

Nov 20 20 09 at 3:00 AM PM

EAST LYME ZONING COMMISSION

REGULAR MEETING

Thursday, NOVEMBER 19th, 2009

MINUTES

Eith B Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Regular Meeting on Thursday, November 19, 2009 at the East Lyme Town Hall, 108 Pennsylvania Ave., Niantic, CT.

PRESENT: Marc Salerno, Acting Chairman, Steve Carpenteri, Acting Secretary, Ed Gada, Norm Peck, William Dwyer, Alternate

ALSO PRESENT: Brian Cowee, Applicant

ABSENT: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary, Bob Bulmer, Alternate

Call to Order

Acting Chairman Salerno called this Regular Meeting of the Zoning Commission to order at 7:51 PM after the previously scheduled Public Hearing.

Pledge of Allegiance

The Pledge was previously observed.

Public Delegations

Mr. Salerno called for anyone from the public who wished to address the Commission on subject matters not on the Agenda.

There were no delegations.

Regular Meeting

1. **Application of Theodore A. Harris for GDS Capital Holdings LLC to amend the East Lyme Zoning Regulation Sections 9.2.3, 1.1 and 25.5 with regard to Mixed Use Development.**

Mr. Salerno said that they would table discussion on this item until the next meeting of the Commission when they would have a full board.

2. **Application of Brian Cowee for a Special Permit for Optimum Fitness, an Indoor Recreation facility at 267-283 Main Street (aka 17 Hope Street), Niantic, CT, property further identified in the application as East Lyme Assessor's Map 12.1, Lot 103.**

Mr. Salerno called for discussion on this application as they had just closed the Public Hearing.

Mr. Carpenteri said that he thinks that this is a good fit for the area and that it is a good idea to fill a vacant spot.

Mr. Peck commented that it looks pretty nice.

****MOTION (1)**

Mr. Carpenteri moved to approve the application of Brian Cowee, for Optimum Fitness for a Special Permit for indoor recreation for a fitness club for adults at property identified in the application as 267-283 Main Street, Niantic, CT with the following conditions:

1. **Granting of the waiver of the requirement of Section 24.6 E 3 to install buffers on the easterly and southerly property lines; and –**
2. **Granting of the waiver of the requirement of Section 24.6 C sidewalks.**
Mr. Peck seconded the motion.
Vote: 5 – 0 – 0. Motion passed.

Mr. Salerno said that this would publish on 11/26/09 and become effective on 11/27/09.

3. **Approval of Minutes – Public Hearing I and Regular Meeting Minutes of November 5, 2009**
Mr. Salerno called for discussion on, or corrections to the Commission's Public Hearing I and Regular Meeting Minutes of November 5, 2009.

Mr. Peck asked that on Page 2 of the Regular Meeting Minutes in the fifth paragraph up from the bottom where he is speaking, second line that the line be changed to read:'there are others that he would hate to see come down and'

****MOTION (2)**

Mr. Peck moved to approve the November 5, 2009 Public Hearing I Minutes as presented and the November 5, 2009 Regular Meeting Minutes of the Commission as amended.
Mr. Carpenteri seconded the motion.
Vote: 4 – 0 – 1. Motion passed.
Abstained: Mr. Dwyer

Old Business

1. **Subcommittee – Niantic Village – CB Zones (Mark Nickerson, Marc Salerno)**

Mr. Salerno noted that this is in progress and asked Mr. Peck for an update.

Mr. Peck said that they were told that someone had pictures of downtown however, they have not seen them so he and Mr. Mulholland will make arrangements to go out and take the pictures.

2. **Subcommittee – Conservation Development by Design (Marc Salerno, Norm Peck & Rosanna Carabelas)**

Mr. Peck reported that they are getting close to having a final draft on this. With the changing of the members of this and the Planning Commission, he noted that the continuity of the members is key to getting this done and suggested that the current members see it through to completion.

3. **Subcommittee – Incentive Housing Zones (Ed Gada, Mark Nickerson, Rosanna Carabelas)**

Mr. Gada noted that the article that was in the Day newspaper was rather concise regarding how this is a win-win situation. He said that he would make copies of the article for everyone for the new meeting.

New Business

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

Mr. Peck asked if they would entertain some discussion on the Scenic Road Ordinance.

****MOTION (3)**

Mr. Peck moved to add to this area of the agenda – discussion on the Scenic Roads Ordinance.
Mr. Gada seconded the motion.
Vote: 5 – 0 – 0. Motion passed.

- **Discussion on Scenic Roads Ordinance**

Mr. Peck said that he had brought this up as they have a Scenic Roads Ordinance that was passed and that it is for the Planning Commission to pick some roads for it and nothing has been done as yet. He

suggested that they send a letter to the Planning Commission asking them to become active with this and to pick some roads that would fall under this ordinance.
The Commissioners agreed that a letter of suggestion could be sent.

2. Zoning Official

There was no report.

3. Comments from Ex-Officio

There were none.

4. Comments from Zoning Commission liaison to Planning Commission

There was no report.

5. Comments from Chairman

Mr. Salerno said that Mr. Nickerson would be back for the next meeting of the Commission.

6. Adjournment

Mr. Salerno called for a motion to adjourn.

****MOTION (4)**

Mr. Gada moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 8:15 PM.

Mr. Dwyer seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

