

EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday May 20, 2010
MINUTES

FILED IN EAST LYME TOWN
CLERK'S OFFICE

June 1 20 10 at 1:55 AM
PM
Esther B. Williams
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Regular Meeting on Thursday May 20, 2010 at the East Lyme Town Hall, 108 Pennsylvania Ave., Niantic, CT.

PRESENT: Marc Salerno, Chairman, Norm Peck, Rosanna Carabelas, Secretary, Ed Gada, Steve Carpenteri, Matt Walker

ALSO PRESENT: William Dwyer, Alternate
James Liska, Alternate and Planning Commission, Liaison
William Mulholland, Zoning official

ABSENT: Bob Bulmer, Alternate
Rose Ann Hardy, Ex-Officio

ALTERNATES: Bob Bulmer
William Dwyer, Seated May 6, 2010
James Liska, Scheduled to sit for the next absence.

Call to Order

Chairman Salerno called to order the May 20, 2010, Regular Meeting of the Zoning Commission at 7:37 PM.

Pledge of Allegiance

The pledge was observed.

Public Delegations

There were none

Mr. Salerno announced that he had invited Mr. Paul Formica to attend tonight's meeting to discuss Incentive Housing.

Mr. Formica addressed the Commission and audience. He began by commending the Commission for their involvement with Incentive Housing. Mr. Formica talked about the Home Connecticut Program and their accomplishments. The town applied for a \$50,000 (fifty thousand dollar) Home Connecticut Grant and was awarded that grant last year. The town has used \$20,000 (twenty thousand dollars) of the grant money to research the most appropriate zones for incentive housing. Mr. Formica thanked Mrs. Jane Dauphinais, Director of Southeastern Connecticut Housing Alliance, for her efforts with the East Lyme Affordable Housing Plan, which he distributed to Commission members and the audience. Mr. Formica said that the Town has also engaged the services of the Southeastern Connecticut Council of Government, the Director Jim Butler was present. Mr. Formica said that together with their former Director Dick Erickson, they have worked on writing regulations for East Lyme, specifically for Home Connecticut. Mr. Formica asked that the Commission review the material to be further discussed at a later date and also mentioned the financial incentives for these zones as well. He thanked everyone for their consideration and Mr. Mulholland for all his hard work. Mr. Formica said there was another item on the Agenda that evening concerning housing that was completely and distinctly separate from this and not at all related to this presentation.

Incentive housing zones are clearly marked within the regulations. He said that he looked forward to meeting again and continuing the process.

Mr. Salerno thanked Mr. Formica and asked Mrs. Jane Dauphinais and Mr. Jim Butler if they had any questions. Mr. Butler thanked the Commission for allowing them the opportunity to work on this project.

Mr. Salerno also thanked the sub-committee for all their work.

Regular Meeting

1. Application of Theodore A. Harris, for New England National, LLC to amend the East Lyme Zoning Regulations to add Section 12B, SU-A Special Use District. This proposal will provide for single family and two family homes with provisions for mandated affordable housing.

Application has been continued to the next meeting.

2. Application of SNAP Fitness properties, LLC for a Special Permit for Indoor Recreation for a fitness club for adults at property identified in the application as 88 Pennsylvania Avenue, Niantic.

Mr. Salerno opened this item for discussion.

Rosanna Carabelas said it was nice to see that there was a business going into this building instead of leaving it empty, and she felt that the parking was not an issue and the business would be a nice addition to the town.

Mr. Salerno added that this was a great re-use of the building and a great business for the town to have.

MOTION (1)

Rosanna Carabelas moved to approve the application of SNAP Fitness properties, LLC for a Special Permit for Indoor Recreation for a fitness club for adults at property identified in the application as 88 Pennsylvania Avenue, Niantic, because it fits the criteria and meets the regulations of the Zoning Commission.

Seconded by Mr. Carpenteri.

Motion carried 6-0-0.

Mr. Mulholland said the approval would be published on Thursday May 27th and effective on Friday May 28th.

3. Application of Sunny Chok for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 334-348 Main Street, Niantic.

Mr. Salerno called for discussion.

Mr. Carpenteri said it was a renewal and could not see a reason not to renew.

MOTION (2)

Mr. Carpenteri moved to approve the application of Sunny Chok for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 334-348 Main Street, Niantic.

Seconded by Mr. Gada.

Motion carried 6-0-0.

Mr. Mulholland said the approval would be published on Thursday May 27th and effective on Friday May 28th.

4. Application of Melinda Grouse for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 334 Main Street, Niantic.

Mr. Salerno called for discussion.

Mr. Carpenteri said there were no changes and this was a renewal.

Mr. Salerno said this business has been a welcome addition to the town and was being enjoyed by many people.

MOTION (3)

Rosanna Carabelas moved to approve the application of Melinda Grouse for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 334 Main Street, Niantic.

Seconded by Mr. Carpenteri.

