

EAST LYME ZONING COMMISSION
REGULAR MEETING
Thursday, MARCH 16TH, 2006

MINUTES

PRESENT: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary, Pamela Byrnes, Norm Peck, Marc Salerno, Ed Gada

ALSO PRESENT: Joseph Barry, Alternate
Robert Bulmer, Alternate
Attorney Theodore A. Harris, Applicant
Attorney William McCoy, Applicant
Mr. George Mitchell, Applicant
Mr. Terry Mitchell, Applicant
William Mulholland, Zoning Official

FILED IN EAST LYME TOWN
CLERK'S OFFICE

MAR 24 2006 at 3:10 AM PM

Ethel B. Williams

EAST LYME TOWN CLERK

ABSENT: William Dwyer, Alternate

1. Call to Order

Chairman Nickerson called this Regular Meeting of the Zoning Commission to order after the previously scheduled Public Hearings.

Public Delegations

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

2. Application of Theodore A. Harris to amend Section 20.20.8 regarding the sale of beer at small grocery/convenience stores.

Tape began in the middle of the discussion.

Mr. Nickerson stated that the town does not permit grocery beer. It is not in the regulations, if the grocery store is less than 20,000 SF. The way it is proposed the argument goes away with the exception of churches. 20.20.6 allows restaurants to have liquor regardless of where they are.

It was stated that the grocery beer permit is not withstanding. The proposed amendment is not any different than the existing grocery beer permit, other than the size issue and the placement of 1000 foot restriction.

Mr. Nickerson agreed.

Marc Salerno asked if a standard restaurant is allowed to sell alcohol right across the street from a school, what is the problem with a convenience store doing the same. A large grocery store and package store are allowed to sell right across from a school as well.

Mr. Nickerson stated that he didn't think that more outlets are needed. He is moved by the applicant. He stated that the liquor store pays more attention to the sale of liquor.

Ms. Carabelas does not think there will be another large supermarket selling beer in Niantic.

It was stated that selling liquor is a way to increase small business opportunities that should be taken advantage of.

It was stated that the town regulations are unfair. They create an un-level playing field by taking one small group of merchants and set them aside and they let everyone else do it. The only reason the small group of merchants can't play is that they are under the 20,000 SF limitation.

Mr. Nickerson agrees with Mr. Salerno and Ms. Carabelas that the amendment should not be passed.

Mr. Nickerson asked Mr. Mulholland if there was a way to fine tune the definition of a grocery store vs. a convenience store.
Mr. Mulholland stated that might be possible.

Mr. Nickerson asked to table the discussion.
The question was asked if the discussion was tabled, would we have to have another Public Hearing.
Mr. Mulholland said no
Mr. Nickerson stated that everything will be left intact, but we are just placing more limitations to it.

****MOTION (1)**

Ms. Byrnes moved to approve the Application of Theodore A. Harris to amend Section 20.20.8 regarding the sale of beer at small grocery/convenience stores.

Mr. Peck seconded the motion.

MOTION WITHDRAWN

****MOTION (2)****

Ms. Byrnes moved to table the Application of Theodore A. Harris to amend Section 20.20.8 regarding the sale of beer at small grocery/convenience stores.

Mr. Gada seconded the motion.

VOTE: 6-0-0 Motion Passed

3. Application of Terry Mitchell, agent for Ahepa 250, Inc. to amend the East Lyme Zoning Regulations to permit "non-profit subsidized elderly housing" in SU Zones.

****MOTION (3)****

Ms. Byrnes moved to approve Application of Terry Mitchell, agent for Ahepa 250, Inc. to amend the East Lyme Zoning Regulations to permit "non-profit subsidized elderly housing" in SU Zones.

Ms. Carabelas seconded the motion.

VOTE: 6-0-0 Motion Passed

4. Application of Theodore A. Harris to amend the East Lyme Zoning Regulations by providing for a definition of "Regional Shopping Center."

This was not discussed due to the hour.

5. Application of William E. McCoy to amend the Zoning Regulations to permit "Special Events" on farm properties.

This was not discussed due to the hour.

6. Approval of Minutes for the Meeting of March 2, 2006 and Minutes.

This was not discussed due to the hour.

7. Adjournment

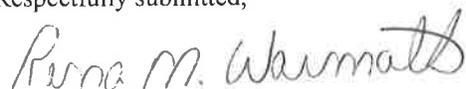
****MOTION (4)****

Ms. Byrnes moved to adjourn this Regular Meeting of the East Lyme Zoning Commission at 12:00AM.

Mr. Salerno seconded the motion.

VOTE: 6-0-0 Motion passed.

Respectfully submitted,



Rena M. Warmath
Recording Secretary (Pro-Tem)