

Feb 21 20 08 at 3:50 AM
PM

**EAST LYME ZONING COMMISSION
PUBLIC HEARING III
Thursday, FEBRUARY 21st, 2008
MINUTES**

Esther B. Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on the Application of Kristin Burrows on behalf of Broadway Kids & Company, LLC for a Special Permit under Section 11.2.2 of the East Lyme Zoning Regulations, private training facilities, trade and technical schools and facilities of higher learning, at 5 Freedom Way, Unit D1 – D4, Niantic, CT on Thursday, February 21, 2008 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 8:15 PM after the previously scheduled Public Hearings.

PRESENT: Mark Nickerson, Chairman, Marc Salerno, Acting Secretary,
Ed Gada, Norm Peck, Bob Bulmer, Alternate, William Dwyer,
Alternate

ALSO PRESENT: Kristin Burrows, Applicant
Norm Peck

ABSENT: Rosanna Carabelas, Secretary, Steve Carpenteri

PANEL: Mark Nickerson, Chairman, Marc Salerno, Acting Secretary,
Ed Gada, John Birmingham, Alternate, Bob Bulmer, Alternate,
William Dwyer, Alternate

Pledge of Allegiance

The Pledge was previously observed.

Public Hearing III

1. Application of Kristin Burrows on behalf of Broadway Kids & Company, LLC for a Special Permit under Section 11.2.2 of the East Lyme Zoning Regulations, private training facilities, trade and technical schools and facilities of higher learning, at 5 Freedom Way, Unit D1 – D4, Niantic, CT.

Mr. Peck recused himself and was seated in the audience.

Mr. Nickerson seated Mr. Birmingham, Alternate for this public hearing panel to replace Mr. Peck.

Mr. Nickerson noted that the Legal Ad had run in The Day on February 8, 2008 and February 18, 2008. He then asked Mr. Salerno, Acting Secretary to read the correspondence into the record.

Mr. Salerno, Acting Secretary read the following correspondence into the record:

- ◆ Letter dated 2/21/08 to East Lyme Zoning Commission from William Mulholland, Zoning Official – Re: Special Permit Application "Broadway Kids & Company, LLC", 5 Freedom Way, LI Zone – finding that the applicant is applying to run a dance & theatre school with about 80 students. Harvest Christian Church uses the remainder of the building. This use is permitted under Section 11.2.2 of the Zoning Regulations subject to Section 25 Special Permits and Section 24 – Site Plan. It was noted that the property complies with all applicable site plan regulations. There are 44 parking spaces with 16 additional in the rear for a total of 60. The Commission should determine if this is adequate to serve all on site uses.

Mr. Nickerson called upon the applicant to explain this application.

Kristin Burrows, owner, director and applicant said that she opened her business in 2000 in Waterford and has been located in East Lyme since 2002 and looks forward to continuing her business here. They offer instruction in dance, acting and voice. She said that they have approximately 80 students and that the hours of operation are typically from 4PM to 8:30PM as they are after school programs. Classes are held Monday thru Thursday with an occasional Saturday morning class. The parents generally drop off and pick up their children for the 1 to 2 hour class and the class sizes range from 4 to 10 students per class. With the hours of operation, parking should not be a problem. With a church next door and this business closed on Sundays, there should be no parking issues.

Mr. Bulmer asked the ages of the children that attend these classes.

Ms. Burrows said that they range from the small kids to adult although there are few adult kids.

Mr. Bulmer asked how the kids would be supervised so that they are not wandering around.

Ms. Burrows said that there is a waiting area and that the parents drop their kids off there and that they also have to physically pick them up. The kids are not released unless they see the parent there and if others pick them up they have to have a note and identification.

Mr. Bulmer asked if the building is secure.

Ms. Burrows said yes.

Mr. Bulmer asked the maximum number of people and the days of operation.

Ms. Burrows said that they are open four days from 4 PM to 8:30 PM and an occasional Saturday morning.

All of their classes combined (there are 14) have 80 people at most.

Tom Burrows, Applicant explained the security noting that a back door was eliminated and that the remaining door is used by the teachers only. This was explained on the site plan. He noted that there are four front entrances and that people usually do not park in the back to pick up their children.

Ms. Burrows said that this is pre-existing industrial and that she has gone over all of this with Mr. Mulholland previously.

