



Town of
North Stonington, Connecticut

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of North Stonington, Connecticut, will be held on the date indicated at the time and location noted below for the following purposes:

LOCATION: North Stonington Elementary School Multi-Purpose Room

DATE: February 27, 2012

TIME: 7:00 p.m.

1. To amend the Hewitt Property Uses, Rules and Recommendations, item #25 to allow a full liquor license at the Buon Appetito Restaurant, 386 Norwich Westerly Road, subject to the approval of the Board of Selectmen and the approval license issuance from the State of Connecticut.
2. To authorize the Board of Selectmen and Town Attorney to revise and change the Lease between the Town of North Stonington and Georgiadis Holding, LLC for the property located at 386 Norwich Westerly Road known as the Buon Appetito Restaurant. The proposed revision is to Section 6.1 (a) **USAGE - OPERATION OF FAMILY RESTAURANT; AND ONE-TIME ADDITIONAL RENT PAYMENT**. The Tenant shall operate a family style restaurant to be open for business on the premises on Saturdays and Sundays at least four other days during the week. The restaurant shall be open between the hours of 11:00 o'clock a.m. and 9:00 o'clock p.m., on weekends and have a menu for (and serve) lunch and dinner. The Tenant shall be free to operate the restaurant for longer hours and for more than six days a week (and may also serve breakfast) should it so desire. Provided the Tenant secures such zoning approval(s) and/or permits from the Town of North Stonington as the zoning regulations for the Town of North Stonington may require, and a permit from the Liquor Control Commission for the State of Connecticut, and provided further that the Tenant makes a one-time additional rent payment of the sum of \$4,000, to the Landlord on or before April 30, 2012 (to compensate Landlord for such expenses as Landlord may have incurred in amending the Lease between the parties), then, and in that event, the Tenant may sell to Tenant's patrons beer, wine, and hard alcoholic beverages for consumption with the meals being served, in the restaurant area and on the exterior patio seating area, The consumption of any alcoholic beverage on the premises that was not purchased on the premises shall not be allowed (no BYOB allowed). Tenant shall not be required to be open on State or religious holidays. In addition Tenant may close restaurant for not more than four weeks each calendar year so as to provide vacation time for its employees.

Dated at North Stonington this 14th day of February, 2012.

BOARD OF SELECTMEN

Nicholas H. Mullane, II

Shawn P. Murphy

Mark S. Donahue

**AMENDMENT TO
COMMERCIAL LEASE AGREEMENT**

THE PARTIES:

- a) The Landlord is: the **Town of North Stonington**, Connecticut (hereinafter referred to as the "Landlord").
- b) The Tenant(s) is: **Georgiadis Holdings, LLC**, a limited liability company, organized and existing under Connecticut law (hereinafter referred to as the "Tenant").
- c) The Guarantor is: **Fotis Georgiadis**, of 5700 Seaview Dr., Malibu, CA 90265.

THE RENTAL PREMISES: The property being leased is: a portion of the property known as 386 Norwich Westerly Road, North Stonington, CT 06359 (hereinafter referred to as the "premises"), and being more particularly described in Lease referred to below.

WITNESSETH:

WHEREAS the Landlord and Tenant entered into written commercial lease agreement (executed by the Tenant on June 2, 2011, and executed by the Landlord on June 7, 2011) concerning the above described premises (herein referred to as the "Lease"); and

WHEREAS the above referred to Guarantor entered into a written Guaranty, dated June 2, 2011, of the performance of the Tenant's obligations under the terms of the Lease; and

WHEREAS pursuant to Section 6.1(a) of the Lease the Tenant may only sell to Tenant's patrons beer and wine for consumption with meals being served; and

WHEREAS the Tenant wishes to be permitted to also sell to Tenant's patrons hard alcohol for consumption with meals being served; and

WHEREAS the Landlord is agreeable to amending the Lease to permit the Tenant to also sell to Tenant's patrons hard alcohol for consumption with meals being served provided:

- a) the Tenant pays all costs incurred by the Landlord to amend the Lease to accommodate Tenant's request with respect to the sale to Tenant's patrons of hard alcohol for consumption with meals being served; and
- b) the Guarantor enters into a written guaranty of the Lease as so amended as set forth below.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1) Section 6.1 (a) of the Lease shall be amended as follows:

