

EAST LYME ZONING COMMISSION  
PUBLIC HEARING I  
Thursday, September 21, 2006

FILED IN EAST LYME  
*Sept 26, 2006* AT *8:45* <sup>*a*</sup> M  
*L. Blair, ATC*  
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held the Continuation of Application of Theodore A. Harris for a Special Permit for a fast food restaurant at property identified in the application as 267 Flanders Road, Niantic, Connecticut. The property is further identified as East Lyme Assessor's Map 31.3, Lot 24.

PRESENT: Mark Nickerson, Chairman; Dr. Edward Gada, Rosanna Carabelas, Dr. Pamela Byrnes, Marc Salerno, Norman Peck, Bill Dwyer, Alternate, Joe Barry, Alternate, Bob Bulmer, Alternate

ALSO PRESENT: William Mulholland, Zoning Official  
Theodore Harris, of Stevens, Harris, Guernsey & Quilliam  
William Vliet, of Vliet & O'Neil, LLC  
Ed Wenky, 12 Lewis Street Groton, CT, site engineer

ABSENT: None.

PANEL: Mark Nickerson, Chairman; Dr. Edward Gada, Rosanna Carabelas, Dr. Pamela Byrnes, Marc Salerno, Norman Peck

**Pledge of Allegiance**

The Pledge was observed.

**Public Delegations**

Joe Barry 111 South ... My concern is that a member of the East Lyme Zoning Board, whether a full seat or alternate, we are all expected to act in compliance with the Town Charter and by-laws. The question has arisen several times since I have been elected as to whether or not the Zoning Commission and the Chairman has to seat an alternate when a position is vacant and an alternate is available. My understanding of the Charter and By-laws are that when the word shall is used in reference to action it means it will happen. Just as regular commission members can claim that they have familiarized themselves with specific applications, so can an alternate.

The second concern I would like to address is when an alternate can speak. As part of a seated panel acting on an application, a seated alternate has the right and duty to speak and vote on his or her behalf with regards to resolutions to include acceptance or rejection of the minutes with concerns to his or her actions. The call for out of order does not overrule a point of order. A point of order is to bring notice to a breach of a rule, to insist upon its enforcement.

The public deserves representation it has elected, and that includes the filling of vacant posts with alternates, when available. The public also deserves fair and consistent compliance with enforcement of Charter and by-law provisions of conduct. A memo

from Wallace, Smith & Palmer to the Town of East Lyme regarding non-seated alternates states that an alternate of a commission can be compared to an alternate juror. If the juror is not seated, he or she is dismissed at the time deliberations begin. Even though a dismissal notice is issued the alternate can remain if he chooses without input or comment to keep himself familiar and to keep updated with the procedures.

### Public Hearing I

Continuation of Application of Theodore A. Harris:

Application of Theodore A. Harris for a Special Permit for a fast food restaurant at property identified in the application as 267 Flanders Road, Niantic, Connecticut. The property is further identified as East Lyme Assessor's Map 31.3, Lot 24.

Ms. Carabelas read the following correspondence into the record:

- Memo to the East Lyme Zoning Commission from Mr. Mulholland dated September 21, 2006. Re: Special Permit Application – Fast Food Restaurant Starbucks.

Mr. Nickerson noted that the legal ad was published correctly in the newspaper.

### **Theodore Harris, of Stevens, Harris, Guernsey & Quilliam, Niantic, CT**

Mr. Harris: as you can see from our representation of the site and our familiarity with the area, this is a proposal to renovate a long existing, deteriorated site. It used to be an Esso gas station some 15 years ago. Since that time it has had various temporary uses. We hope you will see that we have come in with a use that is appropriate in size and scope for the lot. It is also appropriate for the area in which it is proposed to be located in. This is a challenge site, in that it is not a good site for a lot of uses; however it does work well for some uses – particularly those that are compatible with the area, i.e. motels, fast food. That is the general area and the general type of use in that area.

Mr. Harris submitted a pictorial representation, Notice of Public Hearing Sign posted at 267 Flanders Road, (labeled **Exhibit A**) and a letter to the Town of East Lyme Zoning Board of Appeals re: Decision on Variance Request No. 10-2006, (labeled **Exhibit B**).

Mr. Harris stated Exhibit A was the sign required by regulations and posted on Friday (September 15, 2006).

Mr. Harris noted re: the variance that the separation distance required for drive thrus is 1000 feet. This lies a little over 900 feet from one use and about 700 feet from another. That was the scope of the variance that was ultimately granted. Mr. Harris emphasized the small amount of variance requested.

At the presentation to the Zoning Board of Appeals there was a comprehensive discussion of traffic issues.

Mr. Harris also submitted a letter with regard to hazardous waste, noting that the parcel is situated in our aquifer protection zone; most of it in the primary zone, some of it in the secondary. This letter indicates that there are no hazardous materials to be used or stored on site. The letter is addressed to Mark Nickerson; Chairman East Lyme Zoning

Commission from Theodore A. Harris dated September 21, 2006. Re: Application of 267 Flanders Road, LLC, (labeled **Exhibit C**).

Mr. Harris stated that as this is in the aquifer protection zone, there are other issues that have to be considered, especially relating to drainage design. The aquifer protection zone requires that the drainage design provide for a runoff rate that does not exceed what the site would be in its natural state. Formerly that was accomplished by infiltration, predominantly in this zone. More recently (the last two or three years) the DEP has decided that infiltration is not a good idea in an aquifer protection zone, principally because the potential for pollution with untreated water. Even though our regulations say we have to contain that on site, and I believe the theory of that was for infiltration, we now have to design for retention, that is hold the water and dissipate it slowly off site to meet that rate as if it was in its natural state.

This presented some quandaries with respect to this site. We have come up with an interesting solution, which involves an underground retention. You will see more details later, where we will retain the water in a system underground and gradually redistribute it so we don't have an open, above ground retention center. The end result is the same; we're now going to store the water off site. This was an evolving design and the actual calculations are not completed at this time and have not been reviewed by our engineering department. We ask that the Commission keep it open for purposes of receiving that final comment from our engineering department.

Mr. Harris submitted a pictorial representation, Overhead of Site Plan Proposed Fast Food Restaurant, Project No. 231224, dated April 2006, (labeled **Exhibit D**) and Rendition I & II from Cardelle Design Associates, LLC of 267 Flanders Road, (labeled **Exhibit E**).

Mr. Harris continued his descriptions, noting this site lies at the corner of Route 161 and King Arthur Drive. That allows the development of a traffic circulation scheme that takes advantage of both roads and particularly the signalization on King Arthur Drive. It provides for a generally counterclockwise circulation and access off 161, a right hand turn taken off 161 and ingress and egress directly to King Arthur Drive where there is a signal for both right and left turns.

The existing building will be removed. The new building is relatively small in scope for a project of this nature and will be slightly further back than the existing building, which will provide for parking along the front, along Route 161. The building is approximately 1,500 square feet and the overall parcel size isn't excessive. What we've done is try to develop a small building for this site because a good portion of the site to the rear is a steep slope and is not functional. We have come up with a building that is basically the size of a small home to service this site. That allows us to keep sufficient space for traffic circulation.

The style of the building is a Cape Cod style with a number of tweaks from our land use department. We have presented a building with architectural shingles, cream colored vinyl siding. Everyone had agreed that the black roof version is probably the best.

