

Town of

Zoning Department

William Mulholland

Zoning Official



East Lyme

108 Pennsylvania Ave

Niantic, Connecticut 06357

(860) 691-4114

Fax (860) 691-0351

Richard Gordon, Chairman
East Lyme Planning Commission
Town of East Lyme
108 Pennsylvania Ave
Niantic, CT 06357

July 29, 2025

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.

Application of William R Sweeney, Esq, agent for 296 Flanders, LLC, for Text Amendment to the Town of East Lyme Gateway Commons Master Development Plan to specifically permit by site plan approval light industrial and manufacturing uses, warehouse and land wholesale storage uses, and screened outdoor storage of box trailers. This is pursuant to Section 11A.9 of the East Lyme Zoning Regulations

The Zoning Commission has scheduled a public hearing for Sept. 4, 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 to G. Goeschel: 7/30/25

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: May 22, 2025 Email: wrsweeney@tcors.com

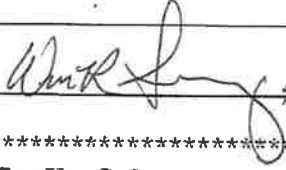
Applicant's Name: 296 Flanders, LLC c/o William R. Sweeney, Esq.

Applicant's Address: P.O. Box 58, New London, CT 06320 Telephone: (860) 447-0335

Text Amendment of Section #: Gateway Commons Master Development Plan, Permitted Uses

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

Modification of Gateway Commons Master Development Plan, Permitted Uses to add (i) Light Industrial and Manufacturing Uses, (ii) Warehouse and Wholesale Storage, and (iii) Screened Outdoor Storage of Box Trailers.

Signature of Applicant:  Counsel Duly Authorized

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

COPIES OF ADJACENT PROPERTIES NOTIFICATION PROVIDED? YES NO

PERMIT FEE: TEXT AMENDMENT \$300.00

STATE FEE: \$60.00

CHECK #: _____

TOTAL DUE: \$ _____

Date Approved: _____ Date Denied: _____
Approval subject to conditions below:

Dated: _____

East Lyme Zoning Commission



Tobin, Carberry, O'Malley, Riley & Selinger, P.C.

43 Broad Street | P.O. Box 58
New London, CT 06320
Tel: (860) 447-0335
Fax: (860) 442-3469
www.tcors.com

May 22, 2025

Delivered via Mail

Chairwoman Anne Thurlow
Zoning Commission
Town of East Lyme
108 Pennsylvania Ave
Niantic, CT 06357-1510

RE: 296 Flanders, LLC
Application for Master Plan Text Amendment
Gateway Commons Master Plan
Our File #8310.271638

Dear Chairwoman Thurlow:

Our law firm represents 296 Flanders, LLC, a family-owned Connecticut limited liability company, and the owner of a 22.11-acre parcel of vacant land located at 296 (a/k/a 294-2) Flanders Road in East Lyme, Connecticut. As you may be aware, this site comprises the remaining portion of the former golf driving range, now adjacent to the new I-95 ramp system and frontage road. The subject property was included in the Gateway Commons Master Development Plan approved by the East Lyme Zoning Commission on July 31, 2008 pursuant to Section 11.A.9 of the East Lyme Zoning Regulations. On behalf of our client, we are submitting the enclosed application and associated materials seeking to modify the text of the Development and Architectural Standards associated with the approved Master Development Plan, specifically to add (i) Light industrial and manufacturing uses, (ii) Warehouse and wholesale storage, and (iii) Screened outdoor storage for box trailers as permitted uses.

In 2008, Gateway Development/East Lyme LLC secured purchase options on ten parcels of land within the Gateway Planned Development District (GPDD) near the I-95 interchange with Flanders Road, including our client's property. Historically, the property at 296 Flanders Road had been zoned Light Industrial (LI). The developer subsequently submitted a Master Development Plan to the Zoning Commission showing an ambitious mixed-use development spanning the various optioned parcels. However, after the approval of the Master Development Plan, many of these purchase options were unexpectedly dropped, including for our client's property. While both the multi-family apartments and eventually the Costco were constructed, the other areas included in the Master Development Plan, including our client's parcel, were essentially abandoned.

Today, our client is left with a property in limbo, undeveloped, and severed from the mixed-use development that was promised nearly two decades ago. More importantly, the Master Development Plan envisioned a retail shopping village comprised of small outlets upon our client's property, a use that is no longer economically feasible in today's modern internet-driven economy. Similar retail developments constructed around the same time are now failing across the country and struggling with occupancy. The final design of the I-95 ramp system and frontage road are also different than what was envisioned in 2008, seizing a much greater portion of our client's property and limiting opportunities for

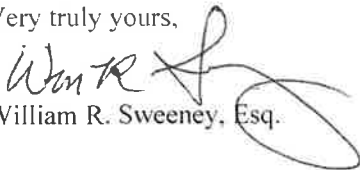
interconnection to other portions of the GPDD. Fundamentally, the vision for this property set forth in 2008 is no longer viable and must be revisited.

