

Minutes of the East Lyme Zoning Commission February 5, 2026, Regular Meeting

Date and Time: 2/5/2026 7:30PM to 9:59PM

Present: Members: Chairman Anne Thurlow, Nancy Kalal, Secretary, Norman Peck, Debbie Jett-Harris, Denise Markovitz, Cathy Yuhas. Alternates: Jim Liska, Sarah Susco and Kerry Edwards. Staff: William Mulholland. Ex-Officio: Roseanne Hardy. Recording Secretary: Janet Sutherland

Absent: None

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

1. **Call to Order and Pledge**

Chairman Thurlow called the January 22, 2026, Regular Meeting of the East Lyme Zoning Commission to order at 7:30PM and led the Pledge of Allegiance.

2. **Attendance**

Thurlow then called the roll, all were present.

3. **Public Hearing**

a. **Continuation of the Application of Parkers Place, LLC, pursuant to General Statutes 8-30g for a zone change, site plan, and Coastal Area Management Review for a multi-family affordable residential housing development on property located on the Westerly side of Park Place, East Lyme, Connecticut, more specifically designated as Assessor's Map #11.1, Lot #11.**

Thurlow opened the Public Hearing. Peck recused himself and Thurlow seated Susco. Kalal read DEEP's referral response into the record. [Attachment A]

Attorney Harry Heller of Heller, Heller & McCoy represented the applicant, and introduced additional presenters Joseph Balskus, PE, Traffic Engineer and Brandon Handfield, PE, Civil Engineer.

Heller submitted additional documentation into the record, starting with revised floor plans. A labelling error on the floor plans introduced at the last Public Hearing [January 22, 2026] were corrected to show all sixty (60) units as two-bedroom. Additionally, a table was submitted that included further information on the units, showing each with a one-car garage and providing sq. ft. floor sizes.

Heller discussed the legal parameters required to deny an affordable housing development submitted under C.G.S. 8-30g, including health and safety concerns and impact on coastal resources outweighing the need for affordable housing in East Lyme.

Heller submitted the resume for Brandon Handfield, PE [Attachment B] detailing his qualifications in the field of civil engineering, and additionally the February 4, 2008 report by the traffic engineering firm Barkan & Mess Associates, Inc for Village Crossing [Attachment C].

Handfield, of Yantic River Consultants, LLC, introduced two new maps to the Commission; a site line demonstration looking left from the existing stop sign at the Park Place intersection with West Main Street [plan titled 'Park Place - ISD Plan & Profile'] and a site line profile, both examples used reference speeds exceeding the minimum speed requirements on the road [Rte 156]. The yellow portion of the map depicts the drivers 'cone of vision' with a measured site distance of 570ft westbound on W. Main St. for drivers with an eye height of 3.5ft. Drivers stopped at Park Pl looking right, or east, have an even

greater measured site distance. The study accommodates a car travelling approximately 55mph while posted speed signs are 25mph and 35mph along Route 156.

Handfield then introduced the turning map plan [plan titled 'WB-40 Access & Turning Point'], addressing previously stated public concerns regarding parked cars along Park Place, particularly next to the new sidewalk along the easterly side. The plan depicts parked cars along Park Place, with the turning movements of a WB-40 in red; 40ft long with a 25ft wheelbase and double rear-axel which turns very poorly, yet can still navigate into and through the proposed development site. Handfield continued that south-bound cars were shown to have room to pass the WB-40 with parked cars along Park Pl.

Handfield then introduced a chart to the commission [plan titled 'Route 156 Hourly Volume Comparison'] - a bar graph comparing two hourly area traffic studies, one conducted by Barclay & Mess on August 9th, 2007 for summerly traffic, the other from a Department of Transportation State and another by DOT Station eLYM-139 on February 16, 2006. Handfield stated the purpose was to indicate the variation between summer and winter hourly traffic counts, showing peak volumes per hour don't necessarily increase in the summer, with Barclay & Mess showing a slightly higher volume count during peak afternoon summer hours.

