

**EAST LYME ZONING COMMISSION  
PUBLIC HEARING I  
Thursday, NOVEMBER 19th, 2009  
MINUTES**

*Nov 20* 20 *09* at *3:00* <sup>AM</sup> ~~PM~~

*Esther B. Wilshaw*

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on the Application of Brian Cowee for Optimum Fitness for a Special Permit for an indoor recreation facility at 267-283 Main Street (aka 17 Hope Street), Niantic, CT on Thursday, November 19, 2009 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Acting Chairman Salerno opened the Public Hearing and called it to order at 7:35 PM.

**PRESENT:** Marc Salerno, Acting Chairman, Steve Carpenteri, Acting Secretary, Ed Gada, Norm Peck, William Dwyer, Alternate

**ALSO PRESENT:** Brian Cowee, Applicant

**ABSENT:** Mark Nickerson, Chairman, Rosanna Carabelas, Secretary, Bob Bulmer, Alternate

**PANEL:** Marc Salerno, Acting Chairman, Steve Carpenteri, Acting Secretary, Ed Gada, Norm Peck, William Dwyer, Alternate

**Pledge of Allegiance**

The Pledge was observed.

**Public Hearing I**

1. Application of Brian Cowee for Optimum Fitness for a Special Permit for an indoor recreation facility at 267-283 Main Street (aka 17 Hope Street), Niantic, CT. Property further identified as Assessor's Map 12.1, Lot 103.

Acting Chairman Salerno opened the continued Public Hearing and asked if anyone had a conflict of interest with regard to this application. No one did.

Mr. Salerno noted that the legal ad for this Public Hearing had run in The Day on November 6, 2009 and November 13, 2009.

He then asked that Mr. Carpenteri, Acting Secretary to read the correspondence into the record.

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

- Letter dated 11/19/09 to EL Zoning Commission from William Mulholland, Zoning Official – Re: Special Permit Application/Optimum Fitness CB Zoning District - noting that the subject property is actually on Hope St. and the personal training facility will occupy a portion of the Burke's Tavern building. The use is permitted under Section 9.2.2 as Commercial Recreation. The requirement for a sidewalk would need waiver consideration as there are sidewalks across the street. The subject building is within the parking overlay zone and the use is exempted.

Mr. Salerno called for the applicant or their representative to present this application.

Brian Cowee, 47 Brown's lane, Old Lyme, CT, applicant explained that he would be occupying one of the vacant spaces in the Burke's Tavern building. He is a personal trainer and would be providing

personal training to people by appointment. Clients would be going there by appointment to see him specifically and there would not be any walk-in services.

Mr. Gada asked if all of his services would be provided by appointment only.  
Mr. Cowee said yes.

Mr. Dwyer asked what hours he planned on being open.  
Mr. Cowee said that he would start at 5:30 AM and end at 7:30 PM and that depending upon the appointments, he could very well be closed during for the day for some hours when he did not have any appointments.

Mr. Dwyer asked what the maximum number of people would be that he would see at any one time.  
Mr. Cowee said that the space is 1400 square feet and that the maximum number of clients that he would entertain seeing at any one time would be 10.

Mr. Salerno called for comments from the public in favor of, in opposition to or neutrally on this application –

Hearing none –

He asked if there were other questions from the Commissioners –

Hearing none –

He called for a motion to close this public hearing.

**\*\*MOTION (1)**

**Mr. Gada moved to close this Public Hearing.**

**Mr. Dwyer seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

Mr. Salerno closed this Public Hearing at 7:50 PM.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary