

ZONING COMMISSION  
NOANK FIRE DISTRICT  
10 WARD AVE NOANK, CT 06340

Minutes of the Regular Meeting

Date: May 27, 2025

A link to the recording of the meeting: [250527\\_0080.MP3](#)

I. Call to Order: Chairman Rick Smith called the meeting to order at 7:00 PM.

Members Present: Beth Steele, Peter Drakos, Chairman Rick Smith, Dana Oviatt, and Blake Powell. Others: Ellen Brown, recording secretary

Roll call was read.

Motion by Mr. Powell, Mr. Drakos 2<sup>nd</sup> to add to the agenda a.) Chairman's remarks and b) Public Comment that was inadvertently left off the agenda. APPROVED unanimously

Chairman's Remarks:

1. Following the Fire District Annual meeting a budget item was approved for analysis of issues, as needed.
2. Amanda Ober was elected as a new Commission member
3. Janet Sutherland was elected as an alternate Commission member along with the reelection current alternates Micheal Hewitt, Kevin Lawry, Stan White and Steven Pendry

Public Comment

Paul Bates, Church Street-There is current legislation that will eliminate local zoning regulations regarding parking

William Mullholland, ZEO-Also spoke of the passing of a House bill that would essentially eliminate local control and will drastically change zoning practice in Conn. He also spoke of the House bill dealing with the homeless issue on public property.

II. Public Hearing to Consider the Application for Modification for the Special Permit Governing the Property at 15 Riverview Ave in Use as a Restaurant (aka Haring's Noank, LLC)

Notice as published in the New London Day (in accordance with State Statute) of the hearing was read into the record.

Attorney William Sweeney, on behalf of Harings Marine LLC made the presentation.

Attorney Sweeney confirmed that notice of the hearing had been given to the neighbors within 150 feet of the subject property.

Attorney Sweeney stated that the prior owner had an outdoor kitchen, but due to health concerns, the current owner abandoned the outdoor kitchen. Therefore, during inclement weather, the Applicant cannot operate due to the stipulation in the 2015 Special Permit that the use of the indoor restaurant cannot be used during the outdoor restaurant season. The applicant is requesting a removal of the stipulation and allow the restaurant to move indoors during the outdoor season in the event of inclement weather. Total available seating will remain same. He asked that the Commission approve the amendment to the Special Exception Permit.

Chairman Smith asked for questions from the Commissioners

Ms. Steele queried what would happen in the event of a “straggler” and Attorney Sweeney responded that one location would have to completely close before the other location can operate. Mr. Drakos queried about simultaneous use of both restaurants and enforcement issues. Mr. Powell asked about the limitation of weather only

Following Commissioners' comments and questions, Chairman Smith read into the Record the following letters (which may be obtained upon request).

1. Nip Tanner d 4/15/2025
2. Lynda Hewitt d 4/15/2025
3. Lacy K. and Edward Johnon to and from Chairman Smith d 4/15/2025
4. Edward Johnson to Chairman Smith d 4/13/2025
5. Catherine Pratt d 5/27/2025
6. Richard Waters and Mary Cuthbert d 5/27/2015
7. Elisa Wright d/ 5/27/2025

Chairman Smith opened the floor for public comment.

Nip Tanner, 36 Church St stated he was in favor/ Lynn Marshall, 188 Pearl St said she was concerned about the enforcement of the limitation/Skip Jordon, 34 Smith Court, stated he was in favor of granting the permit/Linda Hewitt, 10 Riverview stated she was in favor of the granting the permit/Mary Ann Urbanski, 34 Smith Court, stated she was in favor of granting the permit/Peter DeBiasi 42 Riverview stated that was in favor of granting the Application /Paul Bates, 37 Church St did not directly address the application/Elizabeth Pendry 83 High St. stated she was opposed due to enforcement issues and the precedent for other restaurants/Richard Waters, 13 Main St. that establishing an outdoor kitchen should not be untenable/

Attorney Sweeney responded to the letters read and the public comment, in particular stating that Mr. Mullholland, ZEO has been very diligent in Enforcement.

There being no further public comments and no further Commissioner's questions or comments the Public hearing was closed.

### III .Deliberation

Following discussion, the Commission moved into deliberation. Following discussion

Ms. Steele moved and Mr. Oviatt 2<sup>nd</sup> that the application of Harings Marine, LLC regarding property located at 15 Riverview Avenue, Noank, CT for an amendment to Special Exception dated March 11, 2015 to allow on days of inclement weather food service may be relocated from the Outdoor Restaurant location to the Indoor Restaurant location on the following conditions:

1. The applicant is absolutely prohibited from any simultaneous operation of the Outdoor and Indoor area
2. Operation in the location shall not occur unless all patrons are removed from the other location.
3. For the purposes of definition, the Outdoor Restaurant is defined as the area adjacent to the waterfront and consists of 49 seats and the Indoor Restaurant is defined as 33 seats located inside the restaurant building and includes 16 adjacent patio seats not to exceed 49 seats in total.

PASSED UNANIMOUSLY

### IV. New Business

Receipt of application of Docko, Inc. on behalf of Kristian Nyman to establish a restaurant on the property of Spicer's Marina at 93 Marsh Road.

### V. Old Business

Discussion re enhancement of residential renting was continued to the June meeting without objection

### VII Approval of Minutes

- a. Regular Meeting Minutes of April 15, 2025, APPROVED without objection
- b. Special Meeting Minutes of May 6, 2025, APPROVED without objection.

### VIII. Receipt of ZEO Reports—April 2025 Received without objection

Motion to adjourn (Ms. Steele/Mr. Drakos 2<sup>nd</sup>) APPPROVED unanimously t 8:45pm

Respectfully submitted.

Ellen Brown, Recording Secretary