



TOWN OF OLD SAYBROOK Planning Commission

302 Main Street
Old Saybrook, Connecticut 06475

Oldsaybrookct.gov

*Norman "Nick" Prevost, Chairman
Douglas S. McCracken, Vice Chairman
Paula S. Kay, Secretary*

*Kathleen A. Sugland
Jonathan C. Miles*

Alternate Members

*Michael K. Bender, Alternate
Megan Joufflas, Alternate
Dennis Tulimieri Jr., Alternate*

REGULAR MEETING MINUTES HYBRID MEETING

Wednesday, March 1, 2023 at 7:00 P.M.

Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

Public Zoom Link: <https://zoom.us/j/95698333313?pwd=NndIRm1lenJPS0JBEDVyaHhtMERDQT09>

Meeting ID: 956 9833 3313

Meeting Passcode: 302302

Teleconference Dial-In: (929) 436-2866

One Tap Mobile: <tel://9294362866,,95698333313#>

I. **CALL TO ORDER**

Meeting called to order at 7pm by Chairman Prevost

II. **ROLL CALL**

Seated:

Nick Prevost

Doug McCracken

Johnathan Miles

Paula Kay

Michael Bender seated for Kathleen Sugland

III. **REGULAR BUSINESS**

A. **Minutes**

Make corrections to minutes from February 15, 2023 meeting. Motion made by N Prevost, Seconded Paula Kay.

Discussion: corrections to be made:

Only 5 members are seated for meeting, all regular members were in attendance.

CORRECTION:

MOTION to send a favorable recommendation to the ZC to Amend the Old Saybrook Zoning Regulations to permit Cannabis Micro-cultivation facilities. Amend Section 9 definition of cannabis micro-cultivation facility, amend Sec. 11.4 Prohibitions, New Sec. 53 and 34.2.17 to allow cannabis micro-cultivation facility in the B-4 District and establish standards. **MADE by:** N. Prevost; **SECONDED by:** P. Kay; **VOTING IN FAVOR:** N. Prevost, D. McCracken, K. Sugland; **OPPOSED:** P. Kay **ABSTAIN:** J. Miles **APPROVED: 3-1-1.**

B. **Correspondence**

None

IV. NEW BUSINESS

A. **“Max’s Place, LLC. and Big Y Foods, Inc.”** Petition to Amend the Old Saybrook Zoning Regulations to amend Section 53.1 Standards for Motor Vehicle Uses to eliminate separation distance requirements for fuel pumps and add a requirement for vehicle battery charging stations.

Applicant: Max’s Place, LLC. and Big Y Foods, Inc. Agent: Attorney David Royston

ACTION: Consider per Town Plans; report on consistency to Zoning Commission for 3/6/2023 PH

Attorney Royston reviewed his clients request to eliminate the regulation of 1000ft between gas pumps and add a requirement for EV chargers at fuel stations. For every 2 fuel pumps add 1 EV charger.

N. Prevost did not see the benefit of adding the EV requirement unless they were higher than a level 2 charger and did not feel that having EV station at fueling station would be best.

Royston explained that the current gas station in section B-4, west side of town, was the only one on that side of town. He was advised by the Chief of Police that adding a second gas station could help with traffic issues.

P. Kay asked how the 1000 ft is measured. Attorney Royston confirmed that it is a circumference from the pump.

M. Bender asked if the location of the proposed pumps was the clients preference and if there was a possibility of putting them elsewhere on the property. Attorney Royston advised that the owners have looked at placing pumps elsewhere on the property. However, further back would interfere with septic and leaching field.

J. Miles asked if there would be an environmental issue due to nearby wetlands. Attorney Royston advised that the owners will need to apply for a wetlands permit.

N. Prevost asked where the tank locations might be. Attorney Royston advised he believed they would be between the Dunkin and the fueling station, subject to standards, but the owners will need to apply for a permit and determine the proper placement.

