

**EAST LYME ZONING COMMISSION
PUBLIC HEARING I
Thursday, JANUARY 3rd, 2008
MINUTES**

The East Lyme Zoning Commission held a Public Hearing on the Application of Richard d/b/a The Eclectic chef for a Special Permit to operate a fast food restaurant at property identified as 281 Main Street, Niantic, CT on Thursday, January 3, 2008 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 7:34 PM.

PRESENT: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary,
Marc Salerno, Ed Gada, Norm Peck, Steve Carpenteri

ALSO PRESENT: John Birmingham, Alternate
Bob Bulmer, Alternate
William Dwyer, Alternate
Rose Ann Hardy, Ex-Officio
William Mulholland, Zoning Official

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Jan 8 2008 at 9:05 (AM/PM)

Ethel B. Williams

EAST LYME TOWN CLERK

ABSENT: No One

PANEL: Mark Nickerson, Chairman, Rosanna Carabelas, Secretary,
Marc Salerno, Ed Gada, Norm Peck, Steve Carpenteri

Pledge of Allegiance
The Pledge was observed.

Public Hearing I

1. **Application of Richard McFadden d/b/a The Eclectic Chef for a Special Permit to operate a fast food restaurant at property identified in the Application as 281 Main Street, Niantic, CT,**

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

Ms. Carabelas, Secretary read the following correspondence into the record:

- ◆ Letter dated 1/2/08 to EL Zoning Commission from William Mulholland, Zoning Official – Re: Special Permit Application Eclectic Chef, CB Zone – noting that a review of the applicable standards found in Section 24.6 finds that two waivers or exceptions to the landscape requirement will be needed and that since this is a pre-existing site the waivers might be appropriate. The parking for this property lies within the parking overlay zone and is exempted from having to provide parking under the requirements of Section 22.1.1 through 22.1.15 provided that lot coverage existing on or before October 19, 1999 is not increased.

Mr. Nickerson noted that the legal ad had run in The Day on December 21, 2007 and December 31, 2007.

Mr. Mulholland noted that the sign has been posted at the location.

Mr. Nickerson then called upon the applicant or their representative for their presentation.

Richard McFadden, Applicant said that he is looking to move his store one-eighth of a mile down the street to this new location on the opposite side of the street. This location will allow him to have approximately 12-14 seats for customers. He said that Subway is next door to him, Eleni's is across the street as well as

Grandpa's and other food service operations that essentially serve the same type of food. He said that he brings this to their attention so that they can see that he is not looking to operate the type of establishment that is not already present in this area.

Mr. Salerno asked which building he would be occupying.

Mr. McFadden said that it is the prior Fashion Imports building located between the movie theater/cinema and Subway. He added that he is looking to move here because with the Christmas Shop closed that the foot traffic has died where he is currently located on the opposite side of the street.

Mr. Carpenteri asked how much bigger this shop would be in comparison to where he is now.

Mr. McFadden said that it is essentially the same size and that he would only be gaining 10 sq. ft. of space. He added that there are kitchen facilities in this location.

Ms. Carabelas noted that he had outside dining where he is now and asked if he planned on having it where he is re-locating to.

Mr. Mulholland explained that it would fall under another special permit and that Mr. McFadden would have to come back before the Commission to apply for that.

Mr. McFadden said that his plans for the future are to apply for the outside dining permit however, for now he is just looking to open his store in the new location.

Mr. Nickerson noted that the outdoor dining that he had at his current establishment was grandfathered and that it would go away when he moves and he will have to re-apply for it.

Mr. McFadden said that he understood that and that he would apply at a later time when the weather becomes more suitable for outside dining.

Mr. Nickerson called for anyone from the public who wished to speak in favor of this application –

Donald Gerwick, 11 Pleasant Drive Ext. said that he has had the opportunity to frequent the current establishment and that he would encourage them to grant this request.

Mr. Nickerson called for anyone else from the public who wished to speak –
Hearing no one –

Mr. Nickerson asked if the Commission had any other comments or questions –
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. Gada seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Mr. Nickerson closed this Public Hearing at 7:48 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary