

LEGAL NOTICE
TOWN OF OLD SAYBROOK
AMENDMENTS TO ZONING REGULATIONS

2-11-80
2-22-80

The Zoning Commission of the Town of Old Saybrook, Connecticut, will hold a public hearing on Monday, February 11, 1980, at 8:00 P.M. in Room #5 of the Town Hall to consider the following amendments to the Zoning Regulations:

(1) Amend Section 72 to implement the Connecticut Coastal Management Act and to identify those activities exempt from the provisions of said Act; (2) Amend Section 7.4.10 establishing setbacks from tidal wetlands and inland wetlands; (3) Amend Section 24.3 to increase the minimum lot area, etc. in the Residence A Zone; (4) Amend Sections 51, 52 and 53 to permit reviewing authority to allow modifications of required documents; and (5) Amend Sections 35 and 36 to permit the sale of boats in MC and MCL Districts.

Applicant: Old Saybrook Zoning Commission.

At this hearing interested persons may appear and be heard and written communications received. Copy of proposed amendments is on file in the office of the Town Clerk, Old Saybrook Town Hall.

Dated at Old Saybrook, Connecticut, this 29th day of January, 1980.

OLD SAYBROOK ZONING COMMISSION

Phyllis P. Folsom, Chairman Mario Sapia, Secretary

Also read was letter from the Planning Commission approving all of the proposed amendments. They did feel, however, that the suggested fee for Coastal Site Plan Review of \$10.00 was inadequate.

During the brief discussion on the proposed amendments, Mr. Ficker suggested a fee of \$25.00 for Coastal Site Plan Review. A few people asked questions about the amendments and Attorney Mark Perkell recommended that the amendments be adopted as quickly as possible. Mrs. Folsom read a letter from Attorney Michael Cronin expressing his opposition to the amendment increasing the minimum lot area in the Residence A Zone from 12,500 to 20,000 square feet. It is his opinion that such a change will deprive owners of lots between 12,500 and 20,000 s.f. of their rights to build or winterize. Mr. Walsh disagreed with Mr. Cronin and stated that the regulations permit people to build or winterize on such lots provided they conform to Paragraph 10.8.3, and the amendment would affect only newly created lots.

The public hearing was closed at 8:35 P.M.

BUSINESS MEETING

SITE PLAN REVIEW: ENLARGE EXISTING LOADING DOCKS

Mr. Pegnataro and Attorney Pellegrino appeared before the commission to obtain approval to enlarge the existing loading docks at Mauro Realty's property on the Boston Post Road.

Pegnataro's have leased the building formerly occupied by Beit Bros. and the I.G.A. Food Warehouse. The Zoning Commission, at a previous meeting, granted Mauro Realty a waiver of site and architectural plans. Attorney Pellegrino explained to the commission that the enlargement of the loading docks conforms to the Connecticut Coastal Management Act in that the natural resource involved is tidal wetlands which are located several hundred feet from the project, that the "economic development" is consistent with the goals of said Act, and that the project would have an insignificant effect on the natural resources. Mr. Sapia moved to APPROVE the Zoning Site Plan and the Coastal Site Plan; the motion was seconded by Mr. McSweegan and unanimously carried.

DATES FOR PUBLIC HEARINGS

The following applications will be heard at a public hearing on March 3, 1980:

- a) Application for Special Exception approval to establish a Day Nursery at 381 Main Street.
Applicants: Philip & Constance Rosenthal.
- b) Application for Special Exception approval to construct an addition to an existing restaurant on the Boston Post Road. (Formerly Old Post Tavern/Bum Steer)
Applicant: Steven Hollosi.
- c) Petition to establish Zone Classification of the Thorne/Pepe property, Ferry Road and Clark Street, in accordance with instructions of the Appeals Court.
Applicant: Old Saybrook Zoning Commission.

DISCUSSION: APPLICATION TO ESTABLISH MOTEL/HOTEL

After discussing Mr. Crozier's proposal to establish a motel/hotel at his property on the Boston Post Road, it was the commission's opinion that his proposal was more like a rooming-house than a motel/hotel which is a permitted use in a B2 Zone.

APPROVAL OF MINUTES

Upon a motion made by Mr. McSweegan and seconded by Mr. Ficker, the minutes of the meeting of February 4, 1980 were unanimously approved.

CORRESPONDENCE RECEIVED

2/5/80 - Letter from Attorney Kinsley enclosing Letter of Amendment decreasing Summerwood's bond to \$10,000.

2/7/80 - Letter from Attorney Bennet withdrawing Black Swan's application to amend the zoning regulations.

2/7/80 - Notice from D.E.P. of application of John Griggs to construct and maintain a pile and timber pier in the Connecticut River.

1/28/80 - Letter from Robert Jensen asking for a decision in connection with the commission's legal action against him.

2/4/80 - Letter from Board of Finance asking that the commission provide a monthly report on additional legal expenses and the status of legal actions pending.

ZONING DEPARTMENT REPORT

Mr. Walsh stated that he had had an inquiry about establishing a discount soda and beer establishment at the Mosca property on the Post Road.

He also reported that the \$2,500 grant from C.A.M. had been received.

The commission approved the request of the Garden Club to place signs for 15 days prior to their annual plant sale on May 9th.

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Mrs. Folwom moved to APPROVE the amendments to the zoning regulations as amended by Robert Bryan:

Section 72 - To implement the Connecticut Coastal Management Act and to exempt certain activities authorized by State Statutes. Section 7 - Paragraph 7.4.10 Special Setbacks from Wetlands: No building or other structure shall extend within less than 50 feet of a tidal wetland or inland wetland, except that such special setback shall not be applicable to buildings or other structures used for purposes under Paragraphs 35.1.6, 35.1.8, 35.1.9, 35.1.10, 36.1.7 and 36.1.8 when a Special Exception therefor has been approved by the Zoning Commission under the provisions of Section 52. It is appropriate to have a consistent setback on a townwide basis similar to the requirement of Gateway. Section 24 - Lot Area, Shape & Frontage: Increase minimum lot area in a Residence A Zone to 20,000 square feet. Zoning regulations will conform to Subdivision regulations. Sections 51, 62 and 53 - Site Plans, Special Exceptions (Zoning Commission) and Special Exceptions (ZBA): WAIVER of Site Plans and Architectural Plan requirements will lessen the burden on applicants where some information is not required to review an application. Sections 35 and 36 - Boat Sales: The sale of boats is consistent with the intent of the regulations covering Marine Commercial and Marine Commercial Limited Districts.

The motion was seconded by Mr. Ficker and unanimously carried.

Upon a motion made by Mr. Ficker, seconded by Mr. Sapia and unanimously carried, the meeting adjourned at 9:20 P.M.

Respectfully submitted,

Mario Sapia, Secretary

Marion Carpenter, Clerk

PUBLIC HEARINGS AND BUSINESS MEETING - OLD SAYBROOK ZONING COMMISSION - Monday, March 3, 1980 - Room #5 - Town Hall. Members present: Phyllis Folsom, Edward McSweeney, Betsy Ranelli, Mario Sapia, Alternate Elaine Anderson sitting for Charles Ficker, and Alternate Jack Soper. Also present: Robert Walsh, Attorney John Bennet, Philip Rosenthal, Michael Rice, Steven Hollosi, Ross Byrne, Attorney Robert Thorne, Attorney Louis Pepe and members of the Press.

PUBLIC HEARINGS

The public hearings were called to order by the Chairman, Mrs. Folsom, at 8 P.M. and the Clerk read the legal notice for the first item on the agenda: