



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

302 Main Street • Old Saybrook, Connecticut 06475-1741
Telephone (860) 395-3131 • FAX (860) 395-1216
www.oldsaybrookct.org

Alternate Members
Justin Terribile
Marc W. Delmonico
Vacancy

REGULAR MEETING MINUTES

Monday, March 1, 2021
Web/Audio Meeting

I. CALL TO ORDER

Chairman R. 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
Marc Delmonico

Attendant Staff

Chris Costa, Zoning Enforcement Officer
Joanne Galli, Recording Clerk

31 members of the public were in attendance.

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the meeting minutes of February 17, 2021 as presented **MADE:** R. Friedmann
SECONDED: G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish,
A.M. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

B. CORRESPONDENCE

MOTION to pay Halloran & Sage Invoice #s 11346472, 11346473, 11346474 and 11346418 for
general counsel in the amount of \$1674.00 as presented **MADE:** G. Lewis **SECONDED:** R.
Friedmann **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A.M. Thorsen
ABSTAINING: None **OPPOSED:** None **APPROVED:** 5-0-0.

IV. NEW BUSINESS

- A. **“Smoke on the Water” Petition to Amend the Zoning Regulations** to include outdoor restaurant definition and standards and to allow temporary non-residential restaurant trailers in the SP-2 District and for Town owned properties located on the CT River or Long Island Sound for a maximum of 180 days per calendar year.
Petitioner: The Point, LLC. Agent: Attorney Edward Cassella

Attorney Edward Cassella and Colt Taylor presented. The applicant is proposing a new use, Outdoor Restaurant Use, for the Town of Old Saybrook in its zoning text change application. The regulation change would allow the outdoor sale of food to the general public for consumption on the premises, at tables or counters outside (with a max of 300 seats) and a take-out area which needs to be specified in text as only an accessory to the business. The restaurant, Smoke on the Water, will consist of several trailers for cold prep, refrigeration, office, an ADA-compliant restroom with handicap ramp and dry storage. There will be a food pavilion erected that will cover two long charcoal barrel smokers that will be closed to contain the smoke within. They plan to have outdoor music but it will be directed away from nearby homes toward the river. The lot setbacks will apply and the electric meter will be flood-compliant on a 12-foot high platform. The owners will leave the property intact as much as possible. They will reuse the dock for seating and create a pedestrian walkway between the mini golf and the park. The restaurant will be open a max of 180 days and the trailers, which have quick disconnect systems, will be removed during a weather emergency and at season end. This type of restaurant doesn't exist in current regulations. Also, the flood ordinance doesn't allow for temporary structures. Therefore, new legislation needs to be proposed and approved.

The Commission acknowledged that of ten letters received, one was in support of the regulation change and nine were opposed. The hearing was opened to the public for comment. Wayne and Barbara Harms were concerned that the restaurant wanted to have all the benefits of an indoor restaurant but the lights, sounds, smells and litter would not be contained as in an indoor premises. Tedd Levy wanted to know about parking and evacuation plans. Susan Malton asked about noise reduction, hours of operation and how they would provide restrooms for 300 (to be determined). She questioned whether they would be hosting large catered parties but that is not in their plans. Anne Czepiel was concerned about the noise. Kathy Connolly is afraid that on peak days free public access to the park and river will be impinged on. Jay Kulowiec was concerned about the septic and sewage issues involved in this endeavor. He suggested a full engineering evaluation from the Health Department. Colt Taylor responded that they are working with the Health Dept and that each trailer has a 150-gallon water supply tank, an independent heating system and a 250-gallon wastewater tank. There are also two septic tanks – one for wastewater and one for restrooms. Both will have a marine grade disconnect. Along with these concerns, the letters received in opposition were also concerned with any impact there may be on surrounding residential property values due to noise, odors, glare, litter and pollution as well as the ability to have a peaceful enjoyment of their property.

Of the comments in favor were Ray Allen, Susie Beckman, Elizabeth Swenson and Nannette Navarro. They are happy about the idea of some form of Dock n' Dine coming back. Susie felt that the trend for retail and restaurants is to provide experiences and this would be a unique and fun experience that will be available to a large amount of people. They all felt it would have a positive impact on the town. In terms of aesthetics Nannette felt that the owners would do the right thing.

A storm contingency plan defining the parameters of evacuation as well as a seasonal removal plan is in the works. The matter will be continued to the next Zoning Commission meeting on March 15, 2021 to wait for comments from the Planning Commission and the Fire Dept.

MOTION to continue the **“Smoke on the Water” Petition to Amend the Zoning Regulations** in the SP-2 District and for Town owned properties located on the CT River or Long Island Sound to the next Zoning Commission meeting on Monday, March 15, 2021 at 7 p.m. as presented **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A.M. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

V. CONTINUED PUBLIC HEARINGS

A. “Classic Carriage Car Wash” Application for Special Exception Use

Proposed 2,464 s.f. convenience store, 2,500 s.f. canopy, electric charging stations, reconfiguration of gas pumps/7 nozzles.

351 Boston Post Road, Assessor’s Map 42/Lot 10-1, Business B-4 District

Property Owner: Injun, LLC Agent/Owner: John Pytlik

Justin Pytlik presented. The current property consists of two existing car wash buildings, which will remain unchanged. The existing gas station pay store, canopy and fuel dispensers will be demolished and replaced. Updates will include an expanded convenience store, adding another gas pump and installing electric car-charger stations. The ZC has received the updated plans. The drainage improvements have been addressed and all referrals are already in record. In addition to the original landscape plan, each side of the building will have mulch gardens. The entry and exit mulch gardens will double in size surpassing the amount of landscaping required. Cryptomeria will act as a buffer on the south end of site. The concrete pads were widened to aid clean up of spills. The extended pad will end at the curb cut. The hearing was open to the public with no comment.

MOTION to close the public hearing of “Classic Carriage Car Wash” Application for Special Exception Use at 351 Boston Post Road Assessor’s Map 42/Lot 10-1, Business B-4 District as presented **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A.M. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

MOTION to approve the “Classic Carriage Car Wash” Application for Special Exception Use at 351 Boston Post Road Assessor’s Map 42/Lot 10-1, Business B-4 District with the following conditions: 1) In the 10’ perimeter buffer – no new additional concrete pad for diesel pump on west side of property. 2) In the 10’ perimeter buffer – The new concrete pad for the dumpster on west side of property must be moved to the north, out of the buffer. 3) Remove the abandoned concrete pad in the North corner (old vacuum spot). 4) Since utility mains are not structures subject to setback, the proposed concrete pad less than 6” in height on the west property line near the new convenience store building can stay. 5) All handicap parking spaces will be ADA compliant. 6) No new concrete pad extension in the Front Landscape area at the easternmost corner of the property. 7) None of the directional signs proposed in the Rte. 1 ROW are approved by the Old Saybrook ZC. 8) The parking calculation shown on the plan allocated 20 parking spaces for the convenience store’s 2464 s.f. of GFA – Section 62.4.6 D.2 clearly states it be calculated by GFA not “usable GFA” as shown. The total number of spaces required for the convenience store is 25. Joint use of parking spaces as described in Section 62.4.1.C.1 can feasibly allow 47 of the parking spaces drawn on site to service the uses proposed. Note that none of the 9 areas adjacent to the pump nozzles will be counted as parking spaces. The joint use number allows for the uses shown on the plans. If uses are changed in the future, the joint use figure will have to be re-examined. 9) The three parking spaces at the westernmost edge of pavement will be designated employee parking. 10) Light poles will be mounted flush at grade and not exceed 14 feet in height total. All lights on the site will be shielded downcast lighting. 11) The rip-rap drainage feature in the North corner will be installed with engineer Geoff Jacobson’s consult. 12) The front landscaped area that is in the ROW shall remain landscaped and landscaping presently provided in the FLA on site will remain. The 2/20/2021 Classic Carriage landscape plan is approved as long as all trees required to be 3 and a half inches caliper at dbh will be provided as such. **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A.M. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

VI. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

- Responses are coming in for the survey that was sent out by the Affordable Housing Committee.
- The Land Use Agencies will have a meeting on March 30, 2021.
- Senator Needleman is having a discussion on housing and zoning regulation changes on March 10, 2021.

VII. ADJOURNMENT

MOTION to adjourn the meeting of March 1, 2021 at 9:35 p.m. as presented to the next regularly scheduled meeting of Monday, March 15, 2021 at 7:00 p.m. **MADE:** G. Lewis **SECONDED:** R. Friedmann **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, A.M. Thorsen **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

Respectfully submitted,

Joanne Galli
Recording Clerk

NEXT REGULARLY SCHEDULED
VIRTUAL MEETING
Monday, March 15, 2021 at 7:00 P.M.

Check our website for dial in information and additional meeting documents.

[Zoning Commission web page](#)

Subscribe to www.oldsaybrookct.org for electronic delivery of land use agendas.