

November 20, 1989
PUBLIC HEARINGS AND REGULAR BUSINESS MEETING

Members present: Richard Jones, Betsy Ranelli, Mario Sapia and alternates Robert Jensen, Sherry Masse and Adam Sokolowski. Also present: Torrance Downes, Dr. Morton Silberstein, Attorney James McGuire, Attorney David Royston, Robert Friedmann, Elton Rhodes, Stephen Tagliatela, Jeff Bouyea, Whitney Talcott and Hoyt Peckham. The entire meeting was recorded on tape. The public hearings were opened at 7:30 p.m. by the Chairman, Mr. Jones.

PUBLIC HEARING: UNDER SECTION 9 (DEFINITIONS) Amend Par. 9.1, Coverage, Buildings and Structures, and Amend Par. 9.1, Lot Area and Shape.

Applicant: Zoning Commission.

(Mrs. Masse sat for Mr. Sapia on the first two items.)

There was very little discussion on this amendment and no decision was made. Mr. Jensen would like more time to consider the amendment as it relates to wetlands, and the profound impact it might have on a great many areas. Mr. Jones read into the record letter from the Planning Commission recommending approval. There was no one present to speak either for or against the petition.

PUBLIC HEARING: UNDER SECTION 9 (DEFINITIONS) ADD to Par. 9.1

Affordable Housing Development. Applicant: Robert C. Friedmann.

Mr. Jones Read Mr. Friedmann's letter stating that he was proposing this amendment as an individual because nothing has been on this subject. He stated that a state law covering affordable housing will go into effect in July 1990 and he felt the town should do something about it before that time. His proposal was taken from the proposed law and he said that the chairman of the Affordable Housing Committee, Roger Goodnow, found nothing wrong with his proposal because it goes beyond the findings of the Affordable Housing Committee. Mr. Jensen thought it should be referred to that committee but it is no longer in existence. There was no one present to speak either for or against this petition. No decision was made. Planning made no recommendation.

PUBLIC HEARING: (CONTINUED FROM NOVEMBER 6, 1989) Petition to Amend Par. 52.7.13 (Special Exceptions, Zoning Commission) and ADD new Par. 41.2.4 (Residential Life Care Facility).

Morton H. Silberstein, M.D. (Mr. Sapia sitting)

The applicant had asked that the public hearing remain open so they could provide any additional input and the commission could pose any questions they might have. A letter was received from the Fire Marshal stating that their fire apparatus would not reach over 35 feet. Regarding Mr. Bushnell's concerns, the applicant would be willing to have the commission modify his proposal to indicate that the 35' height and 2½ stories would apply to residential life care facilities, wherever they are located. Discussion followed concerning the use of beds in the existing convalescent home to satisfy the needs of the life care facility; Essex Meadows; the number of patients at Gladeview, 13 of whom are Old Saybrook residents; almost 80% of patients at Gladeview are state patients. Dr. Silberstein has 120 beds at Gladeview, which is the maximum he is allowed by the state. It was decided to continue the public hearing until the next meeting. In the meantime Mr. Jensen will check with the state on the possibility that Old Saybrook is "overbedded" as far as they are concerned.

DECISION: RELOCATE AIR CONDITIONER COOLING TOWER AND INSTALL TV ANTENNA, Map #24, Lot #45, Saybrook Point Marina/Inn.

Stephen Tagliatela was present. The commission referred again to the letter from Paul Barton asking that the commission take corrective measures concerning the tower and suggesting the addition of a high solid fence between the tower and his property line. Mr. Barton is agreeable to their

P.H. Amend
Section 9
DEFINITIONS

P.H. Res.
Life Care

Saybrook
Pt. Inn

Members present: Richard Jones, Betsy Ranelli, Mario Sapia, Edward McSweegan and alternates Robert Jensen, Sherry Masse and Adam Sokolowski. Also present were Torrance Downes, Dr. Morton Silberstein, Attorney James McGuire, Attorney David Royston, Whitney Talcott, Hoyt Peckham, Mr. & Mrs. Bushnell and members of the Press. The meeting was called to order at 7:30 p.m. by the Chairman, Mr. Jones.

PUBLIC HEARING (Cont'd): Petition to Amend Par. 52.7.13 (Special Exceptions, Zoning Commission) and ADD new Par. 41.1.3 (Residential Life Care Facility). Applicant: Morton H. Silberstein, M.D. (Sherry Masse sitting for Mario Sapia)

