



TOWN OF OLD SAYBROOK
Zoning Commission

Robert C. Friedmann, Chairman
Mark R. Caldarella, Vice Chairman
Geraldine M. Lewis, Secretary
Ann Marie Thorsen
Marc W. Delmonico

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Alternate Members
Justin Terribile
John Henry
Sandra Dizenzo

REGULAR MEETING MINUTES
HYBRID MEETING

Monday, March 21, 2022 – 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

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

II. ROLL CALL

Attendant Members: R. Friedmann, M. Caldarella, G. Lewis, A.M. Thorsen, M. Delmonico,
J. Terribile, S. Dizenzo

Absent Members: J. Henry

Attendant Staff

C. Costa, Zoning Enforcement Officer/Town Planner
J. Galli, Recording Clerk

Five members of the public were in attendance with 24 more via Zoom.

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the meeting minutes of March 7, 2022 as presented **MADE:** R. Friedmann
SECONDED: G. Lewis **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, A.M.
Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

B. CORRESPONDENCE

MOTION to pay Halloran & Sage for invoice # 11379190 for general counsel in the amount of
\$2,072.00 as presented **MADE:** G. Lewis **SECONDED:** M. Caldarella **VOTING IN FAVOR:** R.
Friedmann, M. Caldarella, G. Lewis, A.M. Thorsen, M. Delmonico **OPPOSED:** None
ABSTAINING: None **APPROVED:** 5-0-0.

IV. NEW BUSINESS

52 Spencer Plain Road Preliminary Discussion

Review of proposed site development concept plan

52 Spencer Plain Road, Assessor's Map 25 Lot 27 Business B-4 District

Applicant: SPR Oasis, LLC

Agent: Atty. E. Cassella

Attorney E. Cassella presented along with J. Wren, engineer for the project. The concept plan is to construct three restaurants on the property that is north of Max's Place between the railroad and I95. They discussed parking requirements for different types of restaurants specifically fast food and drive-through. The entrance, which is directly opposite the I95 on/off ramp, concerned the Commission. They indicated a need for a traffic study.

B. "Smoke on the Water at Dock & Dine" Preliminary Discussion

268 seat outdoor restaurant with temporary restaurant trailers, 1,250 s.f. permanent pavilion. 145 College Street, Assessor's Map 24/Lot 42-1, SP-2 District, CT River Gateway Conservation Zone, Coastal Area Management Zone, FEMA VE 15 Special Flood Hazard Area Zone

Applicant: Smoke on the Water at Dock & Dine Agent: Atty. Edward Cassella

Attorney E. Cassella, landscape architect J. Cunningham and engineer J. Wren presented along with C. Taylor. They discussed the site plan including salt-tolerant plantings for buffer areas, garbage enclosure, walkways with lighting, and pervious ground material (handicap area will remain paved). They will add bike racks and benches along the water. The restaurant plans to be open 11:30 a.m. - 9:00 p.m., Monday - Sunday. C. Taylor said that they presented an "out of the box restaurant," and asked for support from the town.

Chairman Friedman reminded Mr. Cunningham that 20% of the property had to be landscaped with plantings. He added that only acoustic music would be allowed. Members of the Commission questioned what the plans were for private parties, reparations to the seawall and rails, and whether there is adequate employee parking specifically with shift change overlap. The Commission also explored whether the proposal, which includes 24 seats of the 268 under a pavilion constitutes an indoor restaurant. After a lengthy discussion that included delving into the regulations, they concluded that a structure with a roof is a building and that seating under would indicate an indoor restaurant. The proposal is for an outdoor restaurant. The applicant may need to return with a new proposal or revised plan.

V. OLD BUSINESS

A. Workshop: Discuss Problematic Regulations and Possible Fixes

ZEO C. Costa presented revisions that the Commission previously discussed. The Commission agreed they could go forward with the text and schedule a public hearing. Another workshop will be scheduled to discuss drive-through windows and other regulations that need to be discussed in more detail.

VII. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

- ZEO reported a spike in work without permits for both commercial and residential properties.
- 744 Boston Post Road (former Dunkin Donuts) - Signs placed for new coffee shop, fresh food and sandwiches. They plan to increase interior seats from 12 to 18, possibly expand patio and propose new signs. The ZC authorized Costa to handle administratively.
- 1596 Boston Post Road (former Samurai) – Space has been leased to new tenants who have gutted the interior (sheetrock, insulation, ceilings, etc.) prior to obtaining permits. Perimeter landscaping and trees have been significantly removed. Tenant seeking to open a new Mexican restaurant including patio and façade renovation. ZEO and Building Official have granted the tenants permission to put the walls and ceilings back in but no additional permits. ZC agreed with the ZEO

that this is a modification of the Special Exception and they need to apply for a Special Exception permit.

- ZEO completed drafting cannabis text, which has been reviewed by legal counsel. Public hearing to be scheduled for May 2nd.
- Land Use Department Education Meeting scheduled for April 11th at 7:00 p.m. Mark Branse to present to Commissions about permitting signs and architecture.
- Covid Outdoor Seating will be extended to 2024. ZEO will send a letter similar to last year that all regular outdoor seating approved in 2021 will be approved as previously submitted unless changes are proposed requiring a new approval.
- Zoning Regulations and Map - Land Use staff working on editing regulations to make sure all defined terms are italicized and fixing typos. A review of the Zoning Map is in progress to try and identify parcels that were mistakenly put into GIS as in one zoning district when they should be in two districts. Land Use staff also working on compiling data to update sidewalk map and open space map layers that have not been updated in over a decade.
- Sophia Barker is working as an intern in the LUD and helping with research and sustainable CT projects.
- ZEO on a committee of local officials throughout the country providing FEMA to update the FEMA 480 reference manual for local officials.

VI. ADJOURNMENT

MOTION to adjourn the meeting of March 21, 2022 at 9:35 p.m. to the next regularly scheduled Zoning Commission meeting on Monday, April 4, 2022 at 7:00 p.m. **MADE:** G. Lewis
SECONDED: J. Terrible **VOTING IN FAVOR:** R. Friedmann, M. Caldarella, G. Lewis, A.M. Thorsen, M. Delmonico **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Respectfully submitted,

Joanne Galli

Recording Clerk

NEXT REGULARLY SCHEDULED
HYBRID MEETING

Monday, April 4, 2022 at 7:00 P.M.

Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

Check our website for dial in information and additional meeting documents.

[Zoning Commission web page](#)

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