The traffic flow is going to be through the site in a counter clockwise direction. There are a couple of significant factors to note: there is a drive-thru with a complete bypass lane to allow anyone at the drive-thru to get out of line, leave the site or circulate back into the parking area. This reduces the chance of any issues with respect to drive-thru queuing. That drive-thru provides for at least 7 cars stacking. This is a requirement based on the nature of the Starbucks operation.

Mr. Harris continued with a description of the Starbucks operation, submitting Starbucks Coffee Company East Lyme, summary of features, (labeled Exhibit F) to differentiate the Starbucks operation.

Mr. Harris listed some of those significant features:

Starbucks is an upscale coffee shop designed to entice people to come into the restaurant. It has music, comfortable seats, is designed for people to lounge. It features Wi-Fi, for those who might want to do work while having a cup of coffee. Studies have shown that at least 50% of patrons come into their stores. It also levels out the Starbucks patron use during the day. While they would have a peak time during the morning, they would also have a continual flow during most of the day because of that feature [that patrons would come to sit and lounge].

Another factor that brings people inside is what they sell: in addition to their specially made coffees, they sell other things: coffee beans, coffee makers, books, CDs, a variety of things that they rotate to entice people into the store.

Mr. Harris reiterated that, while they do have a drive-thru, they are very oriented to draw people inside as well.

They do not cook on site, which is another reason a use like this can be accommodated in a relatively small building. They devote a lot of their open area to public space. Their goods are brought in once a day, while they are closed. Deliveries do not happen while they are open.

Their typical hours are from 5am to midnight. It is during those off hours that they have those deliveries.

They typically have 4 - 5 employees at one time in the store. They anticipate a total of 25 would service the store. Mr. Harris stated that he was told that employees are referred to as partners because every employee does have a share of profitability in the company.

Mr. Harris continued that Starbucks represents a very different type of fast food restaurant, and should not be seen as the same as McDonalds because of the type of product they offer. That their cup of coffee doesn't strictly come out of a pot, but has to be prepared specially. They only have a limited number of gourmet foods that are served (not prepared on site) and their goal is to get people inside, more than it is to get people to the drive-thru. That tends to draw people into the store - that has implications on the normal queue.

Mr. Harris requested that the Commission keep these differences in mind, because they impact some of the design issues. Mr. Harris then turned the presentation over to the site engineer.

**Ed Wenky, 12 Lewis Street Groton, CT, professional engineer**

“As the site engineer it is my charge to develop the site layout, make sure it conforms to all your zoning regulations, develop a layout so that it is constructible, with minimal environmental impacts and make it cost effective – that includes all infrastructure, all parking, all site disturbance.

The site is approximately a  $\frac{3}{4}$  acre parcel, zoned CA, located in the aquifer protection zone. It is not located in any FEMA hazard flood zones. It is not located in a CAM zone. It has 165 feet of frontage along Flanders Road; it has 177 feet of frontage along King Arthur Drive. We are using both those frontages for access to the site and egress.

“The first thing we did was try to figure out how big a footprint we could fit on here and balance the parking, balance the actual excavation and site disturbance. This site currently has a steep slope in back that starts with the total slope about mid site and works back on up to the Motel site in the back.

“In front of that slope there is an existing building which is the previous gas station. That building will be demolished and removed as part of this project.

“We have come up with a building size that matches Starbucks prototype, which is 1,500 square feet. Based on the public area of that, which is approximately 775 square feet, your zoning regulations require 31 parking spaces. We’re providing 31 parking spaces, including the ADA required handicap spaces.

“We developed the drive-thru window to the rear of the building so it doesn’t face the street. It also allows us to queue up cars. We can queue up to 7 cars without blocking any interior driveways. Starbucks indicated that their norms for their drive-thrus are between 6 – 7, 8 cars. We also provided a bypass lane on that drive-thru lane. The new building because of the parking...”

Ms. Carabelas inquired if Starbucks took into consideration that this is a very busy intersection when they provided the figure of how many cars usually queue up. She added that this will be a very popular destination.

Mr. Wenky responded that, as a rule, Starbucks is generally a very popular place in most of its locations. He continued that, “In most of its locations they try to site them, demographically, in the busiest places they can possibly find. The information they gave us is very critical in trying to determine whether or not our drive-thru queue is actually adequate for them and they assure us that it absolutely is, based on their other stores and operation in similar areas.”

Dr. Byrnes queried how many of those similar areas are right on a very busy interstate, right at the exit.

Mr. Wenky stated that he could not answer that. He stated that more pertinent traffic information would be coming in the presentation.

Mr. Wenky continued, "The way the building is sited right now, it is situated in the middle of the lot. In order to accommodate that and the drive-thru around and all the parking, we had to re-grade the back slope. We will be excavating out the slope as one of the initial parts of this project; removing the material from the site. Re-grading that slope to a 2 to 1 slope right on up top the back property line. From there we will continue the construction on to the flat part in the front and prepare the building pad, pouring the foundations, etc.

"Sewer is accommodated by an existing sewer connection off of King Arthur Drive, which has always served the existing building there. We're going to tapping into that - no cuts into King Arthur Drive for that. There is an existing water connection that also serves the existing building; we're going to be using that as our water service. There is also natural gas service in King Arthur Drive, there is a 4 inch main that we're going to be tapping into to fuel the building for the HVAC.

"As we stated before, the site is located in the aquifer protection zone. Storm drainage is the tail that wags the dog on the site design. We can't do infiltration on the site, as Atty. Harris indicated. Our solution is to do underground detention. It would consist of an underground pipe manifold system. We have approximately 425 feet of 36 inch pipe."

The Site Plan, full size architectural drawings, page SO7, was submitted as **Exhibit G**.

Mr. Wenky continued, "The storm drainage is collected off of the site; the site itself is its own watershed. Essentially there is nothing uphill of this site that drains onto this site because most of the drainage from the motel site is all contained in its own storm drain system and shoots out down the road. We only have to worry about what is actually hitting our site.

"We analyzed this site based on its current conditions which is partially paved, with a building so you have an impervious roof and you also have a wooded area in the back. We looked at that versus the proposed condition which is more pavement, the roof and less woods. We actually ended up with an actual increase in runoff of less than a half of CFS (cubic feet per second). However your regulations require us to look at this as if it was all wooded. When we did that, our increase in runoff for the 50 year storm is about 2.5 CFS. This is the number we have to mitigate with the storm drainage in order to achieve the zero increase in runoff that your regulations require.

"To accomplish this we are proposing a closed storm drain system on the site, in other words we have all catch basins on the site and it is going to be piped into this manifold system. The manifold system is basically a series of 4 36 inch pipes about 85 feet long a piece interconnected with 36 inch pipe headers. These are all plastic pipes, HDPE (high density polyethylene pipe).

"The drainage will run into the system. There will be a deep sump to collect sediment as it is going into the system, off of each of the catch basins. It will be detained and held in that system outletted to a manhole with an orifice in it. The orifice is a hole which is sized to regulate the flow coming out. So the flow coming out of that is basically the same flow as what is leaving the site under undeveloped conditions, if you will. Essentially zero increase in runoff.

