

TOWN OF EAST LYME

ZONING COMMISSION

MAY 17, 2012

REGULAR MEETING

Members Present:

Marc Salerno, Chairman  
Matthew Kane  
Terence Donovan  
Norm Peck  
Matthew Walker  
George McPherson  
William Dwyer, Alternate (Did not Sit)  
John Hogan, Alternate (Did not Sit)

FILED IN EAST LYME  
May 23, 2012 AT 10:50 AM  
*Brooke D. Hoover* ATC  
EAST LYME TOWN CLERK

Also Present:

Bill Mulholland, Zoning Officer

1. APPLICATION OF THEODORE A. HARRIS, ESQ FOR EAST LYME CAFÉ, LLC DBA SMOKEY O'GRADY'S FOR A SPECIAL PERMIT FOR OUTDOOR DINING AT PROPERTY IDENTIFIED IN THE APPLICATION AS 306 FLANDERS ROAD, EAST LYME.

Mr. Peck stated there should be no speakers, no electric amplification, the bar outside will be shut down at 10:00 p.m., the last seating will be at 10:00 and service will end at 11:00. He also wants to ensure that lighting is permanently installed as presented in Exhibit 5. He also wants them to stipulate that they will turn the music off if it is requested of them by the cemetery.

Mr. McPherson stated he doesn't like the way the bar was put there, that it was originally introduced as storage.

Mr. Mulholland stated they can order it removed.

**Motion (1) Mr. Donovan moved to approve the Application of Theodore A. Harris, Esq., for East Lyme Café, LLC dba Smokey O'Grady's for a Special Permit for Outdoor Dining at property identified in the application as 306 Flanders Road, East Lyme with the following conditions:**

1. Entertainment will be allowed with acoustic guitar without amplification, and a low level amplifier for the microphone only. Entertainment will be allowed until 10:00 p.m.
2. Service will be from 11:00 a.m. to 11:00 p.m., the last seating will be allowed at 10:00 p.m. All service shall cease at 11:00 p.m.
3. Upon request of the East Lyme Cemetery Association, any entertainment outside will be halted for burial services.
4. There are to be 9 fixed seats around the service counter and 5 fixed seats around the tabletop and that will be serviced by wait staff.

Seconded by Mr. Walker.

Motion Passed 5-0-1 (Mr. McPherson – Nay)

#### 5. LANDMARK III IMPLEMENTATION

There was no discussion on this item.

#### 6. APPROVAL OF MINUTES OF MAY 3, 2012

Motion (2) Mr. Peck moved to approve the Public Hearing and Regular meeting Minutes of May 3, 2012.

Seconded by Mr. McPherson.

Motion Passed 6-0.

#### OLD BUSINESS

##### 1. PARKING SUBCOMMITTEE

This will be discussed at the Public Hearing on June 21, 2012.

##### 2. SIGN SUBCOMMITTEE

They will be meeting next Thursday at 6:30. Chairman Salerno asked Mr. Mulholland to have Jen send reminders out.

#### NEW BUSINESS

1. APPLICATION OF JOEL RIVERA, ASSEMBLY OF HOPE CHURCH, FOR A SPECIAL PERMIT TO ESTABLISH A CHURCH AT PROPERTY IDENTIFIED IN THE APPLCIATION AS 6 LIBERTY WAY, EAST LYME. EAST LYME ASSESSOR'S MAPE 09.4, LOT 1.

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

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

Chairman Salerno asked to bring the following to the floor:

**Application of Peter Tytla, for a Zone Change from CA to RU-40 at property identified in the application as 91 Boston Post Road, East Lyme.**

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

**3. ZONING OFFICIAL**

Mr. Peck asked Mr. Mulholland regarding alcohol being a certain a distance from church, and find tuning the CDD.

Mr. Mulholland stated they had discussed the alcohol issue and he thought they were in agreement, but they can revisit that. He just needs to correct the book on the CDD as that was a typo.

**4. COMMENTS FROM EX-OFFICIO**

There was no ex-officio present.

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

Mr. Walker attended; they discussed prohibiting outdoor bars, scenic road ordinance, climate adaptation, sustainable development, storms, and elimination of habitats.

**6. COMMENTS FROM CHAIRMAN**

There were no comments.

**7. ADJOURNMENT**

**Motion (3) Mr. Donovan moved to adjourn the meeting at 9:03 p.m.**

**Seconded by Mr. Peck.**

**Motion Passed 6-0.**

**Respectfully Submitted,**



**Karen Miller Galbo  
Recording Secretary**