



TOWN OF OLD SAYBROOK  
**Zoning Commission**

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

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**Alternate Members**  
*Michael P. Cianfaglione*  
*Justin Terribile*  
*Vacancy*

**REGULAR MEETING MINUTES**

Monday, September 16, 2019 – 7:00 P.M.  
Town Hall, 302 Main Street  
1<sup>st</sup> Floor Conference Room

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

II. **ROLL CALL**

**Attendant Members**

Robert Friedmann  
Mark Caldarella  
Ann Marie Thorsen  
Madeleine Fish  
Justin Terribile seated for Geraldine Lewis

**Absent Members**

Michael Cianfaglione  
Geraldine Lewis

**Attendant Staff**

Margaret Paccione, Recording Clerk

III. **REGULAR BUSINESS**

A. **MINUTES**

**MOTION** to accept the minutes of September 4, 2019 as corrected, noting in Section V. Deliberations A. “Wertheim” “town attorney” be corrected to “Zoning Commission attorney”. **MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, A. M. Thorsen, M. Fish, J. Terribile **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

B. **CORRESPONDENCE** There was none.

M. Caldarella recused himself at 7:02 PM. J. Terribile stated he was prepared and qualified to deliberate.

IV. **OLD BUSINESS**

- A. **“Wertheim”** Application for Temp. Special Exception Use/Coastal Site Plan Review – Excavation, filling and grading of 500+/- cubic yds. of earth material (septic 200+/- cubic yards, 300 +/- cubic yards in yard including 15 +/- cubic yards in the VE Flood Zone) associated with the demolition and construction of a new 1,803 s.f. residence. 9,552 s.f. lot, 33 s.f. Inland Wetlands, 120 Sea Lane-2, AKA 118 Sea Lane, Map 13/Lot 79, Residence A District, Coastal Management Zone, FEMA AE11 & VE 14 flood zones.

*Applicant: Pamela Wertheim Agent: Joseph Wren, P.E.*

*PH Closed: 9/4/2019 ACTION: Deliberate & Act by 10/21/2019 (NLT 10/22/2019)*

R. Friedmann began by summarizing the discussion had at the last meeting. A site plan for SPEX is considered part of the application, and the Chairman noted that the name and address of the owner of the abutting land to the west was not provided on site plan, which rendered the application incomplete. Additionally, application must include Class A 2 survey, which was not included. Soil erosion and sediment plan did not meet standards and conditions. Had the applicant come for an informal discussion prior to submitting site plan, the Commission would have offered them guidance.

**MOTION** denied without prejudice for “**Wertheim**” Application for Temp. Special Exception Use/Coastal Site Plan Review 120 Sea Lane-2, AKA 118 Sea Lane, for the following reasons: application is deemed incomplete because it does not contain the names of owners on all sides abutting lot, and as such does not comply with Sections 51.6.4B2A1, 51.6.4B2A5, and 65. **MADE:** R. Friedmann **SECONDED:** J. Terrible **VOTING IN FAVOR:** R. Friedmann, M. Fish, A.M. Thorsen, J. Terrible **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 4-0-0.

M. Caldarella returned to and ZEO Chris Costa joined the meeting at 7:22 PM.

- B. “**Ashton/Warren**” Request for extension of time for Special Exception Permit #14-131 to construct a 2010 s.f. house and excavate/grade over 100 cubic yards of fill, 22 Ragged Rock Road, Map 53/Lot 30-3, CT River Gateway Conservation Zone, Residential AA-2 District, Coastal Management Zone. Permit expiration: October 6, 2019  
Applicant/Owner: Gary Ashton & Debbie Warner Agent: Bob Doane, P.E.  
*ACTION: Review May 10, 2019 request, determine if work commenced and consider extension.*

Applicant Gary Ashton addressed the Commission and gave a brief description of his property and shared that his contractor, who has since been fired, mistakenly cleared area that should not have been cleared. As his extension request came prior to the compliance issue, he requested a five-year extension and offered to put together a planting plan for after the blasting has been completed. The Commission agreed that the applicant should have a remediation plan put together to accommodate the mistake made by the contractor.

**MOTION** approved an extension of five years for “**Ashton/Warren**” Request for extension of time for Special Exception Permit #14-131 to construct a 2010 s.f. house and excavate/grade over 100 cubic yards of fill, 22 Ragged Rock Road, Map 53/Lot 30-3, CT River Gateway Conservation Zone, Residential AA-2 District, Coastal Management Zone. **MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A.M. Thorsen, J. Terrible **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

**MOTION** made that “**Ashton/Warren**” property owners, 22 Ragged Rock Road, Map 53/Lot 30-3, provide the Commission with remedial plan to correct violations and restore vegetative conditions to property by 11/18/19 in accordance with previously approved SPEX plan, showing corrections. **MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A.M. Thorsen, J. Terrible **ABSTAINING:** None. **OPPOSED:** None. **APPROVED:** 5-0-0.

## V. PUBLIC HEARINGS

- A. “**Ferry Point Marina**” Application for Special Exception Use/Coastal Site Plan Review for excavation and grading +/- 8,900 cubic yards, to remove land peninsula, reconstruct bulkhead, docks and fingers. 29 Essex Road, Assessor’s Map 59/Lot 83, Marine Industrial (MI) District, CT River Gateway Conservation Zone, Coastal Area Management Zone.  
Owner: SMH Ferry Point, LLC Agent: Joe Wren, P.E.  
*ACTION: Open public hearing, continue or close by 10/7/2019 (NLT 10/20/2019)*

Joe Wren presented for the applicant and distributed aerial photos of the site as he summarized the project. He proposed to remove the bulkhead and earth to shorten peninsula and put a hinged ramp in on to the floating docks. There will be no gain or loss of slips and parking is in order. No one in the public spoke in favor of or in opposition to.

