

EAST LYME ZONING COMMISSION
PUBLIC HEARING II
Thursday, July 10th, 2003
MINUTES

July 14 20 03 at 3:35 (AM/PM)
Kathleen B. Williams

The East Lyme Zoning Commission held the Reverend David Munley Public Hearing for a Special Permit to operate a Church at 11 Liberty Way on July 10, 2003 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT.

Chairman Nickerson opened the Public Hearing and called it to order at 7:40 PM.

PRESENT: Mark Nickerson, Chairman, Norman Peck, Shawn McLaughlin, David Chamberlain, Marc Salerno, Alternate and William Dwyer, Alternate

ALSO PRESENT: William Mulholland, Zoning Official

ABSENT: Robert Bulmer, Ed Gada and Andrew Manter, Alternate

PANEL: Mark Nickerson, Chairman, Shawn McLaughlin, David Chamberlain, Marc Salerno, Alternate and William Dwyer, Alternate

Mr. Peck said that he had a conflict with this and removed himself from the table.
Mr. Nickerson said that they would operate as a Panel of five.

Public Hearing II

1. Application of Reverend David Munley for a Special Permit to operate a Church at 11 Liberty Way, Niantic, CT

Mr. Nickerson noted for the record that the Legal Ad had run on June 27, 2003 and July 7, 2003 in the Day.

Mr. Salerno read into the record:

1. Memorandum dated July 10, 2003 from William Mulholland, Zoning Official to the Zoning Commission – Re: Special Permit Application "Church Use", 11 Liberty Way, Niantic
2. Letter dated April 7, 2003 from Lighthouse Assembly of God Senior Pastor, David Munley – Re: Zoning Permission for 11 Liberty Way, Niantic CT

Mr. Mulholland noted that the Senior Pastor was present to address them.

David Munley, Senior Pastor said that he has been the Pastor for two years now and is looking forward to moving to a new place at 11 Liberty Way as their congregation has grown. They are presently located at 315 Flanders Road.

Mr. Mulholland noted that some years ago, that this Commission approved the Lighthouse Assembly of God location at 315 Flanders Road which was also by Special Permit.

Reverend Munley submitted **Exhibit 1** for the record – a picture of the posted sign.

Mr. Dwyer asked if this would create limitations on others within this area.

Mr. Mulholland said perhaps – for those on either side in the event that his congregation grows, as he would need additional parking. Otherwise there should not be a parking problem as he is active when other businesses are not.

Mr. Dwyer asked if this Church establishment would prevent other establishments from serving liquor there and - how far away from the Church would they have to be to serve liquor.

Mr. Mulholland said that the regulations say that they would have to be 500' away from each other. This would not affect a full service restaurant and there are other regulations with respect to a hotel with a bar within a restaurant. They would have to be 500' away from the Church.

Mr. Nickerson asked how far this building was from the street. After looking over the site map provided it was determined that it is about 500' to the street.

Mr. Chamberlain noted that it is a liquor establishment that is restricted.

Mr. Nickerson asked if anyone from the public would like to speak.

Joe Raia, 97 West Main Street, Niantic asked if the Zoning Commission interpretation of a restaurant is as a hotel permit or are they different.

Mr. Mulholland replied that they gave exemptions to standard restaurants as they are for promoting restaurants coming here.

Mr. Raia asked if a hotel could be restricted to a hotel permit for liquor reasons.

Mr. Mulholland said that they would be restricted to the 500'.

Mr. Raia asked how they determine the 500'.

Mr. Mulholland said that it is from Lot Line to Lot Line.

Mr. Dwyer asked Mr. Raia what his expertise was on the liquor license issue.

Mr. Raia replied that he works for the State Liquor Commission Control Board.

Mr. Mulholland commented that the Town and the State might interpret these things differently. If a hotel came up, they would deal with it at that time. There is a difference between a restaurant and hotel permit for liquor reasons. Currently the hotel market appears to be saturated.

Mr. Nickerson asked for any other comments – hearing none –

****MOTION (1)**

Mr. Salerno moved to close Public Hearing II – the Application of Reverend David Munley for a Special Permit to operate a Church at 11 Liberty Way, Niantic, CT at 7:52 PM.

Mr. McLaughlin seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Mr. Peck joined the table and the Panel once again.

Respectfully submitted,

Karen Zmitruk,

Recording Secretary, pro-tem