

TOWN OF EAST LYME
ZONING COMMISSION
OCTOBER 4, 2012
REGULAR MEETING MINUTES

FILED IN EAST LYME
Oct 11, 2012 AT 8:20 AM
Brooke D. Anan
EAST LYME TOWN CLERK

Members Present:

Marc Salerno, Chairman

George McPherson

Matthew Kane

Terence Donovan

Norm Peck

William Dwyer, Alternate (Sat as Regular Member for Regular Meeting Item #3)

James Liska, Alternate (Sat as Regular Member)

John Hogan, Alternate

Members Absent:

Matthew Walker

Also Present:

Rose Ann Hardy, Ex-Officio

Bill Mulholland, Zoning Officer

1. LANDMARK III REMAND PROCESS

There was no discussion on this item.

- 2. 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 was continued.

- 3. REQUEST OF THEODORE A. HARRIS, ESQ., ATTORNEY FOR SEASIDE VILLAGE, FOR A SITE PLAN AND BUILDING MODIFICATION OF 38 HOPE STREET, NIAHTIC, CONNECTICUT.**

Mr. McPherson recused himself for this application. Mr. Dwyer was sat as a regular member for this item.

This is a request for a site plan modification. They have redesigned the flat building in the center and they are requesting more flexibility on the carport placement.

Mr. Harris reviewed the history of this development.

They are looking to start the flat building this coming Spring. They have completely redesigned the building. They have removed the basement garage. It was originally a 4 story building, and now it is three stories, and they have reduced the number of units by 15. It is largely the same footprint, but has been reduced by approximately 1000 square feet. The Open Space has been maintained. They are planning construction in two phases. There have been some site plan revisions with the addition of parking on the west side of the building.

They are not proposing any activity within the well radius area. They have diminished the activity on the site since they will no longer be digging the basement. They will be maintaining 30% of affordable units. The landscape plan will be maintained.

Thomas Schultz the architect of the revision to the flats building, of The Architectural Team from Chelsea, Massachusetts stated there are a total of 41 units in this phase. There are 118 units on the total site. The roof has the appearance of a sloped roof building. , they did pull the building down a bit. Now it is 44.5 feet high. There are 7 vertical masses that break up the building. They added bay windows and balconies on one end. The materials are similar to what is already used on the site. They have factored in the wind rating on the construction.

Mr. Harris stated the original design utilized an extensive drainage system and rain garden at the back of the site. This design adds more clean water. The Town Engineer has reviewed this plan and indicated his approval of the revised plan.

Mr. Mulholland stated they have been to the Town Engineer and to Brad Kargl in the Water Department and they are both satisfied with this plan.

Bob Pfanner stated the drainage system capacity is reduced from what it was designed for. There is a space for snow storage, but if the snow got to be too much it would have to be removed.

Mr. Harris stated as to the carports they are proposing to move one and splitting it into two separate ones.

Mr. Harris presented Exhibit 1 (Site Plan) to the Commission.

Motion (1) Mr. Liska moved to approve the amended Site Plan as presented.

Seconded by Mr. Dwyer.

Motion Passed 6-0.

4. APPLICATION OF PETER SPRINGSTEEL FOR A COASTAL AREA MANAGEMENT SITE PLAN REVIEW TO REPAIR/REPLACE A RETAINING WALL AT 259 GIANTS NECK ROAD, NIAHTIC, CONNECTICUT.

Mr. McPherson returned and Mr. Dwyer stepped down.

Mr. Peck read a memo from Mr. Mulholland to the East Lyme Zoning Commission.

Peter Springsteel representing Deirdre and Joe Vorih of 259 Giants neck Road was previously here for an application for new construction. Now he is here presenting an application for a repair/replacement of an existing retaining wall.

Photos were presented as Exhibit 1.

Mr. Springsteel stated the present wall does not meet the requirements of a 100 year flood. There is a potential for a complete collapse. Their goal is to repair the wall. It will be engineered by a structural engineer. The house is only 15 feet from the wall.

A photo of the neighbor's wall and site was presented as Exhibit 2.

They will stock pile the material on site, and there will be erosion control. There will not be a lot that will be needed to be excavated. All work will be done land side.

Motion (2) Mr. Peck moved to approve the application of Peter Springsteel for a Coastal Area Management Site Plan review to repair/replace a retaining wall at 259 Giants Neck Road, Niantic, Connecticut.

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. McPherson.

Motion Passed 6-0.

5. APPROVAL OF MINUTES OF SEPTEMBER 20, 2012

Motion (3) Mr. McPherson moved to approve the Minutes of September 20, 2012.

Seconded by Mr. Kane.

Motion Passed 4-0-2 (Mr. Liska and Mr. Donovan abstained)

OLD BUSINESS

1 PARKING SUBCOMMITTEE

This subcommittee did not meet. Chairman Salerno suggested they meet prior to a regular Zoning meeting.

2 SIGN SUBCOMMITTEE

Mr. Donovan stated they did meet. In attendance were Mr. Kalal and Mr. Christensen who gave perspective on agricultural signs. They also suggested Town's that do have regulations for agricultural signs. They are also looking into the digital lighted signs. They will meet in about a month.

3 OUTDOOR DINING BARS SUBCOMMITTEE

A meeting was scheduled for October 18th at 6:30 p.m. prior to the next zoning meeting.

4 POULTRY SUBCOMMITTEE

A meeting was scheduled for November 1st at 6:30 p.m. prior to the zoning meeting.

NEW BUSINESS

- 1 REQUEST OF NANCY HUTCHINS, OWNER/APPLICANT FOR A SPECIAL PERMIT TO OPERATE AN ORGANIC MARKET – AGRICULTURE, AT PROPERTY IDENTIFIED IN THE APPLCIATION AS 32 BLACK POINT ROAD, NIANTIC, CONNECTICUT. ASSESSOR'S MAP 11.4, LOT 99.**

Chairman Salerno asked Mr. Mulholland to schedule this for a Public Hearing.

- 2. REQUEST OF TYLER GILBERTIE, APPLICANT, FOR A SPECIAL PERMIT TO OPERATE A FAST FOOD RESTAURANT AT 327 FLANDERS ROAD, EAST LYME, CONNECTICUT. ASSESSOR'S MAP 31.1, LOT 58.**

Chairman Salerno asked Mr. Mulholland to schedule this for a Public Hearing.

- 3. ANY BUSINESS ON THE FLOOR, IF ANY BY THE MAJORITY VOTE OF THE COMMISSION.**

There was no business on the floor.

- 4. ZONING OFFICIAL.**

Mr. Mulholland stated his office has been busy.

- 5. COMMENTS FROM EX-OFFICIO**

Ms. Hardy stated the grant writer began working today on the application for the Historic Properties Grant, which we hope to be 50% of the purchase price. The completion date of the High School football field is scheduled for November.

- 6. COMMENTS FROM ZONING BOARD LIAISON TO PLANNING COMMISSION**

Mr. McPherson went to the Planning Meeting. Frank Balantic is the new Secretary.

Mr. Peck asked for a replacement for the October 16th Planning Meeting and Mr. Liska stated he would attend it.

7. COMMENTS FROM CHAIRMAN

There was discussion of a letter to the Town regarding the Town Garage property.

Mr. Peck stated he will write the letter for their approval at the next meeting.

8. ADJOURNMENT

Motion (4) Mr. McPherson moved to adjourn the meeting at 8:40 p.m.

Seconded by Mr. Liska.

Motion Passed 6-0.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Karen Miller Galbo".

**Karen Miller Galbo
Recording Secretary**