"Once it leaves that manifold system, at the regulated flow, it runs into something that we're proposing as a storm sceptor: it is a swirl technology - you're all familiar with the vortex units; this is a similar unit, just less expensive. In swirl technology runoff comes in, swirls around, all the total suspended solids dropout (sediment and such, which are the things that your heavy metals adhere to during runoff), then it discharges out. The storm sceptor, according to the manufacturer, will remove up to 90% of the total suspended solids - which is generally what DEP is striving for most storm water outlets, based on best management practices. In an aquifer protection zone, that is definitely what you want.

"The storm system is proposed as an underground detention system. It is not infiltration. We will have final calculations pulled together - this system has evolved up until 24 hours ago. The study itself is in progress and will be given to your engineering department in the next few days.

"The storm drain will discharge into the existing storm drain system that is on Flanders Road, it is a DOT system. From there it crosses Flanders Road through an existing 15 inch pipe and discharges into an existing drainage swale, at the off ramp, off of I95. That drainage swale picks up all the drainage coming off of King Arthur Drive in that section of Flanders Road. The hydraulic capacity of the existing pipes in the road is more than adequate to handle our flows, particularly the mitigated flow that we're pulling off the site.

"Buffers, landscaping: We went to great lengths to try to make this site look nice. What is funny about the frontage of our site is that it does not run parallel to the curb; it actually runs on an angle. So we have this big grassed area here. That grassed area is not ours - it belongs to the State, as part of the right of way.

"As part of our site development and landscaping program and internal pedestrian access program, we are proposing full frontage sidewalks along the full frontage of King Arthur Drive and along Flanders Road. In addition to that we also have sidewalks that come off those and allow pedestrian movements coming in off both frontages to the front doors of the building itself. All sidewalks have handicap ramps to meet ADA requirements. We have all the adequate pedestrian markings at the crossings of the driveways; all of the driveways are properly signed.

"Our front buffers are all fully planted, providing a 6 foot wide minimum buffer along our frontages, according to your regulations. They will be planted with low shrubbery; in addition to that they will be accented by a perimeter rail fence. What we are currently proposing at this point are: granite posts, spaced at 8 feet on center, with two white

timber rails; square rails, tilted on an angle so they look like diamonds, running through them and white plastic PVC rain caps. That will be running along the entire Flanders Road frontage and approximately 60% of the King Arthur Drive frontage. In addition to that planting, we have also proposed a dense planted visual buffer along the rear of the parcel, which abuts the hotel site, along the top slope. There will be a mulch bed planted with tall arborvitaes. Those arborvitaes trees will also come down this side of the southern corner of the boundary, which is right next to the driveway that goes up to the Days Inn and Bickford Restaurant site. From there, we are going down to lower shrubbery on that slope because, essentially, the whole purpose of your buffer requirements is to shield properties from headlights, etc. In effect, when you look at the grading plan, that driveway that runs along the South part of the proposed building is sitting anywhere from 5 to 10 feet lower than that driveway. Effectively the slope itself is a visual buffer. We are planning on fully planting that slope going all the way down to the driveway to Flanders Road.

"The 2 to 1 excavated slope in the rear will be planted with grass and we have a lot of miscellaneous foundation plantings and shredded bark mulch beds around the building itself.

"We are providing you with on site truck loading in the rear of the building and two dumpster pads, that are fully enclosed, again in the rear of the building, shielded from public view.

"Site lighting has been selected. It is a classic antique lighting. There is a detail on it in the plans. It has a goose neck mast arm on it. For the record, page S10. That lighting fixture will be a full cut off fixture and the illumination that leaves the site does not exceed .2 foot candles. There is absolutely no glare on adjacent properties.

"We are showing the proposed sign location on the site - I realize the sign is not part of this permit and is subject to a separate permit, but the proposed project sign, as of right now, is proposed right in the corner of King Arthur Drive and Flanders Road. The sign will meet all of your regulations."

Mr. Wenky stated that was the conclusion of his presentation and graciously offered his availability for any questions.

Mr. Wenky added that the architect, Steve Cardelle of Design Associates, could not make it tonight and proposed that he walk the Commission through the design of the building. He began, "It is a Cape Cod style building. It is a single story building. It will be a stick frame building, not modular, not concrete block. We are looking at timber construction. The siding is going to be clapboard, a hardy board siding. The color is solé (a cream color). He submitted a color chip for the record, (labeled **Exhibit H**).

The trim will be white, of a matching material with the siding; if the building becomes a hardy plank siding, the trim will be hardy plank as well.



"The roof shingles have gone through a couple iterations in color. The two renderings show one from the front with black, one front the back with brown. The consensus is that we're going with black for the roof and the plans do call that out as black architectural fiberglass shingles.

"There is a cupola being placed on the top of the roof, on top of the cupola there will be a weathervane; which I am sure we will discuss later.

"The main entrance doors face Flanders Road. There is also a side entrance door that faces King Arthur Drive. The public floor area is hatched in here and accrues to restrooms. That is all located in the Northwest corner of the building. The balance of it is going to be all service area. We do not have a final fixture plan from Starbucks; this is their prototypical floor plan, they are pending site plan approval before the begin their final fixture plan. The public area will not grow any more than what you see here."

Mr. Nickerson interjected if it grows an extra inch, it will need an extra parking space.

Mr. Wenky acknowledged that and responded that was one of the criteria that Starbucks had to follow. He continued, "In addition to the Starbucks use, what we have on the tail end of the building, in the South part is an ATM machine. The ATM machine is located in an enclosed area; however it does not have a door. It is essentially a roofed over structure with two walls. I believe that is it."

Mr. Nickerson asked Mr. Wenky to remain for questions.

Mr. Nickerson inquired re: the plantings in the back, especially the steep slope. He asked for clarification that it would be grassed, to the point you can mow. He asked for reassurance that it would not go to a wildflower /hay /weed look; that it would be developed and planted with the idea that it would be mowed.

Dr. Byrnes stated "No rip wrap."

Mr. Wenky stated we went to great pains just in grading alone to try to eliminate any retaining walls because many of the modern sites have retaining walls and have succeeded at that. He clarified there were some small retaining walls in the back for the dumpster pads, but they are not higher than 4 feet.

Ms. Carabelas inquired when you initially cut into dirt, what will keep it from washing away in the event of a rain storm.

Mr. Wenky responded that they have an erosion control plan which specifies how to temporarily stabilize the slope. What is going to happen is once they excavate it out, grade it out, the next step is going to be to stabilize that with permanent vegetation.

Ms. Carabelas asked for an approximate time frame.

Mr. Wenky responded that it was generally as soon as possible, but the accepted practice was within 30 days. He added that the site contractor knows that mess created if the slope comes down during construction and will make every effort to address that.

Ms. Carabelas clarified that her concern stemmed from the site's proximity to the major road.

Mr. Wenky rebutted that the erosion control plan did address that as well.

Mr. Nickerson referenced Montville and their construction issues and inquired if a bond would be needed during construction.

Mr. Mulholland stated that had yet to be determined, but usually they put a site restoration bond in place, either in his office or at the Commission level according to the site plan regulations. He directed the Commission to the last section of your site plan, chapter 24 and stated that was something that could be discussed at either level.

Mr. Salerno stated he had a question re: the architectural design. He inquired if the group had considered doing something different with siding and stated he thought, with the color that it looked a lot like Wendy's. He posited that it could look attractive with natural cedar shakes or the bridge lines with white scalloping - in an attempt to break it up a little bit.

