



Town of

North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, NOVEMBER 9, 2006 – 7:00 PM

**New Town Hall
Conference Room
40 Main Street
North Stonington, CT 06359**

Minutes Approved ~ December 7, 2006

1. CALL MEETING TO ORDER: Chairman G. Russell Stewart, III called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, November 9, 2006 at 7:04 p.m. at the New Town Hall, Conference Room.

COMMISSIONERS PRESENT: G. Russell Stewart, III, Chairman, Vilma Gregoropoulos, Vice-Chairman, Louis E. Steinbrecher, Secretary, Anne H. Nalwalk (7:10 p.m.), Elaine Boissevain and Alternate Member Charles Elias

COMMISSIONERS ABSENT: Alternate Members Duncan Schweitzer and Susan Grufstedt

STAFF PRESENT: Sr. Planner & Zoning Official Craig Grimord, Administrative Assistant Cheryl Konsavitch, Planning & Consulting Planner from SCCOG Jamie Rabbitt and Commission Attorney Michael Carey.

2. ADDITIONS TO THE AGENDA:

E. Boissevain asked that we amend the agenda to set up a meeting to discuss Public Safety issues with the Fire Company and C. Elias asked to add an item concerning the Shunock River Aquifer Study.

MOTION by C. Elias, SECOND by V. Gregoropoulos to amend the agenda to the above items under old business. MOTION CARRIED UNANIMOUSLY.

3. PUBLIC COMMENT:

Nita Kincaid, Babcock Road spoke to the Commission about an upcoming seminar being held on TDR and encouraged them to attend. Chairman Stewart stated the Commission is aware of this presentation and several members plan to attend.

4. PUBLIC HEARINGS:

A. RE-SUB #06-146 (*Gillis 2-Lot Re-Sub*) Application of Kenneth Gillis, 53 Mains Crossing Road, North Stonington, CT 06359 for a 2-Lot Re-Subdivision on property located approximately 600 +/- feet south of the intersection of Norwich-Westerly Road (Rte. 2) & Mains Crossing Road, North Stonington, CT 06359. Tax Map #101/2732, Lot #06/7570 (*PH opened on 10/05/06 & continued to 11/02/06; Received on 8/03/06 & PH must close on or by 11/07/06*)

Secretary Steinbrecher read the application into the record.

Seated: R. Stewart, V. Gregoropoulos, E. Boissevain, A. Nalwalk, C. Elias seated for L. Steinbrecher

Mr. Ken Gillis and Peter Gardner, Land Surveyor were present for this application.

Secretary Steinbrecher read a letter from the applicant into the record withdrawing his waiver request and stating revised plans will be submitted for the December 7, 2006 meeting. Mr. Gillis also submitted a request for an extension on his application to December 14, 2006.

MOTION by V. Gregoropoulos, SECOND by E. Boissevain to accept the letter of extension on RE-SUB #06-146. MOTION CARRIED UNANIMOUSLY.

B. SUB #06-115, SPEC #06-116 (*Lime Kiln Woods*) Application of Amos Lake Development, L.L.C., 3416 Bargaintown Road, Egg Harbor Township, NJ 08234 for Special Permit Subdivision. The proposal is for an 11-lot subdivision of property using development flexibility under Section 510. The property is located on the easterly & westerly sides of Hollowell Road and on the southwesterly side of Northwest Corner Road at the intersection of the southeasterly line of Hollowell Road with the Southwesterly line of Northwest Corner Road, North Stonington, CT 06359. Tax Map #32/2714, 2715, Lot #50/68, 1546, 1546A, 4376, 4376A (*PH opened on 8/03/06 & continued & extended to 9/07/06, 10/12/06 & 11/02/06; Received on 6/08/06 & PH must close on or by 11/09/06*)

Secretary Steinbrecher read the application into the record.

A. Nalwalk recused herself.

Seated: R. Stewart, E. Boissevain, V. Gregoropoulos, L. Steinbrecher, C. Elias seated for D. Schweitzer

Atty. Harry Heller and Peter Gardner, Land Surveyor were present for this application.

Atty. Heller stated he has a number of Exhibit's to enter into the record and he will give a brief explanation of each as he submits them. Atty. Heller stated that the most of the exhibit's he will be submitting this evening have arose from comments made by Mr. Rabbitt at the November 2, 2006 meeting.

Atty. Heller stated the applicant has changed the plan so that Lime Kiln Way the proposed private roadway within the project is now proposed to be dedicated to the Association in fee, instead of an easement. Atty. Heller submitted (Exhibit Q) a revised public offering statement for Lime Kiln

Way, (Exhibit R) a revised draft deed for the open-space dedication, (Exhibit S) a revised draft deed for the road widening strip to the Town of North Stonington, (Exhibit T) a draft deed for the road widening strip to the Town of Preston, (Exhibit U) a revised draft deed of conveyance for unit 4.15 in the common interest community, (Exhibit V) a revised warranty deed from Amos Lake Development to Lime Kiln Woods, Assoc. conveying the proposed road & rights to drain, (Exhibit W) a grant of conservation easement to North Stonington, (Exhibit X) a bond estimate for the private road, (Exhibit Y) a bond estimate for improvements to Northwest Corner Road, (Exhibit Z) a bond for Erosion & Sediment Control, (Exhibit AA) 2 certifications from 2 professional engineers who have witnessed and reviewed the test pit data & topographical and soil conditions on the property and (Exhibit BB) a request for a waiver from the requirement to identify ledge or rock outcropping in the open-space and (Exhibit CC) a set of revised plans received on 11/09/06.

