



TOWN OF OLD SAYBROOK  
**Zoning Board of Appeals**

*Robert J. McIntyre, Chairman  
Kevin Danby, Vice Chairman  
Jacqueline Prast, Secretary  
Dorothy T. Alexander  
Alfred Wilcox*

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**Alternate Members**  
*Charles Gadon  
Brenda Dyson  
Vacancy*

**SPECIAL MEETING  
VIRTUAL MEETING  
January 26, 2021 at 6:00 p.m.**

**I. CALL TO ORDER – Chairman McIntyre called the meeting to order at 6 pm**

**II. ROLL CALL**

R. McIntyre  
K. Danby  
J. Prast  
D. Alexander  
A. Wilcox  
C. Gadon  
B. Dyson

S. Makowicki, Recording Clerk

**III. WORKSHOPS**

**A. Building Code & Permit Process  
Presenter: Tom Makowicki, Building Official**

Tom Makowicki went over the building department permit process, explaining the links and pathways between the building department, land use, and ZBA.

**B. CT River Gateway Conservation Zone  
Presenters: J.H. Torrance Downes, CT River Gateway Commission**

Torrance Downes went over what the Gateway Commission does, and the boundaries of the commission in Old Saybrook. Mr. Downes talked about his process of going out and talking to owners early about the expectation Gateway has during their project. Gateway Commission meetings are held on the fourth Thursday of the month, if a recommendation needs to be made between meetings Mr. Downes has been delegated to make a staff recommendation. The Gateway Commission has a regulation of properties within the Gateway District have a 15% coverage allowance, but feels that that is site and project specific. The Gateway Commission does hold strong on the 35ft height restriction, especially with new construction.

**C. Legal Review & Litigation Update  
Presenter: Attorney Michael Cronin**

Attorney Cronin answered questions the board members had about issues that have come up with recent applications.

Voting procedures: Attorney Cronin expressed the importance of giving a reason when making a motion and motions with amendments need to be restated.

FEMA regulations: It has been shown that courts have been lenient with ZBA's that have granted variances to comply with FEMA regulations.

ADA: Applicants do not need to show a hardship, but ZBA can evaluate if the accommodations are unreasonable or unnecessary.

Harmony: The definition of harmony should be applied to the property being in harmony with the regulations or the architecture of the neighborhood. Important to make the distinction.

Recusal of Member: The member should replay to the chairman their reason for recusing themselves from the application. Once the member is recused, they have every right to act as a member of the public in relation to the application.

Photos: Any photos that the applicant wishes to be used for the record needs to be submitted to the land use office for distribution to board members before the meeting.

## VII. EXECUTIVE SESSION –

Board members went into executive session at 8:15 to discuss pending litigation. Chairman brought the board out of executive session at 8:35.

## VIII. ADJOURNMENT

**MOTION to ADJOURN** the January 26, 2021 Special Meeting of the Zoning Board of Appeals at 8:37 p.m.; **MADE:** A. Wilcox; **SECONDED:** J. Prast; **VOTING IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, A. Wilcox, C. Gadon, K. Danby, B. Dyson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 7-0-0.

Respectfully submitted,  
Sarah Makowicki, Recording Clerk

NEXT REGULARLY SCHEDULED  
VIRTUAL MEETING

**Wednesday, February 10, 2021 at 6:00 P.M.**

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

[Zoning Board of Appeals web page](#)

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