Section 6.1 (a) USAGE - OPERATION OF FAMILY RESTAURANT; AND ONE-TIME ADDITIONAL RENT PAYMENT. The Tenant shall operate a family style restaurant to be open for business on the premises on Saturdays and Sundays at least four other days during the week. The restaurant shall be open between the hours of 11:00 o'clock a.m. and 9:00 o'clock p.m., on weekends and have a menu for (and serve) lunch and dinner. The Tenant shall be free to operate the restaurant for longer hours and for more than six days a week (and may also serve breakfast) should it so desire. Provided the Tenant secures such zoning approval(s) and/or permits from the Town of North Stonington as the zoning regulations for the Town of North Stonington may require, and a permit from the Liquor Control Commission for the State of Connecticut, and provided further that the Tenant makes a one-time additional rent payment of the sum of \$ 4000. to the Landlord on or before April 30, 2012 (to compensate Landlord for such expenses as Landlord may have incurred in amending the Lease between the parties), then, and in that event, the Tenant may sell to Tenant's patrons beer, wine, and hard alcoholic beverages for consumption with the meals being served, in the restaurant area and on the exterior patio seating area, The consumption of any alcoholic beverage on the premises that was not purchased on the premises shall not be allowed (no BYOB allowed).

Tenant shall not be required to be open on State or religious holidays. In addition Tenant may close restaurant for not more than four weeks each calendar year so as to provide vacation time for its employees.

2) All other terms and conditions of the Lease shall remain in full force and effect.

In Witness Whereof the Parties have set their hands and seals below.

LANDLORD'S SIGNATURE PAGE

The Landlord

Date: _____

BY _____
Nicholas Mullane, II
First Selectman, Town of North Stonington

TENANT'S SIGNATURE PAGE

The Tenant
Georgiadis Holdings, LLC

BY _____
Fotis Georgiadis
Managing Member, Georgiadis Holdings, LLC

Date: _____

GUARANTY

The undersigned guarantor hereby verifies that he continues to personally guaranty the full and complete performance of all terms and conditions of the above referred to Lease as amended above by the Tenant (and any assignee of Tenant, or sublessee of Tenant), and agrees to hold and save harmless the Landlord (including any assignee or successor of Landlord) from any default in performance by the said Tenant in performing any unperformed obligations, terms and conditions of the Lease. The undersigned Guarantor hereby agrees that his liability under this Guaranty is not conditioned on receiving a notice of any default by the Tenant under the Terms of the above lease and hereby waives any such Notice. The Guarantor further covenants and represents that any Notice given to Tenant shall be construed as also given and received by him as a Guarantor. This Guaranty shall continue in full force and effect during the term of this Lease, and any renewal term. Furthermore, the obligations of the Guarantor shall extent and continue with respect to any obligations of Tenant which under the Lease survive the Lease.

By the Guarantor, dated this _____ day of _____, 2012, at _____,
_____.

Signed and Sealed in the presence of:

BY _____
Fotis Georgiadis

/Docs/Leases/NSStoneAmendment

SPECIAL TOWN MEETING
MINUTES
January 24, 2011

A special Town Meeting of electors and citizens qualified to vote in Town Meetings of the Town of North Stonington, Connecticut was held in the North Stonington Elementary School Multi-Purpose Room on Norwich Westerly Rd, North Stonington, CT on Monday, January 24, 2011 at 7:00 p.m. Present First Selectman Nicholas H Mullane II, Selectman Shawn Murphy, Selectman Bill Briscoe and Towns Attorney Frank Eppinger. First Selectman Nicholas H. Mullane II called the meeting to order. First Selectman Nicholas H Mullane II asked for a motion to elect a Moderator a MOTION made by Charlie Burger seconded by Robin Roohr, to elect Shawn Murphy Moderator. A MOTION made by Charlie Burger, seconded by Bill Ricker to close all nomination, the MOTION carried unanimously. Shawn Murphy was declared Moderator, and read the call of the meeting. Atty. Eppinger explained State Statute 7-6 regarding eligibility to vote at Town Meetings either by being a property owner or registered voter. Eligibility was checked with the Town Clerk and the Republican Registrar Gladys Chase through the voters list and the Assessors Grand List ID was required to be presented 111 registered voters and 5 property owners.

1. To hear and act upon An Ordinance Authorizing the Water Pollution Control Authority to Adopt Regulations for the Use of Sewerage Systems. A MOTION made by Bob Shabunia, seconded by Joseph Reissner to accept the item as presented. Land Use Attorney Michael Zizka gave a detailed explanation of the Ordinance and stated the changes made were to clarify the responsibility of the Water Pollution Control Authority, discussion followed. A MOTION made by Heather Chrissos, seconded by Charlie Burger to move the question, Motion approved unanimously by a show of hands 93 yes, 6no. Following discussion of the Ordinance, the Ordinance was adopted unanimously by a show of hands the Number of "Yes" votes 96 and the Number of "No" votes 8.

2. To hear and act upon an exception to the Town Ordinance dealing with the Consumption of Alcoholic Liquor within the public highways, parks, grounds, and beaches as follows:
There shall be exempted from Section 3-1, Code of Ordinances, Town of North Stonington, entitled, "Consumption of alcoholic liquor with the public highways, parks, grounds and beaches", the restaurant building and patio at 386 Norwich Westerly Road, North Stonington, Connecticut, Assessor's Tax Parcel 9642, Account M 148000, tax assessment list of October 1, 2010". A MOTION made by Bill Ricker, seconded by Brad Currier to approve item #2 as presented. Shawn Murphy and Nick Mullane gave a brief explanation regarding the change to the Ordinance. Following discussion of the Ordinance, the Ordinance was adopted unanimously by a show of hands the Number of "Yes" votes 88, and the Number of "No" votes 12.

3. To review and accept an Agreement between the Town of Groton and the Town of North Stonington regarding provision of Emergency Dispatching Services. A MOTION made by Nicholas Mullane, seconded by Brad Currier to accept item #3 as presented. Selectman Mullane gave a brief explanation. Following discussion of the Agreement, the Agreement was adopted unanimously by a show of hands Number of "Yes" votes 87 and the Number of "No" votes 0.

SPECIAL TOWN MEETING MINUTES

December 15, 2010

A special Town Meeting of electors and citizens qualified to vote in Town Meetings of the Town of North Stonington, Connecticut was held in the North Stonington Elementary School Multi-Purpose Room on Norwich Westerly Rd, North Stonington, CT on Wednesday, December 15, 2010 at 7:00 p.m. Present First Selectman Nicholas H Mullane II, Selectman Shawn Murphy and Towns Attorney Frank Eppinger. First Selectman Nicholas H. Mullane II called the meeting to order. First Selectman Nicholas H Mullane II asked for a motion to elect a Moderator a MOTION was made by Bill Briscoe to elect Nicholas Mullane II moderator, Mr. Mullane refused. A MOTION made by Charlie Burger seconded by Bill Briscoe, to elect Shawn Murphy Moderator. A MOTION made by Nita Kincaid, seconded by Charlie Burger to close all nomination, the MOTION carried unanimously. Shawn Murphy was declared Moderator, and then asked Town Clerk Norma Holliday to read the call of the meeting.

1. To hear and act upon the Hewitt Property proposed Uses, Rules, and Recommendations items numbered 1-28 individually, as presented.

1. The property shall be called the Hewitt Farm. A MOTION made by Dick Cooper, seconded by Ann Nalwalk to approve the item as presented, discussion followed. A MOTION made by Joe Gross seconded by Nita Kincaid to use a paper ballot on all the questions presented, discussion followed, MOTION DENIED by a show of hands 11 yes, 78 no. A MOTION made by Nita Kincaid, seconded by Bill Peterson to move the question, MOTION APPROVED by a show of hands 62 yes, 14 no. Item #1 MOTION APPROVED by a show of hands 62 yes, 25 no.
2. Fishing and projects such as spawning pools that improve conditions for fish habitat are permitted. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 89 yes, 1 no.
3. Horseback riding and animal-drawn vehicles are permitted on designated trails. Horses and other animals and trailers must be kept off the hay fields. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 93 yes, 0 no.
4. Canoe and kayak use is permitted. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 92 yes, 1 no.
5. Current agricultural uses of the property are encouraged. All treatments of hay fields shall utilize best agricultural practices as outlined in CT DEP and U.S. Soil Conservation Service Manual "Best Management Practices for Agriculture" All treatments intended, must be submitted 4 weeks in advance for approval. No

treatment will be allowed without Selectmen approval. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 78 yes, 5 no.

6. Wildlife habitat and wooded area should be maintained by best management practices. Other informal use of the land such as picnics and other community uses are permitted. A MOTION made by Bill Ricker, seconded by Robin Donahue to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 92 yes, 0 no.
7. Organized recreational sports fields with their attendant structures, fences, and lighting are not permitted. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 88 yes, 5 no.
8. Motorized recreational or off track vehicles are not permitted except for emergency use. Bicycles are permitted. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 93 yes, 1 no.
9. Firearms and hunting are not permitted. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 81 yes, 13 no.
10. No additional structures, buildings, wind farms, above ground water tanks, or communication towers shall be erected. Exceptions to this are farm or recreation related outbuildings or certain utility apparatus that does not exceed the height of the tree line of the property. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. A MOTION made by Charlie Smith, seconded by Bill Peterson to move the question, MOTION APPROVED by a show of hands 82 yes, 2 no. Item #10 MOTION APPROVED by a show of hands 87 yes, 0 no.
11. Fixed signs should be posted at the Route 2, Hewitt Road and Plains Cemetery entrances to the property. Rules relating to the uses and non-uses of the property should be prominent on these signs. Also included will be contact information for requests for special uses of the property. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 88 yes, 0 no.
12. It is recommended that the old red pine forest behind the Penfield house be considered for a public picnic ground. The existing concrete pad next to the corn crib should be roofed over to create a pavilion for cooking and picnic tables. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 84 yes, 0 no.

13. Certain other infrastructure conditions need to be addressed by the town. For example, the rotting wooden planks now used as bridges over the Shunock River must be replaced with proper walkway bridges. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 78 yes, 1 no.
14. Handicapped access should be provided for Lewis (also known as Hewitt) Pond possibly in the form of a platform on the southwest end of the pond next to the bridge. The Lewis Pond dam must be repaired by the town to meet State of Connecticut (DEP) safety conditions. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 81 yes, 3 no.
15. Existing walking trails should be retained and new trails considered for public access from the village area. These trails will be maintained annually including appropriate trail markers. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 61 yes, 20 no.
16. The schools in the town should be encouraged to use the property for cross country running, science classes, history field trips and other appropriate educational purposes. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 89 yes, 0 no.
17. The old and hazardous boat shed structures near the farm house should be taken down. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 83 yes, 0 no.
18. To keep the landscape clear of litter the public will be required to follow a “carry in carry out” policy when using the property. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 86 yes, 0 no.
19. Vehicle parking is permitted in designated areas. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 86 yes, 0 no.
20. Supervised camping, such as might be requested by a town based scouting group or other organization, may be allowed in designated areas. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 75 yes, 4 no.
21. It is recommended that all three domiciles currently on the property be maintained or restored. The Penfield House (a.k.a. ‘Red Horse Nursery School’ a.k.a. “Green

Gables”) should be repaired Trees and other underbrush currently surrounding the house should be cleared away. The meadow behind the Penfield house should be maintained with an annual cutting in late August. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION DENIED by a show of hands 39 yes, 46 no.

