MINUTES
REGULAR MEETING
Wednesday, May 11, 2022 at 6:00 p.m.
Hybrid Meeting

I. CALL TO ORDER

Chairman Gadon called the meeting to order at 6pm.

II. ROLL CALL

Members
Charles Gadon, Alfred Wilcox, Jacqueline Prast, Erin Colwell, Matt Diamond, Kevin Danby-Virtual, Brenda Dyson-Virtual

Attendant Staff
Sarah Makowicki, Recording Clerk

III CONTINUED PUBLIC HEARINGS

A. 21/22-17C Maryam Elahi seeks a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change): Par. 58.2 & Par 58.6 (Gateway riparian buffer & structure setback/100’ required/all activity within 100’ proposed) and 68.1.2B9 (tidal wetland setback/50’ required/2.3’ proposed) of the Zoning Regulations to permit the construction of a 160 s.f. sunroom on existing deck and expand the deck by 90 s.f. at 560 Main Street, Map 23/Lot 9-3, Residence A District, Coastal Area Management Zone, CT River Gateway Conservation Zone, VE-15 Flood Zone.

Joe Wren presented for the applicant. Mr. Wren presented new site plans that eliminated the proposed expansion of the deck and with the proposed sunroom going over the existing footprint of the deck. Mr. Wren stated that the hardship that the owner is facing is because her property is fully consumed by the 50 ft wetlands setback, making there nowhere to build that would not need a variance.

Letters of Support:
Jean and Stephen Golicz – 536 Main St.
John Guimond – 7 North Cove Rd.
Ben Olsen – 505 Main St.
Chairman Gadon read into the record the letters the Board received from Gateway Commission and DEEP. There was no objections from Gateway to the revised plans and DEEP had a recommendation that the VSL line be precisely confirmed.
C. Gadon closed the public comment.

**MOTION to APPROVE. 21/22-17C Maryam Elahi** seeks a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change): Par. 58.2 & Par 58.6 (Gateway riparian buffer & structure setback/100’ required/all activity within 100’ proposed) and 68.1.2B9 (tidal wetland setback/50’ required/2.3’ proposed) of the Zoning Regulations to permit the construction of a 160 s.f. sunroom on existing at 560 Main Street, Map 23/Lot 9-3, Residence A District, Coastal Area Management Zone, CT River Gateway Conservation Zone, VE-15 Flood Zone. On the grounds that the hardship is that the entirety of the property is in the 50 ft wetland setback. Also, that the revised plan does not expand the structures coverage on the lot. **MADE:** A. Wilcox; **SECONDED:** J. Prast; **VOTING IN FAVOR:** A. Wilcox, C. Gadon, J. Prast, K. Danby, E. Colwell; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes:** 5-0-0.

**MOTION for CAM APPROVAL. 21/22-17C Maryam Elahi** seeks a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change): Par. 58.2 & Par 58.6 (Gateway riparian buffer & structure setback/100’ required/all activity within 100’ proposed) and 68.1.2B9 (tidal wetland setback/50’ required/2.3’ proposed) of the Zoning Regulations to permit the construction of a 160 s.f. sunroom on existing deck at 560 Main Street, Map 23/Lot 9-3, Residence A District, Coastal Area Management Zone, CT River Gateway Conservation Zone, VE-15 Flood Zone. **MADE:** A. Wilcox; **SECONDED:** C. Gadon; **VOTING IN FAVOR:** A. Wilcox, C. Gadon, J. Prast, K. Danby, E. Colwell; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes:** 5-0-0.

**B. 21/22-21 Cary Wallach** seeks a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change): Par 24.5.3 (other line setback/15’ required/11.2’ proposed to east and 10.5’ to the west); and Par 24.5.1 (street line setback/25’ required/21.2’ proposed) of the Zoning Regulations to permit the construction of two dormer additions totaling 94.5 s.f. at 14 Whitney Avenue, Map 20/Lot 63, Residence A District, Coastal Area Management Zone

Joe Wren presented for the applicant. Mr. wren presented a new plan that eliminates the proposed dormers which is then replaced with a copula structure. The new proposed copula would not require a sideline setback, the frontline setback would still be required. Mr. Wren stated that the applicant is willing to move the rear sed to become conforming with the zoning regulations, making a reduction of non-conformities on the site.

