

Zoning Commission  
February 19<sup>th</sup>, 2026, Meeting Minutes

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TOWN CLERK

# Minutes of East Lyme Zoning Commission - 02/19/26

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**Date and time:** 02/19/26 07:30 pm to: 02/19/26 09:08 pm

**Present:** Brooke Stevens, Recording Secretary , Members Present:, Debbie Jett-Harris, Anne Thurlow, Denise Markovitz, Norman Peck, Nancy Kalal, Cathy Yuhas, Alternates: Kerry Edwards, Sarah Susco

**CC:** Also Present: , William Mulholland, Zoning Official, Rose Ann Hardy, Ex-Officio, Attorney Timothy Bleasdale, Jerry Lokken, Parks & Recreation Director, Gary Goeschel, Town Planner

**Location:** East Lyme Town Hall Upper Conference Room, 108 Pennsylvania Avenue, Niantic, CT, 06357

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## Topics

### 1. Call to Order & Pledge of Allegiance

**Note** Chairman Thurlow called the February 19th, 2026, Zoning Commission meeting to order at 7:30 p.m., and led the Pledge. Ms. Thurlow did rollcall; a quorum was present.

### 2. Presentation by the Town Attorney Office on Housing Bill 8002.

**Note** Town Attorney Bleasdale of Carmody Torrance Sandak & Hennessey LLP came forward to discuss Bill 8002 also known as Special Session Public Act 25-1, and highlighted some of the following:

\*This Bill is a major statewide housing reform legislation aimed at promoting housing growth across Connecticut.

\*The focus is on expanding "middle housing" types (housing between single-family homes and large apartment buildings) such as duplexes, townhomes, small multi-unit developments.

\*The Bill contains mandatory requirements for Zoning Commissions and optional provisions that may unlock state funding and incentive grants.

\*This presentation will concentrate on zoning-related provisions.

#### 2-1. In terms of implementation:

**Note** \*Some statutory deadlines for state agencies are already missed; legislative fixes anticipated.

\*Example of an inconsistency- no parking standards for developments exactly 16 units.

\*Housing Growth Plans are a core component and initially handled by the Planning Commission.

#### 2-2. The Housing Growth Plan will:

**Note** \*Identify policies to promote housing growth.

\*Set overall and affordable housing growth goals.

\*Identify zoning/regulation updates needed.

\*Proactively identify developable land for affordable housing.

\*Inventory government-owned land that could be redeveloped.

\*Address accessibility improvements for persons with disabilities.

\*Promote a diversity of housing types for different life stages.

\*Identify necessary infrastructure upgrades (roads, sewer, water).

#### 2-3. Infrastructure Concerns:

**Note** \*Sewer and water capacity limitations were acknowledged as major challenges.

\*Subcommittees are actively exploring solutions to increase capacity.

\*The Housing Growth Plan must include a timeline for strategy completion and implementation.

\*The Zoning Commission will be assigned related tasks to amend zoning codes to implement Housing Growth Plan policies.

\*New Housing Growth Plan will replace older Affordable Housing Plans.

#### **2-4. Plan Levels and Decisions:**

**Note** \*Three plan levels-

\*Statewide Plan

\*Regional Plan via Council of Governments (COG)

\*Local Plan (optional, created by town)

\*East Lyme must decide whether to adopt the regional COG plan or create a local plan.

\*Further guidance pending from Connecticut Office of Policy and Management (OPM).

#### **2-5. Regional Representation and Local Input:**

**Note** \*Each member town has representation on the regional planning commission within COG (28 communities in New London County region).

\*First Selectmen typically serve as decision-makers and participate at the COG level.

\*Town Planners and Zoning Officials (such as Mr. Mulholland and Mr. Goeschel) provide local input to COG.

\*Local knowledge helps tailor regional plans to town-specific needs.

#### **2-6. Compliance Timeline:**

**Note** \*December 1st, 2026- OPM releases statewide and regional housing targets.

\*June 1st, 2027- COG provides affordable housing goals to East Lyme.

\*Within 30 days of receipt- Town must accept the COG goal or reject and create its own plan.

\*June 1st, 2028- Town submits final Housing Growth Plan to the state.

\*Plan updates required every 5 years; statewide goals updated every 10 years.

#### **2-7. Relationship with POCD:**

**Note** \*Housing Growth Plan must align with the POCD.

\*If deadlines coincide, Housing Growth Plan may be folded into POCD as a chapter.

\*Existing POCD language does not need altering, but consistency must be maintained.