MOTION to send a favorable recommendation to ZC from PC to amend current Old Saybrook Zoning Regulations to amend Section 53.1 Standards for Motor Vehicle Uses to eliminate separation distance requirements for fuel pumps and add a requirement for vehicle battery charging stations.
MADE by: D. McCracken; **SECONDED by:** M. Bender; **VOTING IN FAVOR:** NONE
OPPOSED: N. Prevost, P. Kay, D. McCracken, J. Miles, M. Bender **ABSTAIN:** NONE **DENIED:** 0-5-0.

B. **“Max’s Place, LLC. and Big Y Foods, Inc.”** Petition to Amend the Old Saybrook Zoning Regulations to amend Section 53.1 Standards for Motor Vehicle Uses to reduce the separation distance requirement for fuel and add a requirement for vehicle battery charging stations in the Gateway Business B-4 Shopping Center District.

Applicant: Max’s Place, LLC. and Big Y Foods, Inc. Agent: Attorney David Royston

ACTION: Consider per Town Plans; report on consistency to Zoning Commission for 3/6/2023 PH

Discussion to reduce the 1000 ft requirement to 500 ft instead of eliminating it entirely, in the Gateway Business B-4 Shopping Center District only and remove the proposed requirement of adding vehicle battery charging stations.

Attorney Royston will update the application and remove the EV requirement.

MOTION to send a favorable recommendation to the ZC to Amend the Old Saybrook Zoning Regulations to amend the Old Saybrook Zoning Regulations to amend Section 53.1 Standards for Motor Vehicle Uses to reduce the separation distance requirement for fuel to 500 ft and add remove the proposed requirement for vehicle battery charging stations in the Gateway Business B-4 Shopping Center District. MADE by: N. Prevost; SECONDED by: D. McCracken; VOTING IN FAVOR: N. Prevost, D. McCracken, J. Miles; OPPOSED: P. Kay, M. Bender ABSTAIN: NONE APPROVED: 3-2-0.

C. **“Drive-through” Petition to Amend the Old Saybrook Zoning Regulations to 12.3 to Modify and extend the timeline for the moratorium for Drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments (Section 53) to December 31, 2023**

Petitioner: Old Saybrook Zoning Commission

ACTION: Consider per Town Plans; report on consistency to Zoning Commission for 3/6/2023 PH

Prevost clarified that ZC has requested this extension to research/confirm what a “drive through” restaurant is.

D. McCracken the extension seems a bit long and he wants business to keep things in the works, not delay for additional 8 months.

Attorney Royston added public comment that when the moratorium was requested, ZC was asked to shorten the amount of time and they advised they are not trying to hold anyone up. Attorney Royston felt that a longer delay could have a serious impact on potential tenants. Tenants will not wait for an additional extension of time could cause possible empty storefronts.

Request from N. Prevost to add response to ZC request, the request is inconsistent to the Planning, Conservation and Development of the town.

MOTION to send a favorable recommendation to the ZC to Amend the Old Saybrook Zoning Regulations the Old Saybrook Zoning Regulations to 12.3 to Modify and extend the timeline for the moratorium for Drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments (Section 53) to December 31, 2023. MADE by: N. Prevost; SECONDED by: D. McCracken; VOTING IN FAVOR: NONE OPPOSED: All except J. Miles ABSTAIN: J. Miles DENIED 0-4-1.

VI. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

M. Bender attended the regional PC meeting. He advised that there is a pending bill to protect stone walls, making it illegal to steal walls from someone else’s land.

VII. ADJOURNMENT

MOTION to adjourn the Planning Commission public meeting of February 15, 2023 to the next regular meeting on Wednesday March 15, 2023 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=NndlRm1IenJPS0JBcDVyaHhtMERDQT09> **MADE by:** N. Prevost; **SECONDED by:** M. Bender **VOTING IN FAVOR:** N. Prevost, P. Kay, D. McCracken, J. Miles, M. Bender **OPPOSED:** None; **ABSTAIN:** None **APPROVED: 5-0-0.**

NEXT REGULARLY SCHEDULED
HYBRID MEETING
Wednesday, March 15, 2023 at 7:00 p.m.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

Check our website for dial in information and additional meeting documents.

[Planning Commission Webpage](#)

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