



TOWN OF OLD SAYBROOK
Zoning Commission

302 Main Street • Old Saybrook, Connecticut 06475-1741
Telephone (860) 395-3131 • FAX (860) 395-1216
www.oldsaybrookct.org

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, November 20, 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

Absent Members

J. Colin Heffernan
David Papandrea
Michael Cianfaglione

Attendant Staff

Chris Costa, Zoning Enforcement Officer
Stella Beaudoin, Clerk

Audience: There were six audience members.

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

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the Regular meeting Minutes of October 16, 2017 with the following as presented; **MADE:** R Friedmann; **SECONDED:** G Lewis; **VOTING IN FAVOR:** R Friedmann, M. Fish, M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

B. CORRESPONDENCE

MOTION to approve Invoice #11245914 in the amount of \$166.50 from Halloran and Sage, LLP; **MADE:** G Lewis; **SECONDED:** R Friedmann; **VOTING IN FAVOR:** R Friedmann, M. Fish, M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION to approve Invoice #11247028 in the amount of \$481.00 from Halloran and Sage, LLP;
MADE: G Lewis; **SECONDED:** R Friedmann; **VOTING IN FAVOR:** R Friedmann, M. Fish,
M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION to approve Invoice #11247029 in the amount of \$472.50 from Halloran and Sage, LLP;
MADE: G Lewis; **SECONDED:** R Friedmann; **VOTING IN FAVOR:** R Friedmann, M. Fish,
M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

IV. DISCUSSION

A. “Finder’s Keeper’s” 141 Boston Post Road, Map 44/Lot 15, Outdoor Sales

R Friedmann stated that the outdoor sales at this business have usurped parking spaces.

Heidi Conrad, owner of Finder’s Keepers who presented stated that she cleaned up the site and pushed back the items so they are no longer on the black top.

R Friedmann stated that H. Conrad must remain on her own property and merchandise is to be kept out of the parking spaces. With regard to outdoor sales, R Friedmann stated that the items housed outdoors at this business qualify for outside storage and per the zoning regulations, items stored outdoors after business hours, must be screened from view of the road. R Friedmann stated that the items must be removed out of the parking spaces so the requirements can be met for parking, and H. Conrad must remove the items in the evening hours unless she wishes to screen said items.

Ms. Conrad stated that she will comply.

V. PUBLIC HEARINGS

A. “Frisbie” Application for Modification to Special Exception Permit/Coastal Site Plan Review

To construct a 5412.3 s.f. single family residence, attached garage, and a 450 s.f. in-ground pool with a 1,182.2 s.f. patio
17 Whisper Cove Road, Assessor’s Map 53/ Lot 40-1
Residence AA-2 District, CAM Zone, CT River Gateway Conservation Zone
Applicant: David C. and Earla K. Frisbie Agent: Michael Ott, P.E.
ACTION: Open public hearing; continue or close by 12/18/2017 (NLT 12/24/2017)

Attorney Ed Cassella and Michael Ott, P.E presented on behalf of this application. E Cassella stated that in 2014, variances and a special exception was granted related to this application. The site which is 57,000 s.f. had a house situated on it which the current owners tore down, and they are seeking modification to the original variances and special exception. A proposed 5,412.3 gross floor area structure includes the garage and with the coverage associated with the patio and pool, there is a total of 6,032 s.f., 9% coverage and 9.4% gross floor area. The proposed location of the house and the pool created a need for variance.

Total height of materials that constitutes the wall in the area of the swimming pool is seven feet. There is a nearly vertical drop and only two feet of the wall will be exposed. The height of the house structure is 34.8 feet which is measured from the existing grade prior to the fill going in. M Ott stated that the pool which is 450 s.f. is included in the total coverage. The patio is 1,182 s.f. and the garage is 900 s.f.

There are four trees that are not located on the plan that are situated in the northeast corner of the property which will remain. The four trees that are southwest of the pool, around the corner of the patio, will also remain.