#### **2-8. Adoption:**

**Note** \*Accepting the COG plan means that the COG prepares the plan with town input.

\*This would be a lower workload for the town.

\*Creating a local plan means that the Planning Commission writes the plan, requiring more local effort but more control.

\*The decision to accept or reject COG goal likely a joint one between the Planning Commission and First Selectman.

#### **2-9. Non-Compliance:**

**Note** \*Failure to meet deadlines or submit compliant plans risks the loss of state funding opportunities and the loss of eligibility for affordable housing appeals moratoriums.

#### **2-10. Questions & Discussion**

**Note** Ms. Thurlow asked if COG is familiar with East Lyme specifics.

Mr. Bleasdale confirmed local representatives provide input, ensuring town-specific circumstances are known.

**Note** Ms. Jett-Harris asked if infrastructure limitations (water/sewer moratoriums) will factor in.

Mr. Bleasdale affirmed that infrastructure constraints will be identified in the Plan, and that the Plan should note areas needing investment or upgrades.

\*Funding for infrastructure expansions may come from grants or loans tied to act provisions.

**Note** Mr. Bleasdale explained-

\*Affordable housing is legally defined by statute with income thresholds based on Area Median Income (AMI).

\*Statute targets various income bands but recognizes it may not fully capture extremely low-income populations.

**Note** He mentioned that ongoing state legislative efforts to reform affordable housing statutes led by a working group is being chaired by the House Majority Leader. The group's report is expected soon; updates will be shared once available.

**Note** Attorney Bleasdale noted that while public hearings might eventually occur, they are currently a long way down the road. The focus is on the initial setting of goals and the back and forth with the Council of Governments (COG).

**Note** He reiterated that the new Act removes the requirement for a separate affordable housing plan, replacing it with a broader Housing Growth Plan. The goal is to foster a diversity of housing styles, not just affordable units.

**Note** Ms. Jett-Harris expressed concern regarding whether the current land use staff (one Planner, two Admins, and a Zoning Official) can handle the workload. Mr. Bleasdale suggested that while his office will review drafts, the heavy lifting falls on town staff. Potential solutions include hiring outside consultants or opting into the COG's regional plan. If East Lyme writes its own plan, it must submit it to the COG for comment. If the town rejects COG suggestions, it must provide a written explanation to the state.

**Note** Mr. Peck inquired if this new plan would affect the housing moratorium being drafted by the town, Ms. Thurlow asked for an update on the work, and Ms. Jett-Harris noted the work has taken nearly a year.

**Note** Mr. Bleasdale reported that the town's ongoing application for a housing moratorium remains on track. Issues regarding land record restrictions at 38 Hope Street have been resolved. He noted that adopting certain optional provisions in the new Act could grant the town bonus points (Housing Unit Equivalency points) toward future moratorium applications.

**Note** Mr. Mulholland inquired about the specific criteria used to assign the number of affordable units to each town. Mr. Bleasdale replied that they are awaiting further guidance from the Office of Policy and Management (OPM), which is expected by March 1st.

**Note** Ms. Jett-Harris asked if the plan includes an addendum to protect towns from significant damage or hardship. Mr. Bleasdale noted that the plans cover extensive ground and that the town can explicitly voice these concerns and explain its position if it chooses to reject the COG's recommended goals.

**Note** Ms. Kalal asked if the new plan would grant the Zoning Commission more control over the placement of these developments. Mr. Bleasdale clarified that they are still waiting for a state report (due early February) to see what reforms or changes to 8-30G are being proposed.

## 2-11. Parking Changes & Transit Community Middle Housing

**Note** Attorney Bleasdale detailed how the town can no longer deny residential applications solely based on off-street parking unless a specific adverse impact on public health and safety is identified.

**Note** In terms of parking ratios, \* More than 16 units- the town can require 1 space for studios/1-bedrooms and 2 spaces for 2+ bedrooms. \*Less than 16 units- Similar requirements apply only if the town adopts a "Conservation and Traffic Mitigation District."

**Note** \*Towns are now required to allow Middle Housing (2–9 units) and mixed-use developments as a right in all commercial zones.

\*\*Approval is also limited to a summary review or a site plan review, which prohibits the requirement of a public hearing or special permit.\*\*

**Note** Mr. Bleasdale noted that East Lyme likely qualifies as a bus transit community due to current SEAT bus stops on Main Street, Route 161, and the Flanders area. To opt-in, the town would need to create a special zone covering at least a half-mile radius around these bus stops.

**Note** Ms. Yuhas inquired about accessory dwelling units and Mr. Bleasdale replied that property owners who have held their land for at least three years must be allowed accessory dwelling units (ADUs) as a right.

**Note** Mr. Bleasdale further explained that residential developments of 10+ units must be allowed as a right, provided they include 30% affordable housing (which is based on 8-30G standards). Developers would also have the as a right, the authority to convert existing commercial buildings or older residential properties into middle housing (such as duplexes, townhomes, or small apartment buildings).

**Note** Mr. Bleasdale further detailed how the new housing category (Transit Community Middle Housing) has 2–9 units which includes:

\*Duplexes

\*Triplexes

\*Townhouses

\*Cottage clusters

\*"Perfect Six" (3 stories, 2 units per floor)

**Task**  Ms. Thurlow asked whether architectural review and maintaining town character is still allowed. Attorney Bleasdale replied that he's uncertain, believes there is language referencing character, and will review statute and report back.

*Owned by Attorney Timothy Bleasdale*

**Note** Mr. Mulholland identified how'd this would translate to East Lyme in terms of commercial zones:

1. Niantic (Central Business Zone)

2. Flanders Road corridor

3. Boston Post Road

4. Route 156 area

\*These areas would now be required to allow middle housing as a right.\*

**Note** Ms. Kalal wondered if housing is market-rate, how this helps affordability since developers will charge the maximum market rent. She noted that young people still cannot afford local rents.

**Note** Mr. Bleasdale explained this provision is about diversity of housing types, not strictly affordability. Market-rate townhouses will generally cost less than single-family homes and the state's goal is broader housing diversification.

## 2-12. State Funding

**Note** Mr. Bleasdale explained that the primary motivation for opting into these districts is the unlocking of state funding sources which include:

\*Public Infrastructure Grants- funds for roads, sidewalks, water, and sewer improvements associated with new housing.

\*School Construction- increases the state reimbursement rate by 5%, up to 100% of total costs.

\*Water Quality Loan Program- offers 1.5% interest, 20-year loans for sewer system improvements or plant expansions.

**Note** Ms. Markovitz expressed skepticism about the state's ability to fund 169 towns. Mr. Bleasdale confirmed that while there is no statutory cap in the Act, the funds are subject to annual state budgets (noting roughly \$20–30 million available in certain pots for the coming years).

**Note** There was a brief discussion on whether these funds could help reopen a local train station, though Mr. Bleasdale noted this would be far more complex and require Amtrak's involvement.

**Note** While discussing infrastructure limitations and challenges Mr. Bleasdale explained that the Department of Energy and Environmental Protection (DEEP) has the authority to transfer sewage capacity to a municipality if there is a specific water quality issue that needs to be addressed. This can occur even without a pre-existing inter-town agreement.

**Note** There was a brief discussion regarding the Old Lyme sewer project and how, the state could still order additional connections.

**Note** Mr. Bleasdale emphasized that East Lyme must document its severe sewer capacity limits as a formal hurdle in the state-mandated housing growth plan. The town is working with Waterford and New London on an engineering review to expand the regional treatment plant. Mr. Bleasdale warned that while they are trying to "squeeze out" capacity in the interim, a full plant expansion is the only permanent solution.

**Note** Ms. Jett-Harris asked whether the new act includes protections for drinking water and Mr. Bleasdale replied that the act does not specifically address potable water protections. Under the new standard, a housing development can only be denied if it creates a significant adverse impact on public health and safety that cannot be mitigated. This replaces previous standards under 8-30G and remains the main legal basis for denial.

**Note** Ms. Jett-Harris voiced concerns about a potential return to septic systems in coastal areas after years of transitioning to sewers to protect Long Island Sound. Mr. Bleasdale clarified that the Act doesn't override existing environmental regulations.

## 2-13. Priority Housing Development Zones

**Note** Attorney Bleasdale outlined another optional tool, Priority Housing Development Zones, which have the following requirements:

- \*Must designate area = at least 10% of developable land.
- \*Must allow multifamily as a right.
- \*Density requirements are 4 units/acre (single family detached), 6 units/acre (duplex/townhouse), 10 units/acre (multifamily)
- \*Subject to site plan review only.
- \*Must be submitted to Department of Housing for approval.

**Note** Ms. Kalal suggested state land (forests, prison property) as potential housing sites.

**Note** Mr. Bleasdale shared some of the following:

- \*The Act gives Department of Housing authority to develop housing on state-owned land.
- \*State properties have unused sewer capacity.
- \*State could be positioned to develop independently.
- \*Not explicitly exempt from zoning but unclear how it would play out.

## 2-14. House Bill 151

**Note** Ms. Thurlow asked about the follow-up Bill 151 and Mr. Mulholland noted that it has the potential to result in the elimination of height limits and setbacks.

**Note** Attorney Bleasdale said he's not familiar with the specifics, it's still early in session, many bills may not pass, and the Connecticut Conference of Municipalities (CCM) is already sending out information opposing it.

**Task**  Mr. Peck asked how these changes could affect a historic district. He questioned whether local historic protections will still have authority if the state requires housing to be approved as a right. Mr. Mulholland and Mr. Bleasdale said they will investigate and report back.

*Owned by Mr. Mulholland & Attorney Bleasdale*

**Note** Mr. Goeschel shared the following demographic data:

- \*Connecticut gained about 32,000 people from other countries.
- \*But about 6,600 more people moved out of Connecticut to other states than moved in.
- \*The birth rate is declining.

**Note** Mr. Peck asked if the population isn't really booming, why are we rushing to build a lot more housing? Mr. Bleasdale replied that the state thinks towns have blocked new housing for too long. The focus isn't just on affordable housing anymore; the goal now is to allow more types of housing in general, not just single-family homes.

## 3. Public Hearing

**3-1. 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 I6 Mostoway Road, East Lyme, Assessor Map #40.0, Lot #5. (Continued from 2/4/2025)**

**Note** Ms. Thurlow noted that this item has been continued from December.

**Note** Mr. Mulholland identified a problem; the required public notice sign was not posted on the property. The Zoning Regulations require this for special permits, and they cannot waive that requirement.

**Decision** The Hearing was continued again so the sign can be posted properly. This Hearing will be revisited at the next meeting.

## 4. Regular Meeting

### 4-1. 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 I6 Mostoway Road, East Lyme, Assessor Map #40.0, Lot #5. (Continued from 2/4/2025)

**Note** This item has been continued until the next meeting.

### 4-2. Zoning Commission Discussion on a Proposed Outdoor Dining Text Amendment

**Note** Ms. Thurlow introduced a proposed zoning text amendment about restaurant outdoor dining.

**Note** The current rule is that outdoor dining areas cannot be enclosed by permanent structures, temporary structures, tents, and buildings except if it's part of a covered porch attached to the building.

**Note** Ms. Thurlow is proposing to add language saying, "Enclosures could be allowed if specifically requested by the applicant and approved by the Zoning Commission."

**Note** The reasoning behind the text amendment is that last year a restaurant (374) had a four-pole covered structure instead of a traditional umbrella. Some Commissioners thought it looked better but technically it counted as a "structure" under current rules. The goal is to give restaurants some flexibility, still allow the Commission to approve or deny case-by-case, and avoid confusion before summer outdoor dining season starts.

**Note** Ms. Markovitz said she thinks it's a good idea and Ms. Jett-Harris concurred.

**Decision** MOTION (1)

Ms. Kalal moved to send the proposed outdoor dining text amendment to Public Hearing.

Ms. Jett-Harris seconded the motion.

Motion carried, 6-0-0.

### 4-3. Zoning Commission Discussion to move Public Delegations on the Agenda

**Note** There was discussion about moving "Public Delegations" (public comment on non-agenda items) from near the end of the meeting to near the beginning.

**Note** Ms. Thurlow said she would like to see this item stay where it is since applicants may be paying attorneys \$400–\$600/hour, long public comments could delay paid business items, and some feel public comment has been abused before.

**Note** Ms. Markovitz said she would like to see it moved and Ms. Yuhas concurred. It was noted that the argument for moving it earlier is that other commissions allow public comment early, citizens shouldn't have to wait until 10:00pm to speak, and Developers paying attorneys is "part of doing business."

**Decision** MOTION (2)

Ms. Markovitz moved to move public delegations earlier in the agenda.

Ms. Jett-Harris seconded the motion.

Motion failed, 3-3-0.

Yay- Ms. Markovitz, Ms. Yuhas, and Mr. Peck.

Nay- Ms. Thurlow, Ms. Jett-Harris, and Ms. Kalal.

The placement of Public Delegations will remain where it is on the agenda.

## 5. Disposition of Minutes

### 5-1. January 22nd, 2026, Regular Meeting Minutes

**Note** see attachment.

 [Zoning-Commission-January-22-2026-Minutes.pdf](#)

**Decision** Mr. Mulholland noted that Ms. Sutherland has not had a chance to modify the January 22nd, 2026, Meeting Minutes as instructed. This item was tabled until the next meeting.

