



TOWN OF OLD SAYBROOK  
**Zoning Commission**

*Robert C. Friedmann, Chairman*  
*Mark R. Caldarella, Vice Chairman*  
*Geraldine M. Lewis Secretary*  
*Madeleine B. Fish*  
*Ann Marie Thorsen*

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**Alternate Members**

*Justin Terribile*  
*Marc W. Delmonico*  
*Ram B. Odedra*

**REGULAR MEETING MINUTES**

Monday, February 3, 2020 – 7:00 P.M.

Town Hall, 302 Main Street

1st Floor Conference Room

**I. CALL TO ORDER**

Chairman Robert Friedmann called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

Attendant Members

Robert Friedmann  
Mark Caldarella  
Geraldine Lewis  
Madeleine Fish  
Ann Marie Thorsen  
Justin Terribile  
Mark Delmonico

Absent Members

Ram Odedra

Attendant Staff

Christina Costa, Zoning Enforcement Officer  
Joanne Galli, Recording Clerk

27 members of the public were in attendance.

**III. REGULAR BUSINESS**

**A. MINUTES**

**MOTION** to approve the meeting minutes of January 22, 2020 as presented **MADE:** G. Lewis  
**SECONDED:** M. Fish **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A.  
Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

**B. CORRESPONDENCE**

Correspondence received was related to agenda items.

**IV. NEW BUSINESS**

**A. Application for Municipal Coastal Site Plan Review**

**Demolition of existing house and construction of 8,000 s.f. house, garage and pool.**

5 & 7 Bay View Avenue, Map 14/Lots 141 & 141-1

Residence A District, Coastal Area Management Zone

*Applicant: Oyster Haus, LLC*

*Agent: Thomas A Stevens & Associates, Inc*

Tony Bolduc presented for the applicant. The existing site already supports a non-conforming residential house, which will be demolished. The existing garage and shed will remain, but the driveway will get smaller. The existing septic is sufficient to serve the new home. A new FEMA-compliant home will be constructed as well as an in-ground pool. A subsurface stormwater system will be installed to capture the first inch of runoff from the house. The system will remove 80% of suspended solids and lessen post development runoff rates and volumes. The coastal resources will not be affected by the new construction. A geotextile fabric sediment barrier will be installed prior to the start of construction and will remain in place until the disturbed areas have stabilized and town staff authorizes removal. The lots will be merged prior to the issuance of a Certificate of Zoning Compliance.

**MOTION** to approve the application for a municipal coastal site plan review of 5 & 7 Bay View Avenue, Map 14/Lots 141 & 141-1 to demolish an existing house and construct an 8,000 sq. ft. house, keep existing garage and construct a new pool as presented because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts.

**MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

## V. PUBLIC HEARINGS

Chairman R. Friedmann opened the public hearing at 7:15 p.m.

- A. Petition to Amend the Old Saybrook Zoning Regulations** Section 68.1.5B3 to remove prohibition of illuminated playing fields and add new Special Standard to Section 53 to permit Athletic Field Lighting on properties of 11 acres or more in the Residence A and Industrial I Districts owned by the Town of Old Saybrook or Fire Company #1.  
Petitioner: Old Saybrook Board of Education/Old Saybrook Board of Selectman

Carl Fortuna presented a petition to amend the Zoning Regulations to allow for athletic field lighting as a Special Exception Permit. If the regulation is adopted, a future application will be to light the fields at the high school (no other fields are contemplated at this time). Lighting will be turned on no earlier than 7 a.m. and shut off by 9 p.m. Monday – Thursday and by 10:30 on Friday and Saturday and will be permitted only between March 1<sup>st</sup> through November 30<sup>th</sup>. The light source used will not have any spillage over the property line, no glare, and will be “dark sky” compliant. The light poles cannot be any higher than 80 feet and must have a break point so if one falls it doesn’t fall beyond the 50 ft. setback. A traffic barrier can be installed along with Arborvitae on Ingham Hill Road to prevent any parking on that side of the street, therefore avoiding any traffic due to the nighttime game. The Chief of Police M. Spera couldn’t attend the meeting, but is in support of the text amendment and will address any traffic issues that may arise at the time a Special Exception is applied for at a specific property.

Selectman Fortuna referenced letters in support from the Economic Development Commission (EDC), CT DEEP, RiverCOG, the Chamber of Commerce and the Parks and Recreation Commission. Members of the Gateway Commission approved the petition with the recommendation that, for now, such lighting be excluded from properties located within the Gateway Conservation Zone. The Planning Commission suggests a revision to Special Standard, Section 53 C to specify that lights “will be permanently hardwired and not powered by the use of gas, diesel or other fuel powered generators.”

The Zoning Enforcement Officer reviewed formal referral responses received for the record and Chairman Friedmann referenced 84 letters from residents and parents who are in support of the text change to allow lighting at night.

Chairman Friedmann opened the hearing to comments from the public.

Attending the meeting and speaking in favor of the petition were R. Hanratty, F. Henderson, Coach Capezzone, M. Gilson, M. Brady, M. Pugliese, N. Gatta, C. Conklin and B. Carter. Collectively they felt that this is good for the community as well as the students. "It keeps our kids doing what we want them to do." In the past, events had to be canceled that students prepared for if they went past sundown, which is not good for morale. Working parents would have the ability to attend events and become more involved with their children. Families will come out, businesses will benefit. This will in turn make our community more desirable to potential residents.

Speaking in opposition were neighbors T. Heinssen and G. Mader. Their concerns were noise, traffic, lights shining into their homes and lower property values due to the possibility of 80 ft. high light poles adjacent to their homes. Currently the PA system is loud and can be heard in their homes. This would extend into the night hours; sirens from potential emergency vehicles as well as disturbance from many people exiting the events would make matters worse. They were also concerned about people driving/parking on their property and leaving garbage. Mr. Heinssen suggested a physical barrier to the sound and light. Mr. Mader was okay with low-level lighting for security.

The Commission and Zoning Enforcement Officer reviewed the text and made amendments including:

- Section 53 – Field lighting: "Will not be permitted in Gateway Zone."
- Lighting will be turned on no earlier than 7 a.m.
- Commission will modify proposed text to exclude "contiguous lots."
- Zoning officer reviewed potentially conflicting text as a result of proposed amendments. The Commission decided that an "athletic light pole" is not a "structure." Therefore, Section 53/D to be changed to: Setbacks for Light Poles Used to Illuminate Athletic Fields and Section 53/D/d maximum "Light Poles" Height

**MOTION** to close the public hearing at 8:45 p.m. **MADE:** M. Fish **SECONDED:** G. Lewis  
**VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

**MOTION** to approve the **Petition to amend the Old Saybrook Zoning Regulations** Section 68.1.5B3 to remove prohibition of illuminated playing fields and add new Special Standard to Section 53 to permit Athletic Field Lighting on properties of 11 acres or more in the Residence A and Industrial I Districts owned by the Town of Old Saybrook or Fire Company #1 as amended. **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.  
**EFFECTIVE DATE:** February 19, 2020

- B. **Petition to Amend the Old Saybrook Zoning Regulations** to delete Section 65 Excavation & Grading and add new Special Standard to Section 53 Material Removal, Filling & Excavation.  
Petitioner: Old Saybrook Zoning Commission

The public hearing was continued from the previous meeting and opened at 9 p.m.

The petition proposes to delete current Section 65, Excavation & Grading, and add new special standards to Section 53 concerning "material removal, filling and excavation." The new standards will require the issuance of a Special Permit for the placement or removal of 100 or more cubic yards of material on a lot in any calendar year. The standards also provide exemptions from the need for a Special Permit under certain conditions and for certain activities.

The Zoning Enforcement Officer reported that revised text was included in the packets addressing comments at the last meeting and that the public hearing was continued at the request of the CT River Gateway Conservation Commission who has sent a positive referral response.

The Commission reviewed the recommendations from the Planning Commission and determined that they would like “any other material” left in and add their recommendation to add types of earth.

S. Esty spoke in favor of change to zoning regulations especially language allowing the Town/State to stockpile storm related materials.

**MOTION** to close the public hearing at 9:05 **MADE:** R. Friedmann **SECONDED:** M. Fish.  
**VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A. Thorsen, M. Delmonico (sitting in for G. Lewis) **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

**MOTION** to approve **Petition to Amend the Old Saybrook Zoning Regulations** to delete Section 65 Excavation & Grading and add new Special Standard to Section 53 Material Removal, Filling & Excavation as amended. **MADE:** R. Friedmann **SECONDED:** M. Fish **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A. Thorsen, M. Delmonico (sitting in for G. Lewis) **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0. **EFFECTIVE DATE:** February 19, 2020

## VI. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

**1333 Boston Post Rd** – The ZEO reported that a \$16,000 bond from R. Rosetti for completion of sidewalks has been received, DOT permits are in place and the contractor is ready to start soon.

**40 Elm Street** – At the last meeting, the Commission determined that a minor modification to the Special Exception Permit is required to change the retail back to office space for a proposed medical spa. The ZEO asked if it was appropriate for the modification to allow for both retail and office in the event a future retail tenant seeks to occupy the space. The Commission determined that since the Hope and Stetson retail permit was only for a portion of the first floor area and that the first floor did not accommodate parking for all retail that a future change to retail will need to be reviewed by the Commission. The ZEO is directed to inform the Applicant to make modification for the office and provide information regarding the medical spa use prior to occupancy.

## VII. ADJOURNMENT

**MOTION** to adjourn the regular meeting at 9:18 p.m. to the next regularly scheduled Zoning Commission meeting on Wednesday, February 19, 2020 at 7:00 p.m. at Town Hall, 302 Main Street, 2<sup>nd</sup> Floor Conference Room, Old Saybrook. **MADE:** G. Lewis **SECONDED:** R. Friedmann **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

Submitted respectfully,

Joanne Galli  
Recording Clerk



NEXT REGULAR MEETING  
**Wednesday, February 19, 2020 at 7:00 P.M.**  
Town Hall, 2<sup>nd</sup> Floor Conference Room  
302 Main Street, Old Saybrook

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