

# Planning Commission Minutes 02/08/2018



## TOWN OF OLD SAYBROOK Planning Commission

302 Main Street  
Old Saybrook, Connecticut 06475

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

*Keneth W. A. Soudan, Chairman  
Kathleen A. Sugland, Vice Chairman  
Trevor D. Ladd, Secretary*

*Robert D. Missel  
Paula S. Kay  
Douglas S. McCracken, Alternate  
Vacancy, Alternate  
Vacancy, Alternate*

### MEETING MINUTES

Wednesday, February 7, 2018 at 7:00 P.M.  
Town Hall, 2<sup>nd</sup> Floor Conference Room  
302 Main Street, Old Saybrook

#### I. CALL TO ORDER

Chairman Ken Soudan called the meeting to order at 7:07pm.

#### II. ROLL CALL

Members present: Ken Soudan, Kathleen Sugland, Trevor Ladd, Robert Missel, Paula Kay, Doug McCracken

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

Four people were present in the audience.

#### III. REGULAR BUSINESS

##### A. Minutes

**MOTION** to approve the minutes of January 17, 2018 as presented; **MADE** by K. Sugland; **SECONDED** by T. Ladd, **VOTED IN FAVOR:** K. Soudan, K. Sugland, T. Ladd, P. Kay, D. McCracken; **OPPOSED:** none; **ABSTAINED:** R. Missel; **APPROVED:** 5-0-1.

##### B. Correspondence

Town Planner Christine Nelson reviewed a letter from the Town Tree Warden Jim Kiely that outlines his recommendations for which trees to remove. Some trees present an electrical hazard, are dead, or damaged.

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

Kathy Sugland reported that a small working group of the Planning Commission and Economic Development Commission met to discuss updates to the Economic Development section of the Town Plan of Conservation. This was a preliminary meeting.

K. Soudan reported that the Regional Planning Commission discussed new regulations of Chester's short term rentals.

C. Nelson reported that all the products regarding Mariner's Way have been received from the consulting firm Civic Moxie. She is reviewing the items with Economic Development Director Susan Beckman, comparing them to the Plan and determining next steps. She also reported that the Coastal Resilience Study is still being drafted.

#### IV. REFERRAL

A. **Petition to Amend the Zoning Regulations**  
**To create Section 57 "Gateway Expanded Business Zone"**

*Gateway Business B-4 District, Coastal Area Management Zone*

Applicant: 52 Spencer Plain Road, LLC Agent: David M. Royston, Esq.

Attorney David Royston, representing the applicant, 52 Spencer Plain Road LLC, presented the referral. Also present was Eric Spungin, developer, and Joe Wren, P.E. with the firm Indigo Land Design. D. Royston explained that the applicant has a contract to purchase the property, located between the railroad tracks and I-95 at Spencer Plain Road, which is in the Gateway Business B-4 District.

The applicant proposes to create an overlay zone within the B-4, to allow for expanded uses in all or portions of the Gateway Business B-4 District. D. Royston stated that this would specifically address property in close proximity to I-95, but not include properties on Boston Post Road, and would address how to make the B-4 productive without negatively impacting Boston Post Road.

Referring to correspondence from Attorney Mark Branse with the firm Halloran & Sage LLP, dated February 5, 2018, D. Royston noted M. Branse refers to the zone as a floating zone. The proposed zone, with the suggested name "Gateway Expanded Business Zone" would provide a set of regulations for portions of the B-4 District that abut or are within 500 feet of I-95, including exit and access ramps.

D. Royston stated reasons and examples for consistency with the Town Plan of Conservation (PoCD), outlined in D. Royston's February 6, 2018 letter: they include consistency with "vision", "town image", "economic development" and "transportation".

D. Royston submitted a letter to the Commission, dated February 7, 2018, in response to Attorney Branse's letter, explaining time did not allow him to present his comments to the Commission prior to the meeting. The Commission was also in receipt of D. Royston's letter dated February 6, 2018, that was previously included in tonight's meeting packets.

