

FILED IN EAST LYME, CT
March 22, 2005 AT 3:55 PM

**EAST LYME ZONING COMMISSION
PUBLIC HEARING I
Thursday, MARCH 17th, 2005
MINUTES**

J. Blair, etc
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held the Application of Kim Detuzzi for a Special Permit to operate an indoor gymnastics center Public Hearing on March 17, 2005 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 7:30 PM.

PRESENT: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary,
Norm Peck, Pamela Byrnes, William Henderson, Alternate,
Marc Salerno, Alternate

ALSO PRESENT: Kim Detuzzi, Applicant
Rose Ann Hardy, Ex-Officio - Board of Selectmen

ABSENT: Ed Gada, Shawn McLaughlin, William Dwyer, Alternate

PANEL: Mark Nickerson, Chairman, Rosanna Carabelas,
Secretary, Pamela Byrnes, William Henderson,
Alternate, Marc Salerno, Alternate

Pledge of Allegiance

The Pledge was observed.

Public Hearing I

1. **Application of Kim Detuzzi for a Special Permit to operate an indoor gymnastics center at property identified in the Application as 40 Industrial Park Road, Niantic, Connecticut, East Lyme Assessor's Map 26.3, Lot 22.**

Mr. Nickerson noted for the record that he had seated Mr. Henderson and Mr. Salerno, both Alternates at the table this evening.

Mr. Peck recused himself from this Public Hearing and sat in the audience.

Mr. Nickerson asked Ms. Carabelas to read the correspondence into the record.

Ms. Carabelas, Secretary read the following correspondence into the record (noting that the date is 3/17/05 rather than 3/17/04):

- ◆ Letter dated 3/17/05 to EL Zoning Commission from Wm. Mulholland, Zoning Official – Re: Detuzzi/Special Permit Application – 40 Industrial Park Rd. – noting the fact that the current property is pre-existing, non-conforming and that relative to site plan criteria three waivers or exceptions are sought as provided for in Section 24.6 – A waiver of sidewalks along street frontage; Landscape buffers and Internal parking lot landscape requirements. No hazardous waste will be on-site and this is of less impact than the previous use.

Mr. Nickerson noted for the record that no CAM or Regional Planning were required and that a Regular Planning letter was not submitted.

Mr. Nickerson also stated that the Legal Ad was published in the New London Day on March 4, 2005 and March 14, 2005.

Mr. Nickerson called for Ms. Detuzzi to present her application.

Kim Detuzzi, owner of ABC's Gymnastics Stars said that a sign was posted on the property since February 15, 2005.

Ms. Detuzzi explained her business and the extensive renovations that she would be doing to the building, as it is seriously outdated. (See three-page attachment at end of Minutes) She explained the nature of her business and the hours of operation including the fact that her clients are dropped off and picked up and that nothing takes place outside of the building. She then explained the three waivers that she was seeking. She submitted **Exhibit A** – for the record, a picture of the slope indicating where the sidewalk would have to go and the need for a waiver as it would be on a serious slope and a sidewalk to nowhere. She next submitted **Exhibit B** – for the record, a picture of the natural vegetation area with some wetland area indicating why she is seeking a waiver of the landscaping buffer strips.

Ms. Carabelas asked how the children would walk on the roadway from the school with no sidewalks there. Ms. Detuzzi said they would make provisions to pick the children up if there are a lot of them. She said that any of the children that might be walking from the school would walk through the back way through the track area. There is a path there that is already widely used. Her clients are normally dropped off and picked up at the door by their parents.

Ms. Byrnes said that she concurred with Ms. Carabelas and that she is more concerned with the Middle School children (like her own) who will just run out the front door and down the street.

Mr. Nickerson asked that they let Ms. Detuzzi finish her presentation as they may find that some of these issues are addressed during the presentation.

Ms. Detuzzi continued that the natural vegetation on the north side of the building should be left undisturbed, as there is no place to put a 10' buffer. She presented **Exhibit C** for the record, a photo showing the lack of room in that area to put a buffer. She said that there is also the waiver for the internal parking lot landscape or islands. She said that due to the pre-existing physical conditions that this should be waived as it would interfere with the flow of storm water off the parking lot as well as change the pre-existing layout of the parking spaces.

