

Zoning Commission Minutes 06/05/2017



TOWN OF OLD SAYBROOK Zoning Commission

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Robert C. Friedmann, Chairman
Mark Caldarella, Vice Chairman
Geraldine M. Lewis, Secretary

Madeline B. Fish
J. Colin Heffernan

Alternate Members
Michael Cianfaglione
Joanne Gadon
Vacancy

GRAVEL PIT INSPECTIONS

Monday, June 5, 2017 – 6:00 P.M.

A. Piontkowski
Bokum Rd.

B. Hull
Middlesex

C. Dibble
Ingham Hill

REGULAR MEETING MINUTES

Monday, June 5, 2017 – 7:00 P.M.
Town Hall, 302 Main Street
1st Floor Conference Room

I. CALL TO ORDER

Chairman Robert Friedmann called the meeting to order at 7:00 p.m.

II. ROLL CALL

Attendant Members

Robert Friedmann
Mark Caldarella
Geraldine Lewis
Madeline Fish
Joanne Gadon seated for J Colin Heffernan
Michael Cianfaglione joined the meeting at 7:02 p.m.

Absent Members

J Colin Heffernan

Attendant Staff

Chris Costa, Zoning Enforcement Officer
Stella Beaudoin, Clerk

Audience: There were two audience members.

Seated for the meeting were R Friedmann, M Caldarella, G Lewis, M. Fish, J Gadon.

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the Regular Meeting Minutes of May 15, 2017 as presented; **MADE:** R Friedmann; **SECONDED:** G Lewis; **VOTING IN FAVOR:** R Friedmann, M Caldarella, G Lewis, M. Fish, J Gadon; **ABSTAINING:** None; **OPPOSED:** None; **APPROVED:** 5-0-0.

MOTION to approve the May 22, 2017 Invoice #11234168 in the amount of \$351.50 from Halloran & Sage, LLP; **MADE:** G Lewis; **SECONDED:** M Fish; **VOTING IN FAVOR:** R Friedmann, M Caldarella, G Lewis, M. Fish, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0

MOTION to approve the Invoice #85623 in the amount of \$679.88 from Halloran & Sage, LLP; **MADE:** G Lewis; **SECONDED:** R Friedmann; **VOTING IN FAVOR:** R Friedmann, M Caldarella, G Lewis, M. Fish, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

IV. CONTINUED PUBLIC HEARING

- A. **"La Marea Restaurant" Modification to Special Exception Use Permit**
Concrete patio with 40 outdoor seats and 144 s.f. cooler
732 Middlesex Tpke., Map 63/Lot 11, Shopping Center Business B-2 District
Applicant: Erikelari, LLC *Owner: Alfonso & Juliana R. Pisanzjo*
ACTION: Open public hearing; continue or close by 6/5/2017 (NLT 6/18/2017)

The applicant requested a continuance of the public hearing to the June 19, 2017 Zoning Commission meeting as they have not had an opportunity to complete site improvements as discussed.

It was noted that the number of outdoor seats in this proposal will reflect the change from 40 seats to 20 seats.

MOTION to continue and extend at the request of the applicant to the the June 19, 2017 meeting of the Zoning Commission for **"La Marea Restaurant" Modification to Special Exception Use Permit**, Concrete patio with 20 outdoor seats and 144 s.f. cooler, 732 Middlesex Tpke., Map 63/Lot 11, Shopping Center Business B-2 District; **MADE:** R. Friedmann; **SECONDED:** G. Lewis; **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, J. Gadon; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

V. NEW BUSINESS

- A. **"Hopkins" Certificate of Zoning Compliance/ Coastal Site Plan Review**
2nd story 1,535 s.f. addition/ garage and 277 s.f. pool.
103 Fenwood Drive, Residence A District, CAM Zone,
Applicant: David & Carol Hopkins, Agent: Joe Wren, P.E.

Seamus Moran, Senior Project Civil Engineer, Indigo Land Design presented on behalf of this proposal. The subject property is an existing two-story, 4-bedroom dwelling with existing deck, porch, brick walkways, landscape steps and stone walls situated to the rear of the house. There is a steep paved driveway along the northern property line to a drive-under, one-car garage. The property is served by public water and a septic system. S Moran stated that the property is situated in FEMA Flood Zones X and AE and he noted that all of the proposed work is outside of the flood zone. The applicant is proposing to remove the rear deck, porch, walkways and stone walls adjacent to the house, and to construct a two-story addition to the north of the dwelling; 811 s.f. of finished basement and 531 s.f. of additional first floor living space, and a first floor, two-car garage. There will be minor interior renovations and a reconstruct of the front porch. The number of bedrooms will be reduced from four to three. As a part of this proposal there will be a new code-compliant septic system, a new paved driveway, a new 500-gallon underground propane tank. The back porch, deck, stone walkways and landscape walls will be removed and the installation of a new rear deck off of the back of the existing house which steps down to the new at-grade patio and a 180 s.f. in-ground pool is also proposed. S Moran stated that none of the structures are within the 50' setback other than the septic system. The building coverage is increasing from 11.7% to 20.0% however there is more than 30 feet of overland

flow from roof leaders and favorable soil conditions for infiltration. S Moran stated that fill will be added to the front yard to bring the driveway up and the driveway will provide a turn-around in front of the house. S Moran stated that Public Works reviewed this proposal for site line and visibility and determined that adequate site line has been provided. S Moran stated that all of the trees identified on the plan will remain.

