



TOWN OF OLD SAYBROOK
Zoning Board of Appeals

*Charles Gadon, Chairman
Kevin Danby, Vice Chairman
Alfred Wilcox
C. Marston Ladd
Erin Colwell*

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Alternate Members
*Andrew Morosky
Jonathan Miles
Donald Hunt*

MINUTES
REGULAR HYBRID MEETING
Wednesday, March 13, 2024 at 6:00 p.m.

I. CALL TO ORDER

Chairman Wilcox called the meeting to order at 6:05 pm

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Attendant Members

Alfred Wilcox, C. Marston Ladd, Erin Colwell, Andrew Morosky, Jonathan Miles

Absent Members

Charles Gadon, Kevin Danby, Donald Hunt

Attendant Staff

Karen Dooley, Recording Clerk

Alfred Wilcox chaired for Charles Gadon

Jonathan Miles and Andrew Morosky were seated for Charles Gadon and Kevin Danby

IV. CONTINUED PUBLIC HEARINGS

23/24-12 Stanislaw Szewczyk requests a variance of Par 34.6.1 (front setback/50' required/25' proposed); Par 63.3.1.B (front landscape area/25' required/4' from Boston Post Road and 7' from Orchard Lane proposed); Par 63.4.1.C (perimeter buffer/10' required/5' proposed); and Par 68.1.2.B.2 (parking/pedestrian node/10' behind bldg. required/parking as proposed) of the Zoning Regulations to permit a garden center development with two seasonal greenhouses, shed/outdoor display area and parking on the property at 1560 Boston Post Road, Map 26/Lot 30, Gateway Business B-4 District, Coastal Area Management Zone.

Attorney Ed Cassella presented for the applicant. He stated they had modified the variances they were seeking for an appeal. The variances are as follows: (1) The front landscape buffer be only five feet instead of required 10 feet. (2) The regulations state the parking needs to be behind the structure and the applicant would like it to be in front.

Attorney Cassella stated there will be no access from Orchard Lane to the business. The only access will be off of Route One.

Attorney Cassella stated the legal basis for the variance is the reduction in non-conformity. They would be changing it from a residence to a business.

Attorney Cassella stated the applicant would be modifying their landscape plans to extend the entirety of Orchard Lane per the request of the Architectural Review Board.

A. Wilcox opened the meeting to public comment.

Ron Bolduc of Orchard Lane was concerned about the traffic backing up, preventing the ease of access in and out of Orchard Lane. He expressed concern for the large business sign blocking visibility while trying to exit and enter Orchard Lane. Russ Jensen of Orchard Lane stated concern for deliveries causing customers to park on Orchard Lane. He requested a no parking sign be put up on Orchard Lane.

A. Wilcox closed public comment.

A. Wilcox made a motion to deny the application. He requested the applicant to move the greenhouses to the back of the property.

MOTION to DENY, 23/24-12 Stanislaw Szewczyk requests a variance of Par 34.6.1 (front setback/50' required/25' proposed); Par 63.3.1.B (front landscape area/25' required/4' from Boston Post Road and 7' from Orchard Lane proposed); Par 63.4.1.C (perimeter buffer/10' required/5' proposed); and Par 68.1.2.B.2 (parking/pedestrian node/10' behind bldg. required/parking as proposed) of the Zoning Regulations to permit a garden center development with two seasonal greenhouses, shed/outdoor display area and parking on the property at 1560 Boston Post Road, Map 26/Lot 30, Gateway Business B-4 District, Coastal Area Management Zone. **MADE:** A. Wilcox; **SECONDED:** None; **MOTION FAILED.**

E. Colwell made the motion to approve the application with the conditions of specific delivery hours.

MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS : 23/24-12 Stanislaw Szewczyk requests a variance of Par 34.6.1 (front setback/50' required/25' proposed); Par 63.3.1.B (front landscape area/25' required/4' from Boston Post Road and 7' from Orchard Lane proposed); Par 63.4.1.C (perimeter buffer/10' required/5' proposed); and Par 68.1.2.B.2 (parking/pedestrian node/10' behind bldg. required/parking as proposed) of the Zoning Regulations to permit a garden center development with two seasonal greenhouses, shed/outdoor display area and parking on the property at 1560 Boston Post Road, Map 26/Lot 30, Gateway Business B-4 District, Coastal Area Management Zone with the following conditions. Business deliveries must be made before ten am on Monday through Saturday. No deliveries to be made on Sundays. **MADE:** E. Colwell; **SECONDED:** J. Miles; **VOTING IN FAVOR:** E. Colwell, C.M. Ladd, J. Miles, A. Morosky; **OPPOSED:** A. Wilcox; **ABSTAINING:** None; **APPROVED:** 4-1-0.