Mr. Wenky stated that because it was a cape there was not a lot of wall to play with, except on the gable ends. The gable ends also have the Starbucks logo on them which takes up a good portion. We will entertain ideas on that, but are looking at going straight across right now.

Mr. Salerno reaffirmed it would be nice to break it up a bit.

Dr. Byrnes asked if there were any existing in-ground hazards left over from the gas station.

Mr. Wenky responded that a Phase I ESA (environmental site assessment) and a Phase II ESA have been done on this project. Phase I is a preliminary study that looks at the previous uses of the site and its history. It determines if there are any red flags there that would warrant further studies via Phase II.

This one did, as it was a gas station previously. A Phase II has been done on the site. I do not have that in front of me, but there were traces of VOCs (volatile organic compounds), by products of previous gas tanks buried in the ground. As a result, Phase II has recommended a sparging unit be installed on the site. Sparging units are self contained units that sink a well point (which is essentially a perforated pipe) into the ground and suck the air out of ground. The air contains the VOCs. The air is cleaned and discharged, where it evaporates. They are visible on many previous gas station sites - parked in the corner with a fence around it.



Dr. Byrnes further inquired if the tanks had been removed, from the previous gas station.

An answer was put forth from the audience that they were removed about 12 yrs ago.

Dr. Byrnes queried if the ATM would be open to the public and had that been factored into the number of parking spaces and the queuing question.

Mr. Wenky stated it was more of a secondary convenience.

Dr. Byrnes asked if it would have to be factored into the minimum required space calculations.

Mr. Mulholland stated it was something for the Commission to consider in discussions and inquire of the applicant and his professional staff.

Mr. Wenky stated that it was a good question and something that would have to be looked at. He pointed out that the zoning regulations do not address ATMs for any parking requirements, but that they are prevalent and would not be a different situation.

Dr. Byrnes stated there was a difference: if the ATM was inside the bldg and a patron went in for coffee and could use the ATM for product versus a non-patron pulling into a parking space to use the ATM only.

Mr. Wenky said he saw her point and agreed the ATM would go well inside the building, but there was no interior space and it was placed outside.

Dr. Byrnes stated she was not sure why it needed to be there; that it could create more problems for Mr. Wenky's client.

Mr. Peck asked if consideration had been given to sharing the Days Inn driveway for entry.

Mr. Wenky asserted that it had been discussed, but that it posed a few problems: thru traffic coming down the hill from the Days Inn that is very difficult to deal with for the turning movements we're looking at doing, because it is very short between the two. Trying to channel the Days Inn traffic back into our site is also a problem because the turning movements and internal circulation get messed up. He stated that the traffic engineer would be able to speak to it better than he. However, there are grade issues to deal with as well: that driveway comes all the way down and doesn't match grade with theirs until right in the front of the site. It is not the best place for them to connect the two; that it wasn't prudent to pursue further.

Mr. Peck asked if a traffic count was made for that driveway.

Mr. Wenky stated he did not perform a traffic count, so he does not believe one has been done. He stated that Mr. Vliet would address that later.

Mr. Nickerson asked if inter parking lot connections were a requirement.

Mr. Mulholland responded that no, they were not. It is very difficult to get cross property easements. He provided an example between Liberty Bank and Brooks, where both property owners would not agree to an easement. He stated it was difficult to mandate that legally because we are requiring a second party, who has no obligation and is not a participant in the application, to give something up. We have done it on a voluntary basis where we can.

Mr. Nickerson asked if Mr. Wenky was responsible for the inside of the structure as well.

Mr. Wenky demurred, citing that as Cardello & Associates area of expertise.

Mr. Nickerson inquired if there was a couch, couch space or a lounge area, stating that there did not look like there was a lot of floor space for it.

Mr. Wenky agreed, citing the 775 square feet for open area and pointing out that included the bathrooms.

Mr. Harris interjected that Starbucks is anticipating seating for 20 people.

Mr. Salerno asked if the windows on the back dormer were fake.

Mr. Wenky stated he believed they were; fake in back and in the front.

Mr. Salerno asked why

Mr. Wenky clarified it was because that was the same wall as the bathroom.

Ms. Carabelas asked if the store is open from 5am - 12am, yet deliveries are to be made when the store is closed, will there be a refrigerator truck that will run all night.

Mr. Harris stated that deliveries are received and then the truck leaves.

Ms. Carabelas clarified that would happen while employees were there.

Mr. Harris expounded that Starbucks had an in house delivery system, that the truck drivers have access.

Dr. Gada swung the conversation back to the dormers on the back and asked if there was some type of ventilation there?

Mr. Wenky stated the architect is looking at putting HVAC units in the attic space, there may be louvered vents in those dormers, but he didn't believe the layout had been fully developed yet.

Mr. Nickerson directed the question to Mr. Mulholland, asking where they would go, if not the attic.

Mr. Mulholland stated that had yet to be determined, but the general plan during preliminary discussions was internal through the roof.

Mr. Wenky stated he did know that is how they are going re: the louvers and such.

Mr. Nickerson clarified there would not be a pad somewhere outside, or a shelf on the back.

Mr. Harris returned with a quick comment re: the buffers around perimeter of the property, in particular the area on the South side. He stated that they do carry the required evergreens up to the point approximately 2/3 down the South side, but because this area represents a natural burm, we decided to eliminate the larger trees for two reasons: 1) there is a natural burm already and 2) start to run into site line problems up and down the road. He referenced that it could block the Days Inn sign and continued that it seemed like a natural place to stop the higher vegetation. The site line regulations do allow you to approve a burm in lieu of the evergreen planting.

**William Vliet, Vliet & O'Neil, traffic engineer**

Mr. Vliet submitted his resume to the Commission, labeled **Exhibit J**.

He stated that during career he had conducted hundreds of traffic impact studies for developments of a variety of sizes and, as such, has a firm understanding of drive-thru operations. He sought to clear up one misconception: that the bottom line of no impact to the road isn't a given. Much iteration was pursued to ensure that he can state that it is a safe and efficient operation.

Mr. Vliet submitted a letter to the Town of East Lyme Zoning Commission from Vliet & O'Neill, dated September 21, 2006. Re: traffic impact statement, (labeled **Exhibit K**).

Mr. Vliet began by pointing out that this project does not come close to meeting the threshold values for certification by the State Traffic Commission as a major traffic generator. We have heard the site has supported previous uses, however, in our analysis; we have taken no credit for the traffic that had been generated previously. We are reviewing this as an entirely new traffic generator and access point in the area.

"Vehicles are going to be generated by this site are going to be close to 100% passenger vehicles, no tractor trailers will be pulling in.

"The majority of traffic using this site will be diverted form Flanders Road. There will not be any signing on I95 for this project. There is a specific set of criteria for logo signing for uses off the highway system; this does not meet the parameters for it (namely hours of operation). The people from I95 who will be using the site will be those coming off that exit ramp, not a casual passerby. You may get people that were coming onto Flanders Road to begin with.

“The peak period will be in the morning, which is when you will see the most traffic going in and out of this development.

“There is a Starbucks on Spencer Street, State Route 502 in Manchester where he had the opportunity to count for traffic and derived a very good understanding of the Starbucks operation. That was combined with historical data compiled by the Institute of Transportation Engineers and other peer databases and allows him to state the operation is going to generate 70 - 75 vehicles, entering and exiting the site, during the peak hour. To view it in total, including in and out, there will be 150 vehicle trips total. Roughly every 30 seconds you will see something going in or out of this, on average.

