

Town of Stonington Conservation Commission

Minutes of a Regular Meeting held on December 22, 2008

Stonington Police Station Meeting Room, 173 South Broad Street, Pawcatuck, CT

1. Call to order: Called to order by Chairman Simm at 6:20 p.m. Commission members also in attendance were Bell, Baldwin, Herbst and Cole. Lyons, Swenarton and Dewire were absent. Town Planner Brynes was absent; John Paul Mereen and a member of the public were present.

2. Review of Town Developments and Proposals:

2a. Review of Preliminary Six-Lot Subdivision at 33 & 69 Wolf Neck Road, Map 139, Block 1, Lots 13 & 14- John Paul Mereen of Gerwick & Mereen LLC, a surveyor, presented the preliminary resubdivision plan for two lots totaling about 23 acres. He asked for an indication of how the Conservation Commission felt regarding a fee in-lieu of open space versus a 15% set-aside. They are bounded by open space to the north and PA490 farm/forest to the west. The properties contain two large areas of wetland soils that may be connected, but are crossed by a driveway to a house in poor condition (#69) within the upland review area. The applicant proposes removing the house and extending the driveway to two new house sites. The subdivision would have one house close to the road and then 3 off the existing southern driveway, including existing #33. The subdivision has 4 rear lots and two frontage lots and three driveways.

MOTION: The Conservation Commission feels that a fee in-lieu of open space is appropriate on the proposed 6-lot subdivision because the wetlands and their upland review area are self-regulating (Baldwin, Cole). Motion passed 3 to 2 with Baldwin, Cole and Bell in favor and Herbst and Simm opposed. Mr. Mereen stated that the applicants probably would prefer an open space set-aside if they are only permitted 5 lots.

2b. Any pending applications and new preliminary proposals - None.

3. Open Space Subcommittee

3a. Discussion on parcels for preservation in Pawcatuck. Chairman Simm said that at the PZC hearing on 12/18/2008 he had spoken with Ernie Plasse of Davis Standard and that he was interested in providing a dedicated easement for public access between Spellman Park and Trolley Crossing through his remaining parcel as a link in the proposed Peter Thacher Trail. Mr. Plasse had applied for development of a commercial building for Anthem Sports (*PZ0832SUP Davis-Standard, LLC (Plasse) - Special Use Permit application to construct a 25,800 SF warehouse facility with office, associated parking (30 spaces), related site improvements, and offsite underground utilities within Constitution Avenue. Property located on Constitution Ave, Pawcatuck, CT. Assessor's Map 36, Block 4, Lots 2 & 2G. Zone M-1.*); this will open Constitution Avenue to the public. The status of the wetlands in the subdivision and the US Army Corps of Engineers' role was discussed.

4. Old Business.

4b. Discussion of Stonington's 200 Greatest Roadside Trees. Baldwin to send sample mapping and survey attributes from Coventry, CT.

4c. Discussion of Anguilla Brook Preserve Transfer. Still in attorney limbo.

4d. Discussion of Waivers In Land Use Regulations. Not discussed since meeting of 4/28/2008.

4e. Discussion of Updates to Plan of Conservation and Development. Meeting was held with the POCD Implementation Committee on 11/25/2008. Conservation Commission should implement the action items of the POCD.

4f. Discussion of HI-60 Zoning Regulations. Director of Planning Haase is concerned about the setback request. He feels that an increase from 25 to 100 feet is too much, but agrees with the requested increases in the buffers.

4g. Discussion of Revisions to Neighborhood Development District (NDD) Zoning Regulations. Lyons reportedly feels that the Conservation Commission should speak with the PZC about this, but Haase

reportedly feels that the Conservation Commission should apply for a moratorium and apply to eliminate the regulation.

4h. Discussion of Policies to Provide Zoning Relief for Homeowners with Pre-existing, Nonconforming Properties. To be discussed at the next meeting. Simm mentioned that Gail Shea's zone change application was denied at the 12/16/2008 PZC meeting (From the PZC agenda: *PZ0823ZC & CAM Thomas Haggerty & Gail Shea - Zoning Map Amendment from Residential RC-120 to Residential RR-80 (portion to remain RC-120), and a Coastal Area Management Review for property located at 197 River Road, Pawcatuck, CT. Assessor's Map 7 Block 2 Lot 2. Zone RC-120. PUBLIC HEARING CLOSED: 10/21/08*).

4i. Discussion of possible Taugwonk Road zone change from LI-130 to GBR-130 - Simm reported that the zone change request was denied by PZC; will submit it again.

4j. Discussion of signage for delineating Stonington Uplands area - Not discussed.

4k. Discussion of Wequetequock Cove water quality study and water quality testing for streams - It was mentioned that this area has no sewers and many older buildings along Route 1 and the cove. David Kozak of DEP had called it an important cove to protect because much of its shore is undeveloped and held in large parcels. Baldwin to investigate any water quality studies for Wequetequock Cove and its tributaries.

5. New Business

5a. Correspondence - received from Eastern Connecticut Conservation District, Inc. (fundraising), Notices from CT DEP: 1) Notice of tentative determination - Application No. #200800973-DL (Don's Dock, N Main St), 2) Notice of tentative determination and intent to waive public hearing - Application No. #200802521-DL (Walker's Dock, Island Rd), 3) Notice of tentative determination and intent to waive public hearing - Application No. #200802521-DL (Simonds, 37 Roseleah Dr), 4) Approved permit 200801129-DL (McKay, 52 Old North Rd).

5b. Conservation easement over hundreds of acres in Norwich has been given or pledged to the Avalonia Land Conservancy.

5c. US army Corps of Engineers should be contacted for the status of Anguilla Brook wetlands.

6. Review of November 24 & 25, 2008 draft minutes -

Motion to approve the minutes of 11/20/2008 as amended (Bell, Herbst). Passed unanimously.

Motion to approve the minutes of 11/24/2008 as amended (Bell, Cole). Passed unanimously.

Motion to approve the minutes of 11/25/2008 as amended (Bell, Herbst). Passed unanimously.

7. Adjournment - Motion to adjourn (Cole). Approved at 8:20 p.m.

Submitted by Ben Baldwin, Secretary

Approved at a Special Meeting of the Conservation Commission on 1/26/2009