

**EAST LYME ZONING COMMISSION
PUBLIC HEARING II
Thursday, OCTOBER 1st, 2009
MINUTES**

The East Lyme Zoning Commission held a Public Hearing on the Application of AHEPA 250 INC for a Special Permit to construct a multi-family, multi-story dwelling for elderly housing under Section 12.1.5 of the East Lyme Zoning Regulations at 267 Roxbury Road, Niantic, CT, on Thursday, October 1, 2009 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Acting Chairman Salerno opened the Public Hearing and called it to order at 8:24 PM after the previously scheduled Public Hearing.

PRESENT: Marc Salerno, Acting Chairman, Mark Nickerson, Acting Secretary, Norm Peck, Steve Carpenteri, Bob Bulmer, Alternate, William Dwyer, Alternate

ALSO PRESENT: William Mulholland, Zoning Official
Attorney Nicholas Paindiris, Representing the Applicant

ABSENT: Rosanna Carabelas, Secretary, Ed Gada, Bob Bulmer, Alternate,

PANEL: Marc Salerno, Acting Chairman, Mark Nickerson, Acting Secretary, Norm Peck, Steve Carpenteri, Bob Bulmer, Alternate, William Dwyer, Alternate

Pledge of Allegiance

The Pledge was previously observed.

Public Hearing I

1. Application of AHEPA 250 INC for a Special Permit to construct a multi-family, multi-story dwelling for elderly housing under Section 12.1.5 of the East Lyme Zoning Regulations at 267 Roxbury Road, Niantic, CT, Assessor's Map 10.0, Lot 9.

Acting Chairman Salerno noted that he had seated Bob Bulmer, Alternate and William Dwyer, Alternate at the table this evening. He asked if anyone had a conflict of interest with regard to this application. No one did.

Mr. Salerno noted that the legal ad for this Public Hearing had run in The Day on September 18, 2009 and September 28, 2009. He then asked Acting Secretary Nickerson to read the correspondence into the record.

Mr. Nickerson, Acting Secretary read the following correspondence into the record:

- Memo dated 10/1/09 to the East Lyme Zoning Commission from Wm. Mulholland, Zoning Official – Re: Special Permit Application AHEPA 250 INC - noting that AHEPA 250 INC is applying for a Special Permit to construct 52 units at 267 Roxbury Rd. which is currently home to two other similar buildings and finding that that the use is allowed by Special Permit under Section 12.1.5 subject to site plan review and approval and other items found in Section 22 and Section 25.5.

Mr. Salerno called upon the applicant or their representative to make their presentation. Attorney Nicholas Paindiris, place of business 2252 Main Street, Glastonbury, CT said that he was representing the applicant along with Peter Argiros, Architect for the project and Robert Newton, PE with Purcell Associates who would present the traffic study.

Attorney Paindiris explained that this parcel was acquired from the State with the purpose of constructing HUD Housing for the Elderly. In order to be eligible for this type of housing, a person must be 62 years of age or older. The first building was built on this site in 1993 and it had 54 units. The second was built in 2003 with 50 units. This building that they are applying for have 52 units. They are required by special permit to have 500' of frontage and they have 800' of frontage. While they are over 110' from the roadway pavement, they are only 70' from their boundary and would require a waiver to reduce the setback from West Main Street. They are also seeking to construct a building that will be 39'7" in height and which would require a waiver. He noted that the Commission approved the height of the two other buildings when they came before them and that due to the lay of the land that the height would fall in line with the buildings that are already there as the land drops off in certain areas. They are required to provide one parking space for each resident and they have provided 166 when they need only 156, so there is more than ample parking. A traffic impact study was done and the information submitted to staff by Purcell Associates. The level of service was rated at A and will remain at A should this building be built on this site.

Mr. Salerno entered the Traffic Report that was submitted by Purcell Associates into the record as **Exhibit A**.

Attorney Paindiris continued that there were some negative site lines noted in the traffic study and that they are caused by vegetation which has grown over the area and that once it is cut, the problem would be corrected.

Mr. Mulholland noted that the town Engineer would handle that issue in its' proper time should this be granted.

Attorney Paindiris noted that they had previously approved the text change that had been applied for. He then introduced Robert Newton, PE with Purcell Associates to explain the drainage design and site plan.

Mr. Salerno entered the site plan board into the record as **Exhibit B** and the pictures of the AHEPA buildings into the record as **Exhibit C**.

Mr. Mulholland noted for the record that they did receive a wetlands permit for this project/application.

Mr. Newton, PE with Purcell Associates explained that they would be moving one dumpster location and adding plantings and additional trees. They would also be providing more than the required handicap spaces. He said that the comments from the Fire Marshal asked that a modification be made to provide an access way along the south side of the property made of pavers that would be strong enough to support emergency vehicles. They have no problem with that and have added it to the plans. Regarding the traffic study, the level of service is rated as an A now and during the AM peak hour there would be a total of 14 cars entering and leaving and 10 cars entering and leaving during the PM peak hour. The level of service would remain at A. With respect to the height of the building, while they are seeking a waiver on the height, it will appear lower than the other two as it is downhill.

Mr. Dwyer asked how much lower it would be than the others.
Mr. Newton said 14'.

Mr. Nickerson asked what the impact would be of sliding the building over so that it is not so close to the road.

Mr. Newton said that they are utilizing a driveway that is already there and a straight shot to this building rather than creating more impervious surface area.

Peter Argiros, Architect for the project from Colchester, CT explained the pictures and the building style from all sides. He concurred that the reason why they could not move the building is that the current placement gives it a straight shot for everything from the drive that is already there.

Attorney Paindiris summed that they build a quality product and that there are three beneficiaries: the Town, who will gain 52 more affordable units and move closer to the 10% goal; the people coming in who need a place to stay and the existing residents who have more people to be involved in more programs and all of this has a synergy to it. He said that all of the buildings have sprinkler systems.

Mr. Peck asked if this building would be three or four stories high.

Mr. Argiros said that it is three stories.

Mr. Peck said that in looking at the plans that the setback from West Main Street looks to be over 100 feet.

Mr. Newton and Mr. Mulholland said that it requires the distance to be from the property line and they have it from the street line and the Commission is allowed to grant a waiver for this.

Mr. Peck asked if this is considered affordable housing.

Attorney Paindiris said yes, it is 100% affordable housing.

Mr. Peck asked about the landscape between the end of the building and West Main Street as there is a void there and he would like to see them add some plantings.

Mr. Newton passed out a smaller version of the landscape plan which was entered into the record as **Exhibit D**. He said that they are maintaining a stand of trees there already and would be willing to enhance the 20' area that has nothing in it with some 6' white pines.

Mr. Salerno called for comments from the public for, against or neutrally on this application –
Hearing no one -

Mr. Salerno asked if there were other comments -

Hearing none –

He called for a motion to close this Public Hearing.

****MOTION (1)**

Mr. Nickerson moved to close this Public Hearing.

Mr. Dwyer seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Salerno closed this Public Hearing at 8:57 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary