



TOWN OF OLD SAYBROOK
Zoning Commission

Mark R. Caldarella, *Chairman*
Geraldine M. Lewis, *Vice Chairman*
John Henry, *Secretary*
Robert C. Friedmann
Laura Gray

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Alternate Members
Justin Terribile
Brenda Dyson
Michael Kelly

**REGULAR MEETING MINUTES
HYBRID MEETING**

Monday, April 15, 2024 – 7:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

Chairman M. Caldarella called the meeting to order at 7:00 P.M.

II. ROLL CALL

Attendant Members: M. Caldarella, G. Lewis, J. Henry, R. Friedmann, L. Gray,
M. Kelly

Absent Members: J. Terribile, B. Dyson

Attendant Staff: C. Costa, ZEO/Town Planner; J. Galli, Recording Clerk

Eight members of the public attended in person and two via Zoom.

III. REGULAR BUSINESS

A. MINUTES

MOTION to **APPROVE** the Regular Meeting Minutes of April 1, 2024 as presented
MADE: M. Caldarella **SECONDED:** G. Lewis **VOTING IN FAVOR:** M. Caldarella, G.
Lewis, J. Henry, R. Friedmann, L. Gray, **OPPOSED:** None **ABSTAINING:** None
APPROVED: 5-0-0.

B. CORRESPONDENCE

Correspondence received was related to Agenda items.

IV. CONTINUED PUBLIC HEARINGS

A. “Van Wilgen’s Garden Center” Application for Special Exception Use for a
garden center development with two seasonal greenhouses, shed/outdoor display
area and parking on 18,362 s.f. property at 1560 Boston Post Road, Map 26/Lot 30,
Gateway Business B-4 District, Coastal Area Management Zone.

Applicant: Stanislaw Szcwarczyk

Agent: Attorney Edward M. Cassella

Withdrawn by applicant.

V. PUBLIC HEARING

- A. **“707 Boston Post Road” Application for Special Exception Use** to modify parking lot to allow for reallocation of tenant space for H&R Block and a Goodwill Drop Off Center.

707 Boston Post Road, Assessor’s Map 36, Lot 101, Shopping Center B-2 District, Pedestrian Node

Owner: DF Shoreline, LLC. Agent: Stuart Fairbank, P.E.

Mr. Fairbank presented. There are currently two buildings on this site. H&R Block will move to the former Webster Bank building and its old space will be occupied by Goodwill as a donation facility. The last time this complex was in front of the Commission was in 1992. The Commission requested more information to be submitted, including the gross floor area (GFA) allocated to each tenant so that the Commission could determine the number of parking spaces needed. There were some designated parking spaces on the plan submitted that were in the state right-of-way and in front of a loading zone that cannot be counted toward the parking requirements. Other items needed include a landscape plan showing the percentage of landscaping on the site and information on the new directional sign.

Chairman Caldarella granted a 5-minute recess to the applicant at 8:13. The meeting reconvened at 8:17. The applicant requested a continuance to May 6, 2024 to provide updated plans. G. Lewis left the meeting at 8:22 and M. Kelly was seated in her place.

MOTION to CONTINUE “707 Boston Post Road” Application for Special Exception Use to modify parking lot to allow for reallocation of tenant space for H&R Block and a Goodwill Drop Off Center. 707 Boston Post Road, Assessor’s Map 36, Lot 101, Shopping Center B-2 District, Pedestrian Node to the next regularly scheduled meeting of Monday, May 6, 2024 at 7 P.M. in Old Saybrook Town Hall, 302 Main Street, 1st Floor Conference Room as presented **MADE:** M. Caldarella **SECONDED:** R. Friedmann **VOTING IN FAVOR:** M. Caldarella, J. Henry, R. Friedmann, L. Gray, M. Kelly **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

VI. NEW BUSINESS

- A. **“Liv’s Shack” Request for Modification to Special Exception for Restaurant Use** to expand outdoor seating. 26 Bridge Street, Assessor’s Map 24/Lot 46, Saybrook Point SP-2 District

Applicant: John Brescio

Mr. Brescio presented. Liv’s Shack would like to permanently expand their outdoor seating from 12 to 48. From June 2020 until October 2023 Liv’s has operated with a Covid seating permit for 48 and have had no issues. They would also like to add a 20 x 50 tent over the back area. The tent will not have sides and will be set up from May 1st to Oct. 1st.

