



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
Sandra Dizenzo

REGULAR MEETING MINUTES
HYBRID MEETING

Monday, September 3, 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, M. Delmonico,
J. Terribile, S. Dizenzo (seated for A. M. Thorsen)

Absent Members: A.M. Thorsen, J. Henry

Attendant Staff: M. Willis, Zoning Commission Attorney, Halloran & Sage; J. Galli, Recording Clerk

Fifteen members of the public were in attendance with twenty-three more via Zoom.

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the meeting minutes of September 7, 2022 as presented **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Delmonico, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

B. CORRESPONDENCE

Correspondence received was related to Agenda items.

IV. NEW BUSINESS

A. “Saybrook Point Marina, LLC” Minor Modification to Special Exception modified 5/2/22 to retain handicap bedroom 101 and not convert it to service area for the adjacent covered patio.

2 Bridge Street (Assessor’s Map 24, Lot 45), Saybrook Point SP-2 District, Gateway Zone, Coastal Area Management Zone

Applicant: Saybrook Point Marina, LLC

Agent: Attorney D. Royston

Attorney D. Royston presented. He had contacted ZEO for a minor modification to eliminate a single bedroom in the first-floor lobby area and convert it to a service area for

adjacent uses which was approved. They have since decided that due to the handicap features of the room they will not convert to adjacent space and need to modify their previously approved modification. Commission Chairman Friedmann also discussed the insufficient parking available to guests and employees. He notified Attorney Royston that any future applications should address that.

MOTION to approve the **“Saybrook Point Marina, LLC” Minor Modification to Special Exception modified 5/2/22** to retain handicap bedroom 101 and not convert it to service area for the adjacent covered patio as presented **MADE:** R. Friedmann
SECONDED: G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Delmonico, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None
APPROVED: 5-0-0.

B. “CGCT Old Saybrook, LLC” Preliminary Discussion

1654 Boston Post Road, Assessor’s Map 26, Lot 39, B-4 District, Pedestrian Node
6, 8, 10 & 18 Denmore Lane, Assessor’s Map 26, Lot 36, Assessor’s Map 18, Lots 7, 71 & 13
Property Owner: CGCT Old Saybrook, LLC. Agent: Attorney Edward M. Cassella

Attorney E. Cassella and D. Taglianetti from the Carpionato Group presented. This application is for only 1654 Boston Post Road. The Denmore Lane portion has been withdrawn. Since their prior meeting with the Zoning Commission, CGCT has since signed a lease with Whole Foods. Alfornos and Napa Auto Parts will be retained and configured elsewhere in the space. They will triple the landscaping that is existing, make improvements to the parking lot, septic system and stormwater drainage. Chairman Friedmann discussed the regulations as to breaks in the parking lot for landscaping, stormwater issues that need to be resolved and perimeter buffer landscaping. They also discussed the Route 1 buffer which may still be non-conforming with the new design.

V. CONTINUED PUBLIC HEARINGS

A. 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. Because current regulations, in place since 1973, prohibit more than one motor vehicle fueling station (MVFS) within 1000 feet of another, Royston provided four possible Amendment options at the September 7, 2022 ZC meeting (see amendments above) to allow Big Y and Max’s Place to add a MVFS on their property. Chairman Friedmann said that they can add a station outside of the 1000-foot regulation on their property but Royston rebutted that it wasn’t practical. Friedmann stated that the amount of fuel pumps in Old Saybrook has declined over the years and the need for more fossil-fuel stations is a “short-lived proposition.” He further stated that this regulation has served us well for 50 years and he doesn’t feel the need to change it now. With no public comment the hearing was closed.

MOTION to close the **Public Hearing** of **Petition to Amend the Old Saybrook Zoning Regulations Section 53 Standards for Motor Vehicles for separation distance for fuel pumping stations** as presented **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Delmonico, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

During deliberation Chairman Friedmann stated that all four amendment options will result in an increase in stations allowable.

MOTION to deny **all options** proposed in **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 as presented and modified this evening. **MADE:** R. Friedmann **SECONDED:** None. **MOTION was not seconded therefore there is NO motion before the Commission.**

MOTION to approve 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 in **Petition to Amend the Old Saybrook Zoning Regulations Section 53 Standards for Motor Vehicles for separation distance for fuel pumping stations** modified this evening for the Gateway Business B-4 District only. **MADE:** G. Lewis **SECONDED:** M. Delmonico. **VOTING IN FAVOR:** G. Lewis, M. Delmonico **OPPOSED:** R. Friedmann, M. Caldarella, S. Dizenzo **ABSTAINING:** None **MOTION DENIED** 2-3-0.

Attorney Royston requested that the Commission motion each amendment separately.

MOTION to approve 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. option amendment in **Petition to Amend the Old Saybrook Zoning Regulations Section 53 Standards for Motor Vehicles for separation distance for fuel pumping stations** as presented **MADE:** G. Lewis **SECONDED:** M. Delmonico **VOTING IN FAVOR:** G. Lewis, M. Delmonico **OPPOSED:** R. Friedmann, M. Caldarella, S. Dizenzo **ABSTAINING:** None **MOTION DENIED** 2-3-0.

MOTION to approve 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 in **Petition to Amend the Old Saybrook Zoning Regulations Section 53 Standards for Motor Vehicles for separation distance for fuel pumping stations** as presented **MADE:** G. Lewis **SECONDED:** M. Delmonico **VOTING IN FAVOR:** G. Lewis, M. Delmonico **OPPOSED:** R. Friedmann, M. Caldarella, S. Dizenzo **ABSTAINING:** None **MOTION DENIED** 2-3-0.

