



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

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

Alternate Members

Justin Terribile
John Henry
Sandra Dizenzo

REGULAR MEETING MINUTES
HYBRID MEETING

Wednesday, September 7, 2022 – 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 7:00 p.m.

II. ROLL CALL

Attendant Members: R. Friedmann, M. Caldarella, G. Lewis, A.M. Thorsen, M. Delmonico, J. Terribile, J. Henry, S. Dizenzo

Attendant Staff: C. Costa, ZEO/Town Planner
M. Willis, Zoning Commission Attorney, Halloran & Sage
J. Galli, Recording Clerk

Twenty-two members of the public were in attendance with sixteen more via Zoom.

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the meeting minutes of August 15, 2022 as presented **MADE:** G. Lewis **SECONDED:** M. Delmonico **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. CONTINUED PUBLIC HEARINGS

“Fine Fettle Dispensary” Application for Special Exception Use for a 4,000 s.f. adult use marijuana dispensary, 233 Boston Post Road, Assessor’s Map 44/Lot 11, Gateway Business B-4 District.

Applicant: FFDN ELV, LLC (“Fine Fettle”)

Agent: Attorney Amy Souchuns

Attorney A. Souchuns presented. This facility was approved in 2018 as a medical dispensary. The applicant now plans to use it for recreational-only sales. In rebuttal of submitted letters, Attorney Souchuns explained that there will be eight registers in use with an average of 45 patrons per hour, no one under 21 will be admitted, there will be no display of product and

there is a limit on purchase of recreational marijuana per day. Fine Fettle has a statutory obligation of \$50,000 given to the town for traffic management. Fine Fettle is also willing to install sidewalks if DOT approved. LAZ parking, if needed, will be contracted to direct traffic in the parking lot only.

Zoning Chairman R. Friedmann was concerned about availability of parking spaces for employees and patrons. B. Zachs, CEO, added that the majority of the staff will be in before opening to prepare orders and that there is a stipend given for employees to bike, carpool or Uber. He also added that they don't allow loitering and there will be greeters outside overseeing the parking lot. Sullivan, SLR Consulting and G. Del Rio, Hardesty & Hanover, presented their traffic review. Sullivan seems to feel that with 10-minute appointments and eight stations open there would be a steady flow of traffic with the maximum of 16 patrons onsite at any time.

Residents who spoke in opposition were M. Sweeney, W. Stone Sr., T. Briggs, E. Armstrong, L. Gabelmann, J. Mitchell and K. Davis. Collectively there were concerned with traffic congestion, safety of Springbrook/Boston Post Rd intersection, rise in crime and the liability of town for issues resulting from approval. Chairman Friedmann addressed the public, explaining that the approval in 2018 was based on the law at that time and the law subsequently evolved to where we are today. He also explained that traffic and congestion cannot be the only cause for possible denial of this special exception use. C. Way and M. Hand spoke in support. C. Cestaro, B. Ghinder and W. Stoner, Jr were specifically concerned about the site chosen. C. Costa, ZEO, reported that 24 resident letters were received against and 8 in support. Three non-resident letters were received in support of also.

The applicant consented to an extension of time to hold the public hearing open and will send a letter stating so. The public hearing will be continued to the October 3, 2022 regular meeting to further discuss traffic review.

MOTION to continue the Public Hearing of “**Fine Fettle Dispensary**” **Application for Special Exception Use** for a 4,000 s.f. adult use marijuana dispensary, 233 Boston Post Road to the October 3, 2022 regular meeting at 7 p.m. in the 1st Floor Conference Room **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.

V. PUBLIC HEARINGS

- A. Petition to Amend the Old Saybrook Zoning Regulations Section 64 and 11 Sign Regulations.** **64.5.3** and **11** reduce the max. sign size allowed to 50 s.f. in all districts making 51 s.f. a prohibited billboard sign. **64.3.3** Clarify sign area calculations and reduced maximum wall height for sign calculation measurements to 10' all districts. **64.** Reduce maximum post height and sign height to 8' all districts. **64.3.6, 64.4.5a3, 64.5.2a3, 64.5.2c3, 64.5.3a3, 64.5.5a3, 64.5.3** Require landscaping, plantings and border around all freestanding signs. **64.3.10** Illumination of signs to be dark sky compliant and meet lighting regulations in Section 53 & 68. Set standards for internally illuminated signs to have push through stencil cut letter, or front lit channel letters. New **64.3.11** requiring minimum construction and specifications for signs. Clarify language all districts for wall signs that signs must be the lesser area or maximum size. **64.4.7** Window signs reduce to 20% or 25 s.f. total for no illumination, 10% or 10 s.f. max when combination of illuminated and non-illuminated signs and reduce internally illuminated window signs to 10% or 6 s.f. max. **New Section 64.4.9** Shopping Center Signs requiring uniform sign plan as part of Special Exception Permit.

