

TOWN OF EAST LYME

ZONING COMMISSION

JANUARY 19, 2012

REGULAR MEETING MINUTES

MEMBERS PRESENT:

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

FILED Jan 23, 2012
AT 8:50 AM.
L. Blawie
TOWN CLERK

ALSO PRESENT:

Bill Mulholland, Zoning Officer
Ed O'Connell, Town Attorney
Rose Ann Hardy, Ex-Officio

**Mr. Peck recused himself for Item 1.

Chairman Salerno sat Mr. Liska for item 1.

1. APPLICATION OF DONNA CRISCUOLO FOR NIAN TIC YOGA CENTER FOR A SPECIAL PERMIT FOR INDOOR RECREATION FOR A YOGA STUDIO AT PROPERTY IDENTIFIED IN THE APPLICATION AS 11 LIBERTY WAY, UNIT 3 & 4, NIAN TIC CT.

Motion (1) Mr. Walker moved to approve the application of Donna Criscuolo for Niantic Yoga Center for a Special Permit for Indoor Recreation for a yoga studio at property identified in the application as 11 Liberty Way, Units 3 & 4, Niantic CT.

Seconded by Mr. McPherson.

Motion Passed 6-0.

Mr. Mulholland stated this will be published next Thursday, and will be effective next Friday.

****Mr. Peck returned for the remainder of the meeting and replaced Mr. Liska.**

2. LANDMARK III IMPLEMENTATIONS

Attorney O'Connell gave a history of the Landmark applications that have come before the Zoning Commission, and he discussed the appeal process that had taken place for each application. He discussed the process of affordable housing application and their subsequent appeals where the burden of proof is reversed and is up to the Zoning Commission to prove to the Court why the denial was proper.

There is a 104 page decision where the Court ordered text amendments, and the Court gave the Zoning Commission discretion in determining what consideration to employ. The Zoning Commission has to start drafting new regulations and they will have to have public hearings, input from the public, and they would want the stakeholders engaged to some degree. Several of these regulations will affect the whole town and will affect all affordable housing to come before us. When the regulations are amended then Landmark is to submit the conceptual site plan in accordance with those amended regulations. The Department of Transportation will have to approve the improvements by Landmark's traffic engineer and Landmark must bear the whole cost of the improvements.

They will need to keep this on the agenda and at some point would have to start drafting the amended regulations. They have to show that they are complying with this order. He suggested they keep this on the agenda as old business.

3. TOWN ATTORNEY/GENERAL DISCUSSION – ZONING PRACTICES

Attorney O'Connell discussed the legislative and administrative functions of the Zoning Commission. He discussed members recusing themselves for certain agenda items, he discussed the process of public hearings, not discussing matters with the public outside of the public hearings.

****Mr. O'Connell left the meeting at 8:50 p.m.**

4. APPROVAL OF MINUTES OF JANUARY 5, 2012.

Motion (2) Mr. Donovan moved to approve the minutes of January 5, 2012.

Seconded by Mr. McPherson.

Motion Passed 6-0.

OLD BUSINESS

1. PARKING SUBCOMMITTEE

This subcommittee has not met.

2. SIGN SUBCOMMITTEE

This subcommittee has not met.

NEW BUSINESS

- 1. APPLICATION OF THE TOWN OF EAST LYME PARKS & RECREATION DEPARTMENT FOR A SPECIAL PERMIT & COASTAL AREA MANAGEMENT SITE PLAN REVIEW TO CONSTRUCT A NEW RESTROOM FACILITY AT PROPERTY IDENTIFIED IN THE APPLICATION AS 8 ATLANTIC STREET, NIANTIC (AKA MCKOOKS PARK) ASSESSOR'S MAP 11.4, LOT 175.**

Chairman Salerno asked Mr. Mulholland to schedule this for a Public Hearing for February 16, 2012.

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

There was no business on the floor.

3. ZONING OFFICIAL

Mr. Mulholland had nothing to report.

4. COMMENTS FROM EX-OFFICIO

There were no comments.

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

There were no comments.

6. COMMENTS FROM CHAIRMAN

Mr. Salerno had no comments.

7. ADJOURNMENT

Motion (3) Mr. Donovan moved to adjourn the meeting at 8:57 p.m.

Seconded by Mr. Walker.

Motion Passed 6-0.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Karen Miller Galbo". The signature is written in black ink and is positioned above the printed name.

**Karen Miller Galbo
Recording Secretary**