

TOWN OF EAST LYME

ZONING COMMISSION

NOVEMBER 15, 2012

REGULAR MEETING

Members Present:

Marc Salerno, Chairman

Matthew Walker

Terence Donovan

George McPherson

Matthew Kane

William Dwyer, Alternate (Did Not Sit)

John Hogan, Alternate (Sat for Regular Meeting)

FILED IN EAST LYME  
Nov 20, 2012 AT 8:30 <sup>a</sup> M

Members Absent:

Norm Peck

James Liska, Alternate

*Lesley A Blais*  
EAST LYME TOWN CLERK

Also Present:

Bill Mulholland, Zoning Officer

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.

Chairman Salerno stated the site plan was submitted with the application and the parking requirements have been satisfied.

**Motion (1)** Mr. Donovan moved to approve the application of Tyler Gilbertie, Applicant, for a special permit to operate a fast food restaurant at 323-2 Flanders Road, East Lyme, Connecticut.

This will be published on Monday, November 19, 2012 and become effective on Tuesday, November 20, 2012.

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.

Chairman Salerno stated this is a fantastic application.

**Motion (2)** Mr. Hogan moved to approve the 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.

This will be published on Monday, November 19, 2012 and become effective on Tuesday, November 20, 2012.

- 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.**

This item was continued.

- 4. 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.**

Wayne Fraser, of 22 Gurley Road, East Lyme stated this is for improved car parking and storage. This is a modification that would allow approximately 30 new cars to be stored. They have checked with the site engineer, and the originally built drainage basin is more than adequate to handle the additional drainage.

Chairman Salerno marked the following exhibit:

Exhibit 1 - Site Plan

Don Gerwick, the site engineer stated the basin is adequate for the flow, and it was built oversized.

Mr. Fraser stated they would be relocating two trees. There will be no additional lighting. This will only be for new cars, and will be for overflow parking only.

**Motion (3) Mr. Donovan moved to approve the request of Wayne Fraser, for Crest Ford for a modification of a previously approved site plan to allow the expansion of the present parking for new cars only on property identified in the application as 222 Flanders Road, Assessor's Map 26.1, Lot 24.**

**Seconded by Mr. Hogan.**

**Motion Passed 6-0.**

This will be published on Monday, November 19, 2012 and become effective on Tuesday, November 20, 2012.

- 5. 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.**

Chairman Salerno stated if we keep this as it is they would be using a map dated back to 1973, and they now have a more detailed map.

Mr. McPherson stated he likes that our regulations are more restrictive given the well, and maybe we should just update the map.

Mr. Kane stated if the Town paid for the more up to date map they should try to use it.

Mr. Hogan stated he would like to see the redundancy reduced.

Mr. Donovan stated we are contradicting ourselves.

Mr. Mulholland stated he spoke to the Town's Water Engineer today and he felt it was a good idea to keep the old stuff. The Town Planner also approached this with that same philosophy.

It was determined that this item would be continued and they will get Mr. Mulholland's opinion at the next meeting.

- 6. Proposed text amendments to Section 32 of the East Lyme Zoning Regulations, regarding Affordable Housing Developments, pursuant to an application filed by Landmark Development Group, LLC, on remand from the Superior Court.**

Mr. Mulholland stated the Town Attorney will be at the next meeting. He suggested they be prepared to move forward on this at that meeting.

- 7. Approval of Minutes of October 18, 2012.**

**Motion (4) Mr. McPherson moved to approve the Public hearing and Regular meeting Minutes of October 18, 2012.**

**Seconded by Mr. Kane.**

Motion Passed 5-0-1 (Mr. Hogan Abstained)

#### **Old Business**

- 1. Parking Subcommittee**

This subcommittee did not meet. They will meet on December 10<sup>th</sup> at 7:00 p.m. Mr. Hogan will phone in.

- 2. Sign Subcommittee**

They will be setting up a meeting. They asked Mr. Mulholland to send a letter to the business owners in the industrial park to advise them that they are allowed to have a business directory sign.

**3. Outdoor Dining Bars Subcommittee**

Mr. Donovan stated they did meet, and they are working toward defining the current regulations. They will set up another meeting.

**4. Poultry Subcommittee**

This meeting was cancelled. They will be meeting on December 6<sup>th</sup> at 6:30 p.m. They asked Mr. Mulholland to email Mr. Kalal and Mr. Christensen and ask them to attend.

**New Business**

**1. 2013 Proposed Meeting Calendar**

**Motion (5) Mr. McPherson moved to approve the Calendar as written.**

**Seconded by Mr. Walker.**

**Motion Passed 6-0.**

**2. Application of Tim Norton, for Norton Auto & marine Service, for a Special Permit for mixed use development at property identified in the application as 185 Main Street, Assessor's Map 12.1, Lot 79.**

Chairman Salerno asked Mr. Mulholland to schedule this for a public hearing.

**3. Application of Tim Norton, for Norton Auto & Marine Service, for a Coastal Area Management Review (CAM) for a mixed use development at property identified in the application as 185 Main Street, Assessor's Map 12.1, Lot 79.**

Chairman Salerno asked Mr. Mulholland to schedule this for a public hearing.

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

Mr. McPherson asked to discuss the Open Space regulations they have been discussing.

Mr. Mulholland stated he talked to the Town Attorney and he gave him the go ahead to write something up and go to a Public Hearing.

Chairman Salerno asked him to please do that.

**5. Zoning Official**

It has been busy. Gateway may be coming to them soon. There is another affordable housing application, the Yankee Clipper is going to be coming down and a 6000 square foot office and retail building may be proposed at that site. The Blue building across from the Midway Mall may be coming

down. There is a possible restaurant coming in on Flanders Road. The Town is continuing with the Streetscape.

**6. Comments from Ex-Officio**

The ex-officio was not present.

**7. Comments from zoning board liaison to Planning commission**

There were no comments.

**8. Comments from Chairman**

There were no comments.

**9. Adjournment**

**Motion (6) Mr. Donovan moved to adjourn the meeting at 9:05 p.m.**

**Seconded by Mr. Hogan.**

**Motion Passed 6-0.**

**Respectfully Submitted,**



**Karen Miller Galbo  
Recording Secretary**