read Receipt Send Date 1/31/2025 [ggoeschel@eltownhall.com](mailto:ggoeschel@eltownhall.com)

# Town of East Lyme

108 Pennsylvania Ave.  
Niantic, CT 06357  
Ph. (860) 691-4114  
Fax: (860) 691-0351

Zone TA Permit # \_\_\_\_\_

**APPLICATION FOR ZONING REGULATION TEXT AMENDMENT**

Date of Application: January 29, 2025 Email: ejpoff@gmail.com


Applicant's Name: Pelletier Niantic, CT.LLC

Applicant's Address: 5 Wesley Court, Huntington, NY 11743 Telephone: 631-484-6060

Text Amendment of Section #: 12.B

DESCRIPTION OF TEXT AMENDMENT OF ZONING REGULATIONS REQUESTED {*must comply all other applicable Zoning Regulations of the Town of East Lyme*}:

Proposed Text Amendment to include a new floating special use district, the SU-EMC. The purpose  
of the floating zone is to create a opportunity for development for elderly housing, medical and convalescent facilities  
with an initial potential target being the Trakas properties on Pennsylvania Avenue and Dodge Pond.

Signature of Applicant: 

\*\*\*\*\*

**Below this line for Office Use Only:**

\*\*\*\*\*

Attach a copy of what is being changed, omitted or added to the Zoning Regulations.

AMENDMENT PROPOSAL ATTACHED  YES  NO

Received PERMIT FEE: TEXT AMENDMENT \$300.00

JAN 30 2025 STATE FEE: \$60.00

CHECK #: 11345

Town of East Lyme  
Land Use

TOTAL DUE:

\$ 360.00

Date Approved: _____	Date Denied: _____
Approval subject to conditions below:	
_____	
_____	
Dated: _____	_____
East Lyme Zoning Commission	

# SECTION 12B

## SU-EMC SPECIAL USE DISTRICTS

GENERAL DESCRIPTION AND PURPOSE - A district designed to accommodate elderly housing, medical and convalescent uses on large tracts of land in appropriate locations to be determined by the Commission.

12B.1 SPECIAL PERMIT USES - The following uses of buildings and/or land may be permitted when approved for a Special Permit by the Zoning Commission subject to the Special Permit requirements of Section 25.

- 12B.1.1 Elderly Housing - Multi-family, multi-story dwelling units operated for senior citizens age 55 or over subject to appropriate controls as outlined in Section 25.
- 12B.1.2 Medical offices, medical laboratories, urgent care facilities and ambulance services.
- 12B.1.3 Memory care facilities and convalescent homes.
- 12B.1.4 Assisted living facilities subject to appropriate controls as outlined in Section 25.
- 12B.1.5 Any accessory use subordinate and customarily incidental to the above permitted uses, including non-age restricted temporary visitor accommodations.

## 12B.2 DIMENSIONAL REQUIREMENTS

- 12B.2.1 LOT SIZE - Within the SU-EMC Special Use District no lot shall be less than 30 acres in area.
- 12B.2.2 FRONTAGE - Each lot and/or land area shall have not less than 200 feet frontage.
- 12B.2.3 SETBACKS - No new building or structure shall be placed less than 100 feet from the street line or 50 feet from any other property line. A 50-foot buffer is required along all SU-EMC district zone lines. Relocated single family homes shall be subject only to the street setback in the underlying zoning district.
- 12B.2.4 COVERAGE - The total area of all buildings and structures on a lot shall not exceed 20% percent of the lot area.
- 12B.2.5 HEIGHT - No building or structure shall exceed 50 feet in height, provided that any building taller than three stories and located shall be reasonably screened to the perimeter of the property by topography and/or natural vegetation.
- 12B.2.6 OFF-STREET PARKING AND LOADING SPACE - Off-street parking and loading space shall be provided in accordance with the provisions of Section 22 of these regulations.

### 12B.3 GENERAL PROVISIONS

- 12B.3.1 The Zoning Commission shall consider for designation as a Special Use Elderly Housing, Medical and Convalescent District, only parcels of 30 acres or larger.
- 12B.3.2 An application for rezoning shall be accompanied by an application for a Special Permit in accordance with the requirements of Section 25. For any development, the following plans and information shall be included in addition to the information required to be submitted under Section 25:
- A. All principal structures and streets within 50 feet of the boundaries of the proposed development.
  - B. Floor plan and rendering to show the appearance of representative structures within the development, the number and size of units and the number and size of rooms per unit, and the specific exterior materials to be used.
  - C. Such other information as the Commission may reasonably request to carry out the high standards of development contemplated by this section.
- 12B.3.3 All applications for development in this zone district shall include a traffic study which provides:
- A. A description of the traffic circulation network within the vicinity of the site; existing and proposed intersections; proposed site access; roadway widths and rights-of-way; traffic signals and other control devices; existing and proposed public transportation services and facilities.
  - B. A description of existing traffic conditions based on three twenty four hour weekday counts taken during the period from July 1 to September 1 on all roadways providing access to the site. Average daily traffic and average peak hour volumes shall be based on these counts.
  - C. Traffic projections for the proposed development prepared according to the data and procedures contained in the Institute of Traffic Engineers "Trip Generation Manual", indicating total average weekday and peak hour trips allocated to proposed phases and uses.
  - D. Analysis of projected traffic impacts from the development together with projected impacts of other developments approved for construction and utilizing the same elements of the traffic circulation network.
  - E. Recommended traffic circulation network improvements and traffic control devices required to maintain traffic operation

at the level of service existing prior to the development.

