

TOWN OF EAST LYME

ZONING COMMISSION

NOVEMBER 15, 2012

PUBLIC HEARING

**Members Present:**

**Marc Salerno, Chairman**

**Matthew Walker**

**Terence Donovan**

**George McPherson**

**Matthew Kane**

**William Dwyer, Alternate (Did Not Sit)**

**John Hogan, Alternate (Sat for Public Hearing)**

**Members Absent:**

**Norm Peck**

**Also Present:**

**Bill Mulholland, Zoning Officer**

FILED IN EAST LYME  
*Nov 20, 2012 AT 8:30 @ M*

*Lesley A. Blair*  
EAST LYME TOWN CLERK

**CALL TO ORDER**

Chairman Salerno called the Public Hearing to order at 7:30 p.m.

Mr. Hogan was seated as a regular member for this Public Hearing.

**PLEDGE OF ALLEGIANCE**

Chairman Salerno led the assembly in the Pledge of Allegiance.

**PUBLIC DELEGATIONS**

1. **Continuation of Application of Tyler Gilbertie, for Gilbertie's Restaurant, LLC, dba Lazy Burrito, Owner/Applicant, for a Special Permit to operate a Fast Food Restaurant at property identified in the application as 327 Flanders Road, East Lyme, Connecticut, Assessor's Map 31.1, Lot 58.**

Mr. Mulholland confirmed the legal advertisement had run on this item.

Mr. Walker read a memo from Mr. Mulholland.

Tyler Gilbertie of 4<sup>th</sup> Avenue, Waterford Connecticut stated they will have a door in the front that will look the same as the health food store's door. There will be no cooking on premises. There will be approximately 70% takeout and 30% will eat in house. They will probably have a counter along the wall.

It will be modeled after Subway, but with Mexican food. They will be splitting the health food store down the middle with a wall. They will probably not be open any later than 9:00 p.m. at night.

Chairman Salerno stated that Mr. Mulholland has addressed the parking issues in his memo.

There were no public comments.

**Motion (1) Mr. McPherson moved to close the Public Hearing.**

**Seconded by Mr. Donovan.**

**Motion Passed 6-0.**

2. Application of Nancy Hutchins, for Long Water Farm, Owner/Applicant, for a Special Permit to operate an organic market – agriculture, at property identified in the application as 32 Black Point Road, Niantic, Connecticut. Assessor's map 11.4, Lot 99.

Mr. Mulholland confirmed that the legal advertisement ran on this item.

Mr. Walker read a memo from Mr. Mulholland.

Nancy Hutchins of 32 Black Point Road, Niantic stated this is her residence. She has been gardening at home now she would like to participate in the local food movement. There will be no sales there. She will be bringing the goods to the market and hopefully restaurants.

There were no public comments.

**Motion (2) Mr. Hogan moved to close the Public Hearing.**

**Seconded by Mr. Donovan.**

**Motion Passed 6-0.**

3. Application of To Design, LLC, for Seron Incorporated for a Special Permit to operate a fast food restaurant with a drive thru facility at property identified in the application as 168 West Main Street, Niantic. East Lyme Assessor's Map 10.4, Lot 24.

Mr. Mulholland confirmed that the legal advertisement had run on this item.

Mr. Mulholland suggested they open and continue this item with no testimony. They are incorporating some changes into the Site Plan, and will bring it before this Commission at the next meeting.

**Motion (3) Mr. McPherson moved to continue this Public Hearing.**

**Seconded by Mr. Walker.**

**Motion Passed 6-0.**

4. Continuation of the East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations by deleting Section 13 Aquifer and Primary Recharge District and Secondary Recharge District, and Section 30, Aquifer Protection Districts from the East Lyme Zoning Regulations, and to amend the Zoning Map by removing the Aquifer Protection Zones. Jurisdiction and responsibility will be transferred to the town's Aquifer Protection Agency.

This item had been continued. The new map was done with an A2 survey, it is more detailed than the old map.

Chairman Salerno marked the following exhibits:

- Exhibit 1 - Aquifer Protection Regulations.
- Exhibit 2 - Connecticut General Statutes
- Exhibit 3 - Level A Map

There was discussion of the new language being more lenient.

There was no public comment.

**Motion (4) Mr. Hogan moved to close the Public Hearing.**

**Seconded by Mr. Walker.**

**Motion Passed 6-0.**

**Respectfully Submitted,**



**Karen Miller Galbo  
Recording Secretary**