Amendments
Par. 52.7.13
& 41.1.3

The public hearing was continued so Mr. Jensen could contact the state. He met with Barbara O'Connell, Administrative Assistant, for three hours the previous Friday and spent 1-1/2 hours on the phone with Jack Huber this morning. The question was raised as to whether Old Saybrook was overbedded or underbedded. When applications for additions are heard, the state takes a 10 mile radius from the center of town and counts all beds within that 10 mile radius. According to a decision coming out tomorrow, Essex is overbedded and the Mediplex complex is overbedded. When asked if an application were received from Old Saybrook what his opinion would be, he stated he would probably testify that Old Saybrook is underbedded. (At this point Mr. Sapia and Mr. Sokolowski had arrived, and Mr. Sapia sat for himself.) Mr. Jensen asked Mr. Huber what the difference is between life care facilities and congregate housing, and he stated that life care facilities come under the jurisdiction of the State Commission of Hospitals and Health Care, and congregate housing has very little, if any, statutory guidelines and may come under the Department of Aging. Mr. Huber was asked if the Commission on Hospitals and Health Care generally accepts the use of beds in an existing facility to be used for newly created residential life care facility immediately adjacent to that property. He said that accessibility to the medical facility would be a major obstacle for the applicant to overcome because of the increasing number of elderly citizens. Dr. Silberstein stated that if the Zoning Commission insists on putting extra beds into a pre-existing nursing home, he will not be able to build this project. One reason for this is the fact that 120 beds is the maximum number he can have on his septic system. There was a question about the availability of beds for people from this area and it is the applicant's opinion that the life care facility will be occupied by people from this area. Dr. Silberstein stated that they recently had a vacancy in the convalescent home and they went over a list of approximately 50 applications to fill that bed; there were none from Old Saybrook. There was no one present to speak either for or against the application and the public hearing was closed.

BUSINESS MEETING

DISCUSSION/DECISION: AMENDMENTS TO PAR. 9.1, (Coverage, Buildings and Structures, and Lot Area and Shape. Applicant: Zoning Commission. (Sitting: Jones, Ranelli, Masse, Jansen and Sokolowski).

Amendments
Par. 9.1

After a brief discussion Mrs. Ranelli moved to approve the amendment to Par. 9.1 dealing with Coverage, Buildings and Structures, and Lot Area and Shape. Applicant: Zoning Commission. The motion was seconded by Mr. Sokolowski and approved by a vote of four to one. (Mr. Jensen voted against the motion) (Planning Commission: favorable recommendation)

DISCUSSION/DECISION: Add to Par. 9.1 Affordable Housing Development.
(Sitting: Jones, Ranelli, Masse, Jensen, Sokolowski)

Applicant: Robert C. Friedmann. (No Planning Commission Referral) .
Mr. Jensen moved to deny the petition to add to Par. 9.1 Affordable Housing Development, because at this time the definition is not applicable to our Zoning Regulations or any pending Planning Commission regulations that we have before us. The motion was seconded by Mr. Sokolowski and unanimously approved. Mr. Jones felt that this was a very good idea but before we identify what something is, we ought to have an idea as to how it is going to be used. This should come to us from the Planning Commission through the Plan of Development.

SET BOND FOR OLD SAYBROOK VILLAGE FACTORY STORES: Mr. Bouyea and Mr. Talcott were present. (Sitting on this application: Sokolowski, Jensen, Jones, Fapia, Ranelli).

The applicant submitted estimates covering site work, landscaping and Soil Erosion and Sediment Control measures. Bonds were set as follows: \$47,550 for site work; \$4,700 for landscaping to ensure first year's growth; and \$2,000 for Soil Erosion and Sediment Control. Mr. Sapia so moved, Mr. McSweeney seconded and it was unanimously approved.

REQUEST FOR RELEASE OF BOND: Allen Hull - Mill Rock Road, Map #41, Lot #2. Work at this site has been completed. Mr. McSweeney moved to release Mr. Hull's \$5,000 bond covering site development; the motion was seconded by Mr. Sokolowski and approved unanimously.

REQUEST FOR RELEASE OF BOND: Carl Bulgini.

Mr. Downes reported that this work had been completed. Mr. McSweeney moved to release the bond; the motion was seconded by Mrs. Ranelli and unanimously approved.

COASTAL SITE PLAN REVIEW: Single Family Dwelling, 45 Beach Road West, Map #41, Lot #2. Applicant: Dorothy Bushnell. (Mr. & Mrs. Bushnell appeared. This is the third of the dwellings that burned and is to be re-established. This is the easternmost of the three. The proposed dwelling will be exactly the same as what was there. Although it is non-conforming, Par. 10.5 allows it to be rebuilt in the same footprint. The dwelling will be elevated to 13 feet above sea level to conform to the Flood Plain requirements. The Coastal Site Plan Review is required because it is within 100 feet of beaches and dunes. Mrs. Bushnell had an old "as built" plan which showed the deck going out beyond their property line. She was told that the commission cannot approve anything that goes beyond their own property line and Mrs. Bushnell said she would do whatever the commission wanted. Mr. Sapia moved to approve the Coastal Site Plan for Dorothy Bushnell with the following stipulations: (1) that the deck not be any larger than to the property line; (2) that a silt fence be placed along the east and west property lines; (3) that a \$500.00 passbook bond be posted to ensure that Soil Erosion and Sediment Control measures remain in place during period of construction. Motion was seconded by Mr. McSweeney and unanimously approved.

ADDITION TO AGENDA: Mr. Jones moved to add to the agenda the following item: Discussion: Boat Storage in the B-4 Zone. Motion seconded by Mr. Sapia; approved unanimously. This was on the previous agenda but it was decided to refer it to Attorney Kinsley. Before purchasing property, the prospective buyer wanted to know whether or not boat storage was a permitted use in the B-4 district. The real question is whether marine related uses are permitted in that zone. The applicant did not want to go through a formal site plan review with architectural plans, etc., only

Par. 9.1
Affordable
Housing

Bond for
Bouyea

Release
of Bond
(A.Hull)

Release
of Bond
(Bulgini)

CSP
Bushnell
Beach Rd
West

Boat
Storage
(B4 zone)