C. Gadon stated that there was no hardship, the house is maxed out on the property, and the narrowness of the lot cannot be used as a hardship.

K. Danby stated that this application was a small ask with the applicant working the plan as well as they could and moving the shed for a reduction of non-conformities, which is grounds for approval in that the non-conformity elimination do not have to be equal to the variance being asked for.

C.Gadon closed the public comment.
A. Wilcox stated that the proposed work would constitute a third story. A half story is considered to be a habitable attic that is within the walls and roof that is enclosed by the roof rafters. The proposed copula is not within the roof rafters.

**MOTION to APPROVE. 21/22-21 Cary Wallach** seeks a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change); Par 24.5.3 (other line setback/15’ required/11.2’ proposed to east and 10.5’ to the west); and Par 24.5.1 (street line setback/25’ required/21.2’ proposed) of the Zoning Regulations to permit the construction of two dormer additions totaling 94.5 s.f. at 14 Whitney Avenue, Map 20/Lot 63, Residence A District, Coastal Area Management Zone. On the grounds that the space will be made safer with code compliant egress window and the reduction of two non-conformities by moving the shed. **MADE: K. Danby; SECONDED: E. Colwell; VOTING IN FAVOR: K. Danby, E. Colwell; OPPOSED: A. Wilcox, C. Gadon, J. Prast; ABSTAINING: NONE; Motion Fails: 2-3-0. Application 21/22-21 Cary Wallach is DENIED.**

IV. PUBLIC HEARINGS

A. **21/22-26 Steven Vaughn** seeks a variance of Par 24.6.2 (structure coverage Gateway Conservation Zone/15% allowed/17% proposed) of the Zoning Regulations to permit construction of a 336 s.f. detached garage at 9 Willard Avenue Extension, Map 24/Lot 14, Residence A District, Gateway Conservation Zone, Coastal Area Management Zone.

Mr. Vaughn presented his application. The variance is needed because of the imposed reduction of coverage by the Gateway Commission. The 336 s.f. garage will be placed on a concrete slab and will connect to the existing driveway.

C. Gadon read into the record the Gateway letter which stated that there was no objection to the proposed project.

C. Gadon opened the public comment.
Sallie Boody – 7 Willard Ave – Ms. Boody voiced her concern about the rainwater runoff that would be created by the garage. She stated that after the new septic was put in that she has been experiencing excess water on her property. Ms. Boody is also concerned with an lighting on the garage that would shine into her property.

Mr. Vaughn agreed that there would be gutters placed on the garage that will be directed away from 7 Willard Ave. and that there would be no spotlights on the garage that would be directed towards Ms. Boody’s property.

C. Gadon closed the public comment.

**MOTION to APPROVE. 21/22-26 Steven Vaughn** seeks a variance of Par 24.6.2 (structure coverage Gateway Conservation Zone/15% allowed/17% proposed) of the Zoning Regulations to permit construction of a 336 s.f. detached garage at 9 Willard Avenue Extension, Map 24/Lot 14, Residence A District, Gateway Conservation Zone, Coastal Area Management Zone. On the grounds that Gateway had not objection to the project, therefore nullifying the reasoning for needing limited coverage imposed by Gateway. **The approval is granted with the following conditions:** There will be no spot lights on the garage that will be directed onto the neighbor’s property at 7 Willard Ave, and that the gutters be directed away from 7 Willard Ave and run adjacent to the driveway. **MADE: A. Wilcox; SECONDED: J. Prast; VOTING IN FAVOR: A.**
B. **21/22-20C Owen & Jeanne Gade** seek a variance of Par 10.8.3 (non-conforming lot size/12,500 s.f. required/12,129 s.f. proposed); Par 24.6.2A (structure coverage within Gateway Conservation Zone/15% allowed/19.7% proposed), Par 53.1. accessory apartment B (minimum lot area accessory apartment/at least 12,500 s.f. required/12,129 s.f. proposed); and 51.3. detached accessory apartments B (bulk standard requirements/must meet all standards/does not meet lot size or 15% Gateway coverage) of the Zoning Regulations to permit the construction of a 1,439 s.f detached accessory dwelling unit with a two car garage at 20 Fenwick Street, Map 24/Lot 61, Residence A District, Coastal Area Management Zone, Gateway Conservation Zone.