Atty. Heller went over the revised plans sheet by sheet and highlighted the changes to the plans that have been made and submitted into the record (Exhibit DD) a revised key map highlighting ledge & slopes.

Atty. Heller went over site-plans of the proposed subdivision and submitted for the record (Exhibit's EE-HH) showing site line demonstrations at 350 feet, 300 feet, 250 feet and 200 feet.

Atty. Heller stated that in designing this subdivision they have lots that do not comply with the minimum bulk requirements of the regulations. They are requesting design flexibility under Sections 509 and 510 of the regulations. Atty. Heller stated they do not meet the minimum building area requirement on any of the proposed lots.

Atty. Heller went over Section 702.1 of the regulations and how it applies to this proposed subdivision and the Plan of Conservation and Development.

Atty. Heller submitted into the record (Exhibit II) a marked up plan with green highlighting showing buildable area on the proposed lots.

Atty. Heller discussed shortening up the shared drive. They have now reduced the length to less than 2000 feet with this revision. Atty. Heller submitted for the record (Exhibit JJ) a plan showing the reduction of the shared drive.

Mr. Rabbitt submitted for the record (Exhibit KK) photos of the site showing ledge that are not shown on the plans. Mr. Rabbitt stated that Atty. Heller testified earlier that ledge required to be shown by the regulations is shown in all of the developable areas.

The Commission discussed the buildable area and wanted to see a contiguous shape per the regulations that didn't have unbuildable area in it. Mr. Gardner submitted for the record (Exhibit LL) a chart with buildable square or rectangles that could be placed on the proposed lots.

The Commission discussed the Stormwater Management Plan and John Martucci; LBM Engineering stated the Stormwater plan will not change with the latest revision to the plans.

Mr. Rabbitt went over his memo of 11/09/06 pertaining to this application. Atty. Heller stated that for the record he and Mr. Rabbitt have differences of opinion about the interpretation of some of the regulations and that the applicant has tried to accommodate Mr. Rabbitt's interpretation even though they do not necessarily agree with.

Mr. Rabbitt discussed the sight lines along the road at the proposed shared driveway entrance on Northwest Corner Road. Atty. Heller stated that the profiles provided by Mr. Gardner demonstrate sight lines based on elevation, not at edge of pavement.

Atty. Heller submitted for the record (Exhibit's MM & NN) Sight line profile with physical spot grades and cross sections of road improvements.

Mr. Rabbitt asked if all the plans submitted at tonight's hearing have all the appropriate signatures and seals of the professionals. Mr. Gardener stated the only signature and seal currently on the plans is his. Mr. Martucci, Licensed Engineer was present and he signed and sealed the plan of record (Exhibit CC).

The Commission discussed having the Town Engineer review the site-line profiles and the proposed grading.

Chairman Stewart asked if there were any questions or comments from the public. There were none.

Chairman Stewart asked if there was anyone speaking in favor of the application. There were none.

Chairman Stewart asked if there was anyone speaking against the application. There were none.

MOTION by C. Elias, SECOND by V. Gregoropoulos to close the Public Hearing on SUB #06-115, SPEC #06-116. MOTION CARRIED UNANIMOUSLY.

5. COMMISSION REVIEW:

SP #06-167 (Site-Plan) Application of Boondocks, 411C (417) Norwich-Westerly Road, North Stonington, CT 06359 to amend existing Site Plan for outdoor storage of boats and to add a detached 10 x 10 walk-in freezer as an accessory structure at property located at 411C (417) Norwich-Westerly Road. Tax Map #101/2732, Lot #25/7715 (*Commission Review set for 11/02/06; Received on 10/05/06 & Commission must act on or by 12/07/06*)

Secretary Steinbrecher read the application into the record.

ZEO Grimord stated that Mr. Ketelhut has talked to the Fire Chief and they have some recommendations, but that they have not been able to get them together for this meeting.

B. SP #06-186 (Site-Plan) Application of John Rodenhizer, 6 Bradley Street, Stonington, CT 06378 to place a camper on property located at 21 Billings Road, North Stonington, CT 06359 while constructing a new single-family residence. Tax Map #35/2734, Lot #68/1770 (*Commission receives on 11/09/06 & must act on or by 1/11/06*)

Secretary Steinbrecher read the application into the record.

Mr. & Mrs. Rodenhizer were present for this application.

ZEO Grimord went over his memo pertaining to this application.

MOTION by C. Elias, SECOND by V. Gregoropoulos to approve SP #06-186 with the condition that the ZEO is not to issue the permit for occupancy of the Mobile Home/RV on the site until all the requirements of Section 606 have been met. MOTION CARRIED UNANIMOUSLY.