“During the p.m. peak hours, rush hour, when Flanders Road is at the highest volume, we do not have that much traffic going on there. We have significantly less site generated traffic, or, in this case, diverted traffic, from the traffic stream.

“One of the biggest things we did is look at the operations at Flanders Road, King Arthur Drive and the I95 exit 74 Northbound off ramp intersection, which is signalized, and provided you with 2006 traffic data. The bottom line conclusion is this is operating under capacity for a number of reasons:

The first is there is not a lot of traffic volume at this intersection relative to the geometry that is proposed and the traffic control that is in place at this intersection.

The second is one leg is a one lane leg, so that negates four traffic movements in the intersection, namely the off bound, Northbound off ramp is one way, so from the other three legs of the intersection you can't turn or go onto the off ramp - so there's three movements that you can't do.

“The primary focus of this project was to get the site generated traffic to use the signalized intersection, knowing that is going to provide the safest, most efficient access to and from the site parcel at this location. To that end, the original design had full movement driveway, located at the South corner, right onto Flanders Road. We want to encourage exiting traffic to go out onto King Arthur and utilize the signal. What we have done to help that process is not allow left hand turns out of site, onto Flanders Road. In order to head South on Flanders Road after coming onto our site, you have to go out to King Arthur Drive and use the signal. For example, if you leave drive-thru and want to head, you will not come all the way to the South to make a right hand turn to go through the signal; you will instead continue onto King Arthur and use signal there to turn.

“It is important to note the operations on King Arthur Drive and the I95 Northbound off ramp both maintain exclusive right turn lanes. It was noted during the traffic counts that the signal phasing, in other words when the light needed to give a green light to King Arthur Drive or the off ramp it was not because of right turn vehicles, but rather because of left turn vehicles that need that green light. In other words, everyone on King Arthur Drive and the off ramp were able to make right turns on red - that is an indication of a low volume of traffic flow on Route 161, on Flanders Road.

I understand that cannot seem correct, that there does not seem to be a light level of traffic on the road, but there is for the geometry that is provided: there are two traffic lanes in each direction; it works very well. I doubt anyone in the room has had to wait for the signal to cycle more than one time. That was observed and documented during the data collection.

“The one movement you will probably question is what if someone comes through the signal and wants to take a left hand turn into our site. The queuing for that signal, heading in the northbound direction, rarely got back to that location. There are significant gaps that are created to allow that left hand turn into the site. Most of the patrons going into the store will utilize the left hand turn at the signal, going in to King Arthur Drive, come in the access and park in the parking field. There is an advanced left turn phase on King Arthur Drive, as you head southbound; there is an arrow that comes up as you’re heading southbound at that intersection to allow you to make that turn before northbound traffic proceeds. The only people that would go through and then utilize our left turn on the site are probably people going into the drive-thru.

“As far as northbound traffic on Flanders Road accessing our site, they will make the right hand turn in and have the opportunity to get into the drive-thru lane or get into the parking field to go inside.

“With respect to queuing: our observations and counts of the Manchester facility noted the maximum queue at that location of 6 vehicles. I would like to make a very clear distinction between this type of restaurant compared to a McDonalds or a Dunkin’ Donuts or anything else that has a drive-thru. The biggest difference is the amount of time it takes to make the drink that is ordered, that correlates to a longer transaction time at the window. The average transaction time at the window for Starbucks was 80 seconds. The sixth car in line will have an 8 minutes wait, on average. That is documented and in the counts. That is why their average queues for these facilities in the morning peak hours are around 3 or 4 vehicles. They are not what you see at a Dunkin’ Donuts; Dunkin’ Donuts pops [the customer] in and out of their drive-thru; the transaction time at the window is closer to 30 seconds, we have almost three times that amount of time.”

Dr. Byrnes stated that was counterintuitive to her, suggesting that cars are going to be queued up longer because it takes longer to prepare each of those orders, therefore more.

Mr. Vliet stated you wouldn’t want to be in a McDonald’s queue of 15 vehicles. If you have 15 vehicles, at 80 seconds each...

Dr. Byrnes stated she understood what Mr. Vliet was saying, yet didn’t necessarily agree with his conclusion. That at Dunkin’ Donuts they line up 20 cars in the queue...

Mr. Vliet finished the thought, stating that was because they went through faster. He continued by stating the 20<sup>th</sup> car at a Dunkin’ Donuts, you will get through in 5 minutes.



Dr. Byrnes asked then if the logic was that she would not go thru the drive-in at Starbucks because she would have to sit, therefore the better choice would be to park and go in.

Mr. Vliet agreed, clarifying that would happen if you were the hypothetical car 6. He continued that it was a function of the products they prepare.

Dr. Byrnes inquired if they have their own dedicated machine at the drive-thru window?

Mr. Vliet stated that he did not know the interior workings of the operation, but that he had counted these and it has been documented that, as a function of drive-thru transactions regardless of the business, the longer the transaction time, the shorter the queue will be on average. The analogy he suggested was this drive-thru was more similar to a bank.

Mr. Nickerson added to Dr. Byrnes suggestion that if there are 25 of the 31 parking spaces filled, it would still be quicker to go through the drive-thru.

Mr. Vliet clarified that the total number being discussed was only 75 patrons during the peak hour, concluding that they do have the same thru put as a Dunkin' Donuts or a McDonalds in the morning. They do not see that same level of traffic. They are a higher end product that has a slower pace. If 75 cars go in, half of them will be in the drive-thru, let's say 35 and 40. 35 go through the drive-thru, 40 are going to enter the store. They will not be there for an hour. Even if 40 went there, you would not see parking lot maxed out during the morning peak hour, during the busiest time. Patrons will go in, get their product, they will not be the 'lounging people' - you would see more of that at lunch time.

Mr. Nickerson asked how long the stacking at the Manchester store; how many cars until you get to the street.

Mr. Vliet stated that it was a different style of layout because the maximum queue wouldn't come back out onto a state road; in that case it comes back out to an access road. To put a number on it, to the similar point here where it starts interrupting the internal traffic flow, about 8, 9 cars tops. It is important to note that we have shown 7 cars queued up at this location and we are not impacting any operations. You could put an eighth there and it would not preclude someone from coming into that parking field. Again, knowing the operation, this is specific business that is going to have a clientele. The same people are going to be going to this location. On a daily basis, a high percentage of people, once it is established, will be same patrons going in and out of here. They will know the operation

Dr. Byrnes stated that judging from the excitement expressed to her by the members of the community, she was of the opinion that this would be a very popular destination.

Mr. Vliet agreed, but stated that not all the patrons would go at 7:15 – 8:15 in the morning.

Mr. Vliet continued, stating that the design we have provided will result into no queuing on the state highway, onto 161. He will stake his professional certification on that. It just will not happen – this is a different ‘bird’ altogether.

“With respect to the outflow: the drive-thru window itself meters the cars so you are not going to have any problem with any vehicles leaving the parking field, heading out toward King Arthur Drive, getting into any kinds of problems with people coming out of the drive-thru window. You will see a car coming out of the drive-thru window every 80 to 85 seconds. The biggest benefit of this design is that we will be using the signalized intersection of King Arthur Drive for the high majority of the traffic entering and exiting this site. This provides a good, safe flow and an efficient flow.

