



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 R. Caldarella, Vice Chairman
Geraldine M. Lewis, Secretary
Ann Marie Thorsen
Madeleine B. Fish

Alternate Members
Michael P. Cianfaglione
Joanne Gadon
Justin Terribile

REGULAR MEETING MINUTES

Monday, February 4, 2019 – 7:00 P.M.
Town Hall, 302 Main Street
1st Floor Conference Room

I. **CALL TO ORDER 7 P.M.**

II. **ROLL CALL**

Attendant Members

Robert Friedmann
Mark Caldarella
Madeleine Fish
Ann Marie Thorsen
Michael Cianfaglione

Absent Members

Geraldine Lewis
Justin Terribile
Joanne Gadon

Attendant Staff

Christina Costa, Zoning Enforcement Officer
Margaret Paccione, Recording Clerk

There were 6 people in the audience.

III. **REGULAR BUSINESS**

A. **MINUTES**

MOTION to approve the Regular Meeting Minutes of December 18, 2018 as presented; **MADE:** R. Friedmann: **SECONDED:** M. Caldarella: **VOTING IN FAVOR:** R. Friedmann, A. M. Thorsen, M. Caldarella, M. Fish **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

B. **CORRESPONDENCE**

MOTION to approve payment of Halloran and Sage Invoice #11282962, dated January 31, 2019 in the amount of \$1443.00. **MADE:** R. Friedmann **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, A. M. Thorsen, M. Fish **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to approve payment of Halloran and Sage Invoice #11282963, dated January 31, 2019 in the amount of \$74.00. **MADE:** R. Friedmann **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** R Friedmann, M. Fish, M. Caldarella, A. M. Thorsen **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to approve payment of Halloran and Sage Invoice #11280017, dated December 19, 2018 in the amount of \$129.50. **MADE:** R. Friedmann **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** R Friedmann, M. Fish, M. Caldarella, A. M. Thorsen **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to approve payment of Halloran and Sage Invoice #11283239, dated January 18, 2019 in the amount of \$37.00. **MADE:** R. Friedmann **SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** R Friedmann, M. Fish, M. Caldarella, A. M. Thorsen **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

Michael Cianfagione entered the meeting and was seated for Geraldine Lewis.

C. ELECTION OF OFFICERS

MOTION to nominate R. Friedmann as Chairman of the Zoning Commission; **MADE:** M. Caldarella **SECONDED:** A. M. Thorsen: **VOTING IN FAVOR:** R Friedmann, M. Fish, A. M. Thorsen, M Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to close nominations for Chairman of the Zoning Commission; **MADE:** R. Friedmann: **SECONDED:** A. M. Thorsen: **VOTING IN FAVOR:** R Friedmann, M. Fish, A. M. Thorsen, M Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to cast a unanimous ballot for R. Friedmann as Chairman of the Zoning Commission; **MADE:** R. Friedmann: **SECONDED:** M. Fish: **VOTING IN FAVOR:** R Friedmann, M. Fish, A. M. Thorsen, M Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to nominate M. Caldarella as Vice Chairman of the Zoning Commission.; **MADE:** R. Friedmann: **SECONDED:** M Fish: **VOTING IN FAVOR:** R Friedmann, M. Fish, A. M. Thorsen, M Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to close nominations for Vice Chairman of the Zoning Commission; **MADE:** R. Friedmann: **SECONDED:** M. Fish: **VOTING IN FAVOR:** R Friedmann, M. Fish, A. M. Thorsen, M Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to cast a unanimous ballot for M. Caldarella as Vice Chairman of the Zoning Commission; **MADE:** R. Friedmann: **SECONDED:** M. Fish **VOTING IN FAVOR:** R Friedmann, M. Fish, A. M. Thorsen, M Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to nominate A. M. Thorsen as Secretary of the Zoning Commission; **MADE:** M. Fish: **SECONDED:** M. Caldarella: **VOTING IN FAVOR:** R. Friedmann, M. Fish, A. M. Thorsen, M. Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to close nominations for Secretary of the Zoning Commission; **MADE:** R. Friedmann: **SECONDED:** M. Fish: **VOTING IN FAVOR:** R. Friedmann, M. Fish, A. M. Thorsen, M. Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

MOTION to cast a unanimous ballot for A. M. Thorsen as Secretary of the Zoning Commission; **MADE:** R. Friedmann: **SECONDED:** M. Caldarella: **VOTING IN FAVOR:** R. Friedmann, M. Fish, A. M. Thorsen, M. Caldarella; **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

IV. NEW BUSINESS

A. “Himalaya Restaurant” Preliminary Discussion

Modification to Special Exception Permit to add vestibule and storage area.