22. The meadows behind the Hewitt farm house should be maintained using the same management practice recommended for the Penfield meadow. In addition, invasive species such as the Tree of Heaven grove along the driveway and the wild iris near the dam should be eradicated. Other invasive species have been identified by the Connecticut Botanical Society. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 82 yes, 0 no.
23. The town should establish a regular work and maintenance plan for the property which must be approved annually by the Board of Selectmen. A MOTION made by Charlie Burger, seconded by Charlie Smith to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 80 yes, 8 no.
24. Every effort should be made to reestablish the former Dew Drop Inn as a viable commercial family restaurant. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 64 yes, 18 no.
25. Allow a beer and wine license for the former Dew Drop Inn subject to the approval of the Board of Selectmen and the approved license issuance from the State of Connecticut. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. A MOTION made by Joseph Reissner, seconded by Nita Kincaid to move the question, MOTION APPROVED by a show of hands 80 yes, 3 no. Item #10 MOTION APPROVED by a show of hands 61 yes, 28 no.
26. 26. No alcoholic beverages are permitted on Hewitt Farm except as voted in Question #25. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 57 yes, 2 no.
27. The Selectmen will appoint a five regular member and two alternate member committee to assist the Selectmen to oversee the property. A “Friends of Hewitt Farm” group may also be organized to aid in fund raising for the town for use on the Hewitt Farm. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 38 yes, 10 no.
28. Other uses, rules, and regulations not specifically addressed in these recommendations must be approved by the Board of Selectmen and may require a

Town Meeting. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, discussion followed. MOTION APPROVED by a show of hands 37 yes, 5 no.

2. To hear and act upon the Declaration and Grant of a Private Conservation Easement off Mains Crossing Road (aka Route 201) in favor of the Town of North Stonington. A MOTION made by Bill Ricker, seconded by Bob Shabunia to approve the item as presented, MOTION APPROVED unanimously by a show of hands.

3. To hear and act upon the Declaration and Grant of a Private Conservation Easement in favor of the Town for the Phase II Shunock Estates, Norwich Westerly Road. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, MOTION APPROVED unanimously by a show of hands.

4. To hear and act upon the acceptance of the Declaration and Grant of a Private Conservation Easement in favor of the Favor of the Town of North Stonington located on Billings Road. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, MOTION APPROVED unanimously by a show of hands.

5. To hear and act upon a request as approved by the Board of Finance for an Additional Appropriation for flood damage repairs-FEMA funds, in the amount of \$131,526.56 for the continuation of repairs on roads and drainage caused by the March 30th storm to budget line item B 27.03 Town Road Maintenance with authority to move the funds to Capital Non Recurring Account 3961 Storm Damages. A MOTION made by Nicholas Mullane II, seconded by Warren Speh to approve an additional appropriation to the Capital Non Recurring account #3961, storm damages in the amount of \$131,526.56, MOTION APPROVED unanimously by a show of hands.

6. To hear and act upon a request as approved by the Board of Finance for an Additional Appropriation for the Boiler Installation and Conversion Project at the School Facilities in the amount of \$434,122 for the installation of new boilers at the Elementary School and High School and new burners for the Gymnasium building to budget line item 5.01, School Boiler Replacement Project with authority to move the funds to Capital Non Recurring Account 3962 School Boilers. A MOTION made by Charlie Burger, seconded by Warren Speh to approve the item as presented, MOTION APPROVED unanimously by a show of hands.

7. To hear and act upon An Ordinance Authorizing the Water Pollution Control Authority to Adopt Regulations for the Use of Sewerage Systems. A MOTION made by Bob Shabunia, seconded by Nicholas Mullane to approve the item as presented, MOTION DENIED by a show of hands.

8. To authorize and empower the First Selectmen to enter into agreements with the State of Connecticut, Department of Environmental Protection and to execute all documents pertaining to the STEAP Grant for the North Stonington Recreation Area. A MOTION made by Bill Ricker, seconded by Charlie Burger to approve the item as presented, MOTION APPROVED unanimously by a show of hands.

9. To review and accept an Agreement between the Town of Groton and the Town of North Stonington regarding provision of Emergency Dispatching Services. Withdrawn from Agenda to be revisited in the future.

10. To hear and act upon an additional appropriation as approved by the Board of Finance for the Resident Troopers' DUI grant funding in the amount of \$55,330 for the implementation of the DUI Enforcement Grant for FY 2010-11. The funds shall be placed in line item BB 26.04 State Troopers. A MOTION made by Bill Ricker, seconded by Warren Speh to approve the item as presented, MOTION APPROVED unanimously by a show of hands.

Meeting adjourned at 11:30 pm.