“Following up on Mr. Peck’s concern whether we took a look at the Day’s Inn; we did. We did not want to encourage any additional traffic at that driveway intersection because immediately opposite and South you have a diagonal intersection with the Mobil driveway. That is a full movement driveway, as well as the Day’s Inn driveway. That is a recipe for a higher accident location with conflicting left turns at an offset intersection. We felt that the best access in and out of the Flanders Road corridor is though the signalized intersection, which has sufficient capacity for it. It is far from being over utilized during the peak hours.

“It is the professional opinion of Vliet & O’Neill that the expected traffic generated from the proposed development use on the site can be safely and efficiently accommodated by the adjacent roadway system. In fact, due to the significant amount of pass by site generated traffic, in conjunction with the additional access intersection, to and from the site with King Arthur Drive, traffic operations for this development parcel will be regulated via the signalized intersection of Route 161 with King Arthur Drive and the 195 exit 74 northbound off ramp.”

Dr. Gada referenced the map, in the lower right, a white square: what is that?

Mr. Vliet answered it was the sparging unit.

Dr. Gada asked if the next square up is the dumpster.

Mr. Vliet responded it was and added that it has been provided with a bypass area beyond the bypass area for the drive-thru to allow for front loading and unloading of the dumping.

Ms. Carabelas clarified that if there was an eighth car in the queue, you said that it wouldn’t interfere with access or exiting from the parking area, but if I ‘draw’ an eighth it seems to blocks the entrance and a car can’t take a left to get into the parking lot.

Mr. Vliet stated that it doesn't block the entire intersection; it doesn't preclude anyone from turning right out of there and onto Flanders Road. You can still get in to the parking area. It is not ideal.

Ms. Carabelas asked if someone was blocking, your option would be to go all the way around?

Dr. Gada addressed the question, showing Ms. Carabelas one of two choices: go all the way around or come 'in here', assuming no one was 'here', turning right out of there.

Mr. Vliet reiterated that they do not anticipate the queue to be over 3 - 4 vehicles at this location.

Ms. Carabelas asked if that was what Starbucks usually projected.

Mr. Vliet concurred that was the average queue. He continued that he has counted at the Manchester location and had a maximum for one transaction time (80 seconds) with 6 cars in queue at peak hour. The Manchester store is a well established store, on a very busy road that sees a lot of traffic.

Dr. Gada asked how often the traffic count occurred.

Mr. Vliet responded it for as peak period on a typical weekday, for a two hour period in the morning, from 7 - 9.

Dr. Gada clarified that it one time, for two hours.

Mr. Vliet responded that was correct, that it was at an established store.

Ms. Carabelas asked for clarification where the store in Manchester was located.

Mr. Vliet directed her to Spencer Street, Hilltown Road, at the intersection of 384 and 84, right near there. Silver Lane.

Mr. Salerno stated that he assumed the red box next to second car in, is the speaker. How long does it take for them to prepare an order, to make it? You said 80seconds? From the start, when they take the order, how long does it take for them to get everything together? It is related.

Mr. Harris input that he has spoken with Starbucks and understands their sequencing. They demand 4 cars between the speaker and the window so there is sufficient time for them to prepare. That is what they figure is their sequencing.

Mr. Salerno asked if that was approximately 5 minutes.

Mr. Vliet offered another way to look at it: once you get to the window, 80 seconds. That is a constant. If you are the first car in line and know their menu, know what you

want, by the time you order it and get through the drive-thru you will be more than 80 seconds for that exact reason - that it does take longer, per item, to prepare. Once you have the queued cars up, if you are the 4<sup>th</sup> car in, you will wait four 80 second periods before you get to the drive-thru window, so you will wait 320 seconds.

Mr. Salerno stated his concern is from the speaker back. He stated he couldn't imagine they are going to be speedy.

Mr. Vliet agreed, stating that the ordering part is the fast part. It does not take a long period of time to place an order in the morning.

Mr. Salerno noted there is only room for one car behind the speaker.

Mr. Nickerson elaborated that if more than two cars show up at the same time, we don't have room. The third car is going to be illegal.

Mr. Vliet stated that would not be the pinch point. The time at the window is the pinch point, which is what creates the queue back to the speaker. If no one is ahead of you and four cars suddenly turn into the drive-thru and the first guy stops at the window, there will be a delay there.

Dr. Byrnes hypothesized a situation with high school kids pulling into the drive-thru with 5 kids in the car; 3 or 4 cars of that nature.

Mr. Salerno suggested that is a common scenario. As traffic is moving northbound, people may queue up on 161 to take a left and when it opens up there will be multiple cars going in at the same time.

Mr. Vliet responded with a different approach, returning to the Manchester facility: there was never a gap between the speaker and the window, which was about 4 cars. In the times when you did clear out a couple of spaces in there, you did not develop a queue behind the speaker, your ordering location. It is not the pinch point. The pinch point develops from the window back.

Mr. Nickerson stated that he would have asked for the speaker to go much more forward, closer to the window.

Mr. Vliet rallied and stated that the average amount of vehicles that come through the drive-thru in an hour, the highest that we have seen in all the operations is 35 to 40 cars in an hour, in the peak hour.

Dr. Byrnes inquired how many of those have an outside ATM located in the same place where you would queue up your car.

Mr. Vliet deferred the question for a moment. He stated that we are not talking about a McDonald's or Dunkin' Donuts level of activity, where they are coming multiple cars per minute. We are talking a car over a minute coming to the site. On average, over one

minute transpires before the next car comes in that wants to use the drive-thru at Starbucks. We are not talking about hundreds of cars going through the Starbucks; we're talking about less than 40. 35 to 40 is the average, highest volume in the morning.

Mr. Salerno stated he thought they expected 75.

Mr. Vliet clarified the rest were parked patrons. 75 cars in total come to the site in the morning, during that peak hour. About half of them are drive-thru, the other half are parked patrons. We are not a high generator of traffic - it is a different operation.

Mr. Salerno continued that his point is people come in clumps. The second question is re: Internal traffic. Why can't we have one way in and one way? Why do we have traffic going in both directions? If we have a light there, why not put everyone out at the light? The queue is only two or three cars from that stoplight.

Mr. Vliet clarified that Mr. Salerno would prefer to have traffic flowing into the parking field in only one way.

Mr. Salerno agreed. He continued, one way or perhaps even two ways 'here', but no going out 'here', especially with the drive-thru here. If a car is going to be 'here' it is going to be tight.

Dr. Gada asked Mr. Salerno to identify the streets.

Mr. Salerno specified 161; that he did not like any cars coming out of 161, there is only room for two cars going northbound with the light there. I would rather see cars only enter there and exit and enter on King Arthur. Maybe even the enter and exit be widened.

Mr. Vliet stated that would probably be the least used movement. Once a patron is in the parking field they are going to continue heading north, which is the only way you can go out of the site if you use that lower driveway, if you are closer to the King Arthur Drive, you are going to go that way. It is just an opportunity to ease any congestion and provide an efficient and balanced traffic flow. We try to balance the flow so you do not have more use at one location over the other. I do not anticipate a lot there and the reason you are not going to see a lot here is because we precluded the left hand turn movement out of there. The right hand turn is not a movement that creates problems or friction in traffic engineering flow. It is the left hand turn.

