

Minutes of the East Lyme Zoning Commission September 18, 2025, Regular Meeting

Date and Time: 9/18/2025 7:28PM to 8:20PM

Present: Members: Chairman, Anne Thurlow, Secretary, Nancy Kalal, Michael Foley, Denise Markovitz, Debbie Jett-Harris. Alternates: Cathy Yuhás, Jim Liska (entered at 7:35PM). Staff: William Mulholland. Ex-Officio: Roseanne Hardy, Recording Secretary: Jessica Laroco

Absent: Member: Norm Peck. Alternate: Sarah Susco.

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

1. Call to Order and Pledge

-Ms. Thurlow called the September 18, 2025, Regular Meeting of the East Lyme Zoning Commission to order at 7:28PM and led the Pledge of Allegiance.

2. Attendance

-Ms. Thurlow called the roll and noted Member Norm Peck, and Alternates Sarah Susco and Jim Liska were absent. Ms. Thurlow sat Ms. Yuhás in for Mr. Peck.

3. Public Hearing

- a. Application of Alex Klose, for East Lyme Public Works, for Special Permit under Section 20.1-F of the East Lyme Zoning Regulations, for property located at 475 Boston Post Rd, East Lyme, Assessor Map 18.0 Lot 21.

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

-Ms. Kalal read a memo from Mr. Mulholland (Attachment 1)

-Alex Klose, Deputy Public Works Director, Acting Town Engineer and applicant for the Town made a presentation including the following information:

-Plants Dam is at the southerly end of Goodwin Pond was built over 100 years ago, and is in need of repair, for which the Town has applied for a STEAP Grant to repair it and restore the Public's ability to utilize the space for passive recreation.

-As part of the Dam Safety Permit, the Tow intends to clear an area to set up a construction site to restore the dam on the southeasterly side. This would be an ideal time to establish a small parking area. Most users currently pull into the right-of-way and park in the state road and walk through the property, which is not the safest or most effective use of space.

-Wetlands approval has already been acquired for the disturbance area and the wetlands have been flagged

-They are in talks with Dam Safety at CT DEEP for construction laydown for the Dam Safety Construction Permit

-They have an encroachment letter from the DOT to approve the curb cut location and the use of a driveway for the parking lot for passive recreation

-This application is a standard two (2) lane driveway with proper site distance based on the posted speed limit in order to pull off of Boston Post Rd. The proposal includes pavement for the driveway as well as for a couple of standard parking stalls and two (2) ADA accessible parking stalls, as this is where the majority of activity will be and it is very difficult to maintain ADA spaces that are not paved. The proposal includes 12 total spaces (10 being standard and 2 being ADA accessible). The 2 ADA accessible would be paved and the other 10 would be gravel.

-He described the landscape presented in the site plan (Record Exhibit #3) noting they placed the proposed driveway as close to the roadway to minimize the amount of paving required and the amount of disturbance into the lot, maintaining as much of the existing vegetation as possible.

-The course of action would include clearing the area, establishing erosion controls, doing construction to the dam, turning the area into a parking lot without having to disturb beyond those limits.

-There is a 25-foot buffer from the neighboring Stone's Ranch property and they have been in contact with the facilities manager regarding the passive recreation and there doesn't appear to be any issue, as Stone's Ranch has a well-defined fence and they do not use that area for weapons training.

-The overall site development as it pertains to water quality was described noting it would maintain the existing drainage pattern.

The following is Q&A

-Thurlow: Will there be lighting in the parking lot? What are the hours? Will there be signage on Boston Post Rd?

-Klose: This is just Town property it is not a Town Park. If the BOS decides to change that, a regulatory authority could be established, currently it is not restricting and not not restricting people in their access. No signage is proposed but if the Commission wanted to see it, it could be established.

-Markovitz: Are you paving the road in, and creating two (2) spaces? Any consideration of permeable pavers?

-Klose: Yes, Boston Post Rd up to the State's right-of-way would be required to be paved. He suggests continuing the paving up to the first couple of spaces. The consideration for permeable pavers includes the maintenance aspect of it. This area is in the north end of town and not as much regular routine such as at Hole in the Wall where there is constantly someone looking at it and inspecting it and maintaining it. He worries that such pavers at this location would be a significant operating time expense for inspections and repairs.

-Kalal: Is this the For Mile River Watershed? The intention is to pave a lot of the watershed area to save money instead of using permeable pavers, and the runoff will drain into the watershed?

-Klose: That is specifically why the proposed parking lot is 50 feet away from the wetlands which is the standard vegetative buffer minimum requirement to be able to provide water quality treatment, and in addition to the buffer, the stone proposed filter level spreader which will store the first 1.3" of rainfall runoff of the paved area. If the pollutants settled inside of that stone fill up, the stone would be removed and replaced. They are directly mitigating the effects of the paving by using the water quality best management practice to offset the impact of the impermeable pavement.

-Kalal: What happens if we get more than 1.3" of rain? How often would it(stone) get cleaned?

-Klose: 1.3" of rain is the new water quality minimum standard is the first flush; it would be the most frequent storm event that is going to carry any pollutants on the ground into the treatment device. Beyond that first 1.3" as it continues to rain, it is considered clean water because that first 1.3" has already flushed the pollutants into the trench and the 50-foot buffer. As the water fills up the trench, the water will be clean because it has already flushed the

pollutants and suspended solids into the trench. This would be inspected every six (6) months, anticipating the stones would need to be cleaned out every few years. This is a small parking area, and the majority is gravel and based on the usage not a lot of pollutants would be running off into the filter. It would be refreshed as necessary.

-Jett-Harris: What was the prompt for this to be proposed?

-Klose: The Town is investing a lot of money in the dam repair for a site that currently isn't safe for the residents to use, but it does get used and it's better to get them safely off of Boston Post Rd and into the property and make it more accessible for all residents (the ADA spaces) and foster the idea that the Town is investing in this proper for water quality but to also get other uses, such as passive recreation.

-Kalal: What uses will there be there? Why can't just the two (2) spaces be paved?

-Klose: Passive recreation. The minimum for the DOT is paving the entrance and the right-of-way is significant and they will not allow the stone to be in the right-of-way so that would mean 30 feet of paved and leaving a stone drive that is susceptible to erosion over time and then paving a section beyond that so from a maintenance standpoint it doesn't make sense.

-Jett-Harris: Will this be maintained and plowed in the winter? Who would be doing checks and is there record keeping of the checks and is that accessible to the public?

-Klose: Could not answer regarding the plowing, that would ultimately be between the Selectman and the Parks and Rec, if they decide to make it a Town Park and how they want to maintain a seasonal cycle there. Public Works Dept or Parks and Rec would check it, along with several other places maintained in town, using best management practices. This is part of the MS4 municipal permit, and those results have to get published annually. The entire storm water network including tree filters are online and available to the Public on the GIS.

-Kalal: What happens to the stone that is removed when it is polluted?

-Klose: It is brought to the transfer station to be disposed of which has its own robust testing and disposal.

-Kalal: What happens to the picnic table and the information kiosk?

-Klose: The picnic table has long since been removed because it was deteriorating and dangerous. The kiosk is still there and there may be a proposal for a new kiosk as that is in disrepair as well. Perhaps a future Eagle Scout would be interested in that project.

-Jett-Harris: Why did you choose this location instead of another one so it's not draining in that direction?

-Klose: The entire site drains that way today because of the topography.

-Ms. Thurlow asked for Public Comment

-Mr. Jonathan Trombley, 551 Boston Post Rd, stated concern for the pavement and the environmental impact noting a 60% decrease in wildlife including frogs, hawks etc as well as to the aquifers. The oils and metals from vehicles are concerning. The light use of the property and the wet conditions of the property make him question why the current conditions can't remain. He also suggested an environmental study of the property be done.

-Mr. Klose responded that as part of the Wetlands application as well as the Dam Safety Permit application, a Natural Diversity Database review had been done, along with an archeological study review. He shares the concern of the impervious area, however, the addition of the treatment of the area using the best management practices stormwater quality manual mitigates the impact of the paved area to utilize the site.

-Mr. Cooper Herd, student of Mr. Klose, Plants Dam needs to be rehabilitated, and this would be the staging area for it and then transfer that staging area into something else?

-Mr. Klose responded yes.

MOTION 1

-Mr. Foley moved to close the Public Hearing.

-Ms. Markovitz seconded the motion

-Motion passed unanimously, 6-0-0.

- b. Application of Robert Farrior, agent for Kari-Hill Post #5849 & Veteran of Foreign Wars, for Special Permit for a Private Club per Section 9.2.1 of the East Lyme Zoning Regulations for property located at 39 Columbus Ave, Niantic, Assessor Map 11.4 Lot 78.

-Ms. Thurlow noted this application had been withdrawn pending further investigation of jurisdiction and that the application could come before the Board at a later date.

-Withdrawn

4. Regular Meeting

- a. Application of Alex Klose, for East Lyme Public Works, for Special Permit under Section 20.1-F of the East Lyme Zoning Regulations, for property located at 475 Boston Post Rd, East Lyme, Assessor Map 18.0 Lot 21.

-There was discussion in favor of the proposal including agreement on safety and the size of the proposal in regard to the size of the parcel, also noting the approval of multiple other agencies and departments.

-There was also discussion not in favor of the project including the worry of future larger development which could negatively impact the wildlife.

-Mr. Mulholland stated that any future development would have to come before the Commission.

MOTION 2

-Mr. Foley moved to approve the Application of Alex Klose, for East Lyme Public Works, for Special Permit under Section 20.1-F of the East Lyme Zoning Regulations, for property located at 475 Boston Post Rd, East Lyme, Assessor Map 18.0 Lot 21.

