

EAST LYME BOARD OF SELECTMEN  
PUBLIC HEARING OF JUNE 15, 2011  
MINUTES

PRESENT: Paul Formica, Mark Nickerson, John Birmingham, Jack Hogan.

Mr. Formica called the public hearing to order at 7:05 p.m. and read the following Call:

TOWN OF EAST LYME  
BOARD OF SELECTMEN  
NOTICE OF PUBLIC HEARING

The East Lyme Board of Selectmen will conduct a public hearing on Wednesday, June 15, 2011 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut, commencing at 7:00 p.m. regarding the following proposed amendments to ordinances:

1. Amendment to the "Scenic Roads Ordinance" to provide for notice by way of a certificate of mailing to owners of property having frontage on a highway proposed for designation as a scenic road.

2. Amendment to the "Ordinance Establishing Schedule of Fees" to provide for an application fee payable to the Zoning Board of Appeals in the amount of \$350.00.

3. Amendment to the "Ordinance Concerning Flood Damage Prevention" to conform to language required by the Federal Emergency Management Agency (FEMA).

4. Amendment to the "Ordinance Prescribing Fees for Building and Demolition Permits" to add the following provision:

The Chief Building Official, at his discretion, may direct an applicant to hire the International Code Council or any other consulting firm to perform plan review for any project. The cost of said review service shall be paid by the applicant directly to the firm performing the plan review. The cost of this service shall be deducted from the total fee as per items one and two of this ordinance.

5. Amendment to the "Peddling Ordinance" to increase license fees to the following amounts:

- a. for each foot peddler, \$10.00 per day;
- b. for each organization of or company employing peddlers, at the option of such organization or company in lieu of the license fee established by Section 4a, \$40.00 per week;
- c. for each peddler, using a team or vehicle, \$45.00 per year.

At this hearing, interested persons shall have the opportunity to be heard and written comments will be received. Copies of the full text of the foregoing ordinances

proposed to be amended are available for public inspection at the office of the East Lyme Town Clerk, 108 Pennsylvania Avenue, Niantic, Connecticut.

He noted that the Call had been posted on the signpost and published in The Day.

1. Scenic Road Ordinance

Tom Kalal of 80 Grassy Hill Road said that they have two roads ready to be designated but they do not have the money in the budget to send the residents notification by certified mail. He said this change to a certificate of mailing would assist in lowering the cost for this task.

Nancy Kalal said that there were many rumors about this ordinance change. She read the items on her list into the record (identified as Attachment A).

2. Amendment to the “Ordinance Establishing Schedule of Fees” to provide for an application fee payable to the Zoning Board of Appeals in the amount of \$350.00. Mr. Formica noted that this figure was chosen because this is the town’s cost for processing the application and for the publishing costs that are required.

There was no comment.

3. Amendment to the “Ordinance Concerning Flood Damage Prevention” to conform to language required by the Federal Emergency Management Agency (FEMA).

Mr. Formica said that this was the language that the State was providing and this must be adopted by July 18<sup>th</sup>.

Zoning Official Bill Mulholland noted that under the definition for Substantial Improvements, the time period should be changed from one year to 10 years.

There was no further comment on this item.

4. Amendment to the “Ordinance Prescribing Fees for Building and Demolition Permits” to add the following provision:

The Chief Building Official, at his discretion, may direct an applicant to hire the International Code Council or any other consulting firm to perform plan review for any project. The cost of said review service shall be paid by the applicant directly to the firm performing the plan review. The cost of this service shall be deducted from the total fee as per items one and two of this ordinance.

There were no comments on this item.

5. Amendment to the “Peddling Ordinance” to increase license fees to the following amounts:

- a. for each foot peddler, \$10.00 per day;

- b. for each organization of or company employing peddlers, at the option of such organization or company in lieu of the license fee established by Section 4a, \$40.00 per week;
- c. for each peddler, using a team or vehicle, \$45.00 per year.

Betty Murphy of 30 Saunders Drive said that only 7 permits were issued last year for ice cream trucks and said that she has never issued a one day permit for any price. She suggested the Selectmen address the Alarm Ordinance and reinstate a fee for false alarms.

Joe Mingo of 397 Boston Post Road said that there are vendors in town several times a year, such as Celebrate East Lyme, The Light Parade and Touch a Truck. He said that either you charge them all or not.

The consensus of the Board was that other ordinances could be addressed in the future.

Hearing no further comments, Mr. Formica closed the public hearing at 7:31 p.m.

Respectfully submitted,

Darlene C. Stevens, Recording Secretary