

Town of East Lyme

Zoning Commission

April 16, 2015

Regular Meeting Minutes

MEMBERS PRESENT:

Matthew Walker, Chairman

Matthew Kane

Terence Donovan

Norm Peck

William Dwyer

George McPherson

Peter Lukas, Alternate (Sat for Item #1 & #3 & #8 of the Regular Meeting)

Shawn Singer, Alternate

ABSENT:

James Liska, Alternate

Bill Mulholland, Zoning Officer

ALSO PRESENT:

Holly Cheeseman, Ex-Officio

Rita Palazzo, Planning Liaison

FILED IN EAST LYME  
CONNECTICUT  
april 20 15 AT 2:00 AM/PM  
Kaitlin Salvo, Clerk  
EAST LYME TOWN CLERK

Mr. Peck recused himself from item #1. Mr. Lukas was sat as a regular member.

1. Request of Vito Addabbo, Owner, 26 Industrial Park Road, for a waiver of the sidewalk requirement pursuant to East Lyme Zoning Regulations 24.6C sidewalks.

Robert Pfanner of J Robert Pfanner & Associates came forward to represent the applicant. He explained that this matter had previously gone before the Planning Commission and that they had a lengthy hearing on the matter.

He noted that they are asking for a waiver for sidewalks for several reasons; the property is isolated, located in an industrial park, no sidewalks exist within the park with the exception of Stop & Shop and the presence of a sidewalk would have to be constructed on the side of the road that would not disturb the brook. Such a sidewalk would be a sidewalk to nowhere, piecemealed together.

Mr. Pfanner explained that the Planning Commission was concerned by this waiver because the POCD encourages pedestrian walkways where permissible but that he had pointed out to Planning that the Charter requires that the Town handle the maintenance for all sidewalks, which is a great expense. He also drew attention to the complete absence of sidewalks around the middle school and elementary school.

Mr. McPherson, Mr. Walker and Mr. Dwyer agreed that this is not a walking area. Mr. Donovan questioned where they stop with all of these waiver requests. Mr. Pfanner responded that it's the Commission's role to determine whether the waiver is justified and approve or disapprove accordingly; He however believes the circumstances justify their request for the waiver.

- **Motion (1) Mr. McPherson moved to approve the request of Vito Addabbo, owner, 26 Industrial Park Road, for a waiver of the sidewalk requirement pursuant to East Lyme Zoning Regulations Section 24.6.C sidewalks.  
Mr. Kane seconded the motion.  
Vote: 5-1-0. Motion passed.**

**Mr. Donovan: Nay.**

Mr. Peck rejoined the Commission. Mr. Lukas returned to the audience.

2. Application of J. Robert Pfanner & Associates, P.c., for Jean Pierre Lessard, Owner, for a Coastal Area Management Review for construction of a garage on the upper level and storage on the lower level, at property identified in the application as 2 Shore Drive, Niantic, East Lyme Assessor's Map 17.3, Lot 141.

Mr. McPherson read the Zoning memo into the record.

Mr. Pfanner gave a detailed account of the specs of the garage and explained that the applicant will be building a boat. He also commented that the existing work space he has on his property is nicer than Mr. Pfanner's house and the garage will be equally as nice.

- **Motion (2) Mr. Donovan moved to approve the application of J. Robert Pfanner & Associates, P.C., for Jean Pierre Lessard, Owner, for a Coastal Area Management Review for construction of a garage on the upper level and storage on the lower level, at property identified in the application as 2 Shore Drive, Niantic, East Lyme Assessor's Map 17.3, Lot 141.  
Mr. McPherson seconded the motion.  
Vote: 6-0-0. Motion passed.**

Mr. Peck recused himself from item #3. Mr. Lukas was sat as a regular member.

3. Application of North Road Properties/Wave Construction Group for a Special Permit, for a contractor/trade service facility at property identified in the application as 7 Capital Drive, East Lyme Assessor's Map 09.0 Lot 22.

- **Motion (3) Mr. Donovan moved to approve the application of North Road Properties/Wave Construction Group for a Special Permit.  
Mr. McPherson seconded the motion.  
Vote: 6-0-0. Motion passed.**

The Commission opted to move to item #8 while Mr. Lukas was still sitting as a regular member.

8. Application of Kostas Anastasiou, for renewal of a Special Permit for Outdoor Dining at 26 W Main Street, Niantic.

- **Motion (4) Mr. Donovan moved to approve the application of Kostas Anastasiou, for renewal of a Special Permit for Outdoor Dining at 26 W Main Street, Niantic.  
Mr. McPherson seconded the motion.  
Vote: 6-0-0. Motion passed.**

Mr. Peck rejoined the Commission. Mr. Lukas returned to the audience.

4. Application of the East Lyme Parks & Recreation Department for placement of a 32'X32' gazebo at Bride Brook Park, Niantic.

