



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

Monday, October 17, 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

Absent Members: S. Dizenzo

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

Five members of the public were in attendance with ten more via Zoom.

III. REGULAR BUSINESS

A. MINUTES

Minutes amended to reflect correct date of October 3, 2022 for meeting.

MOTION to approve the meeting minutes of October 3, 2022 as amended **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. DELIBERATIONS

- A. “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 Soucbans

In summation, Chairman Friedmann stated that the Commission received input from referrals, the public, Police Chief Spera and First Selectman C. Fortuna. A traffic report was submitted by the applicant as well as one from a separate traffic consultant. Prior approval of the medical dispensary occurred in 2018 as medical-retail. The state changed the statute to add adult-use retail sales. Medical retail by default became adult-use retail. Fine Fettle has chosen one of the previously approved medical dispensary sites for the adult-use dispensary at 233 Boston Post Rd. Attorney M. Willis drafted a motion for approval and denial. With no questions or comments from the Commission, Chairman Friedmann read the motion for approval for an adult-use dispensary at 233 Boston Post Rd to be operated by Fine Fettle.

MOTION to approve **“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:** A.M. Thorsen **VOTING IN FAVOR:** R. Friedmann, A.M. Thorsen **OPPOSED:** M. Caldarella, G. Lewis, M. Delmonico **ABSTAINING:** None **DENIED:** 2-3-0.

The approval of the motion didn’t carry. Chairman Friedmann asked for reasons for denial. M. Delmonico read them into the record, “Although the Property has a previously approved medical cannabis dispensary use. The expansion of the medical cannabis use to an adult-use cannabis facility into the whole structure is more than the property can reasonably handle undergoing from a medical use of half the building to under Section 52 and Section 53 of the Old Saybrook Zoning Regulations. The expansion of the cannabis location is not appropriate as it increases in size from approximately 2,600 s.f. of medical to 4,000 square feet of retail. The Commission finds that inadequate designated employee parking exists since the number of employees working at the dispensary will be greater than the number shown on the Site Plan. The Application does not meet the Section 62 standards regarding the circulation of flow of traffic within the Property. The number of possible retail customers proposed in the Application is more than the existing parking lot and driveway can handle.”

V. CONTINUED 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

The Architectural Review Board has requested a continuance to November 21, 2022.

MOTION to continue the **Public Hearing of Petition to Amend the Old Saybrook Zoning Regulations Section 64 and 11 Sign Regulations** to the Zoning Commission meeting on November 21, 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, A.M. Thorsen, M. Delmonico **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

Attorney Willis stated that these amendments are a collaborative effort by Gateway and the Zoning Commission. Referrals were discussed. The Planning Commission was supportive but was concerned about lighting regulations and asked that the ZC review them in the near future. The discussion included adopting the text from Gateway to meet minimum standards, changing text for higher standards and adopting a regulation to allow certain properties in residential zones to not have to follow more restrictive Gateway requirements if the property is not visible to the river or its tributaries. Without further comment from the public the hearing was closed.

MOTION to close the **Public Hearing** and approve the **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** as modified this evening effective November 7, 2022 **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

- First round of “sign” letters went out to businesses. As of January 1, 2023 normal sign enforcement will go into effect.
- The lights are now operational at the high school with no ambient light concerns reported.
- The application for Smoke on the Water has been withdrawn.

VIII. ADJOURNMENT

MOTION to adjourn the meeting of October 17, 2022 at 8:07 p.m. to the regularly scheduled meeting of Monday, November 7, 2022 at 7 p.m. in the 2nd Floor Conference Room as presented **MADE:** G. Lewis **SECONDED:** M. Caldarella **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
ZC Recording Clerk

NEXT REGULARLY SCHEDULED
HYBRID MEETING
Monday, November 7, 2022 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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