Our client requires and deserves a reasonable economic return on its property. Rather than seeking to remove the property from the Master Development Plan or rezoning it altogether, our client is instead seeking to modify the Permitted Uses within the adopted Development and Architectural Standards. Our client has received interest from industrial developers in the site for light industrial, light manufacturing, or warehouse and wholesale storage use. The proximity of the site to I-95 and the new frontage road, which would keep traffic off the town road network, also makes it attractive for shipping operations. Our client believes that a carefully designed industrial development can be done in a manner that is consistent with the stated purpose and standard uses of the GPDD as well as the Development and Architectural Standards of the approved Master Development Plan. Allowing these types of additional uses within the approved Master Development Plan would encourage a "Gateway Industrial" development consisting of high-quality architecturally designed buildings, proper landscaping and screening, and safe and convenient access to the interstate. In the current economic environment, a development of this nature would be a significant economic development boon for East Lyme, creating new tax revenue and jobs.

In support of the proposed modifications, and consistent with the requirements of Section 11.A.9.4 of the East Lyme Zoning Regulations, our client is submitting an updated Existing Conditions Survey, Conceptualized Layout Plan, Typical Building Facades and Elevations, and a Traffic Analysis for 296 Flanders Road to assist the Commission in evaluating the proposal for the additional industrial uses. It is important to acknowledge that this proposed modification does not change the underlying GPDD zoning designation, nor does it seek to remove 296 Flanders Road from the approved Master Development Plan, but rather only expands the permitted uses to allow for the reasonable development of the subject property under today's changed market conditions. If these modifications are approved, our client or a potential future tenant would need to return to the Commission with a Site Development Plan for a specific project.

As the designated agent for the Applicant, we would request that this matter be received at the next regular meeting of the Zoning Commission and scheduled for the required public hearing. We look forward to appearing before you shortly to discuss this proposal in more depth.

Very truly yours,


William R. Sweeney, Esq.

Enclosures



GATEWAY COMMONS

MASTER DEVELOPMENT PLAN

DEVELOPMENT & ARCHITECTURAL STANDARDS

KGI Properties / SK Properties Development

June 2008

Remanex
Attachment to Zoning Spec. nats. 7/31/08

Permitted Uses

Purpose:

To provide for categories of permitted uses allowed, subject to Site Plan Approval, within the Gateway Commons Master Development Plan.

Standards:

- 1) The following shall be permitted uses subject to Site Plan Approval:
 - a) Retail stores subject to the restrictions of Section 11A.9.2.1.
 - b) Multifamily and townhouse residential dwellings subject to the restrictions of Section 11A.9.2.2.
 - c) Standard and fast-food restaurants without drive-thru facilities.
 - d) Business, professional, and medical offices.
 - e) Business and personal service establishments.
 - f) Health clubs and recreational facilities.
 - g) Day care centers.
 - h) Hospitals and clinics.
 - i) Hotels and conference centers.
 - j) Research, design, and development facilities.
 - k) Trade and technical schools and facilities of higher learning.
 - l) Corporate headquarters.
 - m) Parking garages, utility infrastructure, and other accessory uses customary and incidental to any of the foregoing principal uses.

Regulations Superseded:

Section 11A.1 (Permitted Uses)
Section 11A.2 (Special Permit Uses)

Proposed

Permitted Uses

Purpose:

To provide for categories of permitted uses allowed, subject to Site Plan Approval, within the Gateway Commons Master Development Plan.

Standards:

- 1) The following shall be permitted uses subject to Site Plan Approval:
 - a) Retail stores subject to the restrictions of Section 11A.9.2.1.
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 - g) Day care centers.
 - h) Hospitals and clinics.
 - i) Hotels and conference centers.
 - j) Research, design, and development facilities.
 - k) Trade and technical schools and facilities of higher learning.
 - l) Corporate headquarters.
 - m) Parking garages, utility infrastructure, and other accessory uses customary and incidental to any of the foregoing principal uses.
 - n) Light Industrial and Manufacturing Uses.
 - o) Warehouse and Wholesale Storage.
 - p) Screened Outdoor Storage of Box Trailers.

Regulations Superseded:

Section 11A.1 (Permitted Uses)

Section 11A.2 (Special Permit Uses)