



TOWN OF OLD SAYBROOK  
**Zoning Commission**

*Robert C. Friedmann, Chairman*  
*Mark R. Caldarella, Vice Chairman*  
*Geraldine M. Lewis, Secretary*  
*Ann Marie Thorsen*  
*Marc W. Delmonico*

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**Alternate Members**  
*Justin Terribile*  
*Vacancy*

**REGULAR MEETING MINUTES**  
**HYBRID MEETING**

Monday, August 2, 2021 – 7:00 P.M.  
Town Hall, 1<sup>st</sup> Floor Conference Room  
302 Main Street, Old Saybrook

**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  
Ann Marie Thorsen  
Marc Delmonico  
Justin Terribile

Attendant Staff

Chris Costa, Zoning Enforcement Officer  
Joanne Galli, Recording Clerk

7 members of the public were in attendance.

**III. REGULAR BUSINESS**

**A. MINUTES**

**MOTION** to approve the meeting minutes of July 19, 2021 as presented **MADE:** R. Friedmann  
**SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, A. M.  
Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

**B. CORRESPONDENCE**

Correspondence received was related to Agenda items.

**IV. NEW BUSINESS**

**A. Preliminary Discussion: Parking Requirements for Restaurants in the B-1 District**

247 Main Street, Map 30/Lot 55, Business B-1 District, Pedestrian Node  
*Owner: Joe Wren, P.E.*

Joe Wren presented. Mr. Wren has discussed a parking easement with a neighbor for three years. He inquired about a restaurant at 247 Main Street seating 50 patrons. The Commission expressed concern that if they were to allow a temporary easement that terminated and the restaurant remained that the restaurant would not have parking as required by the Zoning Regulations creating a new non-conformity in violation of the Special Exception Permit issued for the business. Mr. Wren questioned the possibility of using other spaces such as Main Street or the town parking lot across from The Kate to make up the shortage of the six parking spaces he needs. The ZC Chairman stated that this is a non-conforming property with the parking lot being used jointly, for the businesses on the main level and the apartments above. The property's first floor is currently zoned for a bakery and not a restaurant. Also, a variance has previously been obtained to allow for the narrow drive aisle. Mr. Friedmann stated that in this case off-property parking already accounted for other businesses couldn't be included in the calculations, especially when there aren't any parking spots on Main Street directly in front. The parking as it is could support a restaurant of no more than 33 seats.

**B. “Cocotte at James Pharmacy”** Discuss if a beer and wine license results in an expansion of a non-conforming use.

2 Pennywise Lane, Assessor's Map 30, Lot 3, Residence A District

*Owner: Lini Holdings, LLC.*

*Agent: Jeffrey & Isabelle DeFrancesco, Business Owners*

Jeffrey DeFrancesco presented. Cocotte would like to add alcoholic beverages to their list of offerings. State law specifies that beer and wine sales is an increase in use, Chairman Friedmann said, which in this case would be expanding a non-conformity. The property is located in the Residence A District where restaurant/business uses are not permitted. Numerous variances have been granted by the Zoning Board of Appeals to expand the non-conforming use since the early 1980s. The addition of alcohol sales will result in further expansion of non-conformity use, which is not permitted by the Zoning Regulations. A zone change would result in spot zoning which is illegal.

**C. Appointment of Michael D'Amato** CZEO, AICP as a 3<sup>rd</sup> designated agent for the Commission when the full-time ZEO (Chris Costa) and fill-in ZEO (J.H. Torrance Downes) have a conflict of interest.

<p><b>MOTION</b> to appoint Michael D'Amato as a 3<sup>rd</sup> designated agent for the Commission on an as-needed basis as presented <b>MADE:</b> R. Friedmann <b>SECONDED:</b> G. Lewis <b>VOTING IN FAVOR:</b> R. Friedmann, M. Caldarella, G. Lewis, A. M. Thorsen, M. Delmonico <b>OPPOSED:</b> None <b>ABSTAINING:</b> None <b>APPROVED:</b> 5-0-0.</p>
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**V. OLD BUSINESS**

**A. Discussion: Recreational marijuana (continued)**

The Zoning Commission first needs to make a decision on whether to allow or ban recreational sales of marijuana. The State Department of Consumer Protection (DCP) is now allowing nine types of licenses including recreational sales. Local

zoning permits will need to be obtained prior to obtaining a DCP permit. Provisional DCP permits may be permitted this winter after a lottery of applicants is conducted.

The Commission expressed concerns that DCP regulations are not 100% finalized leaving some questions.

The Commission unanimously agreed that they need more input from other town sources, experiences from municipalities in other States who have already allowed it and their Attorney, Matt Willis. They discussed a possible moratorium on the decision until further information can be ascertained. The ZEO will coordinate speakers and the discussion will be continued at the next ZC meeting on Monday, August 16, 2021.

**B. Workshop (continued) – Accessory dwelling units and possible regulation fixes**

The Commission discussed accessory apartments pertaining to residential and mixed-use properties. Currently Old Saybrook only allows attached accessory units, but new regulations will allow detached accessory apartments as well, either option only permitting one accessory apartment per property. The distance allowable for the detached unit to the main structure needs to be determined. They also discussed narrow street regulations that may need to be updated.

**VI. COMMITTEE, REPRESENTATIVE & STAFF REPORTS**

- The Affordable Housing Plan for Old Saybrook was approved.
- Land Use fee structure was adjusted.
- There was an inquiry about putting in a Cat Café in a B-1 district. The cats will be rescued from kill shelters and people can spend time with the cats by appointment with the option of adopting them. Packaged snacks will be offered. The Commission determined the use to be a retail service.

**VII. ADJOURNMENT**

**MOTION** to adjourn the meeting of August 2, 2021 at 9:30 p.m. to the next regularly scheduled Zoning Commission meeting on Monday, August 16, 2021 at 7:00 p.m. **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Respectfully submitted,

Joanne Galli  
Recording Clerk

**NEXT REGULARLY SCHEDULED  
HYBRID MEETING**

**Monday, August 16, 2021 at 7:00 P.M.**  
Town Hall, 1<sup>st</sup> Floor Conference Room  
302 Main Street, Old Saybrook

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

[Zoning Commission web page](#)

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