G Lewis: **VOTING IN FAVOR:** R Friedmann, M. Fish, M Caldarella, G Lewis, J Gadon;
ABSTAINING: None. **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION to approve the “Mahoney Machine & Fabrication” Application for Special Exception Permit to construct a 368 s.f. machine and fabrication shop. Gateway B-4 District, CAM Zone, 341 Boston Post Road, Assessor’s Map 42/Lot 11; **MADE:** R Friedmann; **SECONDED:** G Lewis; **VOTING IN FAVOR:** R Friedmann, M. Fish, M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

- C. **PETITION TO AMEND THE OLD SAYBROOK MAP** to remove 102.4 acres from the Ferry Road Incentive Housing IH Zone including Mixed Use MU Subzone and to allow the area to revert to its original underlying Residence A, Marine Commercial MC, Industrial I and Business B-2 Districts. The original zone encompassed 108 Acres total (23.9 acres of developable land) overlaying portions of the Residence A, Marine Commercial MC, Shopping Center B-2 and Industrial I Zones as shown on the Zoning Map. Proposed zone is located in the Ferry Point area of Town and encompasses lands located both south of Ferry Road, north of Ferry Road, west of Ferry Road and the Connecticut River, east of I-95, south of Essex Road. 5.6 acres of property owned by the Town of Old Saybrook located at 45 Ferry Road, Assessor’s Map 45, Lot 3 designated on the map as “Ferry Crossing” (Phase 1) of the Ferry Point Housing Zone will be the remaining Incentive Housing IH Zone, Mixed Use MU Subzone to qualify for funding from the Housing for Economic Development Program.

PETITION TO AMEND THE OLD SAYBROOK ZONING REGULATIONS

- Section 54.1.3E to reduce the size of the Ferry Point Mixed-use subzone for the purposes of qualifying the zone as built out to qualify for funding from the Housing for Economic Development Program and to amend the Zoning Map consistent with that reduction.
- Section 35 Marine Commercial (MC) District to change the name to Marine Industrial (MI) District and change MC to MI throughout the Zoning Regulations. Remove Section 35.1.1 single family dwellings as a permitted use and replace to allow expansion of single family buildings/uses existing on the effective date of the regulation in the MI District. New Section 11.3 to add prohibition of residential uses in the MI District. Section 35.1.8 delete text as provided in Section 64 for consistency with other sections of regulations.
- Rename Article III Business & Industrial Districts throughout the regulations. Relocate Section 41 Industrial Districts to Article III with no changes and Reserve Article IV for future use.
- Section 53 E Drive-through Window for Financial Institutions & Pharmacies to correctly Section 63 Landscaping.
- New Sections 31.2.10 & 32.2.12 to reaffirm that building, uses or structures in located in the B-1 & B-2 and in the pedestrian node are Special Exception Uses.
ACTION: Open public hearing; continue or close by 12/18/2017 (NLT 12/24/2017)

The ZEO reviewed all the referrals for the record.

MOTION to close the Public Hearing on the Petition to Amend the Old Saybrook Zoning Regulations Section 54.1.3E to reduce the size of the Ferry Point Mixed-use subzone for the purposes of qualifying

the zone as built out to qualify for funding from the Housing for Economic Development Program and to amend the Zoning Map consistent with that reduction; Section 35 Marine Commercial (MC) District, to change the name to Marine Industrial (MI) District and change MC to MI throughout the Zoning Regulations. Remove Section 35.1.1 single family dwellings as permitted use and replace to allow expansion of single family buildings/uses existing on the effective date of the regulation in the MI District; New Section 11.3 to add prohibition of residential uses in the MI District; Section 35.1.8 delete text as provided in Section 64 for consistency with other sections of regulations; Rename Article III Business & Industrial Districts throughout the Zoning Regulations Relocate Section 41 Industrial Districts to Article III with no changes and Reserve Article IV for future use; Section 43E Drive-through Window for Financial Institutions & Pharmacies to correct Section 63 Landscaping; New Sections 31.2.10 & 32.2.12 to reaffirm that building, uses or structures is located in the B-1 & B-2 and in the pedestrian node are Special Exception Uses; **MADE:** R Friedmann: **SECONDED:** G Lewis: **VOTING IN FAVOR:** R Friedmann, M. Fish, M. Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **APPROVED:** 5-0-0