Mr. Salerno interjected that there was a light right there.

Mr. Vliet concurred, but stated that this queue rarely backs up. This is a well timed, well controlled intersection.

Ms. Carabelas asked if it was a red turn only, that it was indeed a right on red.

Mr. Salerno agreed that it was indeed a right on red, but when the light is red there is going to be queuing into the...

Mr. Nickerson stated that no one goes to King Arthur Drive right on red, they go to 95 which is not a right on red.

Mr. Salerno asked Mr. Vliet what would be his opinion if we only allowed an entrance there?

Mr. Vliet stated he thought it would create more problems internally on the site, that you need the opportunity to let patrons be able to access 161 at that location. From a traffic flow perspective, on site circulation, I do not share your concern that it is a problem and think the design, as it stands, provides a balanced operation.

Mr. Salerno stated that if drive thru was not there, he would agree with Mr. Vliet/

Mr. Vliet continued that there are only 35 cars in an hour that will be dealing with that parking lot and that is during the busiest time of the day. He reiterated that if it was a McDonalds, there would be different circulation and a bigger parking field. Just the size of the parking field alone should be a tip off that we do not have a high degree of activity on this lot, even during the peak times. We only have 31 spaces. This is not going to be an operation where you are going to see the potential for cars backing out into each other and everything else. If you are going into here, you do not just run in and out. 35 cars of the people that park are in the peak hour, going in and out, that is 1 or 2 minutes at least.

Mr. Salerno inquired what the average time patrons spend inside was.

Mr. Vliet stated that he did not know; that the transaction time at the window was the bigger focus. I think this needs to be regarded as a different animal, that there will not be a high level of activity in the parking lot or associated with the drive-thru.

Mr. Mulholland what impact would an external ATM have, given the fact that the primary design is a fast food restaurant. The ATM, in my view, would generate some additional interest. Do you have a professional opinion on how that would affect the operation and if it was eliminated how that would affect the operation, would it make it better.

Mr. Vliet replied that if this was the first ATM on Flanders Road, there would be a different situation. Patrons would not turn into Starbucks for the ATM alone. As Mr. Mulholland mentioned, they are at every location. Getting access to cash is even easier than ever. Society has evolved; we are less of a cash society, using less cash, more swipes. At the same time as fewer transactions at the ATM, we are seeing more ATM locations. They are placed there for convenience only. I do not see this generating any measurable volume during peak hours. If you are going to go to the ATM, you are going to go to Starbucks as well. The need for the Starbucks is going to be what will drive people to the ATM during the morning peak hours.

Mr. Mulholland further inquired if I am going to Starbucks and the ATM – it is not a drive up ATM, is it (No) – why not place it inside.

Mr. Vliet said that was beyond his purview. This was a large issue 10 years ago.

Ms. Carabelas clarified that Starbucks accepts debits cards currently so she did not see the issue.

Dr. Byrnes shifted topics to King Arthur Drive, kids and school buses. There is a very large, kid dense residential area of King Arthur Drive. Your peak hour is the same time as school bus times; have you observed school buses there? Do they stop at that intersection to pick up kids, are there kids waiting for school buses across from this exit? Will there be school buses backed up at this light at this hour? What is the potential for that?

Mr. Vliet replied that their traffic data inflections are in the peak hour of 7:15 – 8:15. I do not have the specific school runs that go up there.

Mr. Mulholland stated that it was his understanding that when they did the Deerfield development, the 100 units up on the hill with some condos off to the South of that, that the bus runs to the top of the cull de sac.

Dr. Byrnes inquired if there were buses queued up at that light at that hour in the morning.

Mr. Vliet stated the traffic counts that they did counted units, not specific vehicles. A school bus would become one of the units.

Dr. Byrnes clarified her concern was the extra length of the bus would add more 'vehicle' at the light, in the queue.

Mr. Vliet stated that it would be nothing that exceeded the capacity of the intersection. A worse case scenario would not need a signal on King Arthur Drive at the Starbucks just to handle the extra traffic.

Mr. Peck asked what days the counts were made on, in July.

Mr. Vliet replied they were made in the spring of 06, during a weekday. It was done on a Tuesday, Wednesday, Thursday.

Mr. Peck asked what month.

Mr. Vliet stated that he did not have that in front in him, but would provide it. He states the protocol is to not count on a Monday or Friday. It is done on a Tuesday, Wednesday or Thursday. State protocol, when traffic lines are typical. It was compared to the data from the Stop & Shop plaza, the Mike's Famous, Bobs Discount and it all matched with state data for Route 161 in this whole corridor. We did our due diligence, we did not

just take a count in a vacuum; it was balanced and looked at with all the traffic data on the corridor.

Mr. Peck clarified that Vliet & O'Neill did an actual count.

Mr. Vliet stated they did an actual count, in spring of 2006 and then compared that to available state data and other report data for the corridor.

Mr. Peck asked what the peak hour was.

Mr. Vliet stated the morning peak hour was 7:15 – 8:15, that saw your highest volumes on Flanders Road.

Mr. Peck asked if there was information on the counts, you say 75 peak hour customers coming in, without a drive-thru. Is there a different count for Starbucks without a drive-thru?

Mr. Vliet responded that transaction data could be had from the Starbucks Company.

Mr. Nickerson stated there was a Starbucks, without a drive-thru, in Mystic and in Old Saybrook.

Mr. Peck stated that since we are continuing this, could we get information re: a percentage, a difference, more or less without a drive-thru?

Mr. Vliet suggested that the numbers would still reflect the 75 cars going in and out during peak hours, with or without a drive-thru.

Mr. Nickerson stated we would probably want a bunch of information. He continued that there was another Starbucks in Milford, on Route 1 – cashier counts on those. He also would be interested to find a Starbucks next to an exit ramp, on a four lane state road.

From the audience Exit 53 in Branford was suggested.

Ms. Carabelas stated that the Spencer Street location, in Manchester, on Silver Lane is a four lane, state road. It is near Manchester Community College and is probably a lot busier site.

Mr. Nickerson countered that the peak hour at that location might be the half hour before classes in the afternoon. He asked if it was a night class facility.

Ms. Carabelas responded that it was a full time facility and that it provided a good example.

Mr. Peck wrapped up by stating that he would like to know the actual days the counts were made and an answer to question with or without drive-thrus.



Mr. Vliet responded that it was after Memorial Day.

Mr. Nickerson suggested he would like to see a count conducted while school was in session.

Mr. Peck after Memorial Day is a good enough answer.

Mr. Vliet referred back to the question re: a facility next to an interchange tried; he stated that he tried to answer that question earlier. The proximity to 95 is not going to be what is creating the traffic. People that are coming off the ramp today might become patrons of Starbucks, but you are not diverting traffic from mainline I 95 A) because there is no logo sign and B) because you can't see the facility. You are not going to change your travel route.

Mr. Nickerson suggested this facility might see more volume. Old Saybrook does not allow drive thru coffee shops, Old Lyme only has one Tim Horton's tucked away, so you may have a lot of commuters coming from even Route 9, coming up to Pfizer or Electric Boat, the Casino that will eventually identify this as on their regular route. It is easy on, easy off. It might attract. Commuters know the exits to find their stops.