Ms. Detuzzi lastly said that a lot of parents are thrilled to have her expand her business and move to a larger facility and that she would like to submit a petition signed by and from them stating that they are in favor of this. This was entered into the record as **Exhibit D**.

Mr. Nickerson asked if she is in business currently at Liberty Way and would be moving that business here. Ms. Detuzzi said yes, it would be an expansion of her business to a larger facility and she would be moving out of the Liberty Way facility.

Ms. Carabelas said that she thinks that this is a great use of the building and can see the excitement about it but she wants to see some sort of sign or obvious pathway to take the kids away from the road on their way to this building.

Ms. Detuzzi said that they could put that in their monthly newsletter also.

Mr. Nickerson said that was something that they could discuss during their deliberation.

Mr. Henderson said that he was not that familiar with this type of business and asked if they would be having meets or exhibitions and if they would need space for more cars to park for these events.

Ms. Detuzzi said yes, they would have these events however they would be on Saturday and Sunday when school is not in session and not much is going on.

Mr. Henderson asked how many people they expect at these exhibitions or meets.

Ms. Detuzzi said that she is not of the 'high level' meet nature and not a huge event such as soccer is. There are not a large number of people who attend. Also there are only so many pieces of equipment and so long that each student is on it. It is not the same as the normal spectator sports that draw large crowds.

Mr. Henderson asked about the number of people on each team that would compete.

Ms. Detuzzi said that they are not really teams and are not like most spectator sports that last for hours.

Mr. Henderson asked about the parking and the buffer that she is looking for a waiver on.

Ms. Detuzzi explained the parking area and the drop-off area for the children and that they would not be outside. They would be staying inside until they are picked up to leave.

Mr. Salerno asked about a pre-school program and if they are having one.
Ms. Detuzzi said that was addressed within the parking plan. They are also a not for profit organization. With them, they would need 49 parking spaces and they have 50 parking spaces now.

Mr. Nickerson asked if the parking spaces are paved and lined.
Ms. Detuzzi said that they are paved and would be lined.

Ms. Byrnes said that if they have a meet or activity on the weekend it might be possible for them to negotiate with their neighbor for the extra parking rather than parking on the street. She said that she would not want to see cars parking on the street.
Ms. Detuzzi said that they could probably use the school parking if they needed it. She also said that she wanted to clarify that there is a defined path in back where the track area is, into the gym area that is outside and away from the road area.

Mr. Nickerson called for anyone from the public who wished to speak in favor of this application –
Hearing no one –
Mr. Nickerson called for anyone from the public who wished to speak in opposition to this application –
Hearing no one –
Mr. Nickerson called for anyone from the public who wished to comment in general on this application –
Hearing no one – and – Hearing no further questions or comments –

Mr. Nickerson called for a motion to close this public hearing.

****MOTION (1)**

Ms. Byrnes moved that this Public Hearing be closed.
Mr. Salemo seconded the motion.
Vote: 5 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 8:06 PM.
(Note: Mr. Peck rejoined the table)

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

I am Kim Detuzzi owner of ABC's Gymnastics Stars I am applying for a special Permit Under section 11 to operate a gymnastics facility at 40 Industrial Park Rd. A special permit sign was posted on Feb 15th 2005. The building is a pre-existing Butler type building 13,800 SF. We intend to do extensive renovations to the building such as new heat and air conditioning, painting, driveway repair, roof repair and interior build out and installation of handicap accessible bathrooms. We will also be replacing many of the overhead doors across the front of the building with glass store front type of entrance way with awnings, which will make the building look more attractive from the road then it is in its present condition.

~~X~~
The hours of operation are typically Monday through Friday 8:30 am – 8:30 pm and weekend 9am -5pm. A typical day starts with toddler classes which start at approximately 9:00 am and average class consists of 8 kids per class through out the morning hours we will run classes of similar size until about 3:00. After 3:00 pm our students get out of school and our busy time begins. Between 4-7 pm. During this time we have no more than 8 children per instructor and at not more than 24 kids in the gym at a time. The average class during our busy time is 16 gymnasts. Most of our gymnasts come to the gym in car pools and in most cases dropped off. Very few parents stay in the older school aged group. We are unique to a normal gymnasium in that we are able to monitor our class and elevate traffic congestion by scheduling our classes according to trends of whether parents will stay or drop off. Class time will be spaced to elevate any major congestion.