Heller then introduced traffic expert Joseph Balskus, P.E., PTOE, RSP1, MBA and distributed his resume [Attachment D] detailing his qualifications. Balskus distributed an updated addendum to the traffic report [Attachment E], then summarized his decades of experience, numerous awards and a personal familiarity with East Lyme and the specific area in question.

Balskus began by addressing public concerns raised at the last meeting regarding the quieter winter season timing of the initial traffic study done in January 2024. Balskus stated since the project was moving forward, a study was completed. As results generated relatively minimal issues, an updated seasonal count did not seem necessary.

Balskus referenced the Department of Transportation traffic counter on I-95 in East Lyme from January 2022 and August 2022, showing a 23% increase in traffic on I-95 in summer counts compared to winter (Table 1 in Attachment E). Office of State Traffic Administration regulates major developments, and while this project is considered a low generating development, the Policy of Planning recommended using a 30% traffic increase. The new increased traffic count was used as a reference point in a new analysis, and no change in volume was found. Balskus reiterated this project was a low-generating traffic development. The analysis showed no change in level of service, but indicated there could be slight delays.

Balskus then discussed another of the public's concern regarding crashes. Using UCONN's Connecticut Crash Data Repository, the review was expanded and two crashes were found within five years, one at the intersection of Park Pl and Rte 156, the other further down the road. Balskus reiterated if a crash issue was present, further studies would have been conducted.

Balskus furthered that SECOG conducted two studies, including East Lyme, and no issues have been shown at this intersection. An earlier SECOG Regional Transportation Safety Plan provided recommendations for East Lyme, and none were provided for this intersection. Balskus summarized that himself, as a professional traffic engineer, in addition to other expert reports submitted, show no issues at the intersection of Park Place and West Main St / Route 156.

Balskus then referenced a plan he reviewed on page 6 of the Park Place Traffic Impact Assessment - Addendum 2 [pg 6, Attachment E] conducted by Handfield, PE titled 'Intersection Sight Distances'

indicating ample sight line at the intersection. Balskus concluded by reading from pg 7 of the Traffic Impact Assessment that 'the proposed project will not have a significant impact upon traffic operations at the project intersection.'

Jett-Harris referenced a statement in the report that the project would generate between 30 and 40 vehicles during peak hours, and asked who makes that determination. Balskus replied from the adjacent streets and traffic generator. Kalal then asked what was considered peak morning rush hour, Balskus replied usually 7am to 9am, and 4pm to 6pm for afternoon.

Jett-Harris asked whether buses go through, Balskus replied buses are included in traffic count. Jett-Harris questioned the accident count in the traffic report, Balskus replied one near intersection and included another accident further down near the retail store, a total of two in five years.

Jett-Harris questioned the sole use of tractor trailers in the site line study, Balskus replied passenger cars were used. Heller added that Handfield conducted the site line study in response to public concern surrounding Book Barn parking congestion compromising site line. Jett-Harris ask how only 30 to 40 cars in sixty units would be expected to travel during peak hours, Balskus replied facts came from the Office of State Traffic Administration (OSTA) ITE Trip Generation Manual.

Markovitz asked Mr. Mulholland whether Village Crossing was completed, Mulholland stated about 48 of the 66 total. Markovitz noted concern with that additional traffic. Heller noted this concern was raised by staff, and the first addendum (second report) to the traffic study included a completed 66-unit count at Village Crossing to address those concerns.

Jett-Harris asked for clarification on the traffic assessments, while several were submitted it appears the only direct data is from the 2008 study, Balskus replied they counted in January 2024, those numbers were then increased by 30% to address concerns of increased summer traffic. Jett-Harris asked why the count was not done in the summer as this is a coastal community, Balskus replied due to project timeline. Heller noted they had anticipated presenting before the Commission much earlier, but was postponed by an initial Water & Sewer allocation denial and appeal.

