

# Planning Commission Minutes 09/06/2017



## TOWN OF OLD SAYBROOK Planning Commission

302 Main Street  
Old Saybrook, Connecticut 06475

[oldsaybrookct.gov](http://oldsaybrookct.gov)

*Janis L. Esty, Chairman  
Michael K. Urban, Vice Chairman  
Kenneth W. A. Soudan, Secretary*

*Daniel J. Walden  
Robert D. Missel*

**Alternate Members**  
*Kathleen A. Sugland  
Douglas S. McCracken  
Vacancy*

### MINUTES REGULAR MEETING Wednesday, September 6, 2017 at 7:00 P.M. Town Hall, 1<sup>st</sup> Floor Conference Room 302 Main Street, Old Saybrook

#### I. CALL TO ORDER

Chairman Janis Esty called the meeting to order at 7pm.

#### II. ROLL CALL

Members present: Janis Esty, Robert Missel, Ken Soudan, Kathleen Sugland seated for Michael Urban

Members absent: Daniel Walden, Michael Urban, Douglas McCracken

Staff: Christine Nelson, Town Planner, Meryl Moskowitz, Recording Clerk

#### III. REGULAR BUSINESS

##### A. Minutes

**MOTION** to approve the minutes of August 1, 2017 as presented; **MADE** by K. Sugland; **SECONDED** by K. Soudan; **VOTED IN FAVOR:** J. Esty, K. Soudan, K. Sugland; **OPPOSED:** none; **ABSTAINED:** R. Missel; **APPROVED:** 3-0-1.

##### B. Correspondence

The following items were reviewed:

- 1) "Old Saybrook Mariners Way Discovery and Action Plan Testing Matrix." J. Esty commented that she would like to see broader language and a demographic that is more inclusive, including mixed income and multi-family housing.
- 2) A memo from R. Friedmann to the Board of Selectmen, "Public Act No. 17-155 An Act Concerning Temporary Health Care Structures" which the Zoning Commission recommends opting out of. The Commission will revisit the document at a future meeting. J. Esty asked about the integrity of Town shelters and what category of hurricanes they can withstand. The Commission will get more information from the Building Inspector.

3) A memo from the State Historic Preservation Office regarding “Resiliency Planning and Historic Resources,” dated August 14, 2017.

#### **C. Committee, Representative & Staff Reports**

Ken Soudan reported for the Regional Planning Commission: the Commission will not be moving but will stay in Essex. He has been attending regional plan workshops, at which they gather input from individuals, and then use that data in Federal grant applications.

J. Esty reported that the Planning Commission held a neighborhood workshop at Chalker Beach regarding sea level rise and coastal flooding. The meeting was well-attended, the audience was receptive, and the consultants gave an excellent presentation.

C. Nelson reported that: a new environmental planner has been hired and will begin work next week; a parking lot is under construction on Rt 153 in Westbrook at the entrance of the Preserve; a botanical survey is underway for the Preserve; the Board of Selectmen will hold a public hearing in November to present a demolition delay ordinance. The Planning Commission will receive a draft of the Ordinance prior to the public hearing.

### **IV. REFERRALS**

#### **A. “Drive-through Window Accessory to Indoor Restaurant”**

##### **Petition to Amend Old Saybrook Zoning Regulations**

Sect. 32 Shopping Ctr. Bus. B-2 District and Sect. 53 Special Standards for Specific Uses

Applicant: 923 Boston Post Road, LLC

Agent: David M. Royston, Esq.

Attorney David Royston, representing the applicant, Anthony Izzo, owner and president of AFI Inc, explained that A. Izzo is the owner of the property at 923 Boston Post Road, located in the B-2 District. The applicant seeks a favorable recommendation for a regulation change to allow a drive through window, accessory to an indoor restaurant. D. Royston outlined several standards that would need to be met to satisfy the special exception use (see “Petition for Change in Zoning Regulations” dated August 28, 2017) such as buffers, parking, and lot size. He differentiated between B-1 and B-2 Zones and believes the drive-through is appropriate and consistent with the B-2 District, and that, per the Town Plan of Conservation and Development, provides an opportunity for redevelopment. Additionally, D. Royston stated the petition is consistent with the Plan of Conservation and Development with respect to “town image” and “economic development.”

D. Royston recalled that in October of 2014, an applicant sought a zoning change in the B-1 District (Cantina LLC, owner of the former Pizza Hut property) that would allow a drive-through window for fast food restaurants. The Planning Commission gave a favorable recommendation to this applicant, while the Zoning Commission denied the application. D. Royston believes they have met the previously stated concerns of the Zoning Commission, while remaining consistent with the Planning Commission's reasons for finding the prior application consistent with the Plan of Conservation & Development.

Commissioners asked about the difference between “fast food” and “restaurant,” and expressed concerns about how many properties would meet the proposed standards. C. Nelson asked if the proposed development might be describing a sprawl situation, whereas, in a pedestrian node, compact and efficient use is to be encouraged. K. Soudan stated opposition to more fast food restaurants and drive-through windows. J. Esty suggested that the wording “food service restaurant” be used so that usage is not restricted to full service restaurants but available to any food service restaurant. Commissioners agreed to keep the two acre minimum requirement.

**MOTION** to send a favorable recommendation to the Zoning Commission, with the wording “food service restaurant,” as it is consistent with the Town Plan of Conservation and Development with respect to town image and economic development for “Drive-through Window Accessory to Indoor Restaurant” Petition to Amend Old Saybrook Zoning Regulations Sect. 32 Shopping Ctr. Bus. B-2 District and Sect. 53 Special Standards for Specific Uses; **MADE** by R. Missel; **SECONDED** by K. Sugland; **VOTED IN FAVOR:** J. Esty, R. Missel, K. Sugland; **OPPOSED:** K. Soudan; **ABSTAINED:** none; **APPROVED:** 3-1-0.

- B. “New England Power Equipment/Ford” Spec’l Except. for Retail & Storage  
380 & 400 Boston Post Rd. (Map 53/Lot 50 & Map 42/Lot 15) *Gateway Business B-4 Dist.*  
Applicant: Saybrook Realty Acquisitions, LLC Agent: Joe Wren, P.E.

Seamus Moran P.E. with the firm Indigo Land Design, presented the application, representing Ted Vecchiarino, owner of Saybrook Realty LLC. The applicant proposes to update the outdoor retail storage and display areas on the 400 Boston Post Road property (New England Power Equipment), add outdoor retail storage areas on the 380 Boston Post Road property, allow for the storage of Ford motor vehicles on 380 Boston Post Road, add marine vehicle sales on both properties and add landscaping improvements. The applicant is asking for special exception referral, per section 34 and 34.2.9.

Commission members reviewed the site plan and discussed the landscaping and buffers.

**MOTION** to send a favorable recommendation to the Zoning Commission as it meets the spirit of the Town Plan of Conservation and Development for “New England Power Equipment/Ford” Spec’l Except. for Retail & Storage 380 & 400 Boston Post Rd. (Map 53/Lot 50 & Map 42/Lot 15) *Gateway Business B-4 Dist.* **MADE** by R. Missel; **SECONDED** by K. Sugland; **VOTED IN FAVOR:** R. Missel, K. Sugland, ; **OPPOSED:** J. Esty, K. Soudan; **ABSTAINED:** none; **MOTION DENIED:** 2-2-0.

**MOTION** to send a favorable recommendation to the Zoning Commission with the recommendation that the buffer at 380 Boston Post Road match buffer of the property at 400 Boston Post Road, for “New England Power Equipment/Ford” Spec’l Except. for Retail & Storage 380 & 400 Boston Post Rd. (Map 53/Lot 50 & Map 42/Lot 15) *Gateway Business B-4 Dist.* **MADE** by K. Soudan; **SECONDED** by J. Esty; **VOTED IN FAVOR:** K.

Soudan, J. Esty, **OPPOSED:** R. Missel; **ABSTAINED:** K. Sugland; **APPROVED:** 2-1-1.

V. **ADJOURNMENT**

**MOTION** to adjourn the meeting at 9:50 P.M. until the next regularly scheduled meeting of the Planning Commission which will be held on Wednesday, September 20, 2017, at 7:00 P.M., Town Hall, 302 Main Street, 1<sup>st</sup> Floor Conference Room; **MADE** by K. Soudan; **SECONDED** by J. Esty; **VOTED IN FAVOR:** J. Esty, R. Missel, K. Sugland, K. Soudan; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 4-0-0.

Respectfully submitted,

Meryl Moskowitz  
Recording Clerk