



TOWN OF OLD SAYBROOK
Planning Commission

Norman Prevost, Jr., Chairman
Douglas S. McCracken, Vice Chairman
Paula S. Kay, Secretary
Kathleen A. Sugland
Jon Miles

Michael K. Bender, Alternate

Megan Joufflas, Alternate
Dennis Tulimieri Jr., Alternate

302 Main Street
Old Saybrook, Connecticut 06475

oldsaybrookct.gov

REGULAR MEETING MINUTES
HYBRID MEETING

Wednesday, January 19, 2022 at 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. **CALL TO ORDER**

The Vice Chairman D. McCracken called the meeting to order at 7:00 PM

II. **ROLL CALL**

Present:

Paula Kay, Michael Bender, Jon Miles, Douglas McCracken, Dennis Tulimieri- virtual

Absent:

Megan Joufflas

Norman Prevost

Kathleen Sugland

Staff Present:

Attorney Matt Willis

Sarah Makowicki, Clerk

Michael Bender is seated for Norman Prevost.

Dennis Tulimieri is seated for Kathleen Sugland.

III. **REGULAR BUSINESS**

A. **Minutes**

MOTION to approve the meeting minutes as presented for the 1/5/22 regular meeting. MADE by M. Bender, SECONDED by P. Kay, VOTING IN FAVOR: D. McCracken, M. Bender, D. Tulimieri, P. Kay, J. Miles; OPPOSED: None; ABSTAINING: NONE, **MOTION PASSES: 5-0-0**

B. **Correspondence - None**

IV. **OLD BUSINESS**

A **“Martin” Application for Resubdivision of Land- 5.93 acres into 2 lots**

129 Bokum Road (Map 61/Lot 4), Residence AAA District

Applicant/Owner: Theresa & Wayne Martin Agent: Robert L. Doane, Jr., P.E.

The Commission started deliberation of the Martin application. Vice Chairman D. McCracken asked the commission if all members who were seated were up to date with the application and had reviewed all materials. The commission members answered in the affirmative.

Attorney Matt Willis answered questions from the members concerning the septic. Mr. Willis stated that the health department found that there was sufficient space to move the system if need be and have a backup space. Mr. Willis also confirmed that the “back right of way” is not in the scope of the Planning Commission and does not need to be discussed further. Mr. Willis answered a question about the rear lot waiver being withdrawn, he explained that because the lot was apart of a multi-lot subdivision from 1966, the waiver did not need to be submitted.

MOTION to approve “Martin” Application for Resubdivision of Land- 5.93 acres into 2 lots 129 Bokum Road (Map 61/Lot 4), Residence AAA District MADE by P. Kay, SECONDED by D. Tulimieri, VOTING IN FAVOR: D. McCracken, M. Bender, D. Tulimieri, P. Kay, OPPOSED: J. Miles; APPROVED 4-1-0.

V. **NEW BUSINESS –**

- A. **Petition to Amend the Zoning Regulations** to modify Section 12 to add provisions to opt out of the provisions of Section 6 subsections (a) through (d), inclusive, of Public Act 21-29, and (2) section 8-2(d)(9) of the General Statutes, as amended by Public Act 21-29 relating to accessory dwelling units (apartments).

Petitioner: Old Saybrook Zoning Commission

ACTION: Consider per Town Plans; report on consistency to Zoning Commission for 2/7/2022 PH

Attorney Willis presented the reasons why the commission would want to opt out of the state statute:

1. The state statute has vague language.
2. The town should not want to be dictated by the state.
3. The town has existing sufficient zoning regulations.
4. By opting out the power stays with the commission instead of the state.

MOTION to recommend approval to the Zoning Commission for Petition to Amend the Zoning Regulations to modify Section 12 to add provisions to opt out of the provisions of Section 6 subsections (a) through (d), inclusive, of Public Act 21-29, and (2) section 8-2(d)(9) of the General Statutes, as amended by Public Act 21-29 relating to accessory dwelling units (apartments). MADE by P. Kay; SECONDED by M. Bender; VOTING IN FAVOR: D. McCracken, M. Bender, D. Tulimieri, P. Kay, J. Miles; OPPOSED: None **APPROVED** 5-0-0.

- B. **“Max’s Place & Big Y Foods” Petition to Amend the Old Saybrook Zoning Regulations** to amend Sections 34.2.1 and 53.1 Special Standards to permit retail gasoline and other motor vehicle fuel sales and battery charging stations as a principal use by Special Exception in the Gateway Business B-4 Zoning District
Applicants: Big Y Foods, Inc. & Max’s Place, LLC. Agent: Atty. David M. Royston

ACTION: Consider per Town Plans; report on consistency to Zoning Commission for 2/7/2022 PH

Attorney Dave Royston presented to the Commission for the applicant. After feedback from the previous application, Mr. Royston is now asking to amend the zoning regulations to principal use by special exception. This change would require referrals to DEEP and DOT.

MOTION to recommend approval to the Zoning Commission for Max’s Place & Big Y Foods” Petition to Amend the Old Saybrook Zoning Regulations to amend Sections 34.2.1 and 53.1 Special Standards to permit retail gasoline and other motor vehicle fuel sales and battery charging stations as a principal use by Special Exception in the Gateway Business B-4 Zoning District MADE by M. Bender; SECONDED by J. Miles; VOTING IN FAVOR: D. McCracken, M. Bender, D. Tulimieri, P. Kay, J. Miles; OPPOSED: None **APPROVED** 5-0-0.

- C. **“Marchut/ Zavatone” Lot Line Change**

Convey 7,030 s.f. strip of land from 6 Otter Brook Drive to 109 Ayers Point Road
6 Otter Brook Drive & 109 Ayers Point Road

Assessor’s Map 63, Lots 35-3 & 35, Residence AA-1 Zoning District

Applicants: Mary Marchut & Stephan & Maureen Zavatone

ACTION: Review reports submitted by Town Staff and Act.

There was minimal discussion, the Commission found the application to be straight forward.

MOTION to approve “Marchut/ Zavatone” Lot Line Change Convey 7,030 s.f. strip of land from 6 Otter Brook Drive to 109 Ayers Point Road 6 Otter Brook Drive & 109 Ayers Point Road Assessor’s Map 63, Lots 35-3 & 35, Residence AA-1 Zoning District MADE by P. Kay; SECONDED by M. Bender; VOTING IN FAVOR: D. McCracken, M. Bender, D. Tulimieri, P. Kay, J. Miles; OPPOSED: None **APPROVED** 5-0-0.

VI. **ADJOURNMENT**

MOTION to adjourn the Planning Commission public meeting of January 19, 2022 to the next regular meeting on Wednesday February 2, 2022 at 7:00 P.M. via in person at the Old Saybrook Town Hall First Floor Conference room and Zoom Meeting: **Public Zoom Link:** <https://zoom.us/j/95698333313?pwd=NndlRm1lenJPS0JBeDVyaHhtMERDQT09> **MADE by:** P. Kay **SECONDED by:** J. Miles **VOTING IN FAVOR** D. McCracken, M. Bender, D. Tulimieri, P. Kay, J. Miles; **OPPOSED:** None; **ABSTAINING:** **MOTION PASSES: 5-0-0.**

Respectfully submitted,
Sarah Makowicki