Susco asked whether days of the week have an effect on the traffic volumes, Balskus replied counts were no longer done on Mondays and Fridays, Tuesdays were used for these reports.

Jett-Harris asked Mulholland what the current zoning is, he replied RU-40/20.

Kalal questioned the tractor trailers turning into the development. Handfield confirmed the study sample was 40ft long, Kalal noted moving trucks are 53ft long. Handfield explained the truck would cross over the center line to exit the development, but this is designed for residential uses.

Susco referenced the 30% increase for summer traffic, but noted other circumstances increasing traffic such as highway traffic causing alternate routes. Balskus stated the current I-95 project would help reduce traffic, but was unsure whether it would deter such drivers.

Heller referenced the bar graph depicting peak hours, noting the purpose of the analysis was to show there is no significant difference in the summer to winter peak hour traffic, just an elongation of summer evening peak hour traffic.

Heller reiterated that the Commissions concern is whether there is a safety issue at this intersection which would be cause for denial, and experts had indicated there is none, referencing reports submitted to the commission. Hellen then discussed density concerns previously noted, and stated that relevant

density is in regards to health and safety concerns in the area, such as stormwater management issues and flooding, or access for safety vehicles. Heller reiterated that the density does not indicate any health or safety issues that the commission is legally able to consider in an 8-30g application.

Kalal asked to be reminded of the density of other similar developments, which Heller detailed.

Heller noted a comment made at the last Public Hearing that the stormwater management report did not accommodate climate change, which Heller strongly disagreed and explained how the project complies, as is required by law.

In acting on this application, there are specific areas of the law that have been identified by appellate jurisprudence in the State of Connecticut that require expert evidence because they are technically complex matters, including traffic, adverse impacts to wetlands and watercourses, geotechnics consideration, and stormwater management. Unless the commission has the relevant qualifications in this field, they cannot disagree with expert opinion.

Kalal questioned Heller's statement that they are not experts and adds they were elected by the public, Heller replied he was reciting CT law. Kalal mentioned inconsistencies with submissions, Heller detailed the administrative process and the approval would be for final plans at the close of the Public Hearing.

Heller then referenced previous concerns regarding the initial traffic study for Village Crossing in 2008 being a reason for denial. The denial was appealed, and settlement reached, as it was believed this traffic study was not grounds for safety concern.

Heller addressed concerns regarding I-95 traffic, noted the highway project would be completed before this project would be.

Heller addressed a claim that the water & Sewer approval did not reflect the plans submitted, Heller stated that is factually wrong. Heller referenced loss of habitat and archeological concerns, and noted those are not within the commissions consideration for an 8-30g application.

Heller reiterated that when a court conducts judicial review, there must be a quantifiable probability that there is a health and safety concern, not merely concerns. Heller concluded that the testimony and evidence clearly demonstrates that there are no issues for the commission to legally consider to deny this application for health and safety concerns.

Thurlow recommended a break before opening up to public comment.

Thurlow opened to the public and limited comments to three minutes only. None were present to speak in favor. Public was invited to speak against once correspondence was read.

Thurlow read an email from Maria Loscoe, 21 Village Crossing [Attachment F]. Thurlow then read a letter from Carly Krisavage, 27 Village Crossing [Attachment G]. Jett-Harris read a letter from Michele and Ray Bissell, 16 Village Crossing [Attachment H].

Thurlow then invited Thomas Brubaker, 35 W Main St., to read from his letter submitted [Attachment I].

Randy White, 41 W Main St, noted concerns over report being conducted on a Tuesday, since Fridays and Saturdays are busiest days. He noted the local increase in businesses since 2006 has significantly increased congestion and parking issues.

Mike Raksnis, 11 Village Crossing, noted concern with intersection at Rte 156 and Park Pl and confusion with turns into Park Pl or nearby parking lot for the package store. Added concerns for children going to school on 'sidewalk to nowhere'. Kalal asked whether schools go down Park Place, Raksnis replied only smaller school buses.

David Cornell and Tessa Teeter 18, noted a horrendous traffic pattern with numerous incidents that day, and recommended a traffic study conducted at the intersection of Park Pl and Rte 156 during summer hours. Tessa added agreement in traffic concerns and a traffic study be done during summer hours.

John Wilson, 13 Park Pl, stated Park Place once had 18 ranch style single-family homes on one street, and was reminded of problems noted in 2008 when Village Crossing was proposed. Emphasized problems coming from Book Barn parking overflow issues. [Wilson reached his 3minute maximum, but was donated time from others present]. Wilson had display boards which indicated his concerns regarding the lack of sidewalk and provided suggestions. Emphasized money was not a concern, the town needed a sidewalk on Rte 156.

Thomas Brubaker, 35 W Main St., was invited to finish reading his submission [Attachment I].

Barbara Weinschenk, 26 Huntley Ct., reiterated concern about sidewalks. Stated concern over Zone Change for area zoned for one house per acre and was concerned about the addition of over 60 units on a small road, and recommended all units be affordable. Recommended denial based on public safety concern.

Michele Bissell, 16 Village Crossing, wondered whether WB-40 turning demo accounts for cars parked along both sides of Park Place.

Heller stated that 'no-parking' signs were present along the west side of Park Pl., and nobody should be parked there. Heller stated the lack of sidewalk concerns are an existing issue, and stated this development would not be adding to them. Heller stated his client would be willing to contribute to the endeavor of adding sidewalks, but he is not the solution.

MOTION

- Ms. Jett-Harris moved to close the Public Hearing.
- Ms. Yuhas seconded the motion.
- Motion passed unanimously, 6-0-0.

b. Application of Jerry Lokken, for East Lyme Parks & Recreation, for a Special Permit under Section 20.1.2(F) of the East Lyme Zoning Regulations, to construct an ADA accessible trail, and improve the existing parking area for Darrow Pond, at property located at 16 Mostowy Road, East Lyme, Assessor Map #40.0, Lot #5.

Thurlow stated the applicant would return at another meeting to present.

Susco stepped down and Thurlow reseated Peck.

4. Regular Meeting

a. Continuation of the Application of Parkers Place, LLC, pursuant to General Statutes 8-30g for a zone change, site plan, and Coastal Area Management Review for a multi-family affordable

residential housing development on property located on the Westerly side of Park Place, East Lyme, Connecticut, more specifically designated as Assessor's Map #11.1, Lot #11.

Thurlow opened the Regular Meeting and suggested they continue to review submissions from the public and applicant.

MOTION

- Ms. Jett-Harris moved to close the Public Hearing.
- Ms. Markovitz seconded the motion.
- Motion passed unanimously, 6-0-0.

b. Application of Jerry Lokken, for East Lyme Parks & Recreation, for a Special Permit under Section 20.1.2(F) of the East Lyme Zoning Regulations, to construct an ADA accessible trail, and improve the existing parking area for Darrow Pond, at property located at 16 Mostowy Road, East Lyme, Assessor Map #40.0, Lot #5.

Application was continued to next meeting.

5. Disposition of Minutes

Approval of Minutes of January 22, 2026, Regular Meeting

Thurlow had corrections to the minutes: Ms. Jett-Harris noted an error on the floor plans submitted by the applicant for Parkers Place, LLC; Thurlow stated the audience member under Public Delegations was John Tichy; Thurlow would like more of the comments from Brandon Handfield.

MOTION

- Ms. Markovitz moved to approve the January 22, 2026 minutes at the next meeting.
- Ms. Jett-Harris seconded the motion.
- Motion passed unanimously, 6-0-0.

6. Old Business - None

7. Subcommittee Reports

The Subcommittee will meet next Wednesday at 10am.

8. New Business

Thurlow asked Mulholland to schedule the following applications:

1. Application of Nathaniel Bodnar for a proposed Text Amendment to Section 1.90 of the East Lyme Zoning Regulations, to update the definition of a Brew Pub to include all alcoholic beverages.