Motion carried 6-0-0.

Mr. Salerno said the approval would be published on Thursday May 27th and effective on Friday May 28th.

5. Approval of Minutes of May 6, 2010, Public Hearing, Approval of Minutes of May 6, 2010 Regular Meeting.

Rosanna Carabelas asked to correct within the Public Hearing Minutes on the second page the sentence that said “she did not like the wording of Mr. Harris's statement regarding the sidewalks”, she wanted it to read that she had asked Mr. Harris to eliminate the first sentence of the language concerning internal sidewalks. Mr. Harris had said that internal sidewalks would not be required and Rosanna Carabelas wanted that sentence removed entirely.

Mr. Peck asked to correct in the Public Hearing minutes on page 2, tenth line “there was discussion concerning the percentage of different zones” he asked to clarify this statement by adding “as the current RU-40 allows 20% and the proposed regulation allows the greater of the two, Mr. Harris agreed to allow a 10% flat coverage in RU-40 and eliminate the wording greater of the two. An application under this regulation in an RU – zone will have a 10% coverage.”

MOTION (4)

Rosanna Carabelas moved to approve the Public Hearing I Minutes of May 6, 2010, the Public Hearing II Minutes of May 6, 2010, and the Regular Meeting Minutes of May 6, 2010, as amended.

Seconded by Mr. Carpenteri.

Motion carried 6-0-0.

Mr. Walker abstains

Mr. Dwyer votes yes, he was seated as alternate that meeting.

6. Executive Session

Mr. Salerno called for a motion to enter into Executive Session to discuss pending litigation at 8:25 PM.

Old Business

1. Subcommittee – Niantic Village (Norm Peck & Marc Salerno)

There was no report.

2. Subcommittee – Conservation Development by Design (Marc Salerno, Norm Peck, & Rosanna Carabelas)

Mr. Peck said he hoped the last meeting would be the 27th. The rough draft has been sent to the committee for comment.

3. Incentive Housing (Ed Gada, Rosanna Carabelas, Marc Salerno)

Mr. Salerno said this was discussed earlier and everyone had the maps and attachments before them. The areas selected and the different specifications were reviewed. Mr. Salerno explained that the application for the proposed zoning regulations would be sent to the state and if approved the subcommittee would reconvene and a decision would be made regarding a public hearing.

4. Parking Subcommittee (Mathew Walker, Marc Salerno, Steve Carpenteri)

Mr. Salerno said he would schedule a meeting for this item within the next month.

New Business

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

Mr. Salerno asked for a vote to bring the topic of digital signs to the floor.

Vote carried 6-0-0.

There was discussion about digital signs being defined currently in the regulations. Mr. Salerno asked if the Commission wanted to prohibit digital signs and if there were any that they felt were appropriate. Rosanna Carabelas suggested that they be applied for under a special permit. Mr. Mulholland said the meeting taking place the next day was to determine whether or not they are permitted by current regulations. Rosanna Carabelas said she thought this should still be an agenda item for further evaluation. Mr. Salerno said the regulation that they would be proposing to take to a Public Hearing would say in section 18.1.12 of the regulations, they would add digital signs. Mr. Carpenteri said that animated signs were prohibited. Mr. Peck said the school should be an exception due to all the activities that they have on a daily basis. There was discussion about the different types of signs and their definition. It was decided to wait until after the meeting with Town Council to schedule a Public Hearing.

2. Zoning Official

Mr. Mulholland said he was working on digital signs, and he would be meeting with Attorney O'Connell, Town Council the following morning to research this. Mr. Peck asked if they were considered internally lit signs. Mr. Mulholland said he did not want to have extensive discussion at this time, he preferred to wait until after the meeting with Town Council. He also said that in the future he would be considering re-writing the sign regulations, to modify them so that they are not so complex. Mr. Peck asked about scheduling a Public Hearing adding the words to the sign regulations "no digital signs allowed". Mr. Mulholland said he would agree with whatever the Commission requested. There was discussion about the High School requesting this type of sign. Mr. Mulholland said he would supply the Commission with information for the next meeting, and at that point they could decide how to proceed.

Mr. Mulholland added that he spoke with Conover development at length, and they are exploring additional options.

3. Comments from Ex-Officio

There were none.

4. Comments from zoning board liaison to Planning Commission

There were none.

5. Comments from Chairman

Mr. Salerno said the Commission was doing great work and he was looking forward to the results of all the projects taking place and making a difference within the town. Mr. Salerno discussed outdoor dining permits and adding regulations regarding music.

6. Adjournment

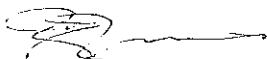
MOTION (5)

Rosanna Carabelas moved to adjourn the May 20, 2010 Regular Meeting of the East Lyme Zoning Commission, at 9:20 PM.

Seconded By Mr. Gada.

Motion passed 6-0-0

Respectfully Submitted,



Zoe Zrakas, Recording Secretary