

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

L. Abblair
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held the Application of Debra Osso for a Special Permit to operate a fast food restaurant 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 8:07 PM.

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

ALSO PRESENT: Debra Osso, Applicant
Rose Ann Hardy, Ex-Officio - Board of Selectmen

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

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

Public Hearing II

- 1. Application of Debra Osso for a Special Permit to operate a fast food restaurant on property identified in the application as 221 Boston Post Road, East Lyme, Connecticut. The property is further identified in the application as East Lyme Assessor's Map 30.2, Lot 62.**

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: Special Permit Application, Debra Osso – 221 Boston Post Road – noting that this is for an ancillary use to the primary use of the property which is a retail gift store.

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

Mr. Nickerson also noted for the record that the sign has been posted and that he has personally seen it.

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

Debra Osso, owner of 'Time To Celebrate LLC' said that she has a small store and serves coffee and breakfast items and that people have said that it would be nice if they had a table or two and some chairs to sit and chat while enjoying these items. (Letter attached at end of Minutes) She said that she would like to offer them a small seating area. She said that she currently has nine parking spaces and that she would need to provide three more to do this. She explained that she sat down with Mr. Mulholland and went over a parking plan to get those three spaces as she has the room to do this. They agreed upon a parking plan and she said that she had hoped that it would be here tonight for them to see as it was agreed upon.

Mr. Nickerson said that they do not have it and asked that she try to explain where these spaces are going to be as they can't see it.

Ms. Detuzzi explained where they would be and that doing this would not cause any issues with anything else. She also noted that she would not be storing any hazardous materials on the site.

Ms. Byrnes asked if there is a waiver request here.

Mr. Nickerson said no, providing the proper number of parking spaces is what has to be done.

Ms. Carabelas asked if she saw her business expanding or rather over-flowing from this addition.

Ms. Osso said no, as it is not meant to be a coffeehouse. She explained that the bulk of her business is in the morning when the Post Office is also busy and that this is really meant for the afternoons where people have expressed that they would like to just sit and chat and enjoy a cup of coffee.

Mr. Henderson asked about her hours of operation.

Ms. Osso said that she is open from 7 AM to 5:30 PM

Mr. Henderson asked if her business is seasonal.

Ms. Osso said no, it is more a steady business as they cater to birthdays and events that happen throughout the year rather than just during a specific season.

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)**

Mr. Salemo moved that this Public Hearing be closed.

Ms. Byrnes seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 8:17 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

Time To Celebrate, LLC

PO Box 447
221 Boston Post Road
East Lyme, CT. 06333
(860) 691-1000 Fax: (860) 691-2485

received
1/21/05 EN

Zoning Department
East Lyme Town Hall
PO Box 519
Niantic, CT 06357

January 16, 2005

Dear Zoning Department,

The purpose of this letter is to explain the current layout of my business, Time To Celebrate LLC, in order to pursue the possibility of including a fast food restaurant permit for the store.

I opened my business on October 18, 2003 with a Retail permit. My location provides retail items such as gifts, flowers, cards, party supplies, cakes, coffee and breakfast type items.

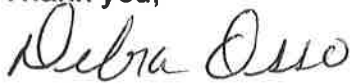
Since the day I opened my doors, I have had customers asking me to provide an area of the store where they can sit and enjoy their coffee and muffin. The coffee has been a successful way to bring in customers on a regular basis and I would like to be able to offer them a small sitting area.

I am interested in making a small seating area in part of the building that is approximately 100 square feet. I would provide 4 small tables with 2 seats at each table. I have been informed that I would be required to apply for a special permit (fast food restaurant) in order to accommodate the seating area. The zoning requirements for parking for a retail location is 1 car space for every 250 square feet of floor space (currently I have 9 parking spaces), and the parking for a fast food restaurant is 1 car space for every 25 square feet of public floor space. This would mean that my parking area would require 3 more car spaces for the 100 square feet that I would be providing for my table area.

I feel that my current parking areas are capable of providing those 3 extra car spaces. Please review the attached inside and outside plans of the current layout of the store and parking facilities. The area marked as 'customer seating' is the proposed area for tables and chairs. Also, I have 4 to 5 parking spots on the main road that are available to my customers.

If you should have any further questions regarding this matter, I can be reached at (860) 691-1000.

Thank you,



Debra Osso

Time To Celebrate LLC, Member

Attachment - Zoning PH 11 3/17/05