D. Royston expounded on some of the points made in M. Branse's letter dated February 5, 2018:

- A preliminary plan. D. Royston stated that amended text in Section 57.1 makes a preliminary site plan mandatory. Furthermore, when applying for a Special Exception, the plan must be in compliance with Zoning.
- Welcome Center. D. Royston proposed amended text to define the term.
- Sale of gasoline at the pump. Amended text would allow for retail sale of gasoline as either a principal or accessory use.

C. Nelson explained that this application is a departure from neighborhood scale development, and from other types of development the town has seen in past years, in which transportation has been retrofitted, and automobile dominance has been downplayed. The circumstance here is that there is a resource, I-95, that the land use is asked to consider accommodating. The applicant is asking for expansion of usage that is bound to this resource.

K. Soudan asked for comments from Members. A majority of members stated they would like to table a decision, to allow ample time to review the material and the new information received this evening. It was agreed that the Commission will request that the Zoning Commission keep the public hearing open until the Planning Commission can meet and respond.

Joe Wren, representing the Applicant, addressed the Commission. He stated the purpose of the Gateway B4 district is to allow for development of regional business. To attract these businesses, the right tools have to be available. Currently, the B-4 does not allow for retail sale of gasoline as a principal use. Creation of an overlay zone would achieve these goals, according to J. Wren.

J. Wren reviewed zoning regulations, and stated he feels it is completely consistent with the Town Plan of Conservation and Development. Regarding the real estate aspect, J. Wren stated he had spoken to First Selectman Carl Fortuna, who according to J. Wren, had expressed interest in having the land developed to generate revenue for the town. He noted that the developer, Eric Spungin, has taken unsightly land and turned it into something desirable.

Eric Spungin, developer, addressed the Commission. He believes the highway has great benefit to the town, and that this proposed development would not impact the rest of the town, as it would be completely insulated, calling it an island of opportunity that would generate tax dollars for the town. He believes this proposed development to be the best use of the property.

**MOTION** to continue the discussion of “Petition to Amend the Zoning Regulations To create Section 57 “Gateway Expanded Business Zone”; **MADE** by K. Sugland; **SECONDED** by T. Ladd, **VOTED IN FAVOR:** K. Soudan, R. Missel, K. Sugland, T. Ladd, P. Kay, D. McCracken; **OPPOSED:** none; **ABSTAINED:** R. Missel; **APPROVED:** 6-0-0.

## V. NEW BUSINESS

- A. **Lot Line Change to Reed Subdivision / Boos Resubdivision**  
25 Reed Court (Assessor's Map 23 / Lots 50)  
Residence A District, Coastal Mgmt. Zone, Gateway Conservation Zone  
**ACTION:** *Consider transfer of 0.15 acres of land to 28 Reed Court (Map 23 / L*

C. Nelson reviewed a map showing the lot line change with Commission members.

**MOTION** to approve “**Lot Line Change to Reed Subdivision / Boos Resubdivision**” 25 Reed Court (Assessor’s Map 23 / Lots 50) Residence A District, Coastal Mgmt. Zone, Gateway Conservation Zone; **MADE** by R. Missel; **SECONDED** by K. Sugland; **VOTED IN FAVOR:** K. Soudan, R. Missel, K. Sugland, T. Ladd, P. Kay, D. McCracken; **OPPOSED:** none; **ABSTAINED:** R. Missel; **APPROVED:** 6-0-0.

## VI. ADJOURNMENT

**MOTION** to adjourn the meeting at 8:45 P.M. until the next regularly scheduled meeting of the Planning Commission which will be held on Wednesday, February 21, 2018, at 7:00 P.M., Town Hall, 302 Main Street, 1<sup>st</sup> Floor Conference Room; **MADE** by R. Missel; **SECONDED** by K. Sugland; **VOTED IN FAVOR:** K. Soudan, R. Missel, K. Sugland, T. Ladd, P. Kay, D. McCracken; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

Respectfully submitted,

Meryl Moskowitz  
Recording Clerk