

EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday June 17, 2010
MINUTES

FILED IN EAST LYME TOWN
CLERK'S OFFICE

June 21 20 10 et 10 AM PM

Esther B. Williams

The East Lyme Zoning Commission held a Regular Meeting on ~~Thursday June 17, 2010~~
at the East Lyme Town Hall, 108 Pennsylvania Ave., Niantic, CT. EAST LYME TOWN CLERK

PRESENT: Rosanna Carabelas, Secretary, acting as Chair, Norm Peck, Ed Gada, Matt Walker

ALSO PRESENT: James Liska, Alternate and Planning Commission, Liaison, Seated
Bob Bulmer, Alternate, Seated
Rose Ann Hardy, Ex-Officio
William Dwyer, Alternate
William Mulholland, Zoning official

ABSENT: Marc Salerno, Chairman
Steve Carpenteri

ALTERNATES: Bob Bulmer, Seated June 17, 2010
William Dwyer, Seated May 6, 2010, scheduled to sit for the next absence.
James Liska, Seated June 17, 2010

Call to Order

Rosanna Carabelas called to order the June 17, 2010, Regular Meeting of the Zoning Commission at 8:18 PM.

Pledge of Allegiance

The pledge was previously observed.

Public Delegations

There were none

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 KSM Enterprises Store II LLC dba Five Guys Burgers and Fries to amend the East Lyme Zoning Regulations to permit outdoor dining in CA Commercial Zones.

Rosanna Carabelas polled the Commission for comments. Mr. Bulmer said he was in favor and felt it was prudent to read the section regarding outdoor dining regulations, 1-14 within the Zoning regulations. Mr. Mulholland and Rosanna Carabelas said that when the regulation was sited within the specific section this would be covered. Mr. Mulholland said that the outdoor dining regulation was in the revision records. Mr. Liska asked for clarification on regulations that do not involve alcohol. Mr. Mulholland

explained the difference between a special permit and text amendment. Mr. Peck had no objection.

Rosanna Carabelas asked for a motion to accept or deny the application.

MOTION (1)

Mr. Peck moved to approve the Application of KSM Enterprises Store II LLC dba Five Guys Burgers and Fries to amend the East Lyme Zoning Regulations to permit outdoor dining in CA Commercial Zones.

Seconded by Mr. Liska.

Motion carried 5-0-0.

Mr. Mulholland said the approval would be published on the 24th of June affective the 25th of June.

3. Application of David M. Coonrod to amend the East Lyme Zoning Regulations Section 10.10.5 RE: Liquor for Motels/Hotels.

Rosanna Carabelas said that she was uncomfortable with moving forward with this application. Mr. Peck said he couldn't see how the change would affect anything negatively. He said if the person consuming the alcohol was in a hotel room and not driving, he did not see the potential for harm. Mr. Liska agreed with Mr. Peck. Rosanna Carabelas said that the letter from the planning Commission was not detailed enough for her. Mr. Gada said perhaps the applicant could rewrite certain sections to make the plan clearer. Rosanna Carabelas said that she was attempting to obtain this same information. Mr. Mulholland said that there was a 35 day period to continue the public hearing. Mr. Peck said there were more serious drinking problems in the past years due to lack of enforcement. Rosanna Carabelas said she was not ready to make a decision and asked the Commission members who else was interested in continuing the public hearing. Mr. Walker said it was wise to continue the public hearing to gather more information. Rosanna Carabelas called to continue the Application of David M. Coonrod to amend the East Lyme Zoning Regulations Section 10.10.5 RE: Liquor for Motels/Hotels to July 8, 2010.

4. Application of White Gate Farm to amend the East Lyme Zoning Regulations to add Section 20.17.2 Agriculture Farm Store (Accessory Use).

To be continued to July 8, 2010.

5. CAM; Application of Niantic Dockominiums, for a Coastal Area Management Site Plan Review for 25 Smith Avenue, Niantic for the expansion of an existing concrete wash down pad.

Ms. Elka Sutt of Sailer Environmental presented to the Commission an updated application.

Exhibit 1: Application for Coastal Site Plan Review, dated June 10, 2010.

Ms. Sutt explained the application for an expansion of an existing concrete wash down pad to meet requirements of the DEP. Mr. Bulmer asked what the capacity of the holding tank was, Ms. Sutt replied 2,000 gallons. He asked how much water was used to wash a boat, she replied one gallon per linear foot of vessel. She commented on an alarm that would signify when the holding tank was nearing capacity so that there would be no risk of overflowing. Rosanna Carabelas asked what water was being used to wash the boats, Ms. Sutt said it was city water supply. Mr. Liska asked what material would be used surrounding the concrete, Ms. Sutt said gravel. There was discussion regarding the deadline for this upgrading required by DEP, Ms. Sutt said the date was December 31, 2010. Rosanna Carabelas called for a motion to approve the application.

MOTION (2)

Mr. Walker moved to approve the application of Niantic Dockominiums, for a Coastal Area Management Site Plan Review for 25 Smith Avenue, Niantic for the expansion of an existing concrete wash down pad. The Commission finds the application is consistent with all the applicable coastal use and activity policies and proposed activity will not have any adverse impact on any coastal resources.
Seconded by Mr. Bulmer.
Motion carried 5-0-0.

6. Approval of Minutes of May 20, 2010.

MOTION (3)

Mr. Peck moved to approve all the minutes both Regular and Public hearing for May 20, 2010.

Seconded by Mr. Gada.

Motion carried 4-0-2.

Mr. Bulmer abstains.

Mr. Liska abstains.

7. Executive Session

Rosanna Carabelas called for a motion to enter into executive session for the purpose of pending litigation.

MOTION (4)

Mr. Bulmer moved to enter into Executive Session for the purpose of pending litigation at 8:50 PM.

Seconded by Mr. Liska.

Motion carried 5-0-0.

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 two developers and there is a third developer interested.

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

Mr. Mulholland said the package has been sent to the state and he has not heard any response as of yet.

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

Mr. Walker said they plan to meet at the end of June and information will be forthcoming.

Mr. Mulholland said that Mr. Salerno has been gathering information and has publications to share at the next meeting.

New Business

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

There was none.

2. Zoning Official

Mr. Mulholland said he had nothing to report.

3. Comments from Ex-Officio

There were none.

4. Comments from zoning board liaison to Planning Commission

Mr. Bulmer said the planning Commission met on the 15th of June. He said Brad Kargl was present and had sent a letter saying that approval is needed to comply with CT

general regulation 8-24 for the replacement of well 3B on upper bridebrook road. Also the UCONN professor Minuty was looking for payment for his work on POCD. Scenic roads took about half an hour to talk about, nothing was decided.

5. Comments from Chairman

There were none.

6. Adjournment

MOTION (5)

Mr. Bulmer moved to adjourn the June 17, 2010 Regular Meeting of the East Lyme Zoning Commission, at 9:05 PM.

Seconded By Mr. Liska.

Motion passed 5-0-0

Respectfully Submitted,

Zoe Zrakas, Recording Secretary