Our parking lot currently has room for 50 spaces you will see in our sight plan we will have approximately 8000 SF of Gym space and 1 office, we allotted one space for every 200 square feet of gym space that is 40 spaces. Then we allotted 3 spaces for the teachers and 1 space for our office areas. Bring our required space to 44. We based our figures on Industry standards outlined in the parking book at zoning.

Please note: In our case of if we filled our gymnastics gym with a maximum # of children and they all came in one car we would need 24 spaces for all the kids and 4 spaces for the employee's & office staff that would be a total of 28 spaces needed at one time. This is really a more realistic # of the maximum # of spaces we would require. We do not see this being a problem, for it is not a problem at our present gym and we have more than double the parking.

Attachment OHI Zoning 3/17/05 JF.

*Preschool parking is 2 teachers to 15 kids, 2 spaces per 15 kids and 1 office.
This will bring our parking to 49 spaces.*

Wavers —

There are a couple of requirements under section 24.6 which we need exceptions for. Under the EXCEPTION rule 24.7 it allows for exceptions if any requirements of the section 24.6 cannot be met because of previously existing physical conditions.

- Section 24.6c states that sidewalks shall be constructed along entire street frontage. This is impractical because there is a steep slope directly next to the road which would make installations virtually impossible and even if it was possible it would be a sidewalk leading to ~~know~~ where and would create an unnecessary expense to us. See Exhibit A
- 24.6E#3 states that landscaping buffer strips are required along all lot boundaries abutting any other lot. On the south side of the building there is already existing vegetation consisting of tall trees bush, briars and wetlands. It would be very difficult to install any additional landscaping because of the wetlands. We feel it would disturb the natural vegetation and disturb the wetlands in the area. See Exhibit b. On the East side (back of building) there is a grass area that leads to a wood area. This area is within 200 radius of the town well. We feel this area is best left undisturbed and the natural vegetation should be left alone. For in order to maintain UN natural vegetation in this area will require fertilizer and pesticides. Along the north side of the building the driveway directly meets the neighbor's parking lot on a sharp incline and there is no room for installation of the required 10 foot buffer zone. See Exhibit C
- 24.6-E4 requires parking area landscaping (or islands) of all off street parking areas of 30 spaces or more. This would interfere with the flow of storm water off the parking lot, as well as change the pre-existing layout of the parking spaces. We feel that these are pre-existing physical conditions which should be waved.

Our Organization:

ABC's Gymnastics Stars primary objective is to provide high quality recreational gymnastics program and competitive team for children of all ages and levels. We believe gymnastics training helps promote a strong foundation to physical fitness and dedication

Our Strategy:

The program will help children explore and expand their motor skills, help develop strength, coordination and self-confidence

Our Program:

Our classes are designed to improve each student's motor skill, coordination, physical confidence and self esteem. There will be four Olympic events for the girls which are bars, beam, floor and vault. The gym expansion will allow us to fit all 6 Olympic Boys events which are parallel bars, high bar, rings, vault, floor exercise and pommel horse. There are many training apparatuses needed for the gymnast to learn the skills they need to be a successful gymnast for example tumble track and trampolines which is more big equipment.

Gymnastics is unique in that it needs wide open space for its floor exercise which is 42'X42'; one beam is 16 feet long (we need at least 5 beams) proper matting requires two 8 foot mats on either side which brings 1 beams space to 32 feet long and 10 feet wide. The height of the ceilings has to be approximately 20' for the bars and rings. The vaulting runway with landing matt has to be 120 feet long.

space

Hours of Operation:

The hours of operation are typically Monday through Friday 8:30 am – 8:30 pm and weekend 9am -5pm. A typical day starts with toddler classes which start at approximately 9:00 am and average class consists of 8 kids per class through out the morning hours we will run classes of similar size until about 3:00. After 3:00 pm our students get out of school and our busy time begins. Between 4-7 pm. During this time we have no more than 8 children per instructor and at not more than 24 kids in the gym at a time. The average class during our busy time is 16 gymnasts.