



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

Wednesday January 18, 2023 – 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

Vice Chairman M. Caldarella called the meeting to order at 7:00 p.m.

II. ROLL CALL

Attendant Members: M. Caldarella, G. Lewis (via Zoom), A.M. Thorsen, S. Dizenzo

Absent members: R. Friedmann, M. Delmonico, J. Henry, J. Terribile

Attendant Staff: C. Costa, ZEO/Town Planner; J. Galli, Recording Clerk

Sixteen members of the public attended with twenty-seven more via Zoom.

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the meeting minutes of January 4, 2023 as presented **MADE:** A.M. Thorsen **SECONDED:** S. Dizenzo **VOTING IN FAVOR:** M. Caldarella, G. Lewis, A.M. Thorsen, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 4-0-0.

B. CORRESPONDENCE

Correspondence received was related to Agenda items.

IV. PUBLIC HEARINGS

- A. “Foster” Application for Special Exception Permit** for the construction of additions of 358.5 s.f. including expansion of the sunroom, kitchen, porch & entry and construction of a 3,023 s.f. two-story barn with an accessory dwelling unit. 110 Sheffield Street, Assessor’s Map 31, Lot 3, Residence A District, Coastal Area Management Zone, CT River Gateway Conservation Zone
Applicant: Nicholas & Inger Foster *Agent: Attorney Edward M. Cassella*

Attorney E. Cassella presented. Architect D. VonDassel explained the expansions to the home which are: rebuilding the screen porch into a sunroom and extending it two feet; adding a 40 s.f. covered-porch entry on west side of house and replacement of 2nd story dormer windows with two French doors that will access the top deck of the rebuilt porch. Applicant also plans a three-car garage barn with ADU above. The applicant has received approvals from Wetlands and Gateway and has received a variance from ZBA. The gross floor area of the project is 8.5%. The barn and house will both be FEMA compliant. Engineer F. Tremblay discussed the septic and stormwater systems, erosion control and the reduction of impervious surfaces. All trees and other vegetation will remain.

C. Costa read through referrals. Residents of 100 Sheffield Street, M. Fitzpatrick, R. Lacy and B. Thomas all spoke in opposition to the barn addition. Their concerns included loss of water view and runoff issues. Attorney Cassella and D. VonDassel explained that where they located the barn was the only option. M. Caldarella closed the Public Hearing.

MOTION to close the Public Hearing of “Foster” Application for Special Exception Permit for the construction of additions of 358.5 s.f., including expansion of the sunroom, kitchen, porch & entry and construction of a 3,023 s.f. two story barn with an accessory dwelling unit. 110 Sheffield Street Assessor’s Map 31, Lot 3, Residence A District, Coastal Area Management Zone, CT River Gateway Conservation Zone as presented **MADE:** M. Caldarella **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** M. Caldarella, G. Lewis, A.M. Thorsen, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 4-0-0.

MOTION to approve the “Foster” Application for Special Exception Permit for the construction of additions of 358.5 s.f., including expansion of the sunroom, kitchen, porch & entry and construction of a 3,023 s.f. two story barn with an accessory dwelling unit. 110 Sheffield Street Assessor’s Map 31, Lot 3, Residence A District, Coastal Area Management Zone, CT River Gateway Conservation Zone as presented because the project is consistent with all applicable coastal policies and makes all reasonable measures to mitigate adverse impacts. **MADE:** M. Caldarella **SECONDED:** S. Dizenzo **VOTING IN FAVOR:** M. Caldarella, G. Lewis, A.M. Thorsen, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 4-0-0.

B. “SPR Oasis, LLC” Application for Special Exception Use to construct a 20,487 s.f retail grocery store and two indoor fast-food restaurants with drive through windows. (2,200 s.f. & 2,200 s.f.)

52 Spencer Plain Road (Map 25/Lot 27), Gateway Business B-4 District

Applicant: SPR Oasis, LLC Owner: Ortho Saybrook LLC Agent: Attorney E. Cassella

Attorney Cassella presented a brief overview of the updated project which will contain a 2,200 s.f. restaurant with drive-through window and a 20,480 s.f. retail grocery store. The applicant has requested a continuance to the February 22, 2023 Zoning Commission meeting to have time to complete meetings with Inland Wetlands and ARB.

MOTION to continue the Public Hearing of “SPR Oasis, LLC” Application for Special Exception Use to construct a 20,487 s.f retail grocery store and two indoor fast-food restaurants with drive through windows. (2,200 s.f. & 2,200 s.f.) 52 Spencer Plain Road (Map 25/Lot 27), Gateway Business B-4 District to the February 22, 2023 Zoning Commission meeting, 1st Floor Conference Room as presented **MADE:** M. Caldarella **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** M. Caldarella, G. Lewis, A.M. Thorsen, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 4-0-0.

- C. **“Fine Fettle Cannabis” Application for Special Exception Use** 2,600 s.f. retail recreational marijuana dispensary, 1,400 s.f. vacant space & 1,000 s.f. storage above. 233 Boston Post Road, Assessor’s Map 44, Lot 11, Business B-4 District.

Applicant: Fine Fettle Cannabis Agent: Attorney Amy Souchuns

Attorney A. Souchuns presented. The new plan includes the reduction to 2,600 s.f. of dispensary space with the rest of the space remaining vacant. They will only be permitted to sell via pre-order with no more than 5 per ten-minute window or 30 per hour. Members of the public who spoke in opposition: J. Mitchell, C. Cestaro, JT Dunn, G.M. McCarthy, E. Armstrong, A. Issacson and P. Tougas. Collectively, they were concerned with traffic and congestion, impact/devaluation of neighborhood and businesses, parking on other properties, crime and that a cannabis dispensary isn’t in harmony with O.S. Zoning Law 52.6.5 of the Zoning Regulations regarding neighborhoods.

Attorney Souchuns rebutted that this is a legal use in OS and has been allowed in this location. The applicant is here to see if they meet the criteria for a business use only, and that they are not changing what was approved in 2018 (nature of building etc.). She also explained that the character of the neighborhood isn’t relevant to the approval of the application nor is the effect on property values. C. Costa read through the referrals. The multiple letters of opposition and support that Land Use received were read into the record. All letters and materials are posted on the website.

Attorney Souchuns asked for a continuance so absent Commission members can address any questions they may have.

MOTION to continue the Public Hearing of “Fine Fettle Cannabis” Application for Special Exception Use 2,600 s.f. retail recreational marijuana dispensary, 1,400 s.f. vacant space & 1,000 s.f. storage above. 233 Boston Post Road (Map 44/Lot 11), Business B-4 District to the February 6, 2023 regular Zoning Commission meeting, 1st Floor Conference Room as presented **MADE:** M. Caldarella **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** M. Caldarella, G. Lewis, A.M. Thorsen, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 4-0-0.

- V. **WORKSHOP** - Discuss drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments (Section 53).

Moratorium ends: April 28, 2023

The Commission has postponed this Workshop to the next Commission meeting on February 6, 2023.

V. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

- A potential business approached Land Use inquiring about whether an indoor baseball/softball training facility would qualify as physical fitness use in the Industrial District. The consensus with the Commission is Yes.
- Drive-through text needs to be reviewed by the Commission before the next ZC meeting.

VI. ADJOURNMENT

MOTION to adjourn the meeting of January 18, 2023 at 9:29 p.m. to the regularly scheduled meeting of Monday, February 6, 2023 at 7 p.m. in the 1st Floor Conference Room as presented **MADE:** M. Caldarella **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** M. Caldarella, G. Lewis, A.M. Thorsen, S. Dizenzo **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 4-0-0.

Respectfully submitted,

Joanne Galli
ZC Recording Clerk

NEXT REGULARLY SCHEDULED
HYBRID MEETING
Monday, February 6, 2023 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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