



TOWN OF OLD SAYBROOK

Zoning Commission

Executive Board

Robert C. Friedmann, Chairman
Madeleine B. Fish, Vice Chairman
Geraldine M. Lewis, Secretary

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Members

Charles E. Sohl
John T. Talbott

Alternate Members

Thomas C. Farnham, Jr.
Elizabeth D. Steffen
Vacancy

REGULAR MEETING MINUTES

Monday, February 6, 2012 at 7:00 PM
1st floor conference room – Town Hall
302 Main Street

I. CALL TO ORDER

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

II. ROLL CALL

Attendant Members

Robert C. Friedmann, Chairman
Madeleine B. Fish, Vice Chairman
Geraldine M. Lewis, Secretary
John T. Talbott, Regular Member
Charles E. Sohl, Regular Member
Elizabeth D. Steffen, Alternate Member
Thomas C. Farnham, Jr., Alternate Member

Attendant Staff

Christina Costa, Zoning Enforcement Officer
Susan Graham, Administrative Clerk

III. REGULAR BUSINESS

A. MINUTES

MOTION to approve the minutes from the January 17, 2012 Regular Meeting; **MADE:** by J. Talbott; **SECONDED:** by G. Lewis; **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Fish, J. Talbott, C. Sohl. **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

B. CORRESPONDENCE

MOTION to pay Wolfram Design invoice #3209 for \$135.00 and Nathan L. Jacobson & Assoc. invoices #75096 (\$86.85), #75097 (\$223.10), #75098 (\$268.31), #75094 (\$369.30) and #75093 (\$445.25) for a total of \$1392.81; **MADE:** by G. Lewis; **SECONDED:** by J. Talbott; **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Fish, J. Talbott, C. Sohl. **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

West Marine, 1657-1687 Boston Post Road. ZEO Costa gave the Commission copies of a letter received from Atty. Edward Cassella, dated Feb. 6, 2012, regarding a request for a temporary Certificate of Zoning Compliance for the West Marine building, Atty. Cassella and Peter LaPointe, agent for Colvest / Old Saybrook, LLC were present at the meeting. The letter outlined outstanding site improvements needed to meet the terms of the Special Exception Permit and Certificate of Occupancy (C.O.) and plans to complete each item. West Marine would like to have a soft opening in the middle of March.

Chairman Friedmann acknowledged that the landscaping shown in the plan is to be installed in the spring when the ground is ready. The bond will be returned when the plan requirements are met.

Mr. LaPointe addressed the screening of mechanicals on the roof recommended by the Architectural Review Board. He offered to have the screening installed, but thought that the screens would draw more attention to the rooftop. After viewing photos of the building the Commission found that the mechanicals were not visible to the extent that they would require additional screening, based on the photos.

Mr. LaPointe next addressed the top course of asphalt that is needed. The asphalt plants are closed until April 15th and he anticipates having the parking lot poured by May 15th. He wants to have a soft opening for West Marine by putting temporary safety measures in place, using shims around raised obstacles and painting stripes on the current asphalt. In the meantime Atty. Cassella proposed possibly posting a bond in order that a temporary Certificate of Zoning Compliance is issued. Chairman Friedmann said in order to be fair to all applicants a temporary Certificate is not in the best interest of the Commission. ZEO Costa mentioned that she has never had a situation where a tenant was allowed to open for business with only a binder course of pavement. She voiced concern about possible tripping hazards and liability to the Town due to raised drainage structures and saw cuts in the pavement resulting from utility and sidewalk installation. Mr. LaPointe said that he has curbs in place and will use a cold-patch product to fill in holes in the pavement. He stated that he wants to get the parking lot and the building completed as soon as possible before moving on to the other two planned buildings. Atty. Cassella suggested an Indemnity / Hold Harmless agreement

be used to protect the Town. Mr. Sohl and Mr. Farnham were especially in favor of that idea. Ms. Fish would like to see the business open as soon as possible to keep employees in the labor force and would like guidance from Atty. Branse to draft an agreement.

MOTION to empower the ZEO to issue Colvest / Old Saybrook, LLC a Temporary Certificate of Zoning Compliance, with input from the Town’s attorney, so that West Marine can open for business prior to the final top course of pavement in the parking area; **MADE:** by R. Friedmann; **SECONDED:** by M. Fish; **VOTING IN FAVOR:** G. Lewis, M. Fish, C. Sohl; **OPPOSED:** R. Friedmann, J. Talbott; **ABSTAINING:** None; **APPROVED:** 3-2-0.

IV. PUBLIC HEARINGS

- A. “West Marine” Mod. of Spec’l Ex. & Coastal Site Plan for Retail Use (Sign) 25,000 s.f. retail building, 3,910 s.f. bank building, and 1,500 s.f. retail building 1657-1687 Boston Post Rd. (Map 25/Lots 21 & 22), Gateway Business B-4 District, Coastal Management Zone, Pedestrian Node Applicant: Colvest Old Saybrook, LLC Agent: Peter LaPointe, Developer

Peter LaPointe, Project Manager for the West Marine site, submitted drawings with the current and proposed signs for the face of the building on the Boston Post Road façade. The original design was 3’9” high x 34’ 11 ½” wide, with black letters on a white background. The next proposed sign was 5’ h x 46’ 5 ¾” w, with no white panel in the background, but was reduced to 4’6” x 40’ 10 ½” after a meeting with the Architectural Review Board. The total building façade is 200’w x 35’h, but the sign is to be mounted on a building canopy. Chairman Friedmann cited Sections 64.5.3.D and 68.2.4A of the Zoning Regulations to calculate the maximum size sign allowed. He calculated this to be 133.2 sq. ft. and the proposed sign exceeds that amount. He said that the white panel could be removed and it would not affect the approval. Mr. Lapointe provided examples of other signs in Town that appeared to exceed the formula for size, especially Staples. The Commission said that they did not like the scale of the Staples sign and a Resolution was made later so that this would not happen again.

