



TOWN OF OLD SAYBROOK
Zoning Commission

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

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

Alternate Members
Michael P. Cianfaglione
Joanne Gadon
Justin Terribile

REGULAR MEETING MINUTES

Monday, August 5, 2019 – 7:00 P.M.
Town Hall, 302 Main Street
1st Floor Conference Room

I. **CALL TO ORDER 7:00 PM**

II. **ROLL CALL**

Attendant Members

Robert Friedmann
Mark Caldarella
Geraldine Lewis
Madeleine Fish
Ann Marie Thorsen

Absent Members

Michael Cianfaglione
Joanne Gadon
Justine Terribile

Attendant Staff

Christina Costa, Zoning Enforcement Officer, Margaret Paccione, Recording Clerk,
Carl Fortuna, First Selectman.

There were 14 people in the audience.

III. **REGULAR BUSINESS**

A. **MINUTES**

MOTION to accept the regular meeting minutes of June 17, 2019 as presented **MADE:** G. Lewis
SECONDED: M. Fish **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Caldarella, A. M.
Thorsen, M. Fish **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

MOTION to accept the regular meeting minutes of July 15, 2019 as presented **MADE:** G. Lewis
SECONDED: M. Fish **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Caldarella, A. M.
Thorsen, M. Fish **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

B. **CORRESPONDENCE**

MOTION to approve payment of Halloran and Sage Invoice # 11300025 in the amount of \$74.00
and Invoice #11300026 in the amount of \$74.00 **MADE:** G. Lewis **SECONDED:** M. Fish
VOTING IN FAVOR: R. Friedmann, M. Caldarella, A. M. Thorsen, G. Lewis, M. Fish
ABSTAINING: None. **OPPOSED:** None. **APPROVED:** 5-0-0.

IV. PUBLIC HEARINGS

- A. **“Bright & Early Daycare”** Application for Modification of Special Exception Use to allow interior expansion of existing Day Care into vacant 4, 011 s.f. (12,011 s.f.), 137 (aka 139) Mill Rock Rd. East, Assessor’s Map 39, Lot 16, Industrial District
Applicant: Bright & Early, LLC Owner/ Agent: OS Business Park, Kevin Geenty
ACTION: Open public hearing, continue or close by 9/4/2019 (NLT 9/8/2019)

Kevin Geenty presented for the applicant and Mill Rock Leasing. Applicant wishes to expand 4011 sq ft into space recently vacated by Godiva; no changes will be made to exterior of building. Application has been reviewed and approved by the Health Department, Fire Department, Fire Marshal, and Building Official. Mr. Geenty gave a brief summary of the past use by Godiva. Noted for the record were a Life Safety Plan Review, Fire Marshall Referral Memo, Building Official and Economic Development Letter of support, and approval from the Health Department. Parking was discussed, and there will be no designated spots other than handicapped. No one from the public spoke for or against.

MOTION to close the public hearing for “Bright & Early Daycare” Application for Modification of Special Exception Use to allow interior expansion of existing Day Care into vacant 4, 011 s.f. (12,011 s.f.), 137 (aka 139) Mill Rock Rd. East, Assessor’s Map 39, Lot 16, Industrial District. **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A.M. Thorsen, G. Lewis **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

The Commission deliberated and were satisfied with the plan.

MOTION to approve “Bright & Early Daycare” Application for Modification of Special Exception Use to allow interior expansion of existing Day Care into vacant 4, 011 s.f. (12,011 s.f.), 137 (aka 139) Mill Rock Rd. East, Assessor’s Map 39, Lot 16, Industrial District. **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A.M. Thorsen, G. Lewis **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

- B. **“Hanford Commons”** Application for Special Exception Use. (housing separate 8-30g site plan application)—12,361 s.f. total (0.79 ac.)
Bldg. A: 2,345 s.f. for Retail & Office (3,701 s.f. for 3 dwelling units above)—6,046 s.f.
Bldg. B: 3,091 s.f. for Restaurant (3,224 s.f. for 3 dwelling units above)—6,315 s.f.
76 Elm St., 96 & 98 Lynde St., (Map 36/Lots 97, 98 & 98-1)
Shopping Center Business B-2 District, Pedestrian Node
Applicant: Hanford Commons, LLC Agent: Marjorie Shansky, Esq.
ACTION: Open public hearing, continue or close by 9/4/2019 (NLT 9/8/2019)
- C. **“Hanford Commons Residences”** Application for Site Plan for Affordable Housing Development CGS 8-30g (businesses separate application)
Bldg. A: 3,701 s.f. for 3 dwelling units (2,345 s.f. Retail & Office below)—6,046 s.f.
Bldg. B: 3,224 s.f. for 3 dwelling units (3,091 s.f. Restaurant below)—6,315 s.f.
76 Elm St., 96 & 98 Lynde St., (Map 36/Lots 97, 98 & 98-1)
Bldg. C: 8,676 s.f. for 8 dwelling units—8,676 s.f. total (0.46 ac.)
99 Lynde St., (Map 36/Lot 87), *Residence A District*
Shopping Center Business B-2 District, Pedestrian Node
Applicant: Hanford Commons, LLC Agent: Marjorie Shansky, Esq.
ACTION: Open public hearing, close and act by 8/20/2019

The Chairman stated that both parts of this application would be considered in one presentation, heard at the same time to avoid repetition, but would be voted on individually, and he opened both public hearings.

Marjorie Shansky, Esq. presented first on behalf of the applicant. Present also were Mike Ott, Engineer, Michael Piccard, Principal, Abigail Adams, Landscape Architect, and Hans Hansen, Architect. Ms Shansky summarized the plan beginning with each address and the number of units market and those designated affordable under 8-30G. All finishes and materials will be identical in each unit, which she shared have been thoughtfully designed. Mr. Ott addressed the Commission and explained the engineering portion of the project. Members of the public in the audience were invited to the front of the room to have a better view of his display. He explained that 99 Lynde Street would be all residential, consisting of 8 units, 3 of which would be affordable. Parking area would have 15 spaces with 1 reserved. Septic would be located in the rear. Public utilities would be underground, and it is planned to extend natural gas lines to have the property served by gas. Site lighting will be in the front and in parking area based on revised photometric plan. Trash and recycling will be at the southern boundary. There will be an internal courtyard with a patio area for recreation. Storm water management has been met by sub-surface filtration system. Plantings and fencing, new sidewalks, and street lighting and trees are proposed. Parking lighting will be LED dark sky compliant, soft light comfort glass with photocell timer. Mr. Fortuna shared his experience with 1000 Street Lights and suggested that 3000 kelvins would be suitable for the site, not 4000 as proposed. Retail building at 76 Elm, 96 & 98 Lynde will be 75 seat restaurant and professional office space on first floor and residential units above. 22 units and 42 parking spaces in total are proposed. Design has been repeated on both sides of Lynde Street to set the street up to create more of a sense of place.

Members of the public asked questions throughout the meeting regarding boundaries and how they are depicted on the plan, the timer on parking lighting, site line and traffic along with privacy fencing or natural screening between planned structures and homes, elevation of properties and parking and the effect it will have on surrounding homes, the affordability component, whether government funds were being used in development, crosswalks and sidewalks. The Commission and ZEO, along with representatives of the applicant, addressed questions and concerns regarding these topics with members of the public including Mrs. Peterson, Jesse Moody, Melissa and Salvatore Rapacciuolo, Lorna Mitchell, Catherine Purcell, and Edward Gemo.

Hans Hansen and Abigail Adams gave presentations with regard to the design of the new construction and the variety of plantings to be placed throughout the property, and answered questions from the Commission and members of the public.

MOTION to continue the public hearing for “**Hanford Commons**” Application for Special Exception Use. (housing separate 8-30g site plan application)—12,361 s.f. total (0.79 ac.)
Bldg. A: 2,345 s.f. for Retail & Office (3,701 s.f. for 3 dwelling units above)—6,046 s.f.
Bldg. B: 3,091 s.f. for Restaurant (3,224 s.f. for 3 dwelling units above)—6,315 s.f. 76 Elm St., 96 & 98 Lynde St., (Map 36/Lots 97, 98 & 98-1) to the next regular meeting to be held on Monday, August 19, 2019 **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A.M. Thorsen, G. Lewis **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

V. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

- **Smithland Supply/Dunkin Donuts**, 923 Boston Post Road – ZEO reported multiple inspections and that the project has a temporary CO. Waiting on bike racks, fencing, street furniture and a number of minor items to close out permits.

