

Mar 22, 2005 AT 3:55 PM

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

L.A. Blais, etc
EAST LYME TOWN CLERK

The East Lyme Zoning Commission held the Application of Theodore A. Harris, Agent for Mariner Health Care, for a modification to an existing Special Permit 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 8:18 PM.

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

ALSO PRESENT: Attorney Theodore Harris, Representing the 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 III

1. Application of Theodore A. Harris, Agent for Mariner Health Care, for a modification to an existing Special Permit to change the number of beds allowed from 120 to 130 at property located at 23-25 Liberty Way, Niantic, Connecticut. The property is further identified on the application as East Lyme Assessor's Map 9.4, Lot 6 and Map 9.4, Lot 29.

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: Mariner Health Care Special Permit – 23-25 Liberty Way, Niantic, Connecticut - noting that this is a request for a modification to the original Special Permit from 120 beds to 130 beds. The current on-site parking is more than what is required.

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 called for Attorney Harris to present this application.

Attorney Theodore Harris, representing the applicant, Mariner Health presented **Exhibit A** – a picture of the sign that was posted on the site. He then explained that this facility was permitted for 120 beds however, prior to the opening of the facility the State changed their regulations and allowed the 130. The only purpose of this application is to bring the special permit in line with what they are already doing – operating with 130 beds as the building had 130 beds subsequent to its' opening. This discrepancy came to light due to the recent sale of the facility.

Ms. Carabelas asked if there would be any addition to the current facility to do this. Attorney Harris said no, the addition was done at the inception when it was originally being built.

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. Salerno seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 8:24 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary