

TOWN OF EAST LYME

ZONING COMMISSION

JULY 11, 2013

REGULAR MEETING MINUTES

Members Present:

Marc Salerno, Chairman
Matthew Kane
Norm Peck
Matthew Walker
George McPherson
Terence Donovan
Peter Lukas, Alternate
James Liska, Alternate
William Dwyer, Alternate (Sat for Item 1)

FILED IN EAST LYME
CONNECTICUT
July 17, 2013 AT 8:35 AM/PM
Marc Salerno, Clerk
EAST LYME TOWN CLERK

Also Present:

Holly Cheeseman, Ex-Officio

1. THE TOWN OF EAST LYME ZONING COMMISSION PROPOSAL TO AMEND THE EAST LYME ZONING REGULATIONS SECTION 22, REGARDING PARKING

Mr. Dwyer sat for Item 1. Mr. Donovan stepped down for Item 1.

Motion (1) Mr. Peck moved to approve the Town of East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations Section 22, regarding parking.

Seconded by Mr. Dwyer.

Motion Passed 6-0.

This item will be published next Thursday, July 18th and will become effective Friday, July 19th.

Mr. Dwyer stepped down and Mr. Donovan returned for the remainder of the Regular Meeting.

2. THE TOWN OF EAST LYME ZONING COMMISSION PROPOSAL TO AMEND THE EAST LYME ZONING REGULATIONS SECTION 15, "FLOOD HAZARD AREAS" TO MAINTAIN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE NATIONAL FLOOD INSURANCE PROGRAM.

Motion (2) Mr. Walker moved to approve the Town of East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations Section 15, "Flood Hazard Areas" to maintain compliance with the minimum standards of the National Flood Insurance Program.

Seconded by Mr. Donovan.

Mr. Walker amended his Motion to state the following:

Motion (3) Mr. Walker moved to approve the Town of East Lyme Zoning Commission proposal to amend the East Lyme Zoning Regulations Section 15, "Flood Hazard Areas" to maintain compliance with the minimum standards of the National Flood Insurance Program with the corrected date to read 8/5/13 to replace the incorrect date of 7/18/11.

Seconded by Mr. Donovan.

Motion Passed 6-0.

This item will be published next Thursday, July 18th and will become effective Friday, July 19th.

3. THE TOWN OF EAST LYME ZONING COMMISSION PROPOSAL TO AMEND THE EAST LYME ZONING REGULATIONS SECTION 4.2 REGARDING AGRICULTURE OR FARM USE, INCLUDING THE RAISING OF LIVESTOCK OR POULTRY, AND SECTION 25.5, TABLE OF MINIMUM CONTROLS.

This item was continued.

4. APPLICATION OF KEITH NEILSON, DOCKO, INC., AGENT FOR MICHAEL & JANE BROTHERS, OWNERS FOR A COASTAL AREA SITE PLAN REVIEW TO RAISE AND MODIFY AN EXISTING SEAWALL AT PROPERTY IDENTIFIED IN THE APPLICATION AS 30 ATLANTIC STREET, NIAN TIC, CONNECTICUT.

Mr. Walker read a memo from Mr. Mulholland.

Mr. Neilson presented Exhibit 1 – Pictures of Hurricane Sandy damage.

He stated the seawall is approximately 70 years old. It is not high enough to offer full protection to the property. They would like to embellish the protection. Between the planter and the sidewalk is going to be completely rebuilt in the Crescent Beach Association project. To get more protection they would like to put concrete planters in. The final design for the repair of the seawall was worked out with Bill Scheer to leave it in place and prevent it from settling further. The final project would be slightly different than what is shown.

Mr. Salerno asked if they will not be removing anything, just reinforcing the wall.

Mr. Neilson stated they will be working close with the Town to make sure it is as tough as it can be. All of the work will be done on the property.

Mr. McPherson asked about drainage in the planters.

Mr. Neilson stated if water accumulates it will be able to seep out.

Motion (4) Mr. McPherson moved to approve the application of Keith B. Neilson, P.E., for Docko, Inc., for a Coastal Area Management Review for shoreline protection improvements at property identified as 30 Atlantic Street, Niantic.

Reasons:

1. **Application if consistent with all applicable goals and conditions of the CAM Act.**
2. **Applicant has taken all reasonable measures to mitigate any adverse impacts of the proposed activity on both coastal resources and future water dependent uses.**

Seconded by Mr. Donovan.

Motion Passed 6-0.

5. APPROVAL OF MINUTES OF JUNE 20, 2013

Mr. Donovan stated on Page 9 the first Motion on the page Passed 5-1-0, and for Motion 6 it should say that he abstained, not that he voted No.

Motion (5) Mr. Donovan moved to approve the minutes of the Public Hearing and Regular Meeting with the noted changes.

Seconded by Mr. McPherson.

Motion Passed 5-0-1 (Mr. Kane Abstained)

OLD BUSINESS

1. SIGN SUBCOMMITTEE

There is nothing to report.

2. OUTDOOR DINING BARS SUBCOMMITTEE

There is nothing to report.

NEW BUSINESS

1. **APPLICATION OF RODGERS DEVELOPMENT LLC OWNER/APPLICANT FOR A SITE PLAN RENEWAL WITH PREVIOUSLY APPROVED WAIVERS AND CONDITIONS, FOR CONSTRUCTION OF 25 UNITS OF ELDERLY HOUSING ON PROPERTY IDENTIFIED IN THE APPLICATION 40 ROXBURY ROAD, NIAN TIC, CONNECTICUT, AKA WHITING FARMS.**

Mr. Salerno stated the site plan has expired on this project and it needs to be renewed to be finished. It is 40% complete.

Don Gerwick of Industrial Drive, Waterford presented the application. He stated water, cable, electric have all been in for a number of years. They are not sure when the site plan expired, but it was brought to their attention by Mr. Mulholland. All sanitary systems on site exceed what is required. Department of Health has approved them. All houses fit within the approved footprint of when they were originally

approved. There are still reviews of each structure for the building permit process. They are all two bedroom, this is just a renewal.

Motion (6) Mr. Donovan moved to approve the application of Rodgers Development LLC Owner/Applicant for a site plan renewal with previously approved waivers and conditions, for construction of 25 units of elderly housing on property identified in the application 40 Roxbury road, Niantic, Connecticut, aka Whiting Farms.

Seconded by Mr. Kane.

Motion Passed 6-0.

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

There was no business on the floor.

3. ZONING OFFICIAL

Mr. Mulholland was not present.

4. COMMENTS FROM EX-OFFICIO

Ms. Cheeseman stated they have not had a July meeting yet.

Mr. Salerno asked when the Water Connection would be complete, and when the Boardwalk would be started.

Ms. Cheeseman stated the groundbreaking for the Water Interconnection was this week, and they should finish before the end of the year. The Boardwalk work will probably begin in August. They want to get through the bulk of the beach season. They anticipate finishing in April. They will try to maintain the look of the recently completed portion of the boardwalk. She believes the surface will also be concrete.

Mr. Salerno asked about the Samuel Smith House plans.

Ms. Cheeseman stated the Friends of Samuel Smith had their first fundraiser. She would like to see one East Lyme Preservation Society to oversee all of the historical properties.

5. COMMENTS FROM ZONING BOARD LIAISON TO PLANNING COMMISSION

Mr. Dwyer stated the meeting was cancelled, and he was not notified of the cancellation.

Mr. Salerno stated he will email Mr. Mulholland about that. Mr. Liska stated he will attend the August Planning Meeting.

6. COMMENTS FROM CHAIRMAN

Mr. Salerno stated they may not have an August meeting.

7. ADJOURNMENT

Motion (7) 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 cursive script, appearing to read "Karen Miller Galbo".

**Karen Miller Galbo
Recording Secretary**