Joe Wren, Ed Cassella, and Denise Von Dassel presented for the applicant. The proposed accessory apartment has no opposition from the Gateway Commission. There will be a new septic system installed, a dry well to divert rainwater runoff along with a pervious driveway. Mr. Wren stated that there is a hardship in that the property is a corner lot with two street line setbacks and there is a reduction of non-conformities with the removal of a porch on the main house. Ms. Von Dassel stated that the proposed building was designed to fit within the setbacks and does not impede the view for neighboring lots.

C. Gadon opened the public comment.

Ed Cassella read in the letters of support:
- Patty and Torrance Downes – 106 College St.
- James Ziogas Jr. – 11 Fenwick St.
- Susan Duquette and Jeannie Abrahamson – 102 College St.
- Brent and Dennyse Gunts – 29 Fenwick St.
- John and Laurie Pavlos – 15 Fenwick St.

Letters from Gateway Commission and DEEP were read into the record.

C. Gadon closed the public comment.

**MOTION to APPROVE.** **21/22-20C Owen & Jeanne Gade** seek a variance of Par 10.8.3 (non-conforming lot size/12,500 s.f. required/12,129 s.f. proposed); Par 24.6.2A (structure coverage within Gateway Conservation Zone/15% allowed/19.7% proposed), Par 53.1. accessory apartment B (minimum lot area accessory apartment/at least 12,500 s.f. required/12,129 s.f. proposed); and 51.3. detached accessory apartments B (bulk standard requirements/must meet all standards/does not meet lot size or 15% Gateway coverage) of the Zoning Regulations to permit the construction of a 1,439 s.f detached accessory dwelling unit with a two car garage at 20 Fenwick Street, Map 24/Lot 61, Residence A District, Coastal Area Management Zone, Gateway Conservation Zone. On the grounds that there is a hardship with the property being a corner lot, the Gateway Commission has no objections to the project, and there is a reduction of non-conformities. **MADE:** J. Prast; **SECONDED:** A. Wilcox; **VOTING IN FAVOR:** A. Wilcox, C. Gadon, J. Prast, K. Danby, E. Colwell; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes:** 5-0-0.
MOTION for CAM APPROVAL. 21/22-20C Owen & Jeanne Gade seek a variance of Par 10.8.3 (non-conforming lot size/12,500 s.f. required/12,129 s.f. proposed); Par 24.6.2A (structure coverage within Gateway Conservation Zone/15% allowed/19.7% proposed), Par 53.1. accessory apartment B (minimum lot area accessory apartment/at least 12,500 s.f. required/12,129 s.f. proposed); and 51.3. detached accessory apartments B (bulk standard requirements/must meet all standards/does not meet lot size or 15% Gateway coverage) of the Zoning Regulations to permit the construction of a 1,439 s.f. detached accessory dwelling unit with a two car garage at 20 Fenwick Street, Map 24/Lot 61, Residence A District, Coastal Area Management Zone, Gateway Conservation Zone. MADE: A. Wilcox; SECONDED: J. Prast; VOTING IN FAVOR: A. Wilcox, C. Gadon, J. Prast, K. Danby, E. Colwell; OPPOSED: NONE; ABSTAINING: NONE; Motion Passes: 5-0-0.

V. NEW BUSINESS

A. Minutes

MOTION to APPROVE Minutes for Wednesday April 13, 2022 Meeting as presented. MADE: J. Prast; SECONDED: C. Gadon VOTING IN FAVOR: C. Gadon, K. Danby, J. Prast, A. Wilcox, E. Colwell; OPPOSED: NONE; ABSTAINING: NONE; Motion Passes: 5-0-0.

B. Correspondence & Announcements – None

C. Committee, Representative & Staff Reports – None

VI. ADJOURMENT

MOTION to Adjourn until NEXT REGULARLY SCHEDULED HYBRID MEETING Wednesday, June 8, 2022 at 6:00 P.M. Town Hall, 1st Floor Conference Room 302 Main Street, Old Saybrook. MADE: C. Gadon; SECONDED: J. Prast VOTING IN FAVOR: C. Gadon, K. Danby, J. Prast, A. Wilcox, E. Colwell; OPPOSED: NONE; ABSTAINING: NONE; Motion Passes: 5-0-0.

Respectfully submitted,

Sarah Makowicki, Recording Clerk