

TOWN OF EAST LYME

ZONING COMMISSION

MAY 3, 2012

REGULAR MEETING MINUTES

MEMBERS PRESENT:

MARC SALERNO, CHAIRMAN
MATTHEW KANE
TERENCE DONOVAN
MATTHEW WALKER
NORM PECK
GEORGE MCPHERSON
JACK HOGAN, ALTERNATE (DID NOT SIT)
WILLIAM DWYER, ALTERNATE (DID NOT SIT)

FILED IN EAST LYME
May 8, 2012 AT 8:45 AM
Brenda D. Aron ATC
EAST LYME TOWN CLERK

MEMBERS ABSENT:

JAMES LISKA, ALTERNATE

ALSO PRESENT:

BILL MULHOLLAND, ZONING OFFICER
ROSE ANN HARDY, EX-OFFICIO (Entered at 8:10 p.m.)

1. Application of Harry and Trifonas Loginidis dba Family Pizza for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 233 Main Street, Niantic.

There was no discussion on this application.

Motion (1) Mr. Donovan moved to approve the application of Harry and Trifonas Loginidis dba Family Pizza for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 233 Main Street, Niantic with the following conditions:

- a. The patio shall close one hour after the kitchen closes but no later than 12 midnight.
- b. A sign will be posted that there is "no sitting on the wall" outside in the patio area.
- c. Patrons shall not use the patio area for consumption of alcohol unless seated at a table.

Seconded by Mr. McPherson.

Motion Passed 6-0.

This will be published on Thursday May 10, 2012 and will be effective May 11, 2012.

2. **Application of Leo Roche for Strive LLC dba Black Sheep for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 247-2 Main Street, Niantic.**

There was no discussion on this application.

Motion (2) Mr. McPherson moved to approve the application of Leo Roche for Strive LLC for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 247-2 Main Street, Niantic CT with the following conditions:

- a. **The outside live acoustic music will not have an amp on the guitar; only the microphone and the microphone will be cut off at 8 p.m.**
- b. **The soft, background, outside dinner music from the speakers will be shut off at 10 p.m.**
- c. **The patio shall close one hour after the kitchen closes but no later than 12:30 a.m.**
- d. **The setback requirements will be waived to zero as per the site plan.**
- e. **A sign will be posted that there is "no sitting on the wall" outside in the patio area.**
- f. **Patrons shall not use the patio area for consumption of alcohol unless seated at a table.**

Seconded by Mr. Donovan.

Motion Passed 6-0.

This will be published on Thursday May 10, 2012 and will be effective May 11, 2012.

3. **Application of Craig Taft, for CTRP Enterprises, LLC dba Burke's Tavern for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 267-283 Main Street, Niantic.**

Motion (3) Mr. Walker moved to approve the application of Craig Taft for Burke's Tavern, for a Special permit for Outdoor Dining/Patio at property identified in the application as 267-283 Main Street, Niantic, Connecticut (aka 13 Hope Street, Niantic, CT) with the following conditions:

1. **Entertainment until 11:00 p.m.**

Seconded by Mr. McPherson.

Motion Passed 6-0.

This will be published on Thursday May 10, 2012 and will be effective May 11, 2012.

4. **Application of Nick & Rita Fokaidis dba Village Pizza and Grill for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 53 West Main Street, Niantic.**

Motion (4) Mr. Donovan moved to approve the application of Nick and Rita Fokaidis for a Special Permit for Outdoor Dining/patio per East Lyme Zoning Regulations 20.27 at property identified in the application as 53 West Main Street, Niantic Connecticut with the following conditions:

- a. The outside live acoustic music will not have an amp on the guitar.
- b. Low volume speakers will be allowed.

Seconded by Mr. Walker.

Motion Passed 6-0.

This will be published on Thursday May 10, 2012 and will be effective May 11, 2012.

5. **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.**

This item has been continued to the May 17, 2012 meeting.

6. Landmark III Implementation

There was nothing to report on this item.

7. Approval of Minutes of April 19, 2012

Motion (5) Mr. Peck moved to approve the Regular and Public Hearing Minutes of April 19, 2012.

Seconded by Mr. Donovan.

Motion Passed 6-0.

OLD BUSINESS

1. Parking Subcommittee

Mr. Mulholland discussed the parking overlay zone extension.

Chairman Salerno stated the overlay zone is designed for downtown for existing buildings that are close to the road without parking. He asked Mr. Mulholland to schedule this for a public hearing.

2. Sign Subcommittee

Chairman Salerno asked Mr. McPherson to take his place on this subcommittee. Mr. McPherson agreed, and they scheduled a meeting for May 24th at 6:30 p.m. This subcommittee is now, Mr. Walker, Mr. Donovan, and Mr. McPherson.

Chairman Salerno asked Mr. Mulholland to email Mr. Kalal so that he may attend.

3. Sidewalk Dining Subcommittee

Mr. Mulholland passed out language to modify the existing sidewalk dining regulations.

There was discussion of the exact language of the proposed regulation.

Chairman Salerno suggested the language be added to state "provided additional square footage is adjacent to the building and a public sidewalk.

Chairman Salerno asked Mr. Mulholland to schedule this for a public hearing.

NEW BUSINESS

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

There was no business on the floor.

2. Zoning Official

Mr. Mulholland stated he has been busy. He has an appointment next week regarding redoing a gas station in town and a convenience store. There is another building proposed on Main Street and he is expecting sketches within thirty days. There is some activity on Boston Post Road, and diagonally across from the Ford Dealership. There will be a new restaurant in the old supermarket building in downtown.

3. Comments from Ex-Officio

There were no comments.

4. Comments from Zoning Board Liaison to Planning Commission

Mr. Peck attended the meeting. They blessed the purchase of the Samuel Smith House, they will be discussing the outdoor bar proposal on the 15th. They have decided to work on the scenic road ordinance and try to tweak that to make it more agreeable to the property owners.

5. Comments from Chairman

There were no comments.

6. Adjournment

Motion (6) Mr. McPherson moved to adjourn the meeting at 8:35 p.m.

Seconded by Mr. Donovan.

Motion Passed 6-0.

Respectfully Submitted,

A handwritten signature in black ink that reads "Karen Miller Galbo". The signature is written in a cursive style with a large initial "K" and "G".

Karen Miller Galbo
Recording Secretary