

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

Approved Minutes of the Regular Meeting

Date: April 16, 2024

A link to the recording of the meeting:

[https://1drv.ms/u/c/30e41e9b50057f95/
EZV_BVCbHuQggDC2IAAAAAAB9jLxn4Z6HmcdAoiZI3v3Sw?e=E8s06i](https://1drv.ms/u/c/30e41e9b50057f95/EZV_BVCbHuQggDC2IAAAAAAB9jLxn4Z6HmcdAoiZI3v3Sw?e=E8s06i)

[Times shown correspond to recording.]

Call to Order: Chair Beth Steele called the meeting to order at 7:00 PM.

Members Present: Dana Oviatt, Blake Powell, Beth Steele, Rick Smith and Peter Drakos.
Others: Janet Sutherland, Clerk.

A. Chairman's Remarks - None

B. Public Comment - Issues Not on the Agenda -

Mary Ann Little, 22 Pearl St - [00:39] read the attached letter "Attachment A" to the Commission regarding the Preapplication Review for 15 Riverview Avenue held during the March 19th, 2024 meeting.

C. Public Hearing on Applications for Design Review - None

D. New Business -

1. Application of Alfred and Linda Dion for a Certificate of Design Appropriateness to relocate an existing garage and incorporate a small addition to the rear at 7 High Street

Steele described the application, then the Commission determined the level of completeness.

Oviatt commented that the Notice sign was not visible enough, and therefore was not sufficient notification to neighbors. Oviatt recommended the applicant send out letters to neighbors. [6:30] Smith noted this was discussed last year and the commission decided not to mail notifications, then added the yellow Notice sign and email would be tried first. Powell noted the emails already included the design review applications. All agreed the emails were sufficient notification with Notice sign. All agreed application was complete.

All agreed the level of review would be a Site Plan Review without a Public Hearing.

Motion (Smith / Drakos): I move that the Noank Zoning Commission find that the application of Alfred and Linda Dion for a Certificate of Design Appropriateness to relocate an existing garage and incorporate a small addition to the rear at 7 High Street, Noank, is complete; and that based on the potential impact on neighborhood architectural harmony and character, property values, historical integrity, and/or public health and safety, the appropriate level of review for the application is a Site Plan Review without a Public Hearing under Section 2.26.6.5; and that all specific submittal requirements that are not included in this application be waived because they would not aid the Commission in its determination of the application's compliance with Section 2.26.

There was no discussion on the motion.

Motion to receive application carried unanimously, 5:0.

Steele then invited the applicant to begin their presentation. [15:06]

Al Dion began his presentation with a brief history of the house, and having lived with his wife for almost 60 years in Noank, currently lives at 17 High St and purchased 7-9 High Street in 1978. Both homes have a common driveway with a four foot right-of-way. Dion wants to make 7-9 High St their future permanent residence; plans are to move the garage closer to the house while adding a two foot addition to the rear, and widen the driveway for parking. Dion added when the garage was built, the overhang and pitched roof mirror the primary residence, included gingerbread detailing. Moving the garage would improve the backyard space, and they would remain at 24.5% lot coverage as shown by calculations.

Steele asked what type of siding would be used, Dion replied the same vinyl siding. Steele - would this be used as a garage? Dion replied yes.

Oviatt asked whether the small patch of grass at the end of the driveway would be paved, Dion replied yes, added driveway flattens and would keep the same grade. Smith asked if the garage siding would look similar, Dion replied yes.

[25:03] **Motion (Smith / Drakos):** I moved that the application of Alfred and Linda Dion, for a Certificate of Design Appropriateness to relocate an existing garage and incorporate a small addition to the rear at 7 High Street, Noank, be approved because it meets the criteria set forth in Section 2.26 of the Zoning Ordinance for the Noank Fire District.

There was no discussion on the motion. **Motion carried unanimously, 5:0.**

- E. Old Business - None
- F. Approval of Meeting Minutes - None were approved.
- G. The ZEO Report for March 2024 was received.

Motion to Adjourn carried unanimously at 7:37 pm (Smith/Drakos).

Respectfully submitted,
Janet Sutherland
Zoning Clerk

ATTACHMENT A

My name is Mary Ann Little. My address is 22 Pearl Street, Noank.

I attended the March 19, 2024 zoning meeting during which a pre-application review was presented by the 85th Day Food Community to the Noank Zoning Commission.

I am a 30 year, year-round resident of Noank. I am here tonight to make a statement about that pre-application. I understand no application has been submitted at this time, but I want to get my comments on the record.

On 3/19, the pre-application review by The 85th Day Food Community included plans to upgrade the restaurant on the property, with possible modifications including proposed additional seats, additional parking spaces, and a change in the site permit to include a liquor license.

Page 2 of The Zoning Ordinances for the Village of Noank states "The purpose of this Ordinance [is]..." "To promote the health, safety, general welfare and convenience of the community", ... "to lessen congestion in the streets; and "to secure safety from fire, panic, flood and other dangers;..."

The Village includes 5 districts. The property located on 15 River View Avenue in Noank is zoned Village Residential. Page 19 of the Zoning Ordinance describes Village Residential as: "a zone with Residential structures"... with ordinances in place "intended to preserve and enhance the traditional character of a small New England coastal village" .

Zoning regulations clearly prohibit the operation of a restaurant in a Residential Village District, where Ford's was located. A restrictive Special Permit was granted by the Zoning Commission in 2015 to allow the then Ford's Restaurant to continue to operate on 15 Riverview Avenue, with stipulated seating and parking restrictions.

The sale of alcohol on the property, as well as at other restaurants in the Village, is prohibited.

The issues at hand are a request for a liquor license and the possible modification of increased seating.

I believe allowing a liquor license at 15 Riverview Avenue, which is currently prohibited by Zoning Regulations, would be a disservice for the Village of Noank. A liquor license does not enhance the community of Noank, as described in the purpose of our Zoning Ordinances. There is no benefit to our community. Furthermore, allowing the liquor license for one restaurant will set the precedent for other village restaurants to request liquor licenses.

The seating and parking restrictions were placed in effect because cars were parked along side streets and even in private driveways. As a seaside village, many of our streets are quite narrow. Parking regulations in Noank are imperative for our volunteer fire department, as well as police and ambulances to be able to reach an emergency in Noank. Clogging up the streets with parked cars would prevent access.

The Zoning Ordinances of Noank were clearly established to preserve the integrity and character of a seaside village. I strongly object to any request to allow a liquor license and increased seating (therefore parking) for the restaurant located at 15 River Road as I feel such requests threaten the very character of Noank. I believe allowing variances such as these to Zoning Ordinances will cause Noank to become significantly overrun, and Noank will no longer be the seaside village community which we live in and enjoy so much.