6. PENDING APPLICATIONS:

A. SUB #06-085, SPEC #06-086 & SPEC-APZ #06-088 (*Shunock River Estates II*) Application of Joseph Mascaro, Raymond Trebisacci, Stephen Reck & Steven Bossie, 53 Oshwigochie Hills Road, Niantic, CT 06357 for a Special Permit Subdivision with proposed Stormwater retention basins in the Aquifer Protection Zone. The proposal is for a 12-lot subdivision of property using development flexibility under Section 510, located behind 126 Babcock Road, one mile east on Babcock Road from the intersection of Wyassup Road and Babcock Road. The property is located on the South side of Babcock Road. Tax Map #110/2742, Lot #31/8197. The Public Hearings for these applications will be heard concurrently. (*PH opened on 7/06/06 & continued & extended to 8/10/06, 9/14/06, 10/05/06 & closed on 10/12/06; Received on 5/04/06 & PH must close on or by 12/14/06*)

The Commission did not discuss this application.

B. SPEC #06-164 (*Home Occupation*) Application request of D'Arcy Cleveland, 214 Clarks Falls Road, North Stonington, CT 06359 for a Special Permit under Section 704 to run a Construction Business with on site storage of construction equipment at property located at 214 Clarks Falls Road, on the west side, approximately 3000' north of the intersection of Providence-New London Turnpike and Clarks Falls Road (Rte. 216). Tax Map #105/2752, Lot #85/4399 (*PH scheduled to open on 11/02/06; Received on 10/05/06 & PH must close on or by 12/05/06*)

Secretary Steinbrecher read a letter from Mr. Cleveland into the record withdrawing his application.

7. NEW APPLICATIONS:

A. SUB #06-185 (*Wintechog Hill Subdivision*) Application of Peter C. Gardner/Green Falls Associates, L.L.C. for a 2-Lot Subdivision on property located on the north side of Wintechog Hill Road approximately 800 feet northwest of intersection of Rt. 201 and Wintechog Hill Road, North Stonington, CT 06359 Tax Map #101/2732, Lot #04/7287
(*Receive on 11/09/06 & Commission must set PH on or by 1/11/07*)

B. RE-SUB #06-190 (*Laurel Hill Acres*) Application of Nandan & Neeta Vyas, 31 W. Louis Place, Iselin, NJ 08830 for a 2-Lot Re-Subdivision on property located on the south side of Wintechog Hill Road approximately 4500 feet southeast of the intersection of the Route 2 intersection and Wintechog Hill Road, North Stonington, CT 06359 Tax Map #92/2722, Lot #29/2479 (*Receive on 11/09/06 & Commission must set PH on or by 1/11/07*)

The Commission set both Public Hearings on the new applications for December 14, 2006.

8. SENIOR PLANNING & ZONING OFFICIAL'S REPORT/ISSUES:

ZEO Grimord stated to the Commission that he sent Ms. Travers a letter following up on an enforcement issue that she had concerns about.

9. NEW BUSINESS:

10. OLD BUSINESS:

11. PLANNING ISSUES & DISCUSSION:

A. Ad-Hoc Committee

The next Planning & Zoning Ad-Hoc Committee meeting date for December needs to be determined.

B. NEMO Task Force Update

No update

C. Upcoming P&Z Workshop

12/07/06: Paul T. Liistro requesting a workshop for a parcel of land on Rt. 216 for which he contemplates a mixed use of senior housing, commonly known as active adult; non-age restricted residential housing and equestrian activities to be presented by Ann Renehan.

12. CORRESPONDENCE:

The Commission went over the correspondence in their packets.

13. REVIEW MINUTES:

Review minutes of Workshop & Regular Meeting of 11/02/06

MOTION by V. Gregoropoulos, SECOND by L. Steinbrecher to approve the minutes of 11/02/06 with the necessary corrections. MOTION CARRIED UNANIMOUSLY.

14. OLD BUSINESS:

A. Discuss meeting with Fire Department

The Commission discussed meeting with the fire department concerning some issues they would like to talk about including residential sprinklers.

B. Shunock River Aquifer Study

C. Elias discussed with the Commission the Inland Wetlands meeting that C. Elias and Chairman Stewart attended on November 13, 2006. The Inland Wetlands Commission has received \$60,000

for a mitigation project and C. Elias went before the Commission to discuss the Shunock watershed and proposed they do a study on the Shunock River.

C. EXECUTIVE SESSION

The Commission went into Executive Session at 11:00 p.m.

Seated: R. Stewart, V. Gregoropoulos, L. Steinbrecher, A. Nalwalk, E. Boissevain, C. Elias

The Commission discussed pending litigation regarding the life use request of the Field's at 108 Blue Lake Drive.

The Commission came out of Executive Session at 11:07 p.m.

The Commission consensus was to go forward with granting the life use request of the Field's.

14. ADJOURNMENT:

MOTION by L. Steinbrecher, SECOND by V. Gregoropoulos to adjourn the meeting at 11:08 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch, Administrative Assistant
Planning & Zoning Office