

TOWN OF EAST LYME
ZONING COMMISSION
SEPTEMBER 4, 2014
REGULAR MEETING MINUTES

Members Present:

Marc Salerno, Chairman
Matthew Kane
Matthew Walker
Terence Donovan
Norm Peck
George McPherson
William Dwyer, Alternate
James Liska, Alternate
Peter Lukas, Alternate

FILED IN EAST LYME
CONNECTICUT
Sept 9 2014 AT 8:15 AM PM
Marc Salerno
EAST LYME TOWN CLERK

Also Present:

Holly Cheeseman, Ex-Officio

Absent:

Bill Mulholland, Zoning Officer

1. EAST LYME ZONING COMMISSION PROPOSAL TO AMEND SECTION 20 GENERAL REGULATIONS OF THE EAST LYME ZONING REGULATIONS TO ADD SECTION 20.29 CLUSTER SUBDIVISION SETBACKS.

Motion (1) Mr. McPherson moved to approve the East Lyme Zoning Commission proposal to amend Section 20 General Regulations of the East Lyme Zoning Regulations to add Section 20.29 Cluster Subdivision Setbacks as amended (adding "For" at the beginning of the paragraph).

Seconded by Mr. Kane.

Motion Passed 6-0.

This will be published on September 11th and become effective September 12th.

2. EAST LYME ZONING COMMISSION PROPOSAL TO AMEND SECTION 18 SIGNS, BY REMOVING "COMMUNITY BULLETIN BOARDS" FROM SECTION 18.1.10, AND ADDING SECTION 18.1.12 (SUBJECT TO RENUMBERING OF THE ENTIRE SECTION) "COMMUNITY BULLETIN BOARDS".

Motion (2) Mr. Peck moved to approve the East Lyme Zoning Commission proposal to amend Section 18 Signs, by removing "Community Bulletin Boards" from Section 18.1.10, and adding Section 18.1.12 (subject to renumbering of the entire Section) "Community Bulletin Boards". With the following amendments.

- a. Comma after non-political in the first paragraph.
- b. Period after organization in the first paragraph.
- c. The following sentence should state "Such organizations shall be recognized as having a permanent address within the Town of East Lyme, that are open to the general public and take place within the Town of East Lyme. "

Seconded by Mr. McPherson.

Motion Passed 6-0.

This will be published on September 11th and become effective September 12th.

3. **Application of J. Robert Pfanner, Agent, for Susan Chodorov and Robert Crane, Owner for a Coastal Area Management Review for construction of a new single family dwelling and associated retaining walls, at property identified in the application as 17 Summit Avenue, Niantic, Connecticut.**

This item will be continued at the applicant's request to the September 18th meeting.

4. **Application of Don Gerwick, PE, Agent, for John and Ashley Ranelli, Owner, for a Coastal Area Management Review for construction of a new single family dwelling and associated retaining walls, at property identified in the application as 225 Giants Neck Road, Niantic.**

Don Gerwick, 17 Dutchess Drive, Waterford presented the following Exhibit:

Exhibit A: Existing Conditions/CAM Plan/Proposed Site Plan

Mr. Gerwick stated the property abuts Long Island Sound. It is in the velocity zone on the South side, and the 100 year flood zone to the North. They have been working with an architect. It is a 14000 square foot lot, the existing house is not conforming. The new home will be conforming. The back portion of the house is in the velocity zone, all livable portions of the home will be elevated. It is an area of significant sand excretion. The ramp will be removed, the wall will be moved out about 15 feet, the wall will be 4 to 5 feet high, and it will be concrete. Engineers are designing the wall. The beach is going to be smaller. Some material from the property will have to be moved. There are no dunes on the property.

Mr. Gerwick presented the following exhibit:

Exhibit B: Letter from DEEP

Mr. Gerwick stated the decreased beach will lessen the impact on the house. There were also issues with trespass in the summertime. The work will be done from the house side of the lot, he is 99% sure they are going to do the work on the retaining wall first. They will use a silt fence.

5. **Motion (3) Mr. Donovan moved to approve the application of Don Gerwick, PE, Agent, for John and Ashley Ranelli, Owner, for a Coastal Area Management Review for construction of a new single family dwelling and associated retaining walls, at property identified in the application as 225 Giants Neck Road, Niantic.**

REASONS:

1. Application is consistent with all applicable goals and conditions of the CAM Act.
2. Applicant has taken all reasonable measures to mitigate any adverse impacts of the proposed activity on both coastal resources and future water dependent uses.

Seconded by Mr. Walker.

Motion Passed 6-0.

This will be published on September 11th and become effective September 12th.

6. Approval of Minutes of August 14, 2014

Motion (4) Mr. Peck moved to approve the Special Meeting Minutes of August 14, 2014.

Seconded by Mr. McPherson.

Motion Passed 6-0.

Old Business

1. Zoning Regulations Review

The sub-committee will meet on September 11th at 7:00 p.m.

New Business

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

Chairman Salerno passed out a letter from Mr. Mulholland regarding Zoning Regulations Section 20.20.8 Proximity to Places of Worship.

Mr. Peck suggested if we lower the radius to 100 feet we may want to have a provision for no music.

Mr. Donovan suggested we could put that as a stipulation in the special permit.

Chairman Salerno stated he doesn't think there would be a conflict if the radius was to the actual church building and not to the lot line.

It was suggested the following language be added: For CB Zones no premises can be used for the sale of alcoholic beverages if the building is within 100 feet of a church, synagogue or other building used as a regular place of worship.

It was suggested that language be added that the distance could be reduced further upon special permit.

Mr. Donovan suggested that Mr. Mulholland review the language and make sure it's worded correctly.

Chairman Salerno stated they will have Mr. Mulholland tweak the language, and will have this scheduled for a public hearing.

2. Zoning Official

Mr. Mulholland was not present.

3. Comments from Ex-Officio

Ms. Cheeseman stated the Board of Selectmen met last night. In public delegations two individual commented on the signs throughout town on town property. There was no action taken on the acquisition of the Niantic River Headwaters Reserve. KSK Associates is going to schedule a public meeting. They approved a resolution for C-PACE a state level program that gives loans to commercial properties for energy efficiency. They signed the Call for the Special Town Meeting on September 17th. Crescent Beach Association opted out of the Golf Cart Regulation.

4. Comments from Zoning Board Liaison to Planning Commission

Mr. Kane's meeting was cancelled, and Mr. Liska did not attend his meeting.

5. Comments from Chairman

Chairman Salerno had no comments.

6. Adjournment

Motion (4) Mr. Donovan moved to adjourn the meeting at 8:50 p.m.

Seconded by Mr. McPherson.

Motion Passed 6-0.

Respectfully Submitted,



**Karen Miller Galbo
Recording Secretary**