

**TOWN OF EAST LYME  
ZONING COMMISSION  
REGULAR MEETING MINUTES  
DECEMBER 5, 2013**

**Members Present:**

**Marc Salerno, Chairman  
George McPherson  
Matthew Walker  
Norm Peck  
Peter Lukas, Alternate (Sat for Regular Meeting)  
William Dwyer, Alternate (Sat for Regular Meeting)  
James Liska, Alternate**

**Also Present:**

**Bill Mulholland, Zoning Officer  
Holly Cheeseman, Ex-Officio  
Ernest Covino, Planning Commission Representative**

**Members Absent:**

**Matthew Kane  
Terence Donovan**

FILED IN EAST LYME  
CONNECTICUT  
DEC 10, 2013 AT 8:20 AM  
*[Signature]*  
EAST LYME TOWN CLERK

- 1. Application of Rita Fokaidis, for a Special Permit for Mixed Use at property identified in the application as 55 West Main Street, Niantic, Connecticut.**

Mr. McPherson stated the POCD discusses a sidewalk from downtown to Giants Neck.

Mr. Mulholland stated the other project referenced was a major renovation, this is an efficiency apartment.

**Motion (1) Mr. Peck moved to approve the application of Rita Fokaidis, for a Special Permit for Mixed Use at a property identified in the application as 55 West Main Street, Niantic, Connecticut and to grant the waiver of the sidewalk.**

**Seconded by Mr. Dwyer.**

**Motion Passed 6-0.**

This item will be published Thursday, December 12<sup>th</sup> and will become effective December 13<sup>th</sup>.

- 2. Application of Keith Neilson, Docko, Inc., Agent for a Coastal Area Management Site Plan Review for shoreline protection improvements at 279 Old Black Point Road, Niantic, Connecticut.**

This item is going to be moved to the next meeting.

**3. Application of Lisa Wadge, Member, White Knight Development, LLC for a Coastal Area Management Site Plan Review for shoreline protection improvements at 59 Shore Road, Niantic.**

Mr. Walker read a memo from Mr. Mulholland.

Don Gerwick presented the application. The existing house was damaged by Storm Sandy. It is a pre-existing non-conforming lot. There is frontage on Niantic Bay and on Davis Pond. There will be pilings around the exterior. The number and location of those will be determined by a structural engineer. They thought there may be a species of special concern on the property, but DEEP has confirmed that there is none on the property. There are tidal wetlands at Davis Pond. The area is fairly well vegetated. It is mostly invasive. They are proposing beach grass, which will also help to dissipate energy from the waves. The structure will be 18 feet wide by 60 feet long. It will be open below.

**Mr. Gerwick presented the following Exhibits:**

**Exhibit 1 – Blow up of area plan.**

**Exhibit 2 – Site Plan**

Mr. Gerwick stated David Pond is brackish and is formally classified as tidal wetlands.

Mr. Lukas asked about the Right of Way to the beach.

Mr. Mulholland stated that without access they can't issue a permit to build the house, that is not the Commission's purview.

Chairman Salerno stated this is a CAM review; zoning is not the purview in this application.

**Motion (2) Mr. Walker moved to approve the Application of Lisa Wadge, White Knight Development, for Coastal Area Management Review for new home construction at property identified in the application as 59 Shore Road, Niantic, CT.**

**Reasons:**

- 1. Application is 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. McPherson.**

**Motion Passed 5-0-1 (Mr. Lukas abstained)**

This item will be published Thursday, December 12<sup>th</sup> and will become effective December 13<sup>th</sup>.

**4. Zoning Commission Budget FY2014/2015.**

Mr. Mulholland reviewed the budget.

There was discussion of adding money into the budget again for professional consultants.

Mr. Mulholland stated they could go to the Board of Selectmen if they felt there was a consultant needed.

Chairman Salerno stated when they didn't have a traffic engineer and the other party did the Judge took the testimony of the engineer over the Commission's opinion. He has however been assured that the Board of Selectmen would do whatever they could if we did need to hire a consultant.

The Commission added the following to the 2014 budget:

**Consultants                      \$4000.00                      (Subject to Approval of the First Selectman at time of need)**

Mr. Peck questioned the salary item increase from last year.

**Motion (3)      Mr. McPherson moved to approve the 2014 budget as amended.**

**Seconded by Mr. Walker.**

**Motion Passed 6-0.**

#### **5. Approval of Minutes of November 19, 2013**

**Motion (4)      Mr. Walker moved to approve the Regular Meeting Minutes of November 19, 2013.**

**Seconded by Mr. McPherson.**

**Motion Passed 5-0-1 (Mr. Peck Abstained)**

**Motion (5)      Mr. Walker moved to approve the Public Hearing Minutes of November 19, 2013.**

**Seconded by Mr. McPherson.**

**Motion Passed 5-0-1 (Mr. Peck Abstained)**

#### **Old Business**

##### **1. Sign Subcommittee**

There was no report.

##### **2. Outdoor Dining Bars Subcommittee**

There was no report.

##### **3. Zoning Regulations Review**

There was no report. They will meet next week.

## **New Business**

### **1. Planning Commission Liaison Schedule for 2014**

Mr. Lukas's name will replace Mr. Hogan's name on the schedule. Mr. Mulholland will send out a corrected schedule tomorrow.

**Motion (6) Mr. Walker moved to approve the Liaison Schedule for 2014 as amended.**

**Seconded by Mr. McPherson.**

**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**

The Flanders Road building will probably be issued a CO tomorrow or Monday. He will be taking a \$25,000 bond for the landscaping until Spring. Henny Penny is moving along. Gateway should be in any day.

### **4. Comments from Ex-Officio**

Ms. Cheeseman stated the Board started their new term last night. She will be the ex-officio to Zoning again. They appointed Paul Holmes as a part time constable, Mark Nickerson as Deputy First Selectman. They were granted the use of a mobile communication vehicle of which there are only 6 in the State. They discussed the Public Safety Committee.

Chairman Salerno stated we have no purview over the Solar Park, but there have been many complaints. Specifically that they are developing up to three feet from the property lines.

Mr. Mulholland stated one would think the Siting Council would take a buffer into consideration.

Chairman Salerno asked Mr. Mulholland to find out if they are building that close to the boundary line, and if they are he will write to the Siting Council with a copy to Ed Jutila, Andrea Stillman, and even the Governor.

### **5. Comments from zoning board liaison to Planning Commission**

Mr. Walker did not attend.

### **6. Comments from Chairman**

Chairman Salerno thanked them for voting him in as Chairman.

**7. Adjournment**

**Motion (7) Mr. McPherson moved to adjourn the Regular Meeting at 9:10 a.m.**

**Seconded by Mr. Walker.**

**Motion Passed 6-0.**

**Respectfully Submitted,**

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

**Karen Miller Galbo  
Recording Secretary**