- **Motion (5) Mr. Dwyer moved to approve the Application of the East Lyme Parks & Recreation Department for placement of a 32'X32' gazebo at Bride Brook Park, Niantic.  
Mr. Kane seconded the motion.**

Mr. Peck commented that he has seen these structures come down and stated that this one looks flimsy. He would like to postpone the decision until the wind velocity rating can be determined.

Mr. McPherson observed that this is the purview of Building Official Joe Smith and not the Zoning Commission.

Mr. Walker stated that the structure does look like an umbrella and Mr. McPherson noted that the Public Hearing has been closed.

**Mr. Dwyer withdrew his motion and Mr. Kane withdrew his second.**

The Commission opted to table this matter until the next meeting when the wind velocity question could be answered.

5. Application of Steve Carpenteri for Niantic Bay Inn, Inc (aka Lyme Tavern), for renewal of a Special Permit for Outdoor Dining at 229 W Main Street, Niantic.

Mr. Walker said that Mr. Kane made an excellent point earlier during the Public Hearing; Mr. Carpenteri does everything by the book.

- **Motion (5) Mr. McPherson moved to approve the application of Steve Carpenteri for Niantic Bay Inn, Inc (aka Lyme Tavern), for renewal of a Special Permit for Outdoor Dining at 229 W Main Street, Niantic.**

**Mr. Donovan seconded the motion.**

**Vote: 6-0-0. Motion passed.**

6. Application of Harry and Trifonas Loginidis d/b/a Family Pizza for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 233 Main Street.

- **Motion (6) Mr. Donovan moved to approve application of Harry and Trifonas Loginidis d/b/a Family Pizza for a renewal of a Special Permit for Outdoor Dining at property identified in the application as 233 Main Street.**

**Mr. Kane seconded the motion.**

**Vote: 6-0-0. Motion passed.**

7. Application of Teddy Ignatiadis for Main Street Grille, renewal of Special Permit for Outdoor Dining at 252 Main Street, Niantic.

- **Motion (7) Mr. McPherson moved to approve the application of Teddy Ignatiadis for Main Street Grille, renewal of Special Permit for Outdoor Dining at 252 Main Street, Niantic.**

**Mr. Kane seconded the motion.**

**Vote: 6-0-0. Motion passed.**

9. Approval of Minutes of April 2, 2015.

- **Motion (8) Mr. McPherson moved to approve the meeting minutes of April 2, 2015.**

**Mr. Donovan seconded the motion.**

**Vote: 5-0-1. Motion passed.**

**Mr. Kane abstained from the vote due to his absence from the April 2, 2015 meeting.**

## H. Old Business

Mr. Walker reminded the Commission that they had formed a subcommittee for mixed use in CB Zone.

## I New Business

1. 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.

The Public Hearing is scheduled for May 7, 2015.

2. Application of Rita Fokaidis, for Village Pizza, for a Renewal of a Special Permit for Outdoor Dining at property identified in this application as 53 West Main Street, Niantic.

The Public Hearing is scheduled for May 7, 2015.

3. Application of Craig Taft, for CTRP Enterprises LLC (aka Burke's Tavern), for a Renewal of a Special permit for Outdoor Dining at property identified in the application as 267-283 Main Street, (aka 13 Hope Street), Niantic.

The Public Hearing is scheduled for May 7, 2015.

4. Application of Timothy O'Reilly, Owner, East Lyme Café, LLC d/b/a Smokey O'Grady's, for a Renewal of a Special Permit for Outdoor Dining at property identified in the application as 306 Flanders Road, Niantic.

The Public Hearing is scheduled for May 7, 2015.

5. Application of David McIlhenney, for David McIlhenney Fitness Studio, for a Special Permit for Indoor Recreation at property identified in the application as 323 Flanders Flanders Road, East Lyme.

The Public Hearing is scheduled for May 7, 2015.

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

There was none.

7. Zoning Official

Mr. Walker stated that Mr. Mulholland is not here tonight but he is in our thoughts.

8. Comments from Ex-Officio

Ms. Cheeseman stated that last night's Board of Selectmen meeting was cancelled due to a lack of quorum. No one showed up for the Public Hearing which has been postponed until May.

9. Comments from Zoning Board liaison to Planning Commission

Mr. Peck stated that in an in-depth discussion of Oswegatchie Hills occurred without any decision.

10. Comments from Chairman

Mr. Walker said that he has no comments other than to remind Commission members that the meetings are about to become much more busy than they have been.

**ADJOURNMENT**

- **Motion (9) Mr. McPherson moved to adjourn the Zoning Commission meeting at 8:34 PM.  
Mr. Kane seconded the motion.  
Vote: 6-0-0. Motion passed.**

Respectfully Submitted

A handwritten signature in cursive script that reads "Brooke D. Stevens ATC".

Brooke D. Stevens

Recording Secretary