### 5-2. February 5th, 2026, Regular Meeting Minutes

**Note** see attachment.

 [Zoning-Commission-February-5-2026-Minutes.pdf](#)

**Note** There was confusion about how many units are in a proposed development: Minutes said 60 units and some Commission Members believe the figure should be 66. They will confirm what the correct figure is.

**Decision** MOTION (3)

Ms. Markovitz moved to approve the February 5th, 2026, Regular Meeting Minutes with the pending correction.

Ms. Markovitz seconded the motion.

Motion carried, 6-0-0.

## 6. Old Business

**Note** There was none.

## 7. Subcommittee Reports

### 7-1. Short-Term Rental Subcommittee

**Note** It was reported that Ms. Yuhas and Mr. Mulholland are working on draft material. It's not ready for full Commission review yet but more is coming soon.

## 8. New Business

### 8-1. Any business on the floor, if any, by the majority vote of the Commission.

**Note** There was none.

## 8-2. Correspondence

**Note** There was none.

## 9. Public Delegations

**Note** Time set aside for the public to address the Commission on Land Use items not on the agenda.

### 9-1. Lisa McGowan of 33 Spinnaker

**Note** Ms. McGowan said she doesn't attend often, but when she does, she prefers to listen to the entire meeting. She formally asked the Commission to restore public delegations to the beginning of meetings. She feels that citizens should not have to wait and added that it used to be earlier.

**Note** Ms. Thurlow pointed out that the motion to move it earlier had failed. Ms. McGowan asked whether she could at least submit her statement into the official record. She added that this is exactly why we need public comment earlier- so citizens don't have to wait until the end just to ask to be heard.

 [3937\\_001.pdf](#)

### 9-2. Darren Owen of EIO Associates, 972 E. Broadway, Stratford

**Note** Mr. Owen explained he's from a land-use consulting firm and is speaking on behalf of a property owner (James Quill), who's property 0 West Main Street is located partly in the CA (Commercial Area) zone and constrained by wetlands and sewer limitations.

He wants to ask the Commission for feedback on whether it would make sense to file a zoning text amendment, specifically, to potentially add storage facilities as a permitted use in the CA zone. His employer wants to get a sense of whether that idea would even be worth pursuing before formally applying.

**Note** Mr. Mulholland advised that Commissioners should not comment publicly on a proposal that could later come before them. Giving opinions now could be seen as prejudging a future application. It would be more appropriate to meet privately with staff.

He told Mr. Owen he's happy to meet with him and encouraged him to email him and set up an appointment.

## 10. Zoning Official

**Note** Mr. Mulholland had nothing to report.

## 11. Comments from Ex-Officio

**Note** Ms. Hardy spoke briefly about budget pressures noting the Board of Selectmen spent 35 hours reviewing fire engine and police vehicle requests.

**Note** Ms. Hardy also spoke to infrastructure strain. Her main point was that if housing increases, infrastructure costs increase such as trash pickup, Fire services, Police, Sewer capacity, and Water capacity (New London cannot handle more flow.) She warned that the state is pushing housing without fully accounting for local infrastructure limits.

## 12. Zoning Board Liaison to Planning Commission

**Note** Ms. Jett-Harris detailed how she personally attended the February 10th, 2026, Planning Commission meeting. Ms. Kalal is scheduled to attend the March 10th, 2026, meeting and Mr. Liska is scheduled to attend the April 14th, 2026, meeting.

### **13. Comments from Chairman**

**Note** Ms. Thurlow had no comments.

### **14. Adjournment**

**Decision** MOTION (4)

Ms. Markovitz moved to adjourn the February 19th, 2026, Zoning Commission Meeting at 9:08 p.m.

Ms. Jett-Harris seconded the motion.

Motion carried, 6-0-0.

**Note** Respectfully Submitted,  
Brooke Stevens, Recording Secretary Pro Tem

## Task Summary

### New Tasks

**Task**  Ms. Thurlow asked whether architectural review and maintaining town character is still allowed. Attorney Bleasdale replied that he's uncertain, believes there is language referencing character, and will review statute and report back.

*Owned by Attorney Timothy Bleasdale*

**Task**  Mr. Peck asked how these changes could affect a historic district. He questioned whether local historic protections will still have authority if the state requires housing to be approved as a right. Mr. Mulholland and Mr. Bleasdale said they will investigate and report back.

*Owned by Mr. Mulholland & Attorney Bleasdale*