



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*

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

**Alternate Members**  
*Justin Terribile*  
*Ram B. Odedra*  
*Marc W. Delmonico*

**REGULAR MEETING MINUTES**

Monday, November 4, 2019 – 7:00 P.M.  
Town Hall, 302 Main Street  
2nd Floor Conference Room

**I. CALL TO ORDER**

Chairman Friedmann called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

**Attendant Members**

Robert Friedmann  
Mark Caldarella  
Geraldine Lewis  
Madeleine Fish  
Ann Marie Thorsen  
Mark Delmonico  
Ram Odedra

**Absent Members**

Justin Terribile

**Attendant Staff**

Christina Costa, Zoning Enforcement Officer, Acting Clerk

**III. REGULAR BUSINESS**

**A. MINUTES**

**MOTION** to approve the meeting minutes of October 21, 2019 as presented **MADE:** G. Lewis  
**SECONDED:** A.M. Thorsen **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, A. M.  
Thorsen, M. Fish, **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

**B. CORRESPONDENCE**

The ZEO reported the only correspondence received was related to applications.

**IV. NEW BUSINESS**

- A. “Lycurgus, LLC.”** Preliminary Discussion: Contractor Warehousing & Storage Units  
97 Old Middlesex Turnpike, Map 41, Lot 9, Industrial I District  
Owner: Lycurgus, LLC. Agent: Robert Doane, P.E.

Robert Doane, P.E. and Jake Dibble were present. The property currently has two legally non-conforming single family residential dwellings. The proposal is to keep the residential uses and add contractor storage

and warehousing units to property. Mr. Doane requested to clarify the parking calculations for the warehousing and for the self-storage prior to making application. Mr. Doane asked if a fence will satisfy the perimeter buffer requirement along the railroad line.

The Commission reviewed the preliminary plans, discussed the non-conforming residential uses and agreed that the parking calculations and landscaping buffer were sufficient.

The Applicant will return to the Commission with a formal application.

- B. **“Ashton/Warren”** Special Exception Permit #14-131 Restoration Plan  
22 Ragged Rock Road, Map 53/Lot 30-3, CT River Gateway Conservation Zone,  
Residential AA-2 District, Coastal Management Zone.  
Applicant/Owner: Gary Ashton & Debbie Warner Agent: Bob Doane, P.E.

On September 16, 2019, Commission approved an extension of the SPEX permit to construct a new residence and discussed tree clearing violations on the property. The limits of clearing were clearly staked and the contractor cleared anyway. The contractor was fired. The Commission was provided a restoration plan to correct violations and restore trees and vegetation.

R. Doane submitted a revised plan and advised the Commission that the property owner requested some changes in the plantings from the restoration plans distributed in the packets. The owners prefer swapping out some weeping cherry trees and rhododendron.

The plantings will be installed after the foundation and house construction starts. Water is not available to water the plants at this time. The Commission questioned when the plantings will be installed. R. Doane responded that he will consult with the property owner on timelines for construction and landscaper and report to the ZEO.

**MOTION** to approve the planting restoration plan to remediate clearing violations of **“Ashton/Warren”** Special Exception Permit #14-131, 22 Ragged Rock Road with the condition that Mr. Doane consult with his clients and the landscaper to determine the exact 15 day time table and most appropriate time in which the plants will be established in 2020. Mr. Doane is to report back to the ZEO by November 18, 2019. **MADE:** R. Friedmann **SECONDED:** G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, A. M. Thorsen, M. Fish, **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

- C. **“Café Ashlawn”** Request for ZEO to sign application to the State of CT Department of Consumer Protection for a tavern license (patio permit, live bands, acoustic entertainment)  
455 Boston Post Road, Map 40, Lot 18, Shopping Center B-2 District  
Property Owner: National Passenger Railroad Business Owner: Carol Adams

The ZEO reported that an agenda was sent out and a revised statement of use has not been received from the business owner since the last meeting. The Commission expressed concerns about a possible expansion of use and directed the ZEO not to sign any liquor permit until the Commission determines if the proposal is consistent with approvals or if a Special Exception permit will be required.

- D. **“Mattress Plus”** Prohibited Signs  
665 Boston Post Road, Map 36, Lot 103, Shopping Center B-2 District  
Property Owner: Old Saybrook Associates, LLC. Business Owner: Mubashar Ahmad

Mr. Ahmad advised the Commission that he removed the unpermitted signs and that his landlord Mr. Rubin contacted him.

The Zoning Regulations prohibit vehicle signs that are parked in a manner to draw attention to a business. Mr. Ahmad currently has an operating 16' long box truck with banners affixed to it that was previously

parked close to Boston Post Road overhanging the front landscaping area. The ZEO advised Mr. Ahmad that the truck was a vehicle sign and a violation of the regulations. Mr. Ahmad is proposing to paint or wrap the truck with the business name for deliveries. Deliveries are loaded/unloaded from the front of the store and Mr. Ahmad wishes to park the truck in the front parking area so that it is visible from the front window for security. Mr. Ahmad wants to be in compliance with the regulations yet he does not wish to park the truck to the rear of the store where it is not visible and not used for deliveries. The Commission agreed that it is customary for delivery trucks to have the business name on them but recognized the parking of the vehicle could be considered a vehicle sign. The Commission continued the discussion on vehicle signs.

- E. **“Environmental Cont. Systems/Roam Tree, LLC.”** 2015 SPEX Permit #15-058  
360 Boston Post Road, Map 53, Lot 49, Business B-4 District  
Status: Improvements/landscaping missing or do not correspond with approved plans.  
Property Owner: Roam Tree Road, LLC. Agent: Joe Wren, P.E.
- F. **“CAMRAC/Enterprise Rental”** 2016 SPEX Permit #16-032  
360 Boston Post Road, Map 53, Lot 49, Business B-4 District  
Status: Improvements /landscaping missing or do not correspond with the approved plans.  
Property Owner: Roam Tree Road, LLC. Agent: Joe Wren, P.E.

Agenda items E & F were combined since they both relate to the same property.

Steve Bogan informed the Commission that changes to parking spaces, lighting, lot striping, and areas allocated to the use on site deviate from the approvals because they work better for operations. Joe Wren, P.E. was retained and met with the ZEO over the summer to discuss modifications. Mr. Bogan advised that the survey is now complete and that he will have his engineer submit an application to the ZEO by November 18, 2019.

- G. **“Ford/John Deere” Saybrook Realty Acquisitions”** 2017 SPEX Permit #17-133  
380/400 Boston Post Road, Map 42, Lot 15 & Map 53, Lot 50  
Status: Driveway apron not complete, perimeter landscaping not planted/does not correspond with approved plans.  
Property Owner: Saybrook Realty Acquisitions Business Owner: Ted Vecchiarino

Ted Vecchiarino discussed issues with obtaining permits from the CT DOT and a sight line analysis. The perimeter buffer trees proposed were to be staggered with the perimeter buffer trees at 360 Boston Post Road. The trees at 360 Boston Post Road are not in the correct location so staggering with the trees may not give enough spacing for healthy growth. Mr. Vecchiarino will work with Joe Wren, P.E. to determine the tree location plan and to submit remaining information to DOT to obtain a permit. The Commission gave Mr. Vecchiarino of November 18, 2019 to provide documentation to the ZEO that follow up information has been submitted to DOT to obtain an encroachment permit.

- H. **“Waterview Landscaping, LLC”.** 2017 SPEX Permit #17-031  
5 Jade Court, Assessor’s Map 42, Lot 9-2, Business B-4 District  
Status: Unfinished landscaping, different sign installed in wrong location, equipment stored beyond limits of storage area. \$5,000 bond held on 4/13/18 to complete improvements.  
Property Owner: 5 Jade Court, LLC. Business Owner: Ken Reid

Attorney Edward Cassella discussed the different sign and deviations from the approved landscaping plan. The property owner is having the property surveyed to determine the sign location and if it can be moved ten feet back to meet the regulations. Once the survey is completed, he may return with an application to modify the special exception permit or apply to the Zoning Board of Appeals. Attorney Cassella will report on how his client will proceed and provide a survey to the ZEO by December 12, 2019.

- I. **“Tequila’s Restaurant”** 2015 SPEX Permit #15-134  
1333 Boston Post Road, Assessor’s Map 27, Lot 24, Business B-4 District  
Status: Litigation warning, DOT encroachment permit issued 2019, sidewalks not installed.  
Property Owners: Ronald Rosetti & Manuel Pata Business Owner: Byron Cruz

Ron Rosetti discussed the sidewalks and how an encroachment permit was obtained by DOT in April. The Town filed a tree maintenance agreement with DOT to help facilitate the permit. The property is for sale and Mr. Rosetti asked his sidewalk contractor to hold off on installation of the sidewalks. Mr. Rosetti is concerned that a prospective purchaser may knock the building down and construction will ruin the sidewalk. The Commission advised that the Special Exception Permit runs with the land and that the sidewalks must be installed by December 31, 2019.

- J. **“Middlesex Hospital Offices/Erikelari, LLC./G.Dayharsh”** 2011 SPEX Per. #11-008  
154 Main Street, Assessor’s Map 37, Lot 127, Business B-1 District  
Status: Sidewalks installed improperly. Bond rec’d March 2019. Sidewalks not installed.  
Property Owner: CHK OS Associates, LLC.

Christina Costa, ZEO read an e-mail to the Commission from Mr. Dayharsh stating that the sidewalks will be completed by November 30, 2019.

## V. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

ZEO Costa reported on the following:

**Sect. 65 – Excavation & Grading** – The ZEO is working with the Town Engineer to rewrite this section.

**Skippers, 631 Boston Post Road** – Work commencing. The ZEO expecting a request to expand the storage shed.

**Court Lights** – The maximum light pole height is 14 feet. A question was raised that if a light pole met the building setbacks for the district if it could be higher. The Commission determined the maximum height is 14 feet.

**Accessory Apartment Renewals (2020-2025)** - To date, 34 of 54 apartments have been renewed, 2 dismantled, 16 owners have not responded and 2 do not appear to be occupied by owner, ZEO investigating for possible enforcement action.

The ZEO updated the Commission on upcoming applications.

## VII. ADJOURNMENT

**MOTION** to adjourn the regular meeting at 9:25 p.m. to the next regularly scheduled Zoning Commission meeting on Monday, November 18, 2019 at 7:00 p.m. at Town Hall, 302 Main Street, 1<sup>st</sup> Floor Conference Room, Old Saybrook. **MADE:** G. Lewis **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, A. M. Thorsen, M. Fish. **ABSTAINING:** None **OPPOSED:** None **APPROVED:** 5-0-0.

Respectfully Submitted,

Christina M. Costa, CFM, CZEO  
Zoning Enforcement Officer/Acting Clerk