Freestanding internally illuminated signs (B-1, B-2, B-3, B-4) All freestanding signs with multiple tenants limited to three colors as part of Special Exception. **64.5.3a6** reduced internally illuminated signs B-1 to 6 s.f. max, **new 64.5.3a6** require consistent colors for freestanding multi-tenants' signs by Special Exception Permit. **64.5.3b1&2** reduce non-illuminated wall signs to 10% or 30 s.f. (1st sign) and 5% or 15 s.f. max (2nd sign). B-1 Reduce illuminated wall signs to 10% max or 25 s.f. max (1st sign) and 5% or 10 s.f. max (2nd sign), 64.5.4 IHZ reduce non-illuminated signs to 10% or 30 s.f. max. (1st sign) and 5% or 15 s.f. max (2nd sign) and prohibit internal illumination. **64.5.5 a1** Freestanding sign B-2 & B-4 (no internal illumination) reduce to 30 s.f. (1st sign) and 15 s.f. (2nd sign). Freestanding with internal illumination reduce to 15 s.f. max (1st sign) and 5 s.f. max (2nd sign). **new 64.5.5a6** require consistent colors for freestanding multi-tenants' signs by Special Exception Permit Wall sign, not internally illuminated to 10% or 50 s.f. max (1st sign) and 5% max or 25 s.f. (2nd sign). Wall sign internally illuminated to 5% or 25 s.f. max (1st sign) and 5% or 15 s.f. max (2nd sign). **64.5.6b B-3** Wall sign (not illuminated) increase to two per tenant.

Petitioner: Old Saybrook Architectural Review Board

C. Costa, ZEO/Town Planner, presented Architectural Review Board recommendations for Chairman E. Grochowski. In discussion the ZC noted that they liked limiting signs to three colors in multi-tenant developments, although Commission member J. Terribile was concerned that this could limit the identity of businesses, especially when there are logos involved. Terribile also noted that the proposed text could result in different sets of three colors for each type of sign such as wall, pylon and window.

The Commission discussed ARB's recommendation of limiting colors to complement the architecture of buildings. They considered that a 50% reduction in sign sizes is significant and could be too restrictive. E. Armstrong explained that the ARB is working toward beautification of our town and consistency of regulations to keep the charm of Old Saybrook.

MOTION to continue the Public Hearing of the **Petition to Amend the Old Saybrook Zoning Regulations Section 64 and 11 Sign Regulations** to the October 3, 2022 regular meeting at 7 p.m. in the 1st Floor Conference Room **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. Petition to Amend the Old Saybrook Zoning Regulations Section 53 Standards for Motor Vehicles for separation distance for fuel pumping stations.** 4 Options proposed. 1st Amendment (B-2 & B-4 Districts) 53.1B to allow one additional Motor Vehicle Fueling Station (MVFS) within 1000' of any pump or other MVFS on any other lot. 2nd Amendment (B-4 District only) 53.1 to allow 1 additional MVFS within 1000' of any pump or other MVFS on any other lot. 3rd Amendment (B-2, B-4 & I) 53.1B the 1000' radius restriction shall be reduced to within 500' when located in a shopping center. 4th Amendment (B-2 & B-4) 53.1 the 1000' radius restriction shall be reduced to within 500' of any pump or other MVFS on any other lot.

Petitioner: Big Y Food, Inc. & Max's Place, LLC Agent: Attorney David Royston

Attorney D. Royston presented. The petitioners obtained an Amendment to allow the retail sale of gasoline by Special Exception in the B-4 District in January 2022. Automotive Uses section of Section 53 reads: "B. No pump or other fuel-filling devices for the retail sale of gasoline or other motor vehicle fuel on any lot will be located within less than twenty-five feet (25') of any street line or property line or within a radius of one thousand feet (1,000') of

any pump or device on any other lot.” This poses a problem for the petitioners because Citgo is only 537 feet away. They have proposed four possible amendments for consideration (see above). Referrals were discussed. Due to the time, the hearing was continued to Oct.3, 2022.

MOTION to continue the Public Hearing of the **Petition to Amend the Old Saybrook Zoning Regulations Section 53 Standards for Motor Vehicles for separation distance for fuel pumping stations 64 and 11 Sign Regulations** to the October 3, 2022 regular meeting at 7 p.m. in the 1st Floor Conference Room **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.

VII. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

- **Smoke on the Water** - The applicant requested to continue to a special meeting on October 11, 2022 at 6 p.m. in the High School.
- **Saye Brooke Village** – They are proposing to construct a 448 s.f. pavilion with a concrete walkway and railing system. The ZC determined that this is a minor modification to the Special Exception and can be handled by the ZEO.
- **1057 Boston Post Road, Oyster Market** – They would like to enclose the overhang to expand usable square footage. The ZC requested they go to ARB and ZEO to review.
- **813 Boston Post Road** – They are looking to rent 5 individual offices/suites and core office to Kevin Shea from Gentleman's Barber Shop. Because this is a modification to the Special Exception they need to go before the ZC.

VII. ADJOURNMENT

MOTION to adjourn the meeting of September 7, 2022 at 10:31 p.m. to the regularly scheduled meeting of Monday, October 3, 2022 at 7 p.m. in the 1st Floor Conference Room (Due to lack of quorum the ZC meeting scheduled for September 19, 2022 has been cancelled.) **MADE:** G. Lewis **SECONDED:** R. Friedmann **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, October 3, 2022 at 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

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

[Zoning Commission web page](https://www.oldsaybrookct.org)

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