The ZEO stated that she would typically handle the Certificate of Zoning Compliance administratively, however this proposal is awaiting Health Department approval. As such, the Zoning Commission can approve the Coastal site plan review this evening.

MOTION to approve "Hopkins" Certificate of Zoning Compliance/Coastal Site Plan Review, 2nd story 1,535 s.f. addition/garage and 277 s.f. pool, 103 Fenwood Drive, Residence A District, CAM Zone; with corrections made to the notes section under the zoning data table. The application is approved as submitted as it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts; **MADE:** R. Friedmann; **SECONDED:** G. Lewis; **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, J. Gadon; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

- B. "Big Y" Modification to Special Exception Permit for new Sign
22 Spencer Plain Road, Map 26/Lot 6-12
Gateway Business B-4 District
Applicant: David Hemming, CT Sign Co. Owner: Max's Place, LLC

Big Y proposes to change the layout of their existing sign to add the word "pharmacy" to their logo. The applicant applied to the Architectural Review Board (ARB) seeking approval to add a third color to the existing sign, and the proposal was continued to their May 22, 2017 meeting. At that meeting the ARB approved the change in the wording, however the Board suggested that the existing red and white sign colors remain the same.

Jeffrey Doran, who presented on behalf of CT Sign Company stated that he will replace the existing 3' x 10' tenant panel with same size and color sign with a change only in the wording.

MOTION to approve "Big Y" Modification to Special Exception Permit for New Sign, 22 Spencer Plain Road, Map 26/Lot 6-12, Gateway Business B-4 District; **MADE:** R. Friedmann; **SECONDED:** G. Lewis; **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, J. Gadon; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

VI. PERMIT RENEWAL: Gravel Pits

- A. Piontkowski B. Hull C. Dibble

R. Friedmann stated that he, Mark Caldarella, G. Lewis and Christine Costa, ZEO visited the gravel pits at 6:00pm this evening. R. Friedmann reported on the following:

- A. Piontkowski gravel pit, Bokum Road had no movement for activity since last year.
B. Hull gravel pit/B & L 756 Middlesex Tpke. - total yardage removed for period covering May 2016 to April 2017 was 14,680 cubic yards and 12,370 cubic yards were stockpiled and removed.
C. Dibble gravel pit, Ingham Hill Road brought in 9,000 cubic yards and removed 1,000 cubic yards with re-grading, sloping, stockpiling and maintenance.

MOTION to approve renewal of the Piontkowski Gravel Pit, Bokum Road; **MADE:** R. Friedmann; **SECONDED:** G. Lewis; **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, J. Gadon; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION to approve renewal of the Hull Gravel Pit, Middlesex Tpke; **MADE:** R. Friedmann;
SECONDED: G. Lewis; **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, J.
Gadon; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION to approve renewal of the Dibble Gravel Pit, Ingham Hill Road; **MADE:** R. Friedmann;
SECONDED: G. Lewis; **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, J.
Gadon; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

VII. COMMITTEE, REPRESENTATIVE AND STAFF REPORTS

360 Boston Post Road, Enterprise – The ZEO reported that there are two applications still open and letters were issued requesting explanation as to why the work has not been completed. The owner indicated that they might want to modify the original proposal, however they decided to keep the proposal as per the original approval with a minor amendment to the landscaping to include a change from Dogwood trees to Chestnut trees. The number of street trees will remain as proposed with a relocation/shift of one tree that is situated on the front portion of the property so that their street sign has more visibility. The Commission determined that this is a minor modification and authorized the ZEO to handle administratively.

Structure and Coverage Discussion The ZEO reported that at the May 15, 2017 Zoning Commission meeting, Joe Wren, P.E., Indigo Land Design was seeking guidance on the interpretation of the definition of building and structure related to a proposal where stairs are inset in a slope. J. Wren sought clarification as to when the steps were counted as coverage and when they are not. Members agreed that if the stairs are used as a function of the structure, and if they are attached to the building, they are counted as part of the structure/building coverage. The ZEO drafted a letter on behalf of the Commission related to the Zoning Commission's interpretation which she emailed to the members for review. The Commissioners stated that they approve of the ZEO's draft letter.

Variances: The ZEO reported that at the May 15, 2017 Zoning Commission meeting, members expressed concerns about recent variances being granted by the Zoning Board of Appeals to allow for three story buildings, height variances, decks off two and one half-story buildings and doors. The ZEO drafted a letter on behalf of the Commission related to the Zoning Commission's interpretation and emailed to members for their review. The Commissioners stated that the letter read clearly and that they approve of the ZEO's draft letter.

VII. ADJOURNMENT

MOTION to adjourn the meeting at 7:50pm. to the next regularly scheduled Zoning Commission meeting on Monday, June 19, 2017 at 7:00 p.m. at Town Hall, 302 Main Street, 1st Floor Conference Room, Old Saybrook. **MADE:** R. Friedmann; **SECONDED:** G. Lewis; **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, M. Fish, J. Gadon; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

Respectfully Submitted

Stella Beaudoin
Recording Clerk