- 12B.3.4 Any separate lot, hereinafter created from any part of a zone district, shall conform in all aspects to requirements of this section.
- 12B.3.5 Any application including elderly housing shall provide for community areas for either passive and/or active recreation for residents consisting of indoor and/or outdoor facilities appropriately scaled for the overall development plan.
- 12B.3.6 All development shall be served by public water and sanitary sewer and all utilities shall be located underground.
- 12B.3.7 The Commission may approve a development plan to be completed in stages. The Commission may grant a Special Permit limited to each such stage of development. Each stage shall be capable of independent existence without the completion of succeeding stages. Buffer requirements shall not apply between stages of development.
- 12B.3.8 The Commission shall hold a Public Hearing on an application for a rezoning as a Special Use Elderly Housing, Medical and Convalescent District and Special Permit Approval.
- 12B.3.9 Copies of covenants, common interest community documents and other deed restrictions, as applicable, for any approved Special Permit application shall be reviewed and approved by the Town Attorney and recorded in the land records of the Town before any Certificate of Occupancy is issued to assure the development and maintenance of the property in accordance with the approved development plan.

12B.4 SPECIAL PERMIT REQUIREMENTS SECTION 25

- 12B.5.1 For all applications under this Section 12B, all Special Permit requirements under Section 25 and Minimum Controls under Section 25.5 for the SU-EMC Special Use District shall apply.

**Section 25.5 Table of Minimum Controls for Specific Special Permit**

<u>USE</u>	<u>DISTRICT</u>	<u>CONTROLS</u>
Assisted Living Facilities	SU-EMC	<p>1. Minimum lot area: 30 acres, with public water &amp; sewer.</p> <p>2. Minimum living floor area: Efficiency Unit without cooking facilities 275 Square Feet Efficiency Unit with cooking facilities 325 Square Feet One Bedroom 475 Square Feet Two Bedroom 650 Square Feet.</p> <p>3. Common area: The common area of the structure shall be at least 35% of the total building area. Common area shall be defined as all area not devoted to residential units.</p>

		<p>4. Parking requirements: .4 spaces per living unit.</p> <p>5. Transportation: The facility shall provide daily private transportation for residents to local facilities and services.</p> <p>6. Occupancy: Residential units shall be for persons of at least 62 years of age and in the case of multiple occupancy of a dwelling unit, one (1) person shall be at least 62 years of age, none less than 55 years.</p> <p>7. Emergency Call System: Each residential unit shall have an emergency call/intercom system with 24 hour on site response.</p> <p>8. Residential Unit Facilities: a) Each residential unit shall include at least a toilet, sink and one shower. b) a residential unit may include cooking facilities.</p> <p>9. Density: 40 residential units/acre maximum density. Elderly Housing, Multi-family, Multi-story dwellings located within the same SU-EMC District shall have no impact on this density calculation.</p> <p>10. Noise regulation: No outdoor sound systems shall be allowed.</p> <p>11. Sidewalks: Sidewalks shall be available or constructed to provide access to neighborhood facilities and services.</p> <p>12. Gross Floor: Area: the minimum gross floor area for a building containing an Assisted Living Facility shall be 20,000 square feet.</p> <p>13. Common facilities: The facility shall have kitchen facilities for preparing and</p>
--	--	---

		<p>serving full meals to residents. Common dining facilities shall be provided.</p> <p>14. Open Space: In addition to required buffers and parking / roadway area the facility shall provide a suitably landscaped recreational / open space of not less than 10% of the total lot area. Calculation for this area shall include all passive/active outdoor recreational facilities as well as other landscaped areas exclusive of the buffers and roadway / parking area.</p> <p>15. Staffing: a registered or licensed practical nurse shall be on site on call 24 hours / day.</p>
<p>Elderly Housing, Multi-family, Multi-story</p>	<p>SU-EMC</p>	<p>1. Density: The minimum required area of a lot used for Multi-Family, Multi-Story Dwellings shall be a total of 2800 square feet for each efficiency or one bedroom unit, and 6000 square feet for each two bedroom unit. Assisted living facilities located within the same SU-EMC District shall have no impact on this density calculation.</p> <p>2. Required floor area for each unit shall not be less than the following:</p> <p>EFFICIENCY: 480 sf  ONE BEDROOM: 540 sf  TWO BEDROOM: 700 sf</p> <p>3. Elevators: Multi-Family, Multi Story Dwellings shall be equipped with a minimum of one elevator for three stories or more.</p> <p>4. Parking requirements: One space for studio or one bedroom dwelling unit; two spaces for dwelling units with more than one bedroom.</p> <p>5. No Multi-Family, Multi-Story Dwelling shall be approved unless municipal water</p>



		<p>and municipal sanitary sewers are provided.</p> <p>6. No parking shall be permitted within the buffer area.</p>
--	--	--