



TOWN OF OLD SAYBROOK
Zoning Commission

Mark R. Caldarella, Chairman
Geraldine M. Lewis, Secretary
Robert C. Friedmann
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
Brenda Dyson

REGULAR MEETING MINUTES
HYBRID MEETING

Monday October 16, 2023 – 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

Chairman M. Caldarella called the meeting to order at 7:01 P.M.

II. ROLL CALL

Attendant Members: M. Caldarella, G. Lewis, R. Friedmann (via Zoom), A.M. Thorsen, M. Delmonico, J. Terribile, J. Henry, B. Dyson

Attendant Staff: C. Costa, Zoning Enforcement Officer/Town Planner;
M. Willis, Halloran & Sage, ZC Attorney;
J. Galli, Recording Clerk

After executive Session, four members of the public attended with one more via Zoom.

III. REGULAR BUSINESS

A. MINUTES

MOTION to APPROVE the meeting minutes of October 2, 2023 as presented **MADE:** M. Caldarella **SECONDED:** G. Lewis **VOTING IN FAVOR:** M. Caldarella, G. Lewis, R. Friedmann, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

B. CORRESPONDENCE

Correspondence received was related to Agenda items.

IV. EXECUTIVE SESSION – Discuss possible legal enforcement action relating to results of 2023 affordable housing audit.

MOTION to ENTER the Executive Session at 7:03 P.M. as presented **MADE:** G. Lewis **SECONDED:** M. Caldarella **VOTING IN FAVOR:** M. Caldarella, G. Lewis, R. Friedmann, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

MOTION to EXIT the Executive Session at 7:58 P.M. as presented **MADE:** G. Lewis **SECONDED:** M. Caldarella **VOTING IN FAVOR:** M. Caldarella, G. Lewis, R. Friedmann, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

AFTER A BRIEF BREAK, CHAIRMAN M. CALDARELLA CALLED THE MEETING BACK TO ORDER AT 8:06 P.M.

V. PUBLIC HEARINGS

- A. “Drive-through” Petition to Amend the Old Saybrook Zoning Regulations to 12.3 Drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments (Section 53). Temporary Moratorium sought on Drive-through Establishments through June 1, 2024 Petitioner: Old Saybrook Zoning Commission

When opened to public comment, Attorney Royston presented along with the owner of Max’s Place, Ron Lyman. Lyman read into the record a letter he wrote to the Commission dated October 16th that was distributed to the members at the meeting by Attorney Royston. In the letter he outlined lease commitments for the undeveloped area and the newly acquired parcels adjacent to Max’s Place. He discussed all the upgrades that he had done in the past and is willing to do with the new buildings to comply with regulations. He explained that the new moratorium to June 1, 2024 would put undue hardship on these prospective tenants and asked that the Commission “end the moratorium sooner rather than later.”

Chairman Caldarella stated that the DEEP and the Planning Commission sent in positive referrals. He also stated that letters were received from Starbucks, Panera Bread, Chipotle and Chase Bank. He explained that the Commission needed appropriate time to go to public hearing. With no other public comment, the hearing was closed.

MOTION to CLOSE the Public Hearing of “Drive-through” Petition to Amend the Old Saybrook Zoning Regulations to 12.3 Drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments (Section 53). Temporary Moratorium sought on Drive-through Establishments through June 1, 2024 as presented **MADE:** M. Caldarella **SECONDED:** G. Lewis **VOTING IN FAVOR:** M. Caldarella, G. Lewis, R. Friedmann, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

MOTION to APPROVE “Drive-through” Petition to Amend the Old Saybrook Zoning Regulations to 12.3 Drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments (Section 53). Temporary Moratorium sought on Drive-through Establishments through June 1, 2024 as presented with an effective date of November 6, 2023 **MADE:** M. Caldarella **SECONDED:** G. Lewis **VOTING IN FAVOR:** M. Caldarella, G. Lewis, R. Friedmann, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

VI. OLD BUSINESS

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

C. Costa emailed the revised text from the October 2nd meeting to all Commission members for review and discussion this evening. The Commission concurred that they should eliminate the definition of **drive-through substation**. They also agreed to add an item **P. An existing business with a drive-through business proposing a change of use must be approved by the Commission and meet the current regulations or the drive-through will be abandoned (e.g., an existing financial institution with a drive-through converting to a pharmacy).**

The Commission was in agreement with all other revisions, so the next step is for Land Use to schedule a public hearing.

VII. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

C. Costa updated the Commission on upcoming events including the Mariner's Way Revitalization Initiative meeting on Wednesday, October 18th, continuing education for Commission members and gave an overview of the next Zoning Commission meeting Agenda.

VIII. ADJOURNMENT

MOTION to adjourn the meeting of October 16 2023 at 8:50 P.M. to the regularly scheduled meeting of Monday, November 6, 2023 at 7 P.M. in the 1st Floor Conference Room as presented **MADE:** G. Lewis **SECONDED** M. Delmonico **VOTING IN FAVOR:** M. Caldarella, G. Lewis, R. Friedmann, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Respectfully submitted,

Joanne Galli
Land Use Clerk

NEXT REGULARLY SCHEDULED
HYBRID MEETING
Monday, November 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](https://www.oldsaybrookct.org)

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