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East Haddam Planning and Zoning Commission
Municipal Office Complex
1 Plains Road
Moodus, CT 06469

Re: Objection to Application PZC #25-17 – 416 East Haddam-Moodus Road
Shanani Inc. - Map 64, Lot 64
Reconstruction of an existing gas station/convenience store with a drive-through window

Dear Commission:

My office represents Cody Annino and Rebecca Skinner, abutters to the property subject to Application PZC #25-17 (hereinafter "Application"), with regard to said Application and its inclusion of a drive-through window. They hereby object to the Application for the following reasons:

1. 416 East Haddam Moodus Road, Map 64, Lot 64 (hereinafter the "Property") is located in a C-3 Zone. This is the Zone listed on the field card and included in the Application.
2. Section 9.7.1.2 of the East Haddam Zoning Regulations describes the uses permitted by Special Exception approval of the Commission in the C-3 Zone, which uses include "Restaurant."
3. "Restaurant" is defined in the East Haddam Zoning Regulations as "The retail sale of food to the general public for consumption on the premises, with food service primarily to customers seated at tables or at counters in an enclosed building. A restaurant *shall not include drive-in, window counter, or other outdoor service,* other than outdoor tables." (emphasis added)
4. Section 31 of the East Haddam Zoning Regulations provides the guidelines required for Drive-through facilities, if they are permitted, pursuant to the remainder of the zoning regulations. Simply, *if* drive-throughs were permitted for food service (by

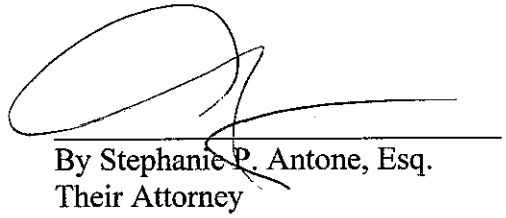
special exception) in Zone C-3, *then* the conditions set forth in Section 31 would apply and need to be satisfied.

5. In order for the Planning and Zoning Commission to approve the special exception, it must determine that the proposed use of the Property is expressly permitted under the zoning regulations.
6. Since Drive-through windows are not expressly permitted for restaurant service in Zone C-3, the Application does not conform to the East Haddam Zoning Regulations and *cannot* be approved.

If you have any questions at any time, please do not hesitate to contact me.

Thank you.

Respectfully submitted,
Cody Annino and Rebecca Skinner,



By Stephanie P. Antone, Esq.
Their Attorney