MOTION to approve 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 in **Petition to Amend the Old Saybrook Zoning Regulations Section 53 Standards for Motor Vehicles for separation distance for fuel pumping stations** as presented. **MADE:** G. Lewis **SECONDED:** M. Delmonico **VOTING IN FAVOR:** G. Lewis, M. Delmonico **OPPOSED:** R. Friedmann, M. Caldarella, S. Dizenzo **ABSTAINING:** None **MOTION DENIED** 2-3-0.

B. “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. A modified Statement of Use was presented to the Commission. Chairman Friedmann stated that this is an intensification of use from the medical dispensary approval (more clients, more employees). G. DelRio, transportation engineer for the project, stated that Fine Fettle has provided a Parking Management Plan to address the issues that were previously identified. Souchuns stated that part of the plan is to acquire supplemental parking spaces from Cloud 9 across the street. Based on the traffic report, to have pedestrians crossing Route 1 is not preferred according to Friedmann because pedestrian safety is always a concern. He noted that the property available to the applicant on the other side of the wetlands area can be developed to accommodate some employee parking on the same side of the street. This property can be reached via a sidewalk but a curb cut would require an encroachment permit by the DOT.

B. Zachs, CEO of Fine Fettle discussed parameters of business for an initial opening period. ZC Attorney M. Willis stated that parameters, if approved, would be permanent. G.M. McCarthy of Beach Babies daycare spoke in opposition. In addition to significant traffic and safety issues and lack of sufficient parking, he was concerned that the dispensary would devalue his business, contradict Mariner’s Way and deter other new businesses from coming into the area. First Selectman C. Fortuna added that this is a bad traffic location for this business or any business with this kind of volume. He felt that Fine Fettle was, “Trying to put a square peg into a round hole.” He would like to see Fine Fettle regroup and find a more suitable retail location. Chief Spera said that the application doesn’t work for this site for many reasons including traffic and parking. He calculated that eight appointments per hour in ten-minute increments would result in 528 cars per day. He strongly felt that this site and surrounding roads cannot properly accommodate 528 cars a day for this business or any other business. C. Cestaro, owner of Ocean Performance, was concerned about parking overflow that would disrupt his business. L. Gabelmann was also opposed to the dispensary. She felt that local businesses would be negatively impacted by it.

Attorney Souchuns summarized by saying that they have been forthcoming with their information to Land Use. She stated that they have no expectation of actually achieving the 528 clients per day projection. That as far as the proximity to the daycare this site was approved in 2018 for a dispensary. She also felt that there wouldn’t be any adverse impacts to surrounding properties. With no other public comment hearing was closed.

MOTION to close 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, Assessor’s Map 44/Lot 11, Gateway Business B-4 District as presented **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Delmonico, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Chairman Friedmann has asked ZC's Attorney Willis to submit two draft motions, one for an approval and one for a denial. The Commission has 65 days to deliberate.

- C. **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

The Architectural Review Board has requested a continuance to October 17, 2022.

MOTION to continue the **Public Hearing of Petition to Amend the Old Saybrook Zoning Regulations Section 64 and 11 Sign Regulations** to the next Zoning Commission meeting on October 17, 2022 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, M. Delmonico, J. Terribile (seated for S. Dizenzo) **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

VI. PUBLIC HEARINGS

- A. **Petition to Amend the Old Saybrook Zoning Regulations to incorporate recent Standards of the CT River Gateway Commission per (C.G.S. 25-102g) and other amendments.** Sect. 9 Definitions. Remove/Replace: Developed Area GCZ, Modify: CT River Gateway Conservation Zone (GCZ), New : Enlarge and/or Extend (GCZ), Riparian Buffer (GCZ), Total Floor Area (GCZ). Section 58.2 Rename Riparian Buffer Area to Required Riparian Vegetative Buffer and remove text listing what may be included as development. 58.1 Require lots split in the GCZ to remain under the GCZ regulations despite property line change. 58.2.4 Amend footpath clearing. New 58.8 Building/Structure

Coverage GCZ to allow increased coverage to 20% under specific circumstances. New 58.9
Light Pollution, Renumber Considerations for Decision to 58.20, Reserve 58.11-58.19
Petitioner: Old Saybrook Zoning Commission

Gateway requested that the ZC hold off on adopting the text change in order for them to
make changes to address the 15% coverage limit.

MOTION to continue the **Public Hearing** of **Petition to Amend the Old Saybrook Zoning Regulations to incorporate recent Standards of the CT River Gateway Commission per (C.G.S. 25-102g) and other amendments** to the next Zoning Commission meeting on October 17, 2022 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, M. Delmonico, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None
APPROVED: 5-0-0.

VII. WORKSHOP

- A. Discuss Section 53 - Drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage.

The ZC will consider a moratorium on drive-through establishments. The recently approved regulation allowing additional drive-throughs in the B4 district might produce unintended results in terms of density in the Pedestrian Nodes. A Public Hearing regarding a moratorium will be put on the agenda for a future meeting.

VIII. COMMITTEE, REPRESENTATIVE & STAFF REPORTS - None

IX. ADJOURNMENT

MOTION to adjourn the meeting of October 3, 2022 at 10:00 p.m. to the regularly scheduled meeting of Monday, October 17, 2022 at 7 p.m. in the 1st Floor Conference Room as presented **MADE:** G. Lewis **SECONDED:** R. Friedmann **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Delmonico, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Respectfully submitted,

Joanne Galli
ZC Recording Clerk

NEXT REGULARLY SCHEDULED
HYBRID MEETING
Monday, October 17, 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](#)

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