2. Application of Jeffrey A McNamara for a proposed Text Amendment to Section 5 by adding Section 5.2.10 to permit Educational or Philanthropic use by a nonprofit corporation on 50 acres or more in the RU-40 Zone subject to Special Permit with additional controls in Section 25.5, of the East Lyme Zoning Regulations.

3. Application of Jilian Lepore-Oyler for a Special Permit under Section 5.2.4, roadside stand, of the East Lyme Zoning Regulations for property located at 73 Scott Rd, East Lyme, Assessor's Map #34.0, Lot #16

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

Thurlow noted previous discussions on reviewing the Outdoor Dining regulations, and suggested taking a look before the annual applications come in.

Markovitz asked the Commission to reconsider moving Public Delegations back to its earlier spot on the agenda, as she believes it's unfair to have the public wait two hours to speak.

MOTION

-Ms. Markovitz moved to consider moving Public Delegations at the next meeting.

-Ms. Jett-Harris seconded the motion.

-Motion passed, Thurlow opposed 5-1-0.

b. Correspondence

9. Public Delegations

10. Zoning Official

Jett-Harris asked Mulholland about the Affordable Housing Appeals Moratorium, Mulholland heard nothing recently.

Thurlow noted she asked First Selectman Dan Cunningham for an update on the Affordable Housing Appeals Moratorium and what happened at the Connecticut Siting Council Public Hearing on the cell tower, but heard no response on either subject. Thurlow had also invited Cunningham to speak before the Zoning Commission or meet individually with no response.

11. Comments from Ex-Officio - None

12. Zoning Board Liaison to the Planning Commission

13. Comments from the Chairman

Thurlow provided comments during the Zoning Official discussion.

14. Adjournment

MOTION

-Ms. Jett-Harris moved to adjourn the February 5, 2026, Regular Meeting of the East Lyme Zoning Commission at 9:59PM.

-Ms. Markovitz seconded the motion.
-Motion passed unanimously, 6-0-0.

Respectfully submitted,
Janet Sutherland,
Recording Secretary



January 21, 2026

**[ATTACHMENT
A]**

East Lyme Zoning Commission
c/o William Mulholland, Zoning Official
Zoning Department
Town Hall
108 Pennsylvania Avenue
Niantic, CT 06357

Re: CSPP – Special Permit, Parker Place Development and Change of Zoning District from RU-40/20 to Affordable Housing District

Dear Commissioners:

Thank you for the opportunity to review the above-noted Coastal Site Plan Review (CSPR) and zone change applications received by the Land and Water Resources Division (LWRD) on 12/15/25. The Applicant is proposing a zoning district change to allow the construction of a 60-unit residential set-aside affordable housing development on Park Place (new West Main Street intersection). The property is delineated as a FEMA Unshaded X zone. From the application materials provided, the proposed development does not appear to be near any sensitive coastal resources. LWRD has reviewed the proposed zone change and CSPR for consistency with the goals and policies of the Connecticut Coastal Management Act (CCMA). Accordingly, we find them to be consistent with the CCMA.

Please be advised that this consistency determination is based on coastal management considerations only and does not necessarily reflect other municipal planning and zoning considerations which may apply. These comments are made, in part, in response to the review requirement contained in Section 22a-104(e) of the Connecticut General Statutes, which requires that notification be sent to the Commissioner of Energy and Environmental Protection at least 35 days prior to the commencement of the public hearing. Once notified, our office is responsible for reviewing the proposal's consistency with the policies of Section 22a-92 and the criteria of Section 22a-102(b) of the CCMA.

We hope these comments prove useful. Should you have any questions regarding this letter or any other coastal management or Long Island Sound matter, please feel free to contact me at Karen.Michaels@ct.gov.

Sincerely,

Karen A. Michaels
Environmental Analyst III
Land and Water Resources Division

KAM/kam

CC: East Lyme Coastal File: Park Place