

**PUBLIC HEARING IV Thursday, MAY 7th, 2009  
EAST LYME ZONING COMMISSION  
MINUTES**

The East Lyme Zoning Commission held a Public Hearing on the Application of Melinda Graus for a Special Permit for Outdoor Dining at property identified in the Application as 334 Main Street, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 10:01 PM after the previously scheduled Public Hearings.

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

**ALSO PRESENT:** William Dwyer, Alternate  
Melinda Graus, Applicant  
William Mulholland, Zoning Official

**ABSENT:** Bob Bulmer, Alternate, Gregory Massad, Alternate

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

**Pledge of Allegiance**

The Pledge was previously observed.

**Public Hearing I**

**1. Application of Melinda Graus for a Special Permit for Outdoor Dining at property identified in the Application as 334 Main Street, Niantic, CT.**

Chairman Nickerson noted that the Legal Ad for this application had run in The Day on April 24, 2009 and May 4, 2009.

He then asked Rosanna Carabelas, Secretary to read the correspondence into the record.

Ms. Carabelas read the following correspondence into the record:

◆ Letter dated 5/7/09 to EL Zoning Commission from William Mulholland, Zoning Official - Re: Application of Melinda Graus for outdoor dining at Ice Cream Shop located at 334 Main Street – noting that this business was recently approved a Special Permit to sell ice cream from a service window; they would like to place four tables out on the lawn to allow customers to be seated while enjoying their ice cream.

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

Melinda Graus, 334 Main St., applicant; said that she is the owner of Lollipops & Gumdrops and that she just opened an outdoor ice cream window and would like to put out a few tables and chairs for people to sit out and enjoy their ice cream on the lawn. She said that she does know the regulations as she has gone over them with Mr. Mulholland.

Mr. Salerno asked Mr. Mulholland if this would fall under the new regulations.

Mr. Mulholland said that those are not in effect yet so this permit would be for a one year term.

Mr. Nickerson explained the protocol for public comment and called for those from the public who wished to speak in favor of the application.

Elaine Koziatek, 56 White Birch Circle said that she fully supports this application and feels that the addition of outdoor tables would not be detrimental in any way.

Mr. Nickerson called for anyone wishing to speak against or neutrally on this application.

Hearing no one -

Mr. Nickerson asked if the Commissioners had any other questions –  
Ms. Carabelas asked if they would have to have trash cans so that the trash would not blow around.  
Ms. Graus said that she does have trash cans now and then indicated on the site plan where she would place another trash can should they support this request.

Mr. Nickerson called for a motion to close this public hearing.

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

**Mr. Salerno moved that this Public Hearing be closed.**

**Ms. Carabelas seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

Mr. Nickerson closed this Public Hearing at 10:10 PM.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary