

# Zoning Commission Minutes 10/16/2017



## 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*  
*David Papandrea*

### REGULAR MEETING MINUTES

Monday, October 16, 2017 – 7:00 P.M.  
Town Hall, 302 Main Street  
1<sup>st</sup> 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  
Michael Cianfaglione, seated for J. Colin Heffernan

##### Absent Members

J. Colin Heffernan  
David Papandrea

##### Attendant Staff

Chris Costa, Zoning Enforcement Officer  
Stella Beaudoin, Clerk

Audience: There were four audience members.

Seated for the meeting were R. Friedmann, G. Lewis, M. Fish, M. Caldarella, M. Cianfaglione for J. Colin Heffernan.

#### III. REGULAR BUSINESS

##### A. MINUTES

**MOTION** to approve the Regular meeting Minutes of October 6, 2017 with the following amendments:  
1) Page 4, omit the Motion box and the verbiage "did anyone wish to speak in favor or in opposition";  
2) Page 3, 6<sup>th</sup> paragraph to read, "on south side of the Boston Post Road in pedestrian node is different from route 75 in Windsor"; 3) Page 3, bottom of page "this is a pedestrian node"; **MADE:** G. Lewis;  
**SECONDED:** M. Fish; **VOTING IN FAVOR:** R. Friedmann, M. Fish, M. Caldarella, G. Lewis,  
M. Cianfaglione; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

##### B. CORRESPONDENCE

**MOTION** to approve Invoice #86260 in the amount of \$230.61 from Halloran and Sage, LLP;  
**MADE:** G Lewis; **SECONDED:** R Friedmann; **VOTING IN FAVOR:** R Friedmann, M. Fish, M  
Caldarella, G Lewis, M Cianfaglione; **ABSTAINING:** None. **OPPOSED:** None.  
**APPROVED:** 5-0-0.

#### IV. REGULAR MEETING

##### A. "Bogan" Preliminary Discussion

Flood & Erosion Control Structure Modification  
32 Hartlands Drive (Map 1, Lot 12)  
*Residence A Zoning District, Coastal Area Management Zone*  
Owner: Steve and Diane Bogan Agent: Joe Wren, P.E.

J Wren presented on behalf of this application. This project which is situated at 32 Hartlands Drive is an application to replace the existing seawall with one that is proposed to be situated southern to the property line. There is a future plan to demolish the existing house and rebuild. The proposed relocation of the seawall will support a raised grade and will allow the house to be rotated and pushed back into the property, further from the road making it more conforming to zoning and the septic compliant with the setbacks and regulations. J Wren stated that the Cornfield Point Association is in favor of removing the existing seawall and placing it on this subject property as it is a liability where it is currently situated.

To the east where the seawall abuts the property line is Town of old Saybrook open space on which a stone and concrete wall sits on a slope. The existing seawall ties into that wall at elevation 7. The newly proposed seawall would run parallel to the property line and tie in closer to the corner making for a better blend with the ground elevation.

R Friedmann stated that this is a project for relocation, new location and removing from existing location, which counts as a structure and additional structures.

R Friedmann stated that during construction, the shoreline flood and erosion device at the end of the street must be coordinated with the Town.

J Wren stated that the DEEP will receive a referral related to this proposal.

##### B. Application for Municipal Coastal Site Plan Review

Construct a 4,563 s.f. single family residence with attached garage  
22 Dennison Lane (Map 18/Lot1)  
*Residence A District, Coastal Area Management Zone*  
Applicant/Owner: Tom & Mia Cassell Agent: Joe Wren, P.E..

J Wren who presented on behalf of this application stated that the house is situated at end of Denmore Lane. The house on this property burned down and the remnants of that house was removed, however the detached garage is in place as is a shed on the property. J Wren stated that the applicant wishes to rebuild a 2500 s.f. single family dwelling that was destroyed by fire within the same footprint. The wetlands to the west are inland wetlands and this proposal is in-process of receiving approval from the Inland Wetlands and Watercourse Commission. Wetlands to the south are tidal wetlands, however there is no work proposed in the 50 foot tidal setback. The house and the deck are within the 100 foot setback to the coastal resource. There is an existing paved driveway situated in the northeast corner which will be removed and a new paved driveway will be installed to line up with the detached garage. The existing shed which is situated in the northwest corner of the property is proposed to be removed to alleviate some of the nonconformities. The house will be pushed back further into the lot which will make it more conforming. There are no changes proposed to the septic and there will be no major excavation as the existing foundation remained intact. There will be a crawl space as the house is situated in the flood zone and as such there is not a good deal of excavation associated with the construction of the house. Silt fencing for erosion control is in place. There will be no stairs to the attic

and no there is no proposal to utilize the attic as living space. The proposed house will have a maximum height of 34'4" which will be lifted so as to conform to FEMA regulations. J Wren stated that this proposal received approval from the Health Department. The proposed decking will be open as will the proposed stairs on the front of the structure. The lot is over 12,500 s.f. in size.

The ZEO reported that the IWWC will deliberate on this application on Thursday, October 19, 2017. The Zoning Commission is reviewing CAM this evening.

**MOTION** to approve the **Application for Municipal Coastal Site Plan Review** to Construct a 4,563 s.f. single family residence with attached garage, 22 Dennison Lane (Map 18/Lot 1) *Residence A District, Coastal Area Management Zone*; the proposed project be approved as submitted as it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts. The application is approved with notation that the building gross floor area is 3,885 s.f.; **MADE:** R Friedmann; **SECONDED:** G Lewis; **VOTING IN FAVOR:** R Friedmann, M. Fish, M Caldarella, G Lewis, M Cianfaglione; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

#### C "The Tea Kettle" Preliminary Discussion

1800 s.f. space for kitchen for food preparation, office and catering  
1381 Boston Post Road (Map 26, Lot 12)  
*Gateway Business B-4 District, Pedestrian Node*  
Owner/Agent: David Ciastko

Seated for this proposal were R Friedmann, G Lewis, M Caldarella, M Cianfaglione and J Gadon. M Fish recused herself.

David Ciastko who presented on behalf of this application stated that this is a proposal to allow a commercial kitchen in the 1680 s.f. retail space formerly occupied by a chiropractor. The kitchen is proposed in the same building however it would not be adjacent to the restaurant or retail to-go business currently under construction. The commercial kitchen is proposed to be utilized for the catering business which runs out of the Tea Kettle business. The ZEO noted that a stand-alone kitchen is not a principal use and in order to have the kitchen, it must be attached or immediately adjacent to the retail or to the to-go business in the same building.

R Friedmann stated that a catering operation off of the commercial kitchen that could be construed as retail business, with a restaurant component qualify for special exception uses.

ZEO stated that this proposal is located in the pedestrian node which would be another factor for tripping a special exception. D Ciastko was advised that the submission of a revised survey which shows parking, etc. is required.

R Friedmann stated that the applicant proposes a change in the use which changes the parking calculations, other site improvements, etc. R Friedmann stated that this application merits a special exception and a new site plan will be necessary with submission.

#### V. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

**26 Boston Post Road.** Chuck Barnes – The ZEO reported that C Barnes is making progress and the clean-up is ongoing. The ZEO will visit the site in the next few weeks to check on the progress.

**380 & 400 Boston Post Road, New England Power Equipment/Ford** – The ZEO reported that Theodore Vecchiarino has started doing the on-site improvements as requested by the Commission. The Connex boxes were painted white to be camouflaged to blend with the existing fence, with no display on the top, as per the conditions of approval set by the Zoning Commission. T Vecchiarino requested that the Commission allow a delay in the landscaping and paving until the Spring 2018. R Friedmann suggested that

the ZEO request T Vecchiarino provide a planting schedule with dates by which the paving and the plantings will be completed, and the date that the light poles will be taken down.

**1333 Boston Post Road, Tequila's Restaurant** - The ZEO reported that the sidewalks situated in front of Tequilas Restaurant need to be installed and that despite her repeated requests the property owner has not complied. The Commission directed the ZEO to send a letter to the property owner stating a deadline by which the sidewalks need to be completed and request the owner attend the next Zoning meeting.

**141 Boston Post Road –Finders Keepers** A Commission member expressed concern about the amount of outdoor display area in the parking . The ZEO was directed to contact the property owner with a request for the owner to come before the Zoning Commission.

## VI. ADJOURNMENT

**MOTION** to adjourn the meeting at 8:15 pm. to the next regularly scheduled Zoning Commission meeting on Monday, November 6, 2017 at 7:00 p.m. at Town Hall, 302 Main Street, 1<sup>st</sup> Floor Conference Room, Old Saybrook. **MADE:** R. Friedman; **SECONDED** G. Lewis; **VOTING IN FAVOR:** R. Friedman, M. Caldarella, G. Lewis, M. Fish, M. Cianfaglione; **ABSTAINING:** None; **OPPOSED:** None. **APPROVED:** 5-0-0.

Respectfully Submitted

Stella Beaudoin  
Recording Clerk