

Mrs. Folsom and Mr. Byrne. Mr. McSweegan had disqualified himself.

Upon a motion made by Mrs. Folsom, seconded by Mr. McSweegan and unanimously approved, the Commission voted to go into executive session to discuss with Attorney Sipples a recent court decision involving Thorn vs. the Zoning Commission. Mr. Byrne disqualified himself with regard to this matter. Mr. McSweegan made a motion to act in accordance with Attorney Kinsley's suggestion. The motion was seconded by Mrs. Folsom and unanimously carried. Mrs. Folsom made a motion to go out of executive session. The motion was seconded by Mr. McSweegan and unanimously approved.

The regular meeting reconvened and Mr. Byrne made a motion to approve the minutes of the meeting of May 2, 1977 as amended. (Page 2 - last paragraph re: public hearing. Change to read: There being no one present other than Mr. Cormier to speak either for or against.....) The motion was seconded by Mr. McSweegan and unanimously carried.

Upon a motion made by Mr. Massa and seconded by Mrs. Folsom, it was unanimously voted to postpone action on Attorney Sivin's letter regarding the Appleby & Cutone bond until the next meeting. It will be placed on the agenda for the June 6th meeting.

Mrs. Folsom made a motion to approve the Special Exception application for construction of a Town Garage/Animal Shelter as submitted. The motion was seconded by Mr. McSweegan and unanimously approved.

Due to the lateness of the hour, any action relating to the amendments to the zoning regulations was postponed until the next meeting on June 6th.

With regard to the Summerwood Condominiums, Mrs. Folsom moved to ask for a 35-day extension of time in order to make a decision. The motion was seconded by Mr. McSweegan and unanimously approved. Attorney Kinsley will be asked to attend that meeting.

The meeting adjourned at 11:40 P.M.

Respectfully submitted,

Edward F. McSweegan, Jr., Secretary

Marion P. Carpenter, Clerk

6-6-77 A
6-15-77 E

A public hearing and regular business meeting of the Old Saybrook Zoning Commission were held on Monday, June 6, 1977, in Room #5 of the Town Hall. Members present were: Ross Byrne, Phyllis Folsom, Edward McSweegan, George Steele, Alternate Thomas Dannaher sitting for Betsy Ranelli, and Alternates Jordan Butler and Robert Massa. Also in attendance were: Robert Bowker, Frank Burton, Attorney George Kinsley, Attorney David Peska, Patsy DeMarco, Salvatore DiBella, Frederick Biebesheimer and Robert Walsh, Zoning Officer.

The public hearing, which was recorded verbatim on tape, was called to order by the Chairman, Mr. Byrne, at 8:10 P.M. The Clerk read the call of the hearing as follows, and letter of approval from the Planning Commission.

LEGAL NOTICE
OLD SAYBROOK ZONING COMMISSION
REQUEST FOR TEMPORARY SPECIAL EXCEPTION

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The Old Saybrook Zoning Commission will hold a public hearing on Monday, June 6, 1977, on a request for a Temporary Special Exception to permit removal of peat from property located on the west side of Ingham Hill Road and the south side of Old Rock Road.

Applicant: Ledyard A. Maynard

At this hearing interested persons may be heard and written communications received. Copy of map showing proposed excavation is on file in the office of the Town Clerk, Town Hall.

Dated in Old Saybrook, Connecticut, this 24th day of May, 1977.

OLD SAYBROOK ZONING COMMISSION

Ross L. Byrne, Chairman

Edward F. McSweegan, Jr., Secretary

Attorney Peska and Mr. Bowker appeared on behalf of the applicant. Mr. Peska explained that they had first applied to the Inland Wetlands Commission for a permit which was granted after a public hearing on the matter. Submitted was copy of a letter from the Department of Agriculture to the Inland Wetlands Commission which was incorporated into the approval. The application was also approved by the Planning Commission. Mr. Maynard will excavate 30 days in the Spring and 30 days in the Fall and the work will be done over a 10-year period. The first portion to be worked will be the deepest portion which is next to Ingham Hill Road. Islands will be put in which will provide a wild life habitat. The total area involved is 15 acres and the pond is 13 acres. There being no one else to speak in favor or in opposition, the public hearing was closed at 8:25 P.M.

The regular meeting convened with the same members present. The following site plans were reviewed:

1. Mr. Burton appeared for approval to construct a beauty salon on his property at the intersection of Sherwood Terrace and the Old Boston Post Road. This will be a single story structure which will face the Old Boston Post Road and will be occupied by "Coiffures by Michael". Mr. Byrne disqualified himself during this presentation and Mr. Butler sat.
2. Mr. Biebesheimer, an Architect, represented Ronald A. Pearl who wishes to convert an existing structure at 48 Main Street into a professional office. Improvements will include painting of the trim, a new roof, shutters and inside renovations. There will be a gravel parking area in the rear and an existing barn, which is in poor condition, will be removed. They will leave the existing landscaping, will add ground cover in front and restore the picket fence. There are also four parking spaces in front of the building.
3. Mr. DeMarco of Lum's Restaurant came before the Commission to obtain approval for the sale of State lottery tickets through a window on the front of the building. Zoning Commissial approval

is required in such cases. Mr. McSweegan made a motion to approve and Mr. Steele seconded. The motion was carried by a four to one vote; Messrs. Byrne, McSweegan, Steele and Dannaher voted in favor; Mrs. Folsom against.

Mr. DiBella, owner of Luigi's Restaurant appeared before the Commission to request an extension of his Zoning Compliance #75-268 which has expired. Mrs. Folsom moved to grant the extension; Mr. Steele seconded the motion and it was unanimously carried.

The following decisions were made:

1. Mrs. Folsom made a motion to approve Mr. Burton's application with the addition of some landscaping as indicated on the site plan, and outside lighting. The motion was seconded by Mr. Steele and unanimously approved. Mr. Butler sat for Mr. Byrne on this matter.

2. Mrs. Folsom made a motion to approve Mr. Pearl's site plan for a professional office at 48 Main Street with the addition of outside lighting and the stipulation that the well is to be filled and capped. The motion was seconded by Mr. Steele and unanimously carried.

With reference to letter from Attorney Sivin regarding the Appleby & Cutone gravel pit bond, Mr. Steele made a motion to accept the letter of credit in the amount of the existing bond, i.e. \$35,000.00. The motion was seconded by Mrs. Folsom and unanimously approved.

A discussion followed regarding the Summerwood-on-the-Sound Condominium, during which Mr. Butler sat for Mrs. Ranelli. Attorney Kinsley stated that the septic system is not a zoning problem and is allowable in the B4 zone since it is located on the same lot. However, the tennis courts, swimming pool, etc. should be in the same zone as the condominiums. Mrs. Folsom made a motion to deny the application without prejudice. The motion was seconded by Mr. Steele and carried by a three to two vote. Voting in favor of the motion were Mrs. Folsom, Mr. Steele and Mr. McSweegan; voting against were Mr. Byrne and Mr. Butler. Reason for denial: Amenities should be located within the Condominium A zone.

A discussion followed with regard to Robert Jensen's violation and it was decided to have Attorney Kinsley take action against Mr. Jensen.

Mr. McSweegan moved to approve Mr. Maynard's application for peat excavation subject to the posting of a \$5,000.00 bond, renewable annually, and subject to the condition that Mr. Maynard maintain the condition of Donnelley Road. The motion was seconded by Mrs. Folsom and unanimously carried.

Upon a motion made by Mr. Steele and seconded by Mr. McSweegan, the minutes of the meeting of May 16, 1977 were unanimously approved as corrected. (Last paragraph: Motion was seconded by Mr. McSweegan)

A bill from Attorney Kinsley for \$250.00 for legal services will be referred to the Board of Selectmen since our legal budget has been depleted.

A discussion ensued regarding the regulation changes and the following action was taken:

Upon a motion made by Mr. McSweegan and seconded by Mrs. Folsom, the following paragraphs were unanimously approved:

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7.4.8, 32.1.14, 32.3.1, 62.7.4, 63.5.3 and 72.4.6

Upon a motion made by Mrs. Folsom and seconded by Mr. Steele, the following paragraphs were unanimously approved:

8.13, 51.2.2, 51.2.3, 51.12.3, 52.3.2, 55.6.3, 55.6.6, 55.5
and 55.6.4

Upon a motion made by Mr. McSweegan and seconded by Mr. Steele, Paragraph 74.2 was unanimously approved.

Upon a motion made by George Steele and seconded by Phyllis Folsom, Paragraph 53.6.2 was unanimously approved.

Upon a motion made by Edward McSweegan and seconded by Phyllis Folsom, Paragraph 10.6.2 was approved by a vote of four to one. (Mr. McSweegan, Mrs. Folsom, Mr. Steele and Mr. Butler in favor; Mr. Byrne opposed.)

Paragraph 8.11 - Mr. McSweegan made a motion to approve; Mrs. Folsom seconded. Voting in favor: Mr. McSweegan, Mrs. Folsom and Mr. Steele; voting against: Mr. Byrne and Mr. Butler. Motion defeated since this amendment had been disapproved by the Planning Commission.

Paragraph 55.6.2 - Mrs. Folsom moved to approve; Mr. Steele seconded. Motion defeated four to one: Mr. Steele in favor; Mrs. Folsom, Mr. Byrne, Mr. McSweegan and Mr. Butler against.

Adjournment at 11:25 P.M.

Respectfully submitted,

Edward F. McSweegan, Jr., Secretary

Marion Carpenter, Clerk

A public hearing and regular business meeting of the Old Saybrook Zoning Commission were held on Monday, June 20, 1977, in Room #5 of the Town Hall.

Members present were: Phyllis Folsom, Edward McSweegan, Betsy Ranelli, George Steele, and Alternate Jordan Butler sitting for Ross Byrne. Also present were: Angus McDonald, Attorney Alan Senie, Joseph Vitale, Donald Correll, Nikolos Voyatziki and John Sourvalis.

The public hearing was called to order at 8:05 P.M. by the Vice Chairmen, Mrs. Folsom, in the absence of Mr. Byrne. The Clerk read the call of the hearing, which was recorded verbatim on tape, as follows:

LEGAL NOTICE
OLD SAYBROOK ZONING COMMISSION

The Zoning Commission of the Town of Old Saybrook, Connecticut, will hold a public hearing on Monday, June 20, 1977, at 8:00 P.M. in Room #5 of the Town Hall, on an application for Special Exception Approval to establish a restaurant at 1283 Boston Post Road, Map #27, Lot #33-1.

Applicants: Nikolos Voyatziki and John Sourvalas.