**MOTION** to close the Public Hearing for **“Ferry Point Marina”** Application for Special Exception Use/Coastal Site Plan Review for excavation and grading +/- 8,900 cubic yards, to remove land peninsula, reconstruct bulkhead, docks and fingers. 29 Essex Road, Assessor’s Map 59/Lot 83  
**MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A.M. Thorsen, J. Terribile **ABSTAINING:** None. **OPPOSED:** None.  
**APPROVED:** 5-0-0.

**MOTION** to approve **“Ferry Point Marina”** Application for Special Exception Use/Coastal Site Plan Review for excavation and grading +/- 8,900 cubic yards, to remove land peninsula, reconstruct bulkhead, docks and fingers. 29 Essex Road, Assessor’s Map 59/Lot 83 with conditions as recommended by CT Land and Water Resources Division that conformance between Federal, State, and Local authorizations prior to any construction will be a matter of course, and that project be approved as submitted because it is consistent with all applicable coastal policies and includes reasonable measurements to mitigate adverse impact. **MADE:** R. Friedmann **SECONDED:** G. Lewis  
**MADE:** R. Friedmann **SECONDED:** J. Terribile **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, M. Fish, A.M. Thorsen, J. Terribile **ABSTAINING:** None. **OPPOSED:** None.  
**APPROVED:** 5-0-0.

**B. Petition to amend the Zoning Map from Marine Industrial (MI) to Residence A District**

91 Sheffield Street, Assessor’s Map 49, Lot 2, Marine Industrial (MI) District, CT River Gateway Conservation Zone, FEMA AE11, VE 15 & 500 yr. flood zones.

*Owner: David L. Bell & Seville H. Simonds Contract Purchaser: Greylock Property Group, LLC  
Agent: Attorney Edward M. Cassella*

*ACTION: Open public hearing, continue or close by 10/7/2019 (NLT 10/20/2019)*

R. Friedmann read a letter from Attorney Ed Cassella requesting to continue the opening of the public hearing to the next regularly scheduled meeting on Monday, October 7, 2019.

**MOTION** to modify agenda to postpone **Petition to amend the Zoning Map from Marine Industrial (MI) to Residence A District** 91 Sheffield Street, Assessor’s Map 49, Lot 2, to the next regular meeting on 10/7/19 **MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, A. M. Thorsen, M. Fish, J. Terribile **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

**C. Petition to amend the Old Saybrook Zoning Regulations Section 55 PRD**

55.6.4 & 55.2 to allow for a 25’ & 15’ setback within 500’ of the B-1 District and amend dens in all PRD, not only age restricted.

*Owner: David L. Bell & Seville H. Simonds Contract Purchaser: Greylock Property Group, LLC  
Agent: Attorney Edward M. Cassella.*

*ACTION: Open public hearing, continue or close by 10/7/2019 (NLT 10/20/2019)*

R. Friedmann read a letter from Attorney Ed Cassella requesting to continue the opening of the public hearing to the next regularly scheduled meeting on Monday, October 7, 2019.

**MOTION** to modify agenda to postpone **Petition to amend the Old Saybrook Zoning Regulations Section 55 PRD 55.6.4 & 55.2** to allow for a 25' & 15' setback within 500' of the B-1 District and amend dens in all PRD, not only age restricted to the next regular meeting on 10/7/19  
**MADE:** R. Friedmann **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, A. M. Thorsen, M. Fish, J. Terribile **ABSTAINING:** None **OPPOSED:** None  
**APPROVED:** 5-0-0.

## V. PRELIMINARY DISCUSSIONS

- A. Preliminary discussion: proposed text amendment to allow for sports field lighting for municipal fields.

Applicant: Town of Old Saybrook Agent: Carl Fortuna, First Selectman

Carl Fortuna greeted the Commission and introduced School Superintendent Jan Peruccio and Julie Pendleton. Eric Messner from OSFD was present, as was Mike Mahoney from Musco Sports Lighting. The group discussed various aspects of sports lighting on the high school field, including lights and noise over property lines, how use will be regulated, and enforcement. OSHS parents Richard Hanratty and Peter Rothman shared that support from homeowners adjacent to field was overwhelming. Mike Mahoney gave a demonstration along with a description of sports lighting. The Commission welcomed them to return for another preliminary discussion after considering what was discussed this evening.

- B. Proposed text amendment to allow an increase in propane storage for the purpose of having 2 – 30,000 propane storage tanks on a lot.

103 Mill Rock Road East, Assessor's Map 39, Lot 13, Industrial I District

Applicant: Daniels Propane Inc. Agent: Attorney Ed Cassella

Ed Cassella introduced David and John Daniels and shared that the Daniels hoped to relocate their operations to Old Saybrook for a shoreline division. He questioned the reason regulations changed limiting the tanks to 20K gallons and offered suggestions to the Commission for revision in hopes of allowing the Daniels to move their business to the town.

## VI. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

**787 Boston Post Road** Master Tile is looking to relocate to this site. ZEO will handle.

**Adoption Events** Rules do not permit it. ZEO instructed that if she is on duty at time of event, she can close it down.

**Saybrook Veterinarian Hospital 807 Middlesex Turnpike** will come in for preliminary discussion.

## VI. ADJOURNMENT

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

Respectfully submitted,

Margaret Paccione, Recording Clerk