

TOWN OF EAST LYME

ZONING COMMISSION

SEPTEMBER 20, 2012

REGULAR MEETING MINUTES

FILED IN EAST LYME

Sept 24, 2012 AT 8:35AM

*Brooke D. O'Brien ATC*  
EAST LYME TOWN CLERK

**MEMBERS PRESENT:**

Mark Salerno, Chairman

Matthew Kane

George McPherson

Norm Peck

William Dwyer, Alternate (Sat as Regular Member for this Meeting)

**ALSO PRESENT:**

Paul Formica, First Selectman

Bill Mulholland, Zoning Officer

Ed O'Connell, Town Attorney

Mark Zamarka, Town Attorney

Rose Ann Hardy, Ex-Officio

**CALL TO ORDER**

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

Mr. Dwyer was sat as a regular member for the meeting.

**PLEDGE OF ALLEGIANCE**

Chairman Salerno led the assembly in the Pledge of Allegiance.

**PUBLIC DELEGATIONS**

There were no public delegations.

**FIRST SELECTMAN**

Mr. Formica stated he had recently met with a Committee that is part of Niantic Main Street about more directional signage downtown. He also stated that Rotary has contributed \$15,000.00 for a digital welcome sign in front of Rite-Aid. This may alleviate the illegal sandwich signs, and non-profits may be able to advertise on the digital sign. It would take a little modification in the Regulations. The Community Bulletin Boards are presently permitted, but not in digital. There is also going to be a need for beach signs. They are hoping to have a trolley system put in place. The trolleys would need signs. He also discussed restaurants using outdoor patios, and a lot of people want to sit under an umbrella at those patios. It is a chance for tasteful advertising, which may need to be considered. Also, "Open" neon signs are allowed in one zone, but not the CB zone. The Town is trying to move forward. There will be a new treescape up Pennsylvania Avenue, going left onto Hope Street.

**PUBLIC HEARING**

- There was no public hearing.

**REGULAR MEETING**

**1. LANDMARK III REMAND PROCESS**

Attorney O'Connell stated the first stage in the process is to adopt regulations consistent with the Judge's decision. The second stage will be to entertain an application from Landmark consistent with those regulations. The question came up at the last meeting as to whether they should review the entire Section 32, since the addition of 32.9 may affect the Section as a whole. They passed out the entire Section 32 and provisions. He hopes to have a public hearing scheduled.

Attorney Zamarka presented the Proposed Amendments to the East Lyme Zoning Regulations.

There was discussion as to how often a Public Hearing would take place in the Affordable Housing Application process. The Zoning Commission recommended Section 32.9 state that the Commission shall hold a Public Hearing on the Preliminary Site Plan and, at the Zoning Commission's discretion a Public Hearing at the Final Site Plan.

Mr. Mulholland stated he will get it scheduled for a Public Hearing.

**2. REQUEST OF WAYNE FRASER, FOR CREST FORD FOR A MODIFICATION OF A PREVIOUSLY APPROVED SITE PLAN TO ALLOW THE EXPANSION OF THE PRESENT PARKING ON PROPERTY IDENTIFIED IN THE APPLICATION AS 222 FLANDERS ROAD, ASSESSOR'S MAP 26.1, Lot 24.**

This item has been rescheduled.

**3. APPROVAL OF MINUTES OF SEPTEMBER 6, 2012**

**Motion (1) Mr. McPherson moved to approve the Regular Meeting Minutes of September 6, 2012.**

**Seconded by Mr. Peck.**

**Motion Passed 4-0-1 (Mr. Dwyer abstained)**

**OLD BUSINESS**

**1. PARKING SUBCOMMITTEE**

Chairman Salerno asked Mr. Mulholland to write on the agendas when the meetings will be.

The next meeting for Parking Subcommittee will be October 1<sup>st</sup> at 7:30 p.m.

**2. SIGN SUBCOMMITTEE**

The next meeting will be October 4<sup>th</sup> at 6:30 p.m.

**3. OUTDOOR DINING BARS SUB-COMMITTEE**

Chairman Salerno asked that they schedule a meeting.

#### **4. POULTRY SUBCOMMITTEE**

This subcommittee's meeting will be scheduled at the next Zoning Commission meeting.

#### **NEW BUSINESS**

##### **1. ANY BUSINESS ON THE FLOOR, IF ANY BY THE MAJORITY VOTE OF THE COMMISSION**

Mr. Dwyer asked about the bus downtown with the illuminated signs.

Mr. Peck felt that the Town holds business owners to certain standards, and they are not following those standards at the new Town Garage. He suggested Mr. Mulholland sent a letter to Public Works, with a copy to Mr. Formica to express that opinion.

Mr. Mulholland stated he will generate a letter and he will talk to Mr. Scheer.

Mr. Peck stated the letter should be signed by the Chairman of the Zoning Commission.

##### **2. ZONING OFFICIAL**

Mr. Mulholland stated he is working with a group working on developing a property across from the Midway Mall, he is anticipating an application for a rebuild of Henny Penny on Route 156. He has discussed a mixed use on Main Street, and met with folks regarding a take-out restaurant in the north end of town, and another person looking to re-open the old Frank's Gourmet Grill. In response to Mr. Dwyer's question about the bus with the illuminated lights, he was informed by Town Counsel that it is under the jurisdiction of the DPUC of the State of Connecticut and the Zoning Commission has no jurisdiction. Next time the Town Attorney is here he recommended that Mr. Dwyer ask him about that.

##### **3. COMMENTS FROM EX-OFFICIO**

Ms. Hardy stated the Board of Selectmen has approved the purchase of the Samuel Smith House. It has been forwarded to the Board of Finance. The Sportsmen's Club has offered to buy a portion of the land. There will be a likely expenditure of \$125,000.00 for the taxpayers after anticipated grants are approved. She concurs with Mr. Peck's comments about the Town Garage.

##### **4. COMMENTS FROM ZONING BOARD LIAISON TO PLANNING COMMISSION**

Mr. Liska was not present.

##### **5. COMMENTS FROM CHAIRMAN**

There were no comments from the Chairman.

##### **6. ADJOURNMENT**

Motion (2) Mr. McPherson moved to adjourn the meeting at 8:50 p.m.

Seconded by Mr. Dwyer.

Motion Passed 5-0.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Karen Miller Galbo". The signature is written in a cursive, flowing style.

Karen Miller Galbo  
Recording Secretary