- **OSZC v. OSZBA** – ZEO & Chairman Friedmann went to mediation at Superior Court regarding 15 North Main Street. The parties did not come to an agreement; staff preparing return of record and litigation will proceed.
- ZEO issued a number of enforcement letters. Signs (Johnson Brunetti, Master Tile and more). Residential structure violations sheds, additions, commercial businesses in homes without zoning/flood permits.
- **55 Woodland Drive** – After 8 years of no response, a litigation warning letter was sent by Halloran & Sage for unregistered motor vehicles. Property owner contacted ZEO last week.
- **12 Bellaire Drive** – Litigation warning letter sent for additions without permits. Property owner hired Attorney Cassella to represent for ZBA.
- **Between the Bridges North Yard, 142 Ferry Road.** Repeated complaints from neighbors. More now that boats from south yard were brought for storage in Residence A District beyond scope of limits where boats allowed. ZEO inspected property on multiple occasions. As of August 2nd, some boats/debris removed and dumpsters placed on property. They are waiting on an excavator to start crushing boats and debris to remove. 2nd boat auction scheduled for August pending DEEP permission. ZEO will continue to monitor clean up.
- ZEO did find the large wooden structure advertising flowers for sale on the corner of Ingham & Mill Rock. Will follow up with letter.
- ZEO updated on upcoming/expected applications: SPEX: Bright & Early Daycare expansion, Mill Rock Rd, SPEX: Ragged Rock Marina for pool, SPEX: 120 Sea Lane2 fill in excess of 100 cubic yards, SPEX: Ferry Point Marina, Ferry Road Excavation/Peninsula removal, Petitions for Text Amendment: ZC housekeeping, PRD amendments, Bulk Storage Propane.
- **Saybrook Ford, 1 Ford Drive:** Complaints of vehicles obstructing sight lines and in ROW.
- **Enterprise, 360 Boston Post Road East** – Property owner hired an engineer to review non-compliance issues with SPEX permit and to propose modifications. ZEO inspected property and adjacent property at 400 Boston Post Road East with engineer who will make application.
- **Tequila's/Rosetti, 1231 Boston Post Road** – Property owner agreed to install sidewalks as part of enforcement action. Property now on the market. Halloran & Sage called the Attorney for Mr. Rosetti and is not getting a response. ZC instructed ZEO to file in land records.
- **John Deere/Ford, 400 Boston Post Road East** – ZEO met with property owner regarding non-compliance with SPEX permit. Light poles removed. Property owner has not put in the driveway apron. State DOT wants a number of changes so owner wants to do next year. Perimeter landscaping in due to conflict with plan for 360 Boston Post and staggering of trees. ZC directed ZEO to invite John Deer in for a discussion in September.
- **James Pharmacy, 2 Pennywise Lane** – ZEO waiting on an opinion relating to non-conformities before clarifying the scope of permits.
- **49 Sherwood Terrace** – Presently office space in the B-1 District. Possible tenant for clinical day program for kids to transition back to school. ZEO concerned that this use may be leaning towards a for-profit school which is prohibited and requested guidance. ZC instructed ZEO to invite tenant in for guidance.
- **Oceanside, 810 Middlesex Tpke.** – Work proceeding per the stipulated agreement. Property owners realized that fenced dumpster area was not included on the plan. ZEO and Attorney Cassella found two areas outside of the IWWC 100' upland review area where dumpsters are appropriate and well screened. ZC directed ZEO to handle the change administratively.

VI. ADJOURNMENT

MOTION to adjourn the regular meeting at 10:15 p.m. to the next regularly scheduled Zoning Commission meeting on Monday, August 19, 2019 at 7:00 p.m. at Town Hall, 302 Main Street, 1st Floor Conference Room, Old Saybrook. **MADE:** G. Lewis **SECONDED:** M. Fish **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Caldarella, A.M. Thorsen, M. Fish **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0

Respectfully submitted,

Margaret Paccione, Recording Clerk