Mr. Burrows added that there are also four bathrooms in the facilities.

Mr. Salerno asked how many kids maximum per class.

Ms. Burrows said that 8 – 10 kids are the max per class.

Mr. Salerno asked about the amount of time in between classes.

Mr. & Mrs. Burrows said that it is usually 10 to 15 minutes however the kids usually come and stay and go through more than one class since they offer dance, acting and voice and try to hold the classes one after the other so that they can attend them in succession on the same evening. Most students stay for two classes that run in succession and are then picked up.

Mr. Salerno commented that there are 11 parking spots in the front plus a handicap spot and plenty in the back and that it seems that there are enough spaces plus there is time for the change between classes.

Mr. & Mrs. Burrows said that most of their students are dropped-off and picked up later.

Mr. Birmingham asked about people parking in the back and if they would have to ring a bell to get in.

Ms. Burrows said that this is not encouraged and that she does not expect that it will happen as the instructors are the only ones using the back entry.

Mr. Birmingham asked what if a kid is not picked up – what they do.

Mr. & Mrs. Burrows said that they have been in business for nine (9) years now and that they have all of the contingencies covered and the emergency contact information that they need to make sure that the child is safe.

Mr. Bulmer asked about the lighting on the building since classes get out when it is dark outside.

Mr. Burrows said that the building is well lit under the eaves in the front and the back has low-type lighting that insures that people are not in the dark.

Mr. Nickerson called for public comments in favor, against or neutrally on this application –
Hearing none –

Mr. Nickerson said that he would like it in the record that he knows the applicants and that any decision that he makes this evening would not be done to benefit the applicant and that he would not have anything to gain financially or otherwise from his actions on this application.

Mr. Nickerson asked if the Commission had any other questions or comments –
Hearing none –

Mr. Nickerson called for a motion to close this Public Hearing.

****MOTION (1)**

Mr. Salerno moved that this Public Hearing be closed.

Mr. Bulmer seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 8:38 PM.

Respectfully submitted,

Karen Zmitruk,

Recording Secretary

(Note: Mr. Peck returned to be seated at the table and Mr. Birmingham was seated in the audience.)

Broadwaykids&Company

December 14, 2007

Dear Mr Mulholland,

RE: Statement of use for 5 Freedom Way Units D1-D4.

I am writing to request for the special permit required to occupy 5 Freedom Way in East Lyme CT.

Broadway Kids & Company is a dance and theatre school. We offer instruction in Dance, Acting, and Voice to all ages 2-Adult. We have approximately 80 students. Our hours of operation are generally 4-8:30 pm since we are an after school program. We may have an occasional morning class. Classes are held Mon-Thurs. We have two part time instructors and the owner, myself working the majority of class hours during the week. There are approx 14 hours of classes held within our hours of operation per week. Parents generally drop off and pick up their child for the 1-2 hour class. Class sizes range from 4-10 students per class hour.

Broadway Kids opened in 2000 and has been located in East Lyme since 2002. Our main focus is to train students in dance, acting, voice and performance technique. We produce two musicals per year at the Garde Arts center in New London.

At 5 Freedom way we plan to occupy four (4) units. Each unit is approx 750 sq feet. We have 2 dance rooms, storage for our costumes and props and 2 small office spaces for vocal training, and 4 bathrooms. The space was set up adequately from the prior business so we don't have to do any renovations except to put down our dance flooring, mirrors and barres.

As you requested, I have attached a simple drawing of the businesses in nearby building to us. We share the "D" building with Harvest Christian Fellowship Church. In my conversation with them they use the space on Sunday mornings which does not conflict with our hours of operation.

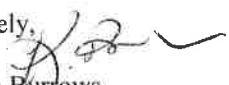
We have enjoyed having our Dance and Theatre School in East Lyme and have many families from East Lyme as well as Old Lyme, Waterford, New London, Mystic and surrounding towns.

We look forward to continuing our business in East Lyme.

I have enclosed the application and payment for special permit. I would appreciate being able to meet with the commission as soon as possible.

Thank you for your attention to this matter.

Sincerely,


Kristin Burrows
Owner, Director
Broadway Kids & Company
School Of Musical Theatre & Dance
www.broadwaykidsandcompany.com

"Providing professional classes in a fun, nurturing environment."