MOTION to APPROVE “Liv’s Shack” Request for Modification to Special Exception for Restaurant Use to expand outdoor seating to 48 seats with tent exclusive of sides, windows or any other obstructions from May 1st to October 1st. There will be no outdoor entertainment allowed. 26 Bridge Street, Assessor’s Map 24/Lot 46, Saybrook Point SP-2 District as presented **MADE:** M. Caldarella **SECONDED:** R. Friedmann **VOTING IN FAVOR:** M. Caldarella, J. Henry, R. Friedmann, L. Gray, M. Kelly **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

- B. “Cantina Beach” Cease & Desist Order issued 4/2/2024**
Operating beyond hours of operation outlined in Statement of Use.
1596 Boston Post Road, Assessor’s Map 26/Lot 24, B-4 District, Pedestrian Node
Business Owner: Mr. Santiago Castro
Property Owner: Sixteen Hundred Boston Post Road, LLC

Mr. Wilson Castro presented as sole owner of Cantina Beach, stating that he bought out the interests of the other partners. He and his wife asked for a permit to add five more tables to the outside patio. Chairman Caldarella explained that before the Commission considers the request for additional outdoor seating, permanent zoning compliance needs to be attained. ZEO Costa explained to the Castros that their temporary CO expired in February and they haven’t met all the conditions of the zoning approval including adding sidewalks. She also made them aware that outdoor speakers are not allowed. She raised the issue of the noise complaints Land Use has received about late night noise during and past permitted hours.

Resident R. Bolduc spoke of the noise in his home and even homes as far as halfway down the street. He stated that he and his neighbors have a right to live on their residential street in peace. He fears that with the warmer months coming, he won’t be able to open his windows. He also mentioned the strobe lights shining across boundary lines. It is clear to him that this has become a nightclub and that’s not what the approval was for. The Castros asked for an extension to raise funds for the sidewalks. Chairman Caldarella told them that they need to be mindful of the neighbors and to control the noise that is extending past their property. He gave the Castros an extension until the June 17th Zoning Commission meeting wherein they will need to return to the Commission with an update.

VII. COMMITTEE, REPRESENTATIVE & STAFF REPORTS

- **Sign Enforcement Program** – Land Use is continuing to send out sign violation letters. Public Works will be doing another sweep to pick up illegal signs.
- **1 Overlook Drive/177 Springbrook Rd** – The owners of both properties would like to merge the lots to be able to grow corn and vegetables, have 20 chickens in a to-be-built shelter between the barn and the house, and build a shelter for a self-serve farm stand in front. ZEO Costa stated that a farm with a roadside stand is permitted in this district. Chairman Caldarella asked that she invite the owners to the next ZC meeting with a Statement of Use.

VIII. ADJOURNMENT

MOTION to adjourn the meeting of April 15, 2024 at 9:20 P.M. to the next regularly scheduled meeting of Monday, May 6, 2024 at 7 P.M. in Town Hall, 1st Floor Conference Room as presented **MADE:** M. Caldarella **SECONDED:** J. Henry **VOTING IN FAVOR:** M. Caldarella, J. Henry, R. Friedmann, L. Gray, M. Kelly **OPPOSED:** None **ABSTAINING:** None **APPROVED:** 5-0-0.

Respectfully submitted,

Joanne Galli
Land Use Clerk

NEXT REGULARLY SCHEDULED HYBRID MEETING

Monday, May 6 2024 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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