

**EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, JULY 9th, 2009
MINUTES**

The East Lyme Zoning Commission held a Regular Meeting on Thursday, July 9, 2009 at the East Lyme Town Hall, 108 Pennsylvania Ave., Niantic, CT.

PRESENT: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary, Marc Salerno, Norm Peck, Bob Bulmer, Alternate, William Dwyer, Alternate

ALSO PRESENT: William Mulholland, Zoning Official

ABSENT: Steve Carpenteri, Ed Gada, Gregory Massad, Alternate

Call to Order

Chairman Nickerson called this Regular Meeting of the Zoning Commission to order at 8:21 PM after the previously scheduled Public Hearing.

Pledge of Allegiance

The Pledge was previously observed.

Public Delegations

Mr. Nickerson called for anyone from the public who wished to address the Commission on subject matters not on the Agenda.

There were no delegations.

Regular Meeting

1. Application of Jeffrey A. McNamara, agent for Mary Sanchez Quality Homes LLC to rezone from its existing zoning designation (RU-40 Residential) to Affordable Housing District for property identified in the application as Assessor's Map 29.0, Lot 14 and -
2. Application of Jeffrey A. McNamara, agent for Mary Sanchez Quality Homes LLC for approval of an Affordable Housing development, and site plan to construct thirty-eight (38) residential units on property identified in the application as Assessor's Map 29.0, Lot 14.

Mr. Nickerson noted that he had previously stated that the applicant has withdrawn these applications for now and requested that they be re-scheduled for a near-future public hearing date.

3. East Lyme Zoning Commission proposal to amend sections of the East Lyme Zoning Regulations to regulate Adult Uses.

Mr. Nickerson called for a motion.

****MOTION (1)**

Ms. Carabelas moved to approve the East Lyme Zoning commission proposal to amend sections of the East Lyme Zoning Regulations to regulate Adult Uses with the following change on the last page in (Add) Section 11.2.10 to: 'within a nine-hundred feet radius' and to add: 'No adult use establishment shall be conducted in any manner that permits the observations from any public right-of-way of any material depicting, describing or relating to the adult use, except for signage as per Section 18 of these regulations.

Mr. Salerno seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson noted that this would publish on July 16, 2009 and become effective on July 17, 2009.

4. Approval of Minutes – Public Hearings I and II and Regular Meeting Minutes –June 4, 2009

Mr. Nickerson called for discussion on, or corrections to the Commission's Public Hearing and Regular Meeting Minutes of June 4, 2009.

Ms. Carabelas asked that on Page 3 of the Regular Meeting Minutes in the third paragraph where she is speaking that the word they be changed to read: the.

Mr. Salerno asked on that same page in the third paragraph up from the bottom where he is speaking that the middle of the paragraph be changed to read: . . .The business has been open for 20 years and has always been residential and has been used incorrectly without permits. He thinks that by approving this, they have to be consistent and this would be opening it up to anybody to come in and say that they want their garage to be re-zoned and they would end up with hodge-podge wavy zone lines and it would turn ugly. . . .

****MOTION (2)**

Mr. Salerno moved to approve the June 4, 2009 Public Hearing I and Public Hearing II Minutes of the Commission as presented and the June 4, 2009 Regular Meeting Minutes of the Commission as amended.

Ms. Carabelas seconded the motion.

Vote: 5 – 0 – 1. Motion passed.

Abstained: Mr. Dwyer

Old Business

1. Stormwater

Mr. Mulholland said that he has been speaking with Engineering on this and that they will revise their regulations and make reference to the DEP manual as that is the most efficient way to do this.

2. Subcommittee – Niantic Village – CB Zones (Mark Nickerson, Marc Salerno & Gregory Massad)

Mr. Nickerson said that they are making headway on this.

Mr. Mulholland said that he would email out some other language for their review.

3. Subcommittee – Conservation Development by Design (Marc Salerno, Norm Peck & Rosanna Carabelas)

Mr. Peck said that they would be meeting next week Thursday – July 16, 2009.

New Business

1. Application of Jeffrey A. McNamara, agent for Mary Sanchez Quality Homes LLC to rezone from its existing zoning designation (RU-40 Residential) to Affordable Housing District for property identified in the application as Assessor's Map 29.0, Lot 14 and -

2. Application of Jeffrey A. McNamara, agent for Mary Sanchez Quality Homes LLC for approval of an Affordable Housing development, and site plan to construct thirty-eight (38) residential units on property identified in the application as Assessor's Map 29.0, Lot 14.

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

3. Application of Randi A. and Maureen White for a Zone Change for property identified in the Application as 41 West Main Street, Niantic, CT East Lyme Assessor's Mau 11.1, Lot 27.

Mr. Nickerson asked Mr. Mulholland to schedule this for Public Hearing.

4. Any business on the floor, if any, by the majority vote of the Commission.

There was none.

5. Zoning Official

Mr. Mulholland reported that the CVS is coming along and that the size looks much different as the building gets finished. He also reported that Five Brothers has expressed interest in being in our community,

Constantine's will be re-opening shortly and the Morton House will have a new eating place in some 6 to 7 weeks time.

6. Comments from Ex-Officio

There were none.

7. Comments from Zoning Commission liaison to Planning Commission

There was no report.

8. Comments from Chairman

Mr. Nickerson reported that he had asked Mr. Mulholland to check on some signs and banners on Boston Post Road that do not belong there and which are getting out of hand once again.

Ms. Carabelas asked the status of the Alternate who does not show up for meetings.

Mr. Nickerson said that he has spoken with the party Chairman and that they will address the matter.

9. Adjournment

Mr. Nickerson called for a motion to adjourn.

****MOTION (3)**

Mr. Salerno moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 8:45 PM.

Mr. Bulmer seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary