

TOWN OF STONINGTON

CONSERVATION COMMISSION

REGULAR MEETING

AGENDA

August 27, 2007

There will be a Regular Meeting of the Conservation Commission on Monday, August 27, 2007 at **6:00PM** at the Stonington Police Station, 173 South Broad Street, Pawcatuck, CT

1. Call to order
2. Review of Town Developments and Proposals:
 - a. **PZ0733RA Town of Stonington** – Zoning Regulation Amendment to various sections to remove super-majority voting threshold from areas where it is not statutorily authorized.
 - b. **PZ0738RA KAC Realty, LLC** – Zoning Regulation Amendment to Section 6.6.14 Rehabilitation of Existing Buildings to authorize additional floor area ratio for new construction in the DB-5 Zone where restrictions on use are imposed by the FHOD designations and limitations in Section 7.7.
 - c. Any pending applications and new preliminary proposals
3. Open Space Committee
 - a. Open space plan update – discussion on parcels for preservation
 - b. Discussion on parcels for preservation in Pawcatuck – Ben
 - c. Discussion on possible referendum for open space bonding
4. Old Business
 - a. Discussion on Open Space Plan
 - b. Mystic River Dam Committee
 - c. Discussion on recommended procedures for Town's acceptance of conservation easements and open space
 - d. Discussion on utility providers' use of herbicides on Town roads
 - e. Discussion on Stonington's 200 Greatest Roadside Trees
 - f. Discussion on Admiral's Cove Subdivision Public Access
 - g. Discussion on Anguilla Brook Preserve
 - h. Discussion on PA-490 Open Space Preservation
5. New Business
 - a. Discussion of forum on land preservation
6. Review of July 23, 2007 and August 13, 2007 meeting minutes
7. Adjournment

Stanton Whitney Simm, Jr. Chairman

Proposed Amendments to the Zoning Regulations

KEY:

Original text

~~Proposed deletions~~

Proposed additions

PROPOSAL:

To amend the Zoning Regulations to remove all references to a supermajority-voting threshold that are not statutorily authorized.

PURPOSE:

The Commission has created a number of additional vote management measures to reduce simple majority approval of items considered controversial. This application proposes to eliminate these additional thresholds.

EXISTING TEXT:

6.1.2.4

The applicant shall submit the following reports, unless a waiver is granted, by a supermajority vote, by the Planning and Zoning Commission:

- .1 Water Impact Study (Quality and Quantity)
- .2 Sanitary Sewer Impact Study
- .3 Site Drainage Analysis
- .4 Erosion Control Report
- .5 Traffic Impact Study
- .6 Archaeological Study
- .7 Environmental Assessment
- .8 Soils Report, Test pit data and Mapping
- .9 School Impact Evaluation Report

6.1.2.10

The Commission may waive the above requirements in accordance with Section 8.3.3.5. Written waiver requests are required at the time of application submission, and shall contain relevant information as to the irrelevance of the particular requirement listed in Section 6.1.2. The Planning and Zoning Commission may only grant a waiver request through an affirmative supermajority vote.

7.19.6.6

Buffers.

- .1 Non-infringement area of 50 feet minimum from tidal marsh and significant natural resources such as, but

not limited to, inland wetlands, estuary shoreline and bodies of water, excepting only boat and yacht facilities after necessary State, Federal, and local permits are acquired, may be reduced to zero feet by a supermajority vote of the seated members.

- 7.20.5.2 The Site Plan shall include information required in Sections 7.13, 8.4.1 and 8.4.2 of these regulations. The Commission may provide waivers of the required information by a super-majority vote.
- 7.21.3.6 Vote Requirement. The adoption of the NDD shall require a super-majority vote of the seated members of the Commission.
- 7.21.5.2 The Site Plan shall include information required in Sections 7.13, 8.4.1 and 8.4.2 of these regulations. The Commission may provide waivers of the required information by a super-majority vote.
- 7.21.6.3 Buffers
 - .3 Non-Infringement Areas. Non-infringement area of 50 feet minimum from tidal marsh and significant natural resources such as, but not limited to, inland wetlands, estuary shoreline and bodies of water, excepting only boat and yacht facilities after necessary State, Federal, and local permits are acquired, may be reduced to zero feet by a supermajority vote.
- 8.8.2.6 Waiver Provision. If requested, the Commission may waive any of the Impact Statement Requirements by a Supermajority vote, provided a written waiver request has been submitted at the time the application is filed with the Commission.

PROPOSED TEXT:

Remove the supermajority vote threshold for waiver of required documentation to support a special use permit application in ZR 6.1.2:

- 6.1.2.4 The applicant shall submit the following reports, unless a waiver is granted, ~~by a supermajority vote~~, by the Planning and Zoning Commission:
- .1 Water Impact Study (Quality and Quantity)
 - .2 Sanitary Sewer Impact Study
 - .3 Site Drainage Analysis
 - .4 Erosion Control Report
 - .5 Traffic Impact Study
 - .6 Archaeological Study
 - .7 Environmental Assessment
 - .8 Soils Report, Test pit data and Mapping
 - .9 School Impact Evaluation Report
- 6.1.2.10 The Commission may waive the above requirements in accordance with Section 8.3.3.5. Written waiver requests are required at the time of application submission, and shall contain relevant information as to the irrelevance of the particular requirement listed in Section 6.1.2. ~~The Planning and Zoning Commission may only grant a waiver request through an affirmative supermajority vote.~~

Remove the supermajority vote threshold for waiver of required minimum non-infringement area in an Industrial Heritage Reuse District:

- 7.19.6.6 Buffers.
- .1 Non-infringement area of 50 feet minimum from tidal marsh and significant natural resources such as, but not limited to, inland wetlands, estuary shoreline and bodies of water, excepting only boat and yacht facilities after necessary State, Federal, and local permits are acquired, may be reduced to zero feet ~~by a supermajority vote of the seated members.~~

Remove the supermajority vote threshold for waiver of required site plan application in a Maritime Heritage District

- 7.20.5.2 The Site Plan shall include information required in Sections 7.13, 8.4.1 and 8.4.2 of these regulations. The Commission may provide waivers of the required information ~~by a supermajority vote.~~

Remove the supermajority vote threshold for approval of a Neighborhood Development District:

- 7.21.3.6 **RESERVED.** ~~Vote Requirement. The adoption of the NDD shall require a super-majority vote of the seated members of the Commission.~~

Remove the supermajority vote threshold for waiver of required site plan application in a Neighborhood Development District:

- 7.21.5.2 The Site Plan shall include information required in Sections 7.13, 8.4.1 and 8.4.2 of these regulations. The Commission may provide waivers of the required information ~~by a super-majority vote.~~

Remove the supermajority vote threshold for waiver of required minimum non-infringement area in a Neighborhood Development District:

- 7.21.6.3 Buffers
.3 Non-Infringement Areas. Non-infringement area of 50 feet minimum from tidal marsh and significant natural resources such as, but not limited to, inland wetlands, estuary shoreline and bodies of water, excepting only boat and yacht facilities after necessary State, Federal, and local permits are acquired, may be reduced to zero feet ~~by a supermajority vote.~~

Remove the supermajority vote threshold for waiver of required documentation to support a zoning map amendment application in ZR 8.8.2

- 8.8.2.6 Waiver Provision. If requested, the Commission may waive any of the Impact Statement Requirements ~~by a Supermajority vote~~, provided a written waiver request has been submitted at the time the application is filed with the Commission.