

**ZONING COMMISSION SPECIAL MEETING MINUTES
MAY 26, 2015
7:00 PM MULVEY MUNICIPAL CENTER, MULTI-MEDIA ROOM**

Members Present: Chairman Tony Marino, Regular Member Dwayne Xenelis, Regular Member Harry Ruppenicker Jr., Alternate Member Tom D'Antico, Alternate Member Linda Nolf and ZEO Nancy Rudek.

Also Present: Commission Attorney Matt Willis, Director of Finance Andrew Urban and members of the public.

CALL TO ORDER: The meeting was called to order by Chairman Tony Marino at 7:00 p.m.

ESTABLISHMENT OF QUORUM:

Upon a motion by Dwayne Xenelis, seconded by Harry Ruppenicker Jr., it was:

VOTED: To appoint Linda Nolf as a voting member seated for Mike Engels and to appoint Tom D'Antico as a voting member seated for Lee Archer.

AGENDA ADDITIONS:

None.

VISITOR:

Director of Finance Andrew Urban was present to discuss the possibility of obtaining computers for the Commission Members in order to conduct business digitally instead of all the paper work. This would also help in accessing past records in an orderly manner. Mr. Urban stated that he would encourage the use of computers, but if you have a member that is not computer savvy, it could be a problem. Harry Ruppenicker Jr. suggested that the town purchase computers but they can be shared by the different Boards and Commission Members. He feels that all computers should be stored at the Town Hall and not leave the building. At this point Mr. Urban will speak to the other Boards and Commissions and see if this is something they would be interested in.

PUBLIC HEARING(s):

None.

REGULAR MEETING:

Possible deliberation and vote of Public Hearings:

None.

SETTLEMENT OF APPEAL:

1. ZC2014-014 – 1961 Boston Post Road – Continued review of proposed settlement as per Stipulated Court Judgment, dated May 8, 2015:

Attorney Ed Cassella was present and stated that the architect has submitted a new rendering for the proposed storage building and Pergola. There is no landscape plan yet. Chairman Marino suggested adding some kind of vine plant to the pergola to add more dimension to it. ZEO

Nancy Rudek requested that the revised site plan include all of the dimensions for the storage building and the pergola. At this point, other than the Zoning Commission, all parties involved have agreed to what was submitted. Attorney Cassella stated that the Commission would not be voting on anything tonight, they just would like feedback before finalizing everything. All members of the Commission indicated that they are fine with what is being proposed. Andy Calderoni, President of the District of Chapman Beach stated that he is concerned about buses and/or vans being parking in the parking lot. It was stated that it is up to the owner of what they want to park in their parking lot. Attorney Cassella stated that he will be back at the June Meeting with a final proposal.

RECEIPT OF APPLICATIONS:

1. ZC2015-010 – 1921 Boston Post Road – Map #180, Lot #115 – Proposed Text Amendment to the Zoning Regulations to add “Physical Fitness Center” to section 2.40.00 – Definitions, and Section 4.113.02 – Uses to Site Plan Review. Owner: John Cacase, Applicant: George Norden IV (set hearing date for 6/23/15):

Upon a motion by Linda Nolf, seconded by Tom D’Antico, it was:

VOTED: Unanimously to receive application ZC2015-010 – 1921 Boston Post Road and to set a public hearing date for 7/28/15 at 7:00 p.m. in the Multi-Media Room at the Mulvey Municipal Center.

2. ZC2015-012 – 1921 Boston Post Road – Map #180, Lot #115 – Proposed Site Plan Application for a Physical Fitness Center. Owner: John Cacase, Applicant: George Norden IV (65-day application period ends 7/30/13):

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to receive Application ZC2015-012 – 1921 Boston Post Road, to be on the agenda for 7/28/15.

3. ZC2015-011 – 314 Boston Post Road – Map #188, Lot #180 – Coastal Area Management Application to replace existing piles with concrete piles and raise building. Owner: Timothy & Gary Swain. Agent: Indigo Land Design, LLC. (65-day application period ends 7/30/15):

Upon a motion by Harry Ruppenicker Jr., seconded by Linda Nolf, it was:

VOTED: Unanimously to receive Application ZC2015-011 – 314 Boston Post Road, to be on the agenda for 6/23/15.

4. ZC2015-009 – 82 Captains Drive – Map #195, Lot#008 – Coastal Area Management Application for Beach Replenishment on Long Island side of property. Agent: Keith Nielson, P.E. – Docko, Inc. (65-day application period ends 7/30/15):

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to receive Application ZC2015-009 – 82 Captains Drive, to be on the agenda for 6/23/15, Application to be forwarded to the Harbor Commission for their review.

NEW BUSINESS:

1. ZC2015-008 – 88 Captain’s Drive – Map #195, Lot#007 – Coastal Area Management for a Proposed Living Shoreline on Long Island side of property. Agent: Keith Nielson, P.E.- Docko, Inc. (65-day application period ends 6-27-15):

Engineer Keith Nielson was present representing the applicant and stated that the purpose for this application is to maintain the beach and will be replenished as needed. The sand will be mounded in the winter and then what’s left in the spring will be graded out over the beach. In the

fall it will be graded back into a mound. The sand will be delivered by a 5 yard dump truck. A review was received from the Office of Long Island Sound Program and they stated that the application is consistent with all applicable policies and standards of the CT Coastal Management Act.

Upon a motion by Dwayne Xenelis, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to approve ZC2015-008 – 88 Captain’s Drive – Application for Coastal Area Management (CAM) to replenish beach sand – approximately 250 cu. yds. Of sand over a 2,600 area of beach to protect a home built prior to 1995 and preservation of the beach.

OLD BUSINESS:

None.

MISCELLANEOUS:

None.

COMMISSION BUSINESS:

1. ZEO Report:

Distributed and discussed. ZEO Nancy Rudek stated that IWWC has chosen not to join the lawsuit that Old Saybrook is filing against Tom VanEpps, but there are enough zoning issue on the Westbrook portion of land that the Zoning Commission will be joining the lawsuit.

2. Bills:

The following bills were paid out of the Operating Budget:

Branse & Willis, LLC: \$1,443.00 for General Legal (Invoice #38199, #38198, #38200)

Jan Aiken: \$71.25 (Secretarial duties for March)

Hartford Courant: \$63.70 Legal Ad (Invoice #001890024)

W.B. Mason: \$22.49 (Invoice #I25185136)

150% Special Funds – Consulting Services:

None.

Special Funds – Bond Releases

None.

3. Correspondence:

* Blight Ordinance update: currently with Town Attorney for review.

* Letter of Commendation, Assistant ZEO – Lisa DeMaria.

* Copy of memo to ZBA from ZEO regarding their May 27, 2015 meeting.

APPROVAL OF MINUTES – Regular Meeting – April 23, 2015

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis., it was:

VOTED: Unanimously to approve the minutes of the Regular Meeting of April 23, 2015, as submitted.

EXECUTIVE SESSION:

1. Performance Evaluation for ZEO:

Upon a motion by Tom D’Antico, seconded by Linda Nolf, it was:

VOTED: Unanimously to table this matter until the June 23rd meeting.

ADJOURNMENT:

Upon a motion by Dwayne Xenelis, seconded by Linda Nolf, it was:

VOTED: Unanimously to adjourn at 8:05 p.m.

Respectfully submitted:

Kathleen H. Kelemen, Secretary