1450 Boston Post Road, Map 26/Lot 17, Gateway Business B-4 District, Pedestrian Node

Applicant/Owner: Malimaa Krupa, Assoc. Agent: Robert Doane, P.E.

Robert Doane presented for the applicant and shared that an application had been submitted to expand the adjoining property and to expand restaurant into retail area of restaurant. Applicant wants to add to building for storage, and felt it made better sense to add 125 sq. ft between buildings connecting them. The current plan doesn't change parking, sanitation, or grading, and meets all zoning coverage. The Commission discussed restaurant seating and parking with shift in plan. Applicant may possibly keep shed in place as they are well inside coverage area.

B. “Café Marche” Preliminary Discussion

Zoning Reg. amendment to allow commercial/restaurant use w/bed and breakfast uses.

2 Pennywise Lane, Map 30/Lot 3, Residence A District, Coastal Area Management Zone.

Applicant: Lini Holdings, LLC. Agent: Attorney Edward Cassella

Attorney Ed Cassella presented for the applicant and gave a brief description of the property and its current use as a Bed and Breakfast, and questioned the possibility of a Zoning Regulation Amendment that would allow only one building of the two to be owner occupied. He and the Commission discussed shared owners on two lots and the conflicts of the regulations if both were to be combined, as well as the pros and cons of a Bed and Breakfast, and how they are unusual as they are allowed in different districts.

Owner Eileen Angolini addressed the Commission and invited the group to see what work has been done to improve the site. She shared that it had achieved International Status on the Select Registry, and that if the zoning changes could be made now, it would be beneficial in the future.

Donna Di Bella was in the audience with a letter from Deborah and Joseph Desautel to the Commission in opposition to any zoning change made. The letter was noted in the record.

Cathy Ciardiello of 10 Pennywise Lane addressed the Commission and spoke in opposition to any planned expansion. She shared concerns about the smell of food from the restaurant venting so close to her home, which is three feet from building, and questioned what may happen if they are granted a liquor license.

R. Friedmann noted that it was not up to the Zoning Commission to accommodate expansions of non-conformity.

V. CONTINUED PUBLIC HEARINGS

- A. **“McDonald’s Restaurant” Application** for Modification to Special Exception for façade renovation, site improvements & signs.
1061 Boston Post Road, Map 28/Lot 15, Restricted Business B-3 District,
Pedestrian Node, Coastal Area Management Zone.
Applicant/Owner: McDonald’s Corporation 6/46 Agent: Jeff Bord, P.E.
ACTION: Continue or close by 2/20/2019 (NLT 2/25/2019)

Jeff Bord presented for the Applicant and shared the background of the application and the concerns of the ARB. He showed rendering approved by ARB at the January 28, 2019 meeting, which showed a more traditional New England look. Drive thru is no longer written on the clearance bar, new arborvitae will be planted to screen the drive thru and menu boards from the back of the neighboring house. Drop lens lighting will be changed to LED downlit shielded under new canopies. There will be no changes to parking and all signage is in order. Banner signs will not be permitted.

Ed Maynard, owner of Third Generation Market, addressed traffic concerns with regard to an increase in truck traffic along Ingham Hill Road, which leads to cross blocking of the driveway portal.

Mr. Bord shared that an arborist is now on the team and will be on site for demo and installation of sidewalk. Larry Bonin from Public Works plans to be on site as well. A pre-construction meeting will be held.

The Public Hearing was closed and the Commission elected to deliberate at the next regularly scheduled meeting on Wednesday, February 20, 2019.

MOTION to close public hearing for **“McDonald’s Restaurant” Application** for Modification to Special Exception for façade renovation, site improvements & signs and begin deliberation at the next regularly scheduled meeting on Wednesday, February 20, 2019. **MADE:** R. Friedmann **SECONDED:** M. Fish **VOTING IN FAVOR:** R. Friedmann, M. Fish, M. Caldarella, A.M. Thorsen, M. Cianfagione **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

VI. PUBLIC HEARINGS

- A. **“Mariani” Application** for Modification to Special Exception for 427 s.f. addition to gfa (2nd floor) and 280 s.f. deck additions.
2 Mulberry Street, Map 42/Lot 92-2, Residence A District, CT River Gateway Zone
Coastal Area Management Zone.