The ZEO discussed the responses to the referral letters. There was no public input.

MOTION to close public hearing on the application for “West Marine” Mod. of Spec’l Ex. & Coastal Site Plan for Retail Use (Sign) 25,000 s.f. retail building, 3,910 s.f. bank building, and 1,500 s.f. retail building 1657-1687 Boston Post Rd. (Map 25/Lots 21 & 22), Gateway Business B-4 District, Coastal Management Zone, Pedestrian Node; **MADE:** by G. Lewis; **SECONDED:** by J. Talbott; **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Fish, J. Talbott, C. Sohl; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

MOTION to deny the application for “**West Marine**” Mod. of Spec’l Ex. & Coastal Site Plan for Retail Use (Sign) 25,000 s.f. retail building, 3,910 s.f. bank building, and 1,500 s.f. retail building 1657-1687 Boston Post Rd. (Map 25/Lots 21 & 22), Gateway Business B-4 District, Coastal Management Zone, Pedestrian Node, consistent with the interpretation of Sect. 54.5.3.D in regard to sign regulations and the wall on which the sign is attached; **MADE:** by G. Lewis; **SECONDED:** by J. Talbott; **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Fish, J. Talbott, C. Sohl.; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

“**Coastline Motor Sports**” Special Exc. for Automotive Use – 14,700 s.f. 360 Boston Post Road (Map 53/Lot 49) Gateway Business B-4 District Applicant: J.P Powersports, LLC Agent: Matthew White, P.E.

Jerry Lamarsh, owner of Coastline Motor Sports, was present at the meeting. ZEO Costa briefly described the property in question. It its one of two adjoining lots owned by the same landlord and has a number of pre-existing non-conformities. Mr. Lamarsh said his business sells new and used atv’s, motorcycles and jet skis under a Kawasaki franchise. He has submitted drawings showing plans to add trees along the perimeter and reduce some of the pavement by adding an island. The pavement will be repaired, coated and striped with parking spaces. The plans show the existing parking spaces, not the proposed layout.

Chairman Friedmann would like to see an updated plan showing 53 parking spaces, using current required dimensions, including 2 for handicapped parking. A report from Nathan L. Jacobson & Associates, dated 1/30/12, lists items that still do not meet current Zoning requirements. Chairman Friedmann pointed out that site improvements would make the property less non-conforming. The ZEO had not received any objections from the referral letters that were sent out.

The Commission felt that new sidewalks are not needed at this time due to low levels of pedestrian traffic, but could be required in the future. The landscaped area is supposed to be at least 25% of the parcel and, though the plan shows an increase from 18% to only 20%, the Commission acknowledged that this is a step in the right direction. The Commission is going to require that the proposed line of deciduous trees on the Stanley Motors property line be replaced by evergreens at least 3 1/2” thick.

Mr. Lamarsh does not plan to put a sign on the exterior of the building and has an internally illuminated piling sign in front of the building. He does not plan to have any raised display areas and will not be adding any lights. Mr. Sohl raised concerns about the manhole covers on the property and to where they might drain. Mr. Londegran, on behalf of the applicant, mentioned that extensive remediation had been done on the property and that the drains were closed and drywells removed.

MOTION to continue public hearing on the application for “**Coastline Motor Sports**” Special Exc. for Automotive Use, 14,700 s.f. 360 Boston Post Road (Map 53/Lot 49) Gateway Business B-4 to the next regularly scheduled meeting to be held on Tuesday, February 21, 2012 at the Old Saybrook Town Hall, second floor conference room, 302 Main Street at 7:00 p.m; **MADE:** by R. Friedmann; **SECONDED:** by G. Lewis; **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Fish, J. Talbott, C. Sohl.; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

V. **COMMITTEE, REPRESENTATIVE & STAFF REPORTS**

ZEO Costa reported on the following:

- S&S Marine, 128 Essex Road, submitted an application to rezone the property at 142 Ferry Road and for a text change in the Zoning Regulations.
- Doreen Day submitted a letter outlining plans to open a self-serve yogurt shop at 139 Main Street, the former site of Saybrook Yarn.
- North Cove Outfitters, 75 Main Street, has designated six special events, each lasting 2-3 days, and will be displaying a 2’ x 6’ sign each time.

VI. **ADJOURNMENT**

MOTION to adjourn the meeting at 8:54 p.m. to the next regularly scheduled meeting to be held on Tuesday, February 21, 2012 at the Old Saybrook Town Hall, second floor conference room, 302 Main Street at 7:00 p.m.: **MADE:** by G. Lewis; **SECONDED:** by R. Friedmann; **VOTING IN FAVOR:** R. Friedmann, G. Lewis, M. Fish, J. Talbott, C. Sohl.; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

Respectfully submitted,

Susan Graham
Administrative Clerk