



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

*Charles Gadon, Chairman  
Kevin Danby, Vice Chairman  
Alfred Wilcox  
C. Marston Ladd  
Erin Colwell*

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**Alternate Members**

*Andrew Morosky  
Jonathan Miles  
Vacancy*

**MINUTES  
REGULAR HYBRID MEETING  
Wednesday, February 14, 2024 at 6:00 p.m.**

**I. CALL TO ORDER**

Chairman Gadon called the meeting to order at 6:19 pm

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**Attendant Members**

Charles Gadon, Kevin Danby, Alfred Wilcox, C. Marston Ladd, Andrew Morosky, Jonathan Miles

**Absent Members**

E. Colwell

**Attendant Staff**

Karen Dooley, Recording Clerk  
S. Makowicki, Land Use

J. Miles was seated for E. Colwell

A. Morosky was seated for C. M. Ladd until 6:44 pm

**IV. CONTINUED PUBLIC HEARINGS**

**23/24-12 Stanislaw Szewczyk** requests a variance of Par 34.6.1 (front setback/50' required/25' proposed); Par 63.3.1.B (front landscape area/25' required/4' from Boston Post Road and 7' from Orchard Lane proposed); Par 63.4.1.C (perimeter buffer/10' required/5' proposed); and Par 68.1.2.B.2 (parking/pedestrian node/10' behind bldg. required/parking as proposed) of the Zoning Regulations to permit a garden center development with two seasonal greenhouses, shed/outdoor display area and parking on the property at 1560 Boston Post Road, Map 26/Lot 30, Gateway Business B-4 District, Coastal Area Management Zone.

The applicant requested the hearing to be continued until the March 13th meeting.

## **V. PUBLIC HEARINGS**

**23/24-13C Alba Enterprises, LLC (Robert & Carmela Larosa)**, request a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change) and Par. 58.2 & Par 58.6 (Gateway riparian buffer & structure setback/100' required/95' proposed) of the Zoning Regulations to permit the demolition of existing structure and construction of a 7,518 s.f. house with attached garage and porch at 15 Mallard Drive, Map 63/Lot 90, Residence AA-1 District, Coastal Area Management Zone Gateway Conservation Zone.

Attorney E. Cassella presented the plans for demolition and rebuilding of the structure. It was presented that the foundation is structurally sound after an engineer inspected it. The applicant will be using the existing foundation. The reason for the teardown is to build the new home up to code and become energy efficient. The proposed additions to the structure meet all setback requirements. Attorney Cassella presented that the total coverage would be 14.4% of the upland area, not including the additional acre of wetlands. The hardship is that the original structure was built before the requirements were implemented.

A letter from The Gateway Commission suggested the following conditions be imposed if a variance is granted. (1.) The south wing side is a single story (2.) Preserve existing trees (3.) Use earthtones on exterior of the structure (siding and roof) (4.) Minimize lighting (5.) Use diverse and indigenous plantings (6.) Use low reflective glass.

A letter from the CT DEEP stated they would like to see (1.) Adequate grading for soil for erosion be installed (2.) South side to remain a single story (3.) new additions not encroach on the Gateway setbacks (4.) Use native shrubs near the tidal wetland (5.) The remaining trees are preserved.

A letter from neighbor Mr. Costello stated he is concerned about the size of the structure and how it would fit into the rest of the neighborhood. In response, Attorney Cassella stated he previously reviewed how the new structure will meet all of the town regulations (minus the five feet on existing foundation).

A. Wilcox stated that it would be an unreasonable hardship to require the owner to tear down the existing foundation.

J. Miles asked if the foundation was poured concrete. Mr. Larosa stated it was.

### **C. Gadon opened up the public comment.**

Brad Thorpe of 17 Mallard Drive spoke in favor of the applicant.

E. Costello of 11 Mallard Drive spoke against the applicant.

**C. Gadon closed the public comment.**

A. Wilcox stated the house was built before the setback requirements were set.

K. Danby made a motion to approve the application with the Gateway Commission's recommendations, with the exception that the South side wing be a single story, but limited to 35 feet.

**MOTION to APPROVE WITH CONDITIONS, 23/24-13C Alba Enterprises, LLC (Robert & Carmela Larosa)**, request a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change) and Par. 58.2 & Par 58.6 (Gateway riparian buffer & structure setback/100' required/95' proposed) of the Zoning Regulations to permit the demolition of existing structure and construction of a 7,518 s.f. house with attached garage and porch at 15 Mallard Drive, Map 63/Lot 90, Residence AA-1 District, Coastal Area Management Zone, Gateway Conservation Zone with the following conditions. The structure adheres to the recommendations from the Gateway Commission, preserving the existing trees; use earthtones on exterior of house and roof; minimize outside lighting; use diverse and indigenous plantings; use low reflective glass if possible. The property also needs to adhere to the DEEP letter, using adequate soil for erosion; the new additions not encroach on the Gateway setbacks; using native planting near the Tidal Wetlands; remaining trees are preserved. **MADE:** K. Danby; **SECONDED:** J. Miles; **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, J. Miles, A. Morosky; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

6:44 pm- A. Morosky was unseated and C. M. Ladd was reseated.

**MOTION to APPROVE CAM, MADE:** K. Danby; **SECONDED:** C. M. Ladd; **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, J. Miles, C. M. Ladd; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-023/24-14

**23/24-14 Cohbro Realty Holdings** requests a variance of 10.7.1/10.7.2 (non-conformity enlargement/change); Par 24.5.1 (front yard setback/25' required/23.9' to house and 21.2' to steps proposed); and Par 24.5.3 (other yard setback/15' required/8.7' proposed) of the Zoning Regulations to permit the construction of a 40 s.f. covered porch with steps at 25 Maplewood Road, Map 4/Lot 19, Residence A District, Coastal Area Management Zone.

Attorney Ed Cassella presented for the owner. They are looking to build a small porch entrance into the front existing structure (minus the stairs) to make the entrance safer. Currently there is no front door on the property. The property owners removed an existing deck in the back and will not rebuild it, reducing non conforming coverage from 23 percent to 20.6 percent. A small wooden wall on the side of the property will be removed and graded to flow to the backyard (west) and not to the side of the neighbors. The original entrance wooden stairs will be removed and not rebuilt.

**C. Gadon opened the public comment.**

Karen Siemon, a neighbor, wanted clarification of how the property was going to be graded to direct water flow.

**C. Gadon closed the public comment.**

J. Miles wanted the proposed plans to match the Site Plan, removing the deck that is not going to be rebuilt.

**MOTION to APPROVE WITH CONDITIONS, 23/24-14 Cohbro Realty Holdings** requests a variance of 10.7.1/10.7.2 (non-conformity enlargement/change); Par 24.5.1 (front yard setback/25' required/23.9' to house and 21.2' to steps proposed); and Par 24.5.3 (other yard setback/15' required/8.7' proposed) of the Zoning Regulations to permit the construction of a 40 s.f. covered porch with steps at 25 Maplewood Road, Map 4/Lot 19, Residence A District, Coastal Area Management Zone with the following conditions. The reduction in nonconformity with the removal of the existing side steps and the deck not be rebuilt. **MADE:** K. Danby; **SECONDED:** A. Wilcox; **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd, J. Miles; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED: 5-0-0.**

**23/24-15 John & Christine Loxsom** request a variance of Par 10.8.3 (non-conforming lot/12,500 s.f. required/5,993.59 s.f. proposed); Par 24.5.1 (street line setback/25' required/24.5' proposed); Par 24.5.3 (side yard setback/15' required/5.8' proposed to north & 9.3' proposed to the south); and Par 24.5.4 (projection into setback/3' allowed/5.8' & 9' proposed) of the Zoning Regulations to permit the reconstruction of a 1,674 s.f. two story house at 70 Nehantic Trail, Map 19/Lot 257, Residence A District, Coastal Area Management Zone.

Leonard Wyeth, AIA CPHD presented for the applicant. The footprint of the structure is to remain the same except for a new entry within the setback requirements. They are building on the existing foundation, shallow block, which was inspected and found to be sound. They will need to fill in the block and add bars to help with the support. The hardship is that they are reducing the nonconformity with the removal of the existing entry and rebuilding it within the setbacks. The structure will be built to become FEMA compliant.

K. Danby inquired why not pour a new foundation. Mr. Wyeth said it is not cost effective.

C. Gadon wanted the Site Plan and drawings to match in dimensions.

**C. Gadon opened the public comment.**

J. Loxsom read into the record three letters from neighbors, Marabeth Grogan, Arlene Kelly, and John Bubello in support of the applicant.

Arnold Chester and Rose Ziegler spoke in favor of the applicant.