MOTION to amend the Old Saybrook Zoning Regulations and Map as described in the agenda and outlined in the draft before the Zoning Commission at this evening's meeting with an effective date of December 11, 2017; **MADE:** R Friedmann: **SECONDED:** G Lewis: **VOTING IN FAVOR:** R Friedmann, M. Fish, M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

VI. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

Main Street Connector Park/Municipal Parking- The ZEO reported that there is a request regarding the addition of a sign to identify the new parking lot as municipal parking. The Commission determined that the proposed amendment was minor and authorized the ZEO to handle administratively.

VI. ADJOURNMENT

MOTION to adjourn the meeting at 8:15 pm. to the next regularly scheduled Zoning Commission meeting on Monday, December 4, 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

M Ott stated that the elevation of the bottom of the pool is six feet. The base flood elevation is 15 feet and coastal waters would need to rise to 24 feet in order to flood the pool. M. Ott stated that there is a set of masonry steps to the east that will be removed.

E Cassella stated that the coastal vegetation will be protected with the installation of the silt fencing.

The ZEO reviewed all referrals for the record.

R Friedmann asked if anyone wished to speak in favor or in opposition to this application.

There was no public comment.

MOTION to close the Public Hearing for the “Frisbie” Application for Modification to Special Exception Permit/Coastal Site Plan Review to Construct a 5412.3 single family residence, attached garage, and a 450 s.f. in-ground pool with 1,182.2 s.f. patio, 17 Whisper Cove Road, Assessor’s Map 53 / Lot 40-1; Residence AA-2 District, CAM Zone, CT River Gateway Conservation Zone; **MADE:** R Friedmann; **SECONDED:** G Lewis; **VOTING IN FAVOR:** R Friedmann, M. Fish, M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION to approve the “Frisbie” Application for Modification to Special Exception Permit/Coastal Site Plan Review to construct a 5412.3 single family residence, attached garage, and a 450 s.f. in-ground pool with 1,182.2 s.f. patio, 17 Whisper Cove Road, Assessor’s Map 53 / Lot 40-1; Residence AA-2 District, CAM Zone, CT River Gateway Conservation Zone to include: 1) the five conditions of the Gateway Commission letter of November 12, 2017; 2) the plans are to be modified identifying the forty-five foot right-of-way as an easement; 3) On-site trees identified to be protected and retained must be retained. This 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. Fish, M Caldarella, G Lewis, J Gadon; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

- B. “Mahoney Machine & Fabrication” Application for Spec’l Except Permit
Application for a 368 s.f. machine & fabrication shop.
Gateway Business B-4 District, CAM Zone
341 Boston Post Road, Assessor’s Map 42/ Lot 11
Applicant: John Mahoney Owner: Ted Zito
ACTION: Open public hearing; continue or close by 12/18/2017 (NLT 12/24/2017)

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

John Mahoney who presented on behalf of this application stated that this is a part time hobby job which is geared toward the fabrication of specific parts for classic cars. There are no customers visiting the site other than to drop off or pick up a part. There is screening between the surrounding neighbors. There are no outdoor display areas material storage is inside the structure. This is a re-designation of an interior space. There is no signage.

The ZEO reviewed all referrals for the record.

R Friedmann asked if anyone wished to speak in favor or in opposition to this application.

There was no further comment.

MOTION to close the Public Hearing for the “Mahoney Machine & Fabrication” Application for Special Exception Permit to construct a 368 s.f. machine and fabrication shop. Gateway B-4 District, CAM Zone, 341 Boston Post Road, Assessor’s Map 42/Lot 11; **MADE:** R Friedmann; **SECONDED:**