

TOWN OF EAST LYME

ZONING COMMISSION

MARCH 17, 2011

REGULAR MEETING MINUTES

Members Present:

Marc Salerno, Chairman
Norm Peck
Ed Gada
Rosanna Carabelas
James Liska, Alternate
Bill Dwyer, Alternate
Bob Bulmer, Alternate

FILED March 22, 2011
AT 8:50 A.M.

L. Blais, ARC
TOWN CLERK

Also Present:

Bill Mulholland, Zoning Officer
Michael Carey, Town Attorney

Members Absent:

Steve Carpenteri
Matthew Walker

Mr. Liska, Mr. Dwyer, and Mr. Bulmer were seated as regular members for Item 1 and 2.

Mr. Peck excused himself for Item 1 and 2.

REGULAR MEETING

1. Continuation of application of Theodore A. Harris, agent for New England National, LLC for approval of affordable housing development, and a conceptual site plan to construct seventy four (74) residential units on property identified in the application as Upper Pattagansett Road, Assessor's Map 39.0, Lot 10-1. Continued from March 3, 2011.
2. Continuation of application of Theodore A. Harris, agent for New England National, LLC to rezone from its existing zoning designation (RU-40 Residential) to Affordable Housing District for property identified in the application as Upper Pattagansett Road, Assessor's Map 39.0, Lot 10-1. Continued from March 3, 2011.

Mr. Salerno stated in the past they have had Mr. Mulholland and Town Counsel come up with a Motion for, against, or modified. They have 60 days to make a decision.

Mr. Bulmer stated he is anxious about the preliminary plans; he would like to see it all in the proposal.

Mr. Mulholland stated he will go over the minutes and will draft the motions with legal counsel.

Mr. Bulmer stated he would like a well defined boundary on the Conservation Easement.

Mr. Mulholland stated he will bring something back on that.

Mr. Dwyer stated there are many "what ifs."

Ms. Carabelas stated they can still deny the final site plan if it isn't adequate. They just want a zone change before going forward. They still have the final site plan to approve.

Mr. Salerno stated the Motion has to have everything in it.

Mr. Dwyer felt they would have a problem getting the road at 10%.

Ms. Carabelas likes the CDD aspect. She does like single family homes that are affordable, as long as they can go back if it doesn't go through, she would want it back to RU-40.

Mr. Salerno stated it looks like they may be leaning toward approving the application with conditions.

Mr. Liska stated people want the zoning board to protect the town. The existing adjacent house is RU40. Now we could change that, and what is to prevent everyone else from trying this.

Mr. Salerno stated anything can change. That is why they have public hearings.

Mr. Mulholland stated in this case the State has said it is the Zoning Commission's burden of proof. Zoning cannot protect when the State passes these laws. This Commission is under the gun when it comes to 8-30g.

Mr. Bulmer stated the State also says if health and safety issues arise, and they can be corrected, the Commission must make it a condition that the issue be corrected.

Mr. Salerno wants to make sure there is sufficient buffer to protect that neighbor.

Mr. Mulholland stated he will get together with Attorney Carey to prepare the motions.

Mr. Peck returned for the remainder of the meeting.

Mr. Bulmer left the meeting at 9:20 p.m.

3. Approval of Minutes of March 3, 2011.

Motion (1) Ms. Carabelas moved to approve the Public Hearing Minutes of March 3, 2011.

Seconded by Mr. Gada.

Motion Passed 3-0-3 (Mr. Dwyer, Mr. Liska, and Mr. Peck abstained)

Motion (2) Ms. Carabelas moved to approve the Regular Meeting Minutes of March 3, 2011.

Seconded by Mr. Gada.

Motion Passed 4-0-2 (Mr. Dwyer and Mr. Liska abstained)

OLD BUSINESS

1. Niantic Village Subcommittee (Norm Peck & Marc Salerno)

This subcommittee will try to meet before the next meeting.

2. Parking Subcommittee (Matthew Walker, Marc Salerno, Steve Carpenteri)

Mr. Walker is going to be withdrawing from this subcommittee, and Mr. Gada will be joining.

3. Sign Subcommittee (Marc Salerno, Rosanna Carabelas, Matthew Walker)

There was discussion about having a meeting on April 4th at 7:00 p.m. Mr. Salerno will check with Mr. Walker and Mr. Wilson.

NEW BUSINESS

1. Application of the town of East Lyme for a Special Permit to modify and expand the existing town Parking lot located on Hope Street, Assessor's Map 12.1, Lot 94, by adding an additional 59 parking spaces.

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

2. Application of Docko, Inc., for Vincent J. Dowling, Jr., owner for a modification of a previously approved Coastal Area Management Plan Review for property identified in the application as 295 Old Black Point Road, Niantic, Connecticut for shoreline protection improvements.

Mr. Mulholland stated this application was already approved, they are asking for a modification.

Mr. Nielson presented this to the Zoning Commission last summer. The work was finished early this month. He looked at the area and there are settlement and stability issues. He looked after the final thaw, and there are some depressed areas. It will get worse, and he doesn't want it to collapse. They are not removing anything, and the stone will be placed by a long arm excavator.

Motion (3) Ms. Carabelas moved to approve the Coastal Area Management Plan Modification at 295 Old Black Point Road for shoreline protection improvements.

Seconded by Mr. Liska.

Motion Passed 6-0.

3. Zoning Official

The Italian grocery store downtown is due to open any day. He also got a call from a lady who is going in next to them and that will be a frame shop and gallery. The Mitchells are going to be dividing the market into 4 spaces. They are still working on the Main Street Building. The Mobil Station has removed their gas tanks, and is now a convenience store.

4. Comments from Ex-Officio

There was no ex-officio report.

5. Comments from zoning board liaison to Planning Commission

There was nobody in attendance from Zoning at the Planning meeting.

6. Comments from Chairman

Mr. Salerno asked Mr. Mulholland to send out the list of liaisons to the Planning Commission. At the next meeting he would like everyone ready to discuss agriculture. He also would like to discuss Niantic Downtown Outdoor Patio Regulations.

7. Adjournment

Motion (4) Mr. Gada moved to adjourn the meeting at 9:45.

Seconded by Mr. Liska.

Motion Passed 6-0.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Karen Miller Galbo".

Karen Miller Galbo