**C. Gadon closed the public comment.**

**MOTION to APPROVE WITH CONDITIONS, 23/24-15 John & Christine Loxsom** request a variance of Par 10.8.3 (non-conforming lot/12,500 s.f. required/5,993.59 s.f. proposed); Par 24.5.1 (street line setback/25' required/24.5' proposed); Par 24.5.3 (side yard setback/15' required/5.8' proposed to north & 9.3' proposed to the south); and Par 24.5.4 (projection into setback/3' allowed/5.8' & 9' proposed) of the Zoning Regulations to permit the reconstruction of a 1,674 s.f. two story house at 70 Nehantic Trail, Map 19/Lot 257, Residence A District, Coastal Area Management Zone with the following conditions. The Site Plan be corrected to the accurate measurements. **MADE:** K. Danby; **SECONDED:** A. Wilcox; **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd, J. Miles; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED: 5-0-0.**

**23/24-16 Peter & Jennifer Karalekas** request a variance of 10.7.1/10.7.2 (non-conformity enlargement/change) and Par 24.5.1 (street line setback/25' required/11.7' proposed) of the Zoning Regulations to permit the construction of a 192 s.f. deck above existing porch at 27 Billow Road, Map 1/Lot 105, Residence A District, Coastal Area Management Zone.

Mr. Karalekas represented himself along with his builder George William Nash III, (Bill).

A. Wilcox asked what kind of railing is to be installed. P. Karalekas stated it will be a horizontal cable system. A. Wilcox spoke about his concern of safety with that type of system.

K. Danby also voiced his safety concerns with this type of baluster system.

G. Nash commented that it met building code.

**C. Gadon opened public comment.**

**C. Gadon closed public comment.**

The hardship is that it is a corner lot and it is a reduction in nonconformity.

**MOTION to APPROVE WITH CONDITIONS, 23/24-16 Peter & Jennifer Karalekas** request a variance of 10.7.1/10.7.2 (non-conformity enlargement/change) and Par 24.5.1 (street line setback/25' required/11.7' proposed) of the Zoning Regulations to permit the construction of a 192 s.f. deck above existing porch at 27 Billow Road, Map 1/Lot 105, Residence A District, Coastal Area Management Zone with the following condition. The railing of the deck be constructed with vertical balusters instead of horizontal cables. **MADE:** A. Wilcox; **SECONDED:** K. Danby; **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd; **OPPOSED:** None; **ABSTAINING:** J. Miles; **APPROVED: 4-0-1.**

## **VI. REGULAR MEETING**

### **A. New Business**

#### **• Election of Officers**

A. Wilcox nominated C. Gadon to be Chairman of the Zoning Board of Appeals and K. Danby seconded the nomination.

**MOTION to close the nomination for Chairman of the Zoning Board of Appeals. MADE:** K. Danby; **SECONDED:** C. M. Ladd, **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd, J. Miles; **OPPOSED:** None; **APPROVED:** 5-0-0

C. Gadon nominated K. Danby to be the Vice Chairman of the Zoning Board of Appeals and A. Wilcox seconded the nomination.

**MOTION to close the nomination for Vice Chairman of the Zoning Board of Appeals. MADE:** A. Wilcox; **SECONDED:** C. Gadon, **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd, J. Miles; **OPPOSED:** None; **APPROVED:** 5-0-0

C. Gadon nominated E. Colwell to be the Secretary of the Zoning Board of Appeals and K. Danby seconded the nomination.

**MOTION to close the nomination for Secretary of the Zoning Board of Appeals. MADE:** A. Wilcox; **SECONDED:** C. Gadon, **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd, J. Miles; **OPPOSED:** None; **APPROVED:** 5-0-0

### **B. Minutes**

**MOTION to APPROVE Minutes for the Wednesday December 13, 2023 Meeting as presented. MADE:** A. Wilcox; **SECONDED:** K. Danby; **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd, J. Miles; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes:** 5-0-0.

**C. Correspondence and Announcements – None.**

**D. Committee, Representative & Staff Reports – None.**

## **VII. ADJOURNMENT- 7:45**

**MOTION to ADJOURN. MADE:** C. Gadon; **SECONDED:** K. Danby; **VOTING IN FAVOR:** C. Gadon, K. Danby, A. Wilcox, C. M. Ladd, J. Miles; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

Respectfully submitted,  
Karen Dooley, Recording Clerk

NEXT REGULAR MEETING  
**March 13, 2024 at 6:00 P. M.**

Town Hall, 1st Floor Conference Room, 302 Main Street, Old Saybrook, CT  
Check our website one week in advance for dial in information at  
***Town of Old Saybrook Zoning Board of Appeals*** or  
Subscribe to [www.oldsaybrook.org](http://www.oldsaybrook.org) for electronic delivery of land use agendas.