

TOWN OF EAST LYME

EAST LYME ZONING COMMISSION

PUBLIC HEARING

December 9, 2010

Members Present:

Marc Salerno, Chairman
Steve Carpenteri
Norm Peck
Rosanna Carabelas
William Dwyer, Alternate
Bob Bulmer, Alternate
James Liska, Alternate

FILED IN EAST LYME P
Dec 13, 2010 AT 1:30 M
L. Ablais, atc
EAST LYME TOWN CLERK

Members Absent:

Ed Gada
Mathew Walker

Also Present:

Bill Mulholland, Zoning Officer

CALL TO ORDER

Chairman Salerno called the Public Hearing to Order at 7:35 p.m.

PLEDGE OF ALLEGIANCE

Chairman Salerno led the assembly in the Pledge of Allegiance.

Chairman Salerno sat Mr. Dwyer and Mr. Bulmer as Regular Members for the Public Hearings.

PUBLIC HEARING

1. **Application of the Town of East Lyme Zoning Commission to amend the East Lyme Zoning Regulations Section 1.38 Definitions and Section 23 Conservation Design Development which are being modified in support of the new Subdivision Regulations promoting cluster development in our community.**

Chairman Salerno stated the legal ad had run on this Public Hearing.

Secretary Carabelas read a letter from Marcy Balint of the DEP dated November 16, 2010 into the record.

Ms. Carabelas also read a letter from Gary Goeschel dated November 17, 2010, and a Letter from the Southeastern CT Council of Governments dated November 16, 2010.

Mr. Salerno stated this Commission has sponsored this zone change application. It has been a sub-committee for the last two years.

Mr. Peck who was the chairman of this sub-committee stated the idea behind this zone change is to do away with "cookie cutter" type development. It also gives more flexibility to the Zoning Commission and the Planning Commission. They have worked hard in this to preserve the values of the parcels. They did receive input from Developers on this Application. This will look at all of the features of the land. Houses will be placed strategically to maintain those features of the land, and then the roads are designed. All to preserve and have the nicest neighborhood that can be made. Open Space requirements will remain the same.

Mr. Mulholland stated this will take advantage of the land to make the subdivisions more attractive. They may need to tweak some things once everything is in place, as they have had to do in the past.

Mr. Peck stated Planning Commission has had two public hearings on this. They are waiting for this Commission's decision before they close their Public Hearing.

There was no Public Comment.

Mr. Dwyer stated he was satisfied with this application.

Ms. Carabelas stated this is excellent for the town, and a step forward. She also commended Mr. Peck and the other members of the subcommittee for their hard work.

Motion (1) Mr. Bulmer moved to close the Public Hearing at 8:10 p.m.

Seconded by Mr. Carpenteri.

Motion Passed 6-0-0.

- 2. Application of Peter Balanger, Applicant, for Food Bag, for a special permit to replace all the fuel dispensers and piping for gasoline service system on the premises of 202 Flanders Road, Niantic, Connecticut.**

Mr. Salerno stated the Legal Ad had run on this Public Hearing.

Ms. Carabelas read a memo from Mr. Mulholland. They are asking for a sidewalk waiver on this application.

Mr. Belanger represents General Equities, the owner of the property. They want to upgrade the dispensers and pipes. These are normal upgrades. They will take about two and a half weeks to complete the work. There will be minor excavation done.

Mr. Dwyer asked if they would be touching the tanks.

Mr. Belanger stated they will have to dig down to the tank and screw a new top on the tank. The tanks are 30 year tanks and have 13 years left in them.

Mr. Bulmer asked if they have their own independent inspection system.

Mr. Belanger stated all line and vapor testing is done by the state. If there are any environmental issues DEP will get involved. The Fire Marshal will also be there.

Mr. Mulholland stated they will also have to get a permit from the Building Inspector.

Motion (2) Mr. Bulmer moved to close the Public Hearing at 8:20 p.m.

Seconded by Ms. Carabelas.

Motion Passed 6-0-0.

- 3. Application of Ernest Covino, Applicant, for a special permit to operate a fast food restaurant (Deli) at 287-2 Main Street, Niantic, Connecticut, aka 301 Main Street, Niantic, Connecticut.**

Mr. Salerno stated the legal ad had run on this Public Hearing.

****Mr. Peck excused himself on this Public Hearing.**

****Mr. Salerno sat Mr. Liska as a regular member for this application.**

Ms. Carabelas read a memo from Bill Mulholland. The property is in a parking overlay zone.

Mr. Covino of 21 Bayview Road, Niantic, stated the business will be mostly retail with a deli aspect. Mostly the food will be already prepared and packaged, but if people want sandwiches he would like to be able to give them to the customers.

Mr. Mulholland stated this will give Mr. Covino more flexibility with this business.

Mr. Covino stated it is not a restaurant.

Motion (3) Mr. Bulmer moved to close the Public Hearing at 8:35 p.m.

Seconded by Ms. Carabelas.

Motion Passed 6-0-0.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Karen Miller Galbo". The signature is written in a cursive, flowing style.

**Karen Miller Galbo
Recording Secretary**