V. PUBLIC HEARINGS

23/24-17 Jeffrey Roy requests a variance of Par 10.8.2/10.8.3 (non-conforming lot/no changes allowed/changes propose): Par 24.5.1 (streetline setback/25' required/15.1 proposed); Par 24.5.3 (other yard setback/15' required/5' proposed to North and 11' proposed to South); and Par 24.6.2 (structure coverage/20% allowed/20.9% proposed) of the Zoning Regulations to permit a modification to a previously approved variance to reduce the size of the roof line at 105 Middletown Avenue, Map 13/Lot 117, Residence A District, Coastal Area Management Zone.

This meeting was continued to the April 10th Regular Meeting at 6:00 pm.

23/24-18 Jeffrey Roy, appeal of the Zoning Enforcement Officers decision of December 15, 2023 related to Application for Certificate of Zoning Compliance 25-193 for property located at 105 Middletown Avenue, Map 13/Lot 117, Residence A District.

This meeting was continued to the April 10th Regular Meeting at 6:00 pm.

23/24-19 Charles E. & Jacqueline Appleby request a variance of Par 10.8.3 (non-conforming lot/no changes allowed/changes proposed); Par 24.6.2 (structure coverage/20% allowed/21.9% proposed); Par 24.5.1 (streetline setback/25' required/12' proposed to porch and 16' proposed to house); and Par 24.5.3 (other yard setback/15' required/4.4' proposed to house and 7.8' proposed to AC) of the Zoning Regulations to permit the construction a 2,314 s.f. house with front porch and deck and 435 s.f. garage at 99 Middletown Avenue, Map 13/Lot 119, Residence A District.

This meeting was continued to the April 11th Special Meeting at 6:00 pm.

23/24-20C North Cove Associates, LLC request a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change); Par 23.4.2 (structure height/35' maximum/37.9' proposed); Par 23.5.1 (streetline setback/35' required/34.2' to entry/29.5' to west addition/34.5' to east addition proposed); Par 23.5.3 (other yard setback/15' required/6.9' to addition and 7.3' to utility platform proposed); and Par. 58.2 & Par 58.6 (Gateway riparian buffer & structure setback/100' required/93' to deck/86' to pool/78' to terrace and 99' to retaining wall proposed) of the Zoning Regulations to permit the construction of a 161 s.f. addition on west side, a 623 s.f. addition on north east side, a 562 s.f. deck and a new pool with pervious paver terrace at 201 North Cove Road, Map 32/Lot 11, Residence AA-2 District, Coastal Area Management Zone, CT River Gateway Conservation Zone, AE-10 and VE-15 Flood Zones.

This meeting was continued to the April 11th Special Meeting at 6:00 pm.

VI. **REGULAR MEETING**

- A. **New Business- None**
- B. **Minutes**

MOTION TO APPROVE MINUTES FROM FEBRUARY 14, 2024: MADE: A. Wilcox; **SECONDED:** J. Miles; **VOTING IN FAVOR:** A. Wilcox, E. Colwell, C.M. Ladd, J. Miles, A. Morosky; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0

- C. **Correspondence & Announcements- None**
- D. **Committee, Representative & Staff Reports- None**

VII. **ADJOURNMENT- 7:01 pm**

MOTION TO ADJOURN: MADE: C. M. Ladd; **SECONDED:** A. Morosky; **VOTING IN FAVOR:** A. Wilcox, E. Colwell, C.M. Ladd, J. Miles, A. Morosky; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0

Respectfully submitted,
Karen Dooley, Recording Clerk

NEXT REGULAR MEETING
April 10, 2024 at 6:00 P. M.

Town Hall, 1st Floor Conference Room, 302 Main Street, Old Saybrook, CT
Check our website one week in advance for dial in information at
Town of Old Saybrook Zoning Board of Appeals or
Subscribe to www.oldsaybrook.org for electronic delivery of land use agendas.