

**EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, APRIL 8th, 2010
MINUTES**

The East Lyme Zoning Commission held a Regular Meeting on Thursday, April 8, 2010 at the East Lyme Town Hall, 108 Pennsylvania Ave., Niantic, CT.

PRESENT: Mark Salerno, Chairman, Rosanna Carabelas, Secretary,
Matt Walker, Norm Peck, Steve Carpenteri, Bob Bulmer, Alternate

ALSO PRESENT: Harry Loginidis, Applicant
James Liska, Alternate

ABSENT: Ed Gada, William Dwyer, Alternate

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Apr 13 20 10 at 10 AM
PM

Esther B. Williams

EAST LYME TOWN CLERK

1. Call to Order

Chairman Salerno called this Regular Meeting of the Zoning Commission to order at 7:58 PM after the previously scheduled Public Hearings. He noted that he had seated Bob Bulmer, Alternate at the table this evening.

Pledge of Allegiance

The Pledge was previously observed.

Public Delegations

Mr. Salerno 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

Mr. Salerno called for a motion to add the two Public Hearing items to the regular agenda area for action.

****MOTION (1)**

Ms. Carabelas moved to add the two public hearing applications (Leo Roche for Strive LLC and Harry Loginidis dba/Family Pizza) to the Regular meeting agenda for action.

Mr. Bulmer seconded the motion.

Vote: 6 - 0 - 0. Motion passed.

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, CT.

Mr. Salerno called for discussion.

Mr. Bulmer said that he thinks that the Black Sheep is a wonderful asset to this Town and that he hopes that they keep going onward and upward. He said that they should renew the permit the same as he has now.

Mr. Salerno asked that they itemize the same conditions as with the previous permit.

****MOTION (2)**

Mr. Bulmer moved to approve the 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, CT with the following conditions:

- a. The outside live acoustic music will not have an amp on the guitar, only the microphone and the microphone will be cut off at 8 PM.
- b. The soft, background, outside dinner music from the speakers will be shut off at 10 PM.
- c. The patio shall close one hour after the kitchen closes but no later than 12 midnight.
- d. The setback requirements will be waived to zero as per the site plan.
- e. A sign will be posted that there is "No Sitting on the Wall" outside in the patio area.
- f. Patrons shall not use the patio area for consumption of alcohol unless seated at a table.

Ms. Carabelas seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Salerno said that this would publish on April 15, 2010 and become effective on April 16, 2010.

2. Application of Harry and Trifonas Loginidis dba/Family Pizza for a one-year renewal of a Special Permit for Outdoor Dining (with the addition of liquor service) at 233 Main Street, Niantic, CT.

Mr. Salerno called for discussion.

Ms. Carabelas said that if they are approving this with liquor that she felt that the items that applied from the Black Sheep approval regarding alcohol on the patio should also apply here for consistency.

The Commissioners agreed that it should be consistent and that relevant conditions should be in effect.

Mr. Salerno noted that Family Pizza does not have music so those items would not apply.

****MOTION (3)**

Ms. Carabelas moved to approve the Application of Harry and Trifonas Loginidis dba/Family Pizza for a one-year renewal of a Special Permit for Outdoor Dining (with the addition of liquor service) at 233 Main Street, Niantic, CT with the following conditions:

- a. The patio shall close one hour after the kitchen closes but no later than 12 midnight.
- b. The setback requirements will be waived to zero as per the site plan.
- c. A sign will be posted that there is "No Sitting on the Wall" outside in the patio area.
- d. Patrons shall not use the patio area for consumption of alcohol unless seated at a table.

Mr. Carpenteri seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Carpenteri asked that Family Pizza receive a copy of the condition items listed above.

Mr. Salerno said that this would publish on April 15, 2010 and become effective on April 16, 2010.

3. Approval of Minutes – Regular Meeting Minutes – March 18, 2010

Mr. Salerno called for discussion on, or corrections to the Commission's Regular Meeting Minutes of March 18, 2010.

Ms. Carabelas asked that on Page 3 in the first paragraph under Item B. where she is speaking that the words 'there was no incidents ...' be changed to read: *there were no incidents ...*

Mr. Peck asked that in that same paragraph in the first line that the words 'outdoor dining' be added after five year and before permit so that the line will read: *the five year outdoor dining permit was a good idea...* so that people would know what type of permit they were talking about.

****MOTION (4)**

Ms. Carabelas moved to approve the March 18, 2010 Regular Meeting Minutes of the Commission as amended.

Mr. Peck seconded the motion.

Vote: 4 – 0 – 2. Motion passed.

Abstained: Mr. Carpenteri, Mr. Bulmer

Old Business

1. Subcommittee – Niantic Village – CB Zones (Norm Peck & Marc Salerno)

Mr. Salerno noted that they are still working on this.

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

Mr. Peck asked that they set a meeting on this soon as he fears that things may start to happen and they will not have these items in place.

3. Incentive Housing (Ed Gada, Rosanna Carabelas, Marc Salerno)

Mr. Salerno reported that they had a meeting on this last week with the COG people and while they had originally had three (3) areas that they were looking at – downtown Niantic, the Midway Mall area and behind the Senior Center – the area behind the Senior Center has come off the table due to some discussion from various groups. The Midway Mall area is under discussion and with regard to the downtown area, they came up with three potential areas which COG will research and get back to them on.

New Business

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

2. Zoning Official

There was no report.

3. Comments from Ex-Officio

There was no report.

4. Comments from Zoning Commission liaison to Planning Commission

Mr. Carpenteri reported that Planning held a public hearing on a New England National application for a re-subdivision of 3+ acres of land. The public hearing was continued to the following meeting of the Commission.

5. Comments from Chairman

Mr. Salerno noted that he would like to see a Parking Subcommittee set up. He noted that the parking overlay zone downtown is basically from Baptist to the Morton House and that throughout time, it has had various parking issues. He proposed that they set up a subcommittee to review parking Town-wide and that they possibly change the parking set up downtown. He said that he spoke earlier with Mr. Carpenteri and asked that some people who have not been on subcommittees volunteer to serve on this one. He asked for volunteers to work with him on this.

Mr. Carpenteri and Mr. Walker volunteered to work with Mr. Salerno on the 'Town-wide Parking Subcommittee'.

Mr. Salerno said that he hopes with this new subcommittee to have something on the table for this summer. He also noted that they may want to put some of the outdoor dining conditions into regulation form eventually.

6. Adjournment

Mr. Salerno called for a motion to adjourn.

****MOTION (5)**

Mr. Salerno moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 8:25 PM.

Mr. Gada seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