Mr. Vliet stated that the key is it is not a McDonald's. It is not the same.

Mr. Nickerson stated that he understand the difference.

Dr. Byrnes interjected that the morning commuters to Pfizer and Electric Boat from Essex and Saybrook now know exit 74 as an easy place to get in and out for a latte.

Mr. Vliet stated that it will not be a problem. Starbucks is not going to speed up their production because they have more cars out there. They go the speed they go because of the product they serve.

Mr. Nickerson interrupted, stating they were suggesting there will be more cars coming into this lot, more than the average. This is the main and only road out of Niantic.

Mr. Vliet pointed out that is where Starbucks are located.

Mr. Nickerson continued that the Waterford store was near the highway and services a close and narrow market. He anticipates this one will be different. He has been elected to look at things from a different angle. He stated that he did not believe the 75 cars per hour would be accurate because of the overflow from Stop and Stop. The Commission is leary because there is no problem at the light right now; people travel faster because there are no overflows.

Ms. Carabelas stated that she was familiar with the Spencer area and knows it as a heavily traveled, much busier than Flanders Road area. If the queue in that location is 6 - 7...

Mr. Vliet corrected that the maximum queue was 6 in two hours.

Ms. Carabelas asked if because this is a state road, this has to go before the state department of transportation for anything.

Mr. Mulholland responded that it does not have to go to STC but it has to go to DOT for permit.

Mr. Vliet interjected that, yes, it would have to go to through the DOT encroachment permit process and they will look at this from traffic engineering. They will look at this in the District office and, most likely, it will get kicked to Newington. You have input on that process; anytime you touch property in state right of way, and, in this case, we're touching it for the curb cut change of that process.

Mr. Nickerson wondered if the Commission had a voice in this process.

Mr. Mulholland stated that occasionally they will call down and inquire, but not on a consistent basis.

Mr. Peck, please provide the dates of the count.

Mr. Vliet I will give you the dates we counted, the sources of the data we reviewed.

Mr. Nickerson stated I think the building needs to slide over. I think you need more cars in the spot. Why can't a retaining wall go in?

Dr. Byrnes stated if you get rid of the ATM, you will have more room.

Mr. Nickerson asked if there were any more traffic related questions.

Mr. Vliet asked to state one last thought. He understands that the Commission is uneasy with whole queuing process. His firm has done due diligence. The best available data source for a new development is looking at one that is up and running, which is what they did. I have done these same traffic studies for Dunkin' Donuts and know that it takes twice as much storage, stacking-wise. This is a whole different animal. This is going to work. I understand that you have your ideas that this is going to be the most successful Starbucks in the world and we're going to have all these cars, but when it is all said and done this is going to work very efficiently.

Mr. Peck stated his concern is that 75 customers per hour on the peaks hour, with 150 entering and exiting per hour; 25 cars a minute.

Mr. Vliet corrected his math to one every 24 seconds, either entering or exiting.

Dr. Byrnes stated that she respected the work Mr. Vliet presented, but she is seeing the Stop & Shop gas station. None of us would have anticipated the cars lined up down the state road to get into that gas station for the 10 cents off the gallon. It was a coming

together of skyrocketing gas prices, a new Stop & Shop trying to establish clientele. Suddenly, we have 20 cars lined up on a state road. Everything is academically sound, but we have to anticipate the unusual happening – that Starbucks takes off. The queue at the Starbucks will be looking at the queue at the gas station.

Mr. Vliet responded that as a professional I can't defend that type of question. I have done everything I can to give you the best available data and have to leave it to you.

Mr. Nickerson stated that you're right. There are other folks that might be able to answer things beyond traffic questions.

Mr. Vliet inquired if it would be helpful if he supplied to you an idea how the traffic flows fluctuate during the morning? I will show you there is no traffic on 161.

**Mr. Nickerson called for a 5 minute recess at 9:25P.**

**The Public hearing reconvened at 9:34P.**

Mr. Harris returns, stating that it's obvious the commission has some questions. He proposed since they are returning anyway that they try to answer those questions at the next session. Regarding the Stop & Shop gas stations: if people want to get gas they have to stay in those lines. We have installed a bypass lane on this site. People do not like lines – this gives them the option to get out and go inside. There are alternatives. He asked that the Commission consider that viewpoint as well.

Mr. Nickerson stated he is asking for a plan B or C, recognizing he might only receive a plan A. He stated that the applicant has some challenges here and knew that coming in. Speculating out loud, Mr. Nickerson stated I don't know if the building slides over, if there is a retaining wall, buy some extra spaces, tighten the corner... From the speaker, two people in line and that is it. Maybe you move the speaker and perhaps Starbucks can make an exception.

Dr. Gada suggested that perhaps Starbucks can give you a reason for the speaker being four cars back from the window.

Mr. Nickerson stated that he knows you have to get the drive thru and there is just not enough parking on site if they just went to a retail location.

Mr. Harris clarified that wasn't the only reason for the drive-thru, that it was because of the limitations of the site you have to use the site and when you only have retail you are losing a large number of patrons who can meter through the site without impacting the internal operations. With the internal size we have now, which is relatively minimal, we just need the parking. If you are going to look at an entirely internal site we would like more inside room. You're back up against the wall.

Mr. Nickerson saucily suggested that Mr. Peck has a Sunoco station for sale next door, that he lots could be combined.

Mr. Mulholland stated that it had been tried.

Mr. Harris stated that they would get some more data from Starbucks. We believe, based on the local regulations and everything we know, that this site is properly designed and will function properly.

Mr. Nickerson stated that, traffic wise, he thought the left turn in is a disaster. It will need a turn lane. The entrance and exit on both King Arthur Drive, he stated he was getting creative on solutions. He continued that he believed the stacking heading out to Flanders or blocking the traffic was the issue. That left turn in becomes a disaster when there is stacking at the speaker. He noticed that the site plan shows the cars bumper to bumper did not, suggesting potential accidents. It is the 3<sup>rd</sup> or 4<sup>th</sup> car from the speaker that prevents the cars from getting in.

For the record: this Commission had nothing to do with Stop and Shop, it was grandfathered in.

Mr. Vliet concluded that he would get back to the Commission with the answers to their questions. He wanted to make a last statement regarding the distance from the menu board to the speaker. There is a reason why you have a separation distance at any drive-thru operation, whether it is McDonalds, whatever. You will not find a drive-thru in any location that is only one or two car lengths away from the window.

Mr. Nickerson clarified that he was simply trying to get more cars in that line and away from that street as quickly as possible. If it is busy at the peak hour, presumably the main entrance is on Flanders, unless we get creative and allow and maybe even variances to put the sign on King Arthur Drive and really focus the attention on that as the way in. There has to be a way to engineer our traffic to get in the way we want them to get in. Right now, there is a lot that can go on there.

Mr. Peck moved to continue this hearing to the next meeting.

Mr. Nickerson asked for public comment:

Mr. Nickerson called for anyone to speak in favor of the application.

Mr. Nickerson called for anyone to speak in opposition to the application.

Mr. Nickerson called for anyone to speak in a neutral position.

Mr. Nickerson requested closing responses.

**\*\* MOTION (1)**

**Mr. Peck moved this Public Hearing be continued to October 5th.**

**Dr. Byrnes seconded the motion.**

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

**Public hearing adjourned.**