-Ms. Markovitz seconded the motion.

-Ms. Thurlow and Ms. Yuhass were in favor.

-Ms. Kalal and Ms. Jett-Harris were opposed.

-Motion passed, 4-2-0.

-Mr. Mulholland noted the decision would be published next Thursday, effective next Friday.

- b. Application of Robert Farrior, agent for Kari-Hill Post #5849 & Veteran of Foreign Wars, for Special Permit for a Private Club per Section 9.2.1 of the East Lyme Zoning Regulations for property located at 39 Columbus Ave, Niantic, Assessor Map 11.4 Lot 78.
-Withdrawn

5. Disposition of Minutes

Approval of Minutes of September 4, 2025, Regular Meeting

MOTION 3

Ms. Markovitz moved to approve the Minutes of the September 4, 2025, Regular Meeting of the East Lyme Zoning Commission, as presented.

Ms. Yuhas seconded the motion.

Motion passed unanimously, 6-0-0.

6. Old Business

-Ms. Kalal asked about the status of the Application for Moratorium for Appeals of Affordable Housing

-Ms. Thurlow and Mr. Mulholland had been assured this application process is progressing, there is much information to gather and vet prior to submission as the State requires much documentation to be included with the application. Additionally, legal ad postings have to be done.

7. Subcommittee Reports – There were none.

8. New Business

- a. Application of Mel Wiese for Coastal Area Management (CAM) Review for demolition of existing single-family dwelling and construction of new single-family dwelling for property located at 59 Quarry Dock Rd, Niantic, Assessor Map 22.1 Lot 12.

-Ms. Thurlow asked Mr. Mulholland to schedule the meeting.

- b. Any business on the floor, if any, by majority vote of the Commission.

- c. Correspondence-There was none.

9. Public Delegations -There were none.

10. Zoning Official

-The Citgo building is progressing, and the site will be changed once completed. The ZDM project is progressing, and the demolition permits are almost completed. The trees on the Pazzaglia N. Bride Brook project will be in prior to completion. There are many new trees up in front of Stop & Shop. There are several trees around town which are dead or dying and Ms. Thurlow wondered if those could be removed. Mr. Mulholland will speak with the appropriate parties to address.

11. Comments from Ex-Officio-There was none

12. Zoning Board Liaison to the Planning Commission

- a. September 9, 2025-Jett-Harris-No report

- b. October 14, 2025- Kalal-Will attend

13. Comments from the Chairman

-Ms. Thurlow provided some documentation for Biard review regarding Short Term Rentals and suggested that over the next few meetings they talk about different sections and what the Board felt was appropriate to do with those definitions.

14. Adjournment

MOTION 4

-Ms. Jett-Harris moved to adjourn the September 18, 2025, Regular Meeting of the East Lyme Zoning Commission at 8:20PM.

-Ms. Markovitz seconded the motion.

-Motion passed unanimously, 6-0-0.

Respectfully submitted,
Jessica Laroco,
Recording Secretary

Town of

Zoning Department



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MEMO TO: East Lyme Zoning Commission
FROM: William Mulholland, Zoning Official *WM*
RE: Special Permit, Town of East Lyme: Trail Parking
475 Boston Post Rd East Lyme
DATE: September 16, 2025

The Town Engineer, Alex Klose, has applied on behalf of the Town, for a Special Permit to create a small motor vehicle parking area at the property, referenced above. The purpose of the project is to provide parking for people to access the walking trails at the southeastern portion of the Town's Plants Dam and Goodwin Pond properties.

The subject property consists of 117 acres, with a 20-acre pond. The property provides for passive recreation. The parking area would allow more access for people who wish to hike the property. The parking area would create ten (10) parking spaces with two (2) being paved for accessible parking. Most of the area would be gravel.

The Special Permit is required under Section 20, General Regulations, specifically Section 20.1.2F Town Buildings and Uses. The application is subject to Section 25, Special Permits and Section 24, Site Plan. I note that the commercial site plan standards are not applicable in this case.

In Section 25.3.1 you will find standards that require a use to be in harmony with the orderly development of a district. The Commission should carefully evaluate the proposal to ensure it is compatible with the neighborhood and that the use is not objectionable.

Move to Approve: Application of Alex Klose, for East Lyme Public Works, for Special Permit under Section 20.1-F of the East Lyme Zoning Regulations, for property located at 475 Boston Post Rd, East Lyme, Assessor Map 18.0 Lot 21.

Move to Deny: Application of Alex Klose, for East Lyme Public Works, for Special Permit under Section 20.1-F of the East Lyme Zoning Regulations, for property located at 475 Boston Post Rd, East Lyme, Assessor Map 18.0 Lot 21.

Denial for the following reasons:

- 1.
- 2.

