



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
John Henry

REGULAR MEETING MINUTES
HYBRID MEETING

Monday, October 18, 2021 – 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

Chairman R. Friedmann called the meeting to order at 7:02 p.m.

II. ROLL CALL

Attendant Members (in person)

Robert Friedmann
Geraldine Lewis
A. M. Thorsen
Marc Delmonico
Justin Terribile
John Henry (sitting in for M. Caldarella)

Absent Members

Mark Caldarella

Attendant Staff

Chris Costa, Zoning Enforcement Officer/Town Planner
Joanne Galli, Recording Clerk

Six members of the public were in attendance, with five more attending via Zoom.

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the minutes of October 4, 2021 as presented **MADE:** R. Friedmann
SECONDED: G. Lewis **VOTING IN FAVOR:** R. Friedmann, G. Lewis, A. M. Thorsen, M.
Delmonico, J. Henry **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

B. CORRESPONDENCE

MOTION to pay Halloran & Sage Invoice #s 11365551 and 11365504 for general counsel
in the amount of \$1665.00 as presented **MADE:** G. Lewis **SECONDED:** M. Delmonico
VOTING IN FAVOR: R. Friedmann, G. Lewis, A. M. Thorsen, M. Delmonico, J. Henry
ABSTAINING: None **OPPOSED:** None **APPROVED:** 5-0-0.

IV. PUBLIC HEARINGS

- A. **“Planned Development District” Petition to Amend the Old Saybrook Zoning Regulations** to add new Section 36 to create a development district as alternative to subdivision of land on 5+ acre lots with 1 residential dwelling unit per acre in the MI District.

Applicant: 91 Sheffield Street, LLC

Agent: Attorney Marjorie Shansky

Attorney Marjorie Shansky presented. The applicant would like to amend the Zoning Regulations with the adoption of Section 36, “Planned Development District.” This enables legislation to allow properties of 10+ acres in the Marine Industrial zoning district to be converted into residential developments.

Attorney Shansky confirmed that if a PDD is dropped on a specific parcel in the MI district it does not impact the other MI districts. Each PPD would be different, in different areas with different standards and different setbacks. ZC Chairman stated that the regulations we have are to be applied equally across every property in the same zoning district.

Letters of opposition were received from three residents, Koski, Ellis and Clark. Concerns include the ecological impact this would have on the wildlife in the area.

Residents Ozycz and Spector spoke in favor of this proposal. They feel that this proposal would complement Saltus Drive, bring revenue to the town and resurrect a site that has been unused for over ten years.

The Harbor Management Commission finds this to be inconsistent with the town’s Harbor Management plan, which is a negative referral. This invokes the super majority, which means the vote must be a 4/1 or 5/0 “in favor of” to approve the text amendment.

MOTION to close the Public Hearing of **“Planned Development District” Petition to Amend the Old Saybrook Zoning Regulations** to add new Section 36 to create a development district as alternative to subdivision of land on 5+ acre lots with 1 residential dwelling unit per acre in the MI District as presented **MADE:** R. Friedmann **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** R. Friedmann, G. Lewis, A. M. Thorsen, M. Delmonico, J. Henry **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Chairman Friedmann opened the deliberations with concerns from a history standpoint. In December 2017, the ZC renamed the now Marine Industrial Districts with the adoption of a regulation - Prohibitions - to specifically prohibit residential uses in the MI Districts to prevent increasing the number of houses subject to sea level rise, flooding and storm damage. What this application does is that it goes around the intent of prohibiting dwellings in the MI District by changing the MI district to a PDD, which allows residential. This goes counter to the intent of that regulation.

Also, in the proposed text, the PDD will supersede all preexisting zoning regulations. Specifics for design standards and setbacks would vary for each development. The Commission questioned whether this is considered spot zoning.

Chairman Friedmann concluded that this PDD has good aspects but sets up conflicts with the Regulations as they should be applied equally across the particular district. This proposal is not consistent with the comprehensive plan of zoning.

MOTION to approve **“Planned Development District” Petition to Amend the Old Saybrook Zoning Regulations** to add new Section 36 to create a development district as alternative to subdivision of land on 5+ acre lots with 1 residential dwelling unit per acre in the MI District as presented **MADE:** R. Friedmann **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** None **OPPOSED:** R. Friedmann, G. Lewis, A. M. Thorsen, M. Delmonico, J. Henry **ABSTAINING:** None **MOTION IS NOT APPROVED; DENIED UNANIMOUSLY.**

- B. “Gargano Pasta & Italian Market” Application for Special Exception** for 2,500 s.f. restaurant, 1,000 s.f. retail market and 1,000 s.f. of storage space.
75 Main Street, Map 37, Lot 36, Central Business B-1 District, Pedestrian Node, Coastal Area Mgmt. Zone
Applicant: 75 Old Saybrook, LLC Agent: James Cassidy, P.E.

James Cassidy, P.E. presented. Gargano Pasta is seeking a special exception for a 40-seat restaurant and Italian market in the former Denali Outfitters space. Their offerings will include in-house made pastas, cook at home instructional kits with all-inclusive ingredients, take-home meals and other local and imported items. They will also sell coffee, pastries and breads. Hours will be 11 a.m. – 8 p.m. Tuesday – Sunday. They are seeking a waiver for the ten required parking spaces to offer 32 outdoor seats due to the alternate transportation available (public transit, pedestrians and bike traffic). All referrals were received approved. Mr. Gargano also owns Grano in Chester.

Chairman R. Friedmann said the ZC cannot “waive regulations,” and it should be removed from the application. He also stated that this location is suitable for the increase in outdoor seating.

MOTION to close the Public Hearing for **“Gargano Pasta & Italian Market” Application for Special Exception** for 2,500 s.f. restaurant, 1,000 s.f. retail market and 1,000 s.f. of storage space as presented **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, G. Lewis, A. M. Thorsen, M. Delmonico, J. Henry **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

MOTION to approve **“Gargano Pasta & Italian Market” Application for Special Exception** for 2,500 s.f. restaurant, 1,000 s.f. retail market and 1,000 s.f. of storage space as presented **MADE:** R. Friedmann **SECONDED:** M. Delmonico **VOTING IN FAVOR:** R. Friedmann, G. Lewis, A. M. Thorsen, M. Delmonico, J. Henry **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

VI. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

- A B-4 district text amendment presentation regarding gas stations and drive-thru restaurants will be heard at the November 15, 2021 Zoning Commission meeting.
- The Zoning Officer received a request to update a property error in the zoning map (GIS). The base layer of the map is being updated currently. The ZC agreed that it would be corrected when it's appropriate.

- Commission applications expected to remain steady through the end of the year. Administrative zoning permits in 2021 have exceeded the total number in 2020 by 40 applications.
- Gerri Lewis has resigned as ZC representative for the Board of the Inland Wetlands & Watercourses Commission. John Henry has been chosen as her replacement.

VIII. ADJOURNMENT

MOTION to adjourn the meeting of October 18, 2021 at 8:50 p.m. to the next regularly scheduled Zoning Commission meeting on Monday, November 1, 2021 at 7:00 p.m. **MADE:** G. Lewis **SECONDED:** J. Henry **VOTING IN FAVOR:** R. Friedmann, G. Lewis, A. M. Thorsen, M. Delmonico, J. Henry **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Respectfully submitted,

Joanne Galli
Recording Clerk

NEXT REGULARLY SCHEDULED
HYBRID MEETING
Monday, November 1, 2021 at 7:00 P.M.
Town Hall, 2nd 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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