Ed Cassella presented for the Applicants, seeking small modifications to original proposal for a first-floor deck and second story deck and addition. He shared a copy of the proposed plan of the additions and expansions; decks will be open to the sky and addition meets height requirement. The property is bounded on three sides by wetlands. Health District and Gateway are in agreement plan is fine. No one was present to speak in favor or in opposition. The Public Hearing was closed and the Commission deliberated.

MOTION to close the Public Hearing for **Mariani** Application for Modification to Special Exception for 427 s.f. addition to gfa (2nd floor) and 280 s.f. deck additions
MADE: R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, A.M. Thorsen, M. Fish, M. Cianfagione **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION to approve **Mariani** Application for Modification to Special Exception for 427 s.f. addition to gfa (2nd floor) and 280 s.f. deck additions as submitted, consistent with all applicable coastal policies and to include all reasonable measures to mitigate adverse impact. **MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, A.M. Thorsen, M. Fish, M. Cianfagione **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

- B. **Petition to amend the Old Saybrook Zoning Regulations.** Sect. 9 Definitions: amend flashing sign, electronic message sign, scoreboard sign, fence and building structure coverage calculations of projections, riparian area, riparian buffer area. New definitions: changeable message sign and hazardous fence. Sect. 10.11 Amend Flood Compliance allow elevation to 500 year zone. Sect. 53, new Special Standard for hazardous fence. B-3 District 33.1.6 amend to allow for roadside stands. 33.3.6, remove roadside stand as prohibited. Sect. 58.2, 58.6 & 59.2.9 Gateway Conservation Zone (GCZ) Change all references high tide line to coastal jurisdiction line to establish start of riparian buffer area to Sect. 58.6 amend that pools are structures. Sect. 68.1.5C amend to remove façade renovation of historic and state buildings as-of-right and multi-colored façade illumination.
Petitioner: *Old Saybrook Zoning Commission*
ACTION: Open public hearing; continue or close by 2/20/2019 (NLT 2/26/2019)

The Chairman opened the Public Hearing and read aloud changes to be made. ZEO stated that all referrals have been returned and that she has not heard from adjacent municipalities. One member of the public, Edward Maynard, had questions regarding hazardous fence, barbed wire in particular, and ZEO spoke on the history of what initiated the change, the appropriateness of its use, and importance of the need to change the definition for housekeeping purposes.

MOTION to close the Public Hearing for **Petition to amend the Old Saybrook Zoning Regulations** **MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Fish, M. Caldarella, A.M. Thorsen, M. Cianfagione **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

MOTION adopt Zoning Regulation text changes for **Petition to amend the Old Saybrook Zoning Regulations** **MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Fish, M. Caldarella, A.M. Thorsen, M. Cianfagione **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

VII. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

Farmers Market, 210 Main Street. Annual permit to sell agricultural products.

Walmart, 665 Boston Post Road. Application for the outdoor garden center. No changes from last year.

Saybrook Point Inn, 2 Bridge Street. Request to allow a glazed enclosure of the gazebo. The Commission determined that if the gazebo has a roof and the only change is to add the glazed enclosure that the matter can be handled administratively with an Application for Certificate of Zoning Compliance since there is no change to building structure coverage.

The Children's Tree Montessori School, 96 Essex Road. Health District brought to ZEO's attention that there are two businesses presently at site: Music Together and Om Fly Circus School. ZEO will monitor.

CT Sports Foundation, N. Main Street. Applied to ZBA for variances to keep the patio that the ZC conditioned to be removed. Application pending. Mark Branse will send letter to ZBA on behalf of ZC.

VIII. ADJOURNMENT

MOTION to adjourn the regular meeting at 9:45 p.m. to the next regularly scheduled Zoning Commission meeting on Monday, February 20, 2019 at 7:00 p.m. at Town Hall, 302 Main Street, 1st Floor Conference Room, Old Saybrook. **MADE:** M. Caldarella **SECONDED:** R. Friedmann **VOTING IN FAVOR:** R. Friedmann, M. Fish, M. Caldarella, A.M. Thorsen, M. Cianfagione **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

Respectfully submitted,

Margaret Paccione
Recording Clerk



NEXT REGULAR MEETING
Wednesday February 20, 2019 at 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

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