

## Town of Stonington Conservation Commission

Minutes of a Regular Meeting held on September 22, 2008  
Stonington Police Station Meeting Room, 173 South Broad Street, Pawcatuck, CT

**1. Call to order:** Called to order by Chairman Simm at 6:40 p.m. Commission members also in attendance were Bell, Baldwin, Herbst and Lyons. Cole, Swenarton and Dewire were absent. Town Planner Brynes was not present.

### **2. Review of Town Developments and Proposals:**

**2a. PZ0821ZC & CAM Joseph Putnam, et al** - *Zoning Map Amendment from Residential RC-120 to Residential RM-20, and a Coastal Area Management Review for properties located at 200 Mistuxet Ave., 136 Hewitt Rd. & parcel off Hewitt Rd., Mystic, CT. Assessor's Maps/Blocks/Lots: 151/3/13, 152/2/7 & 152/2/4. Zones RC-120 & RA-20.* Nicholas Kepple, applicant's representative, departed before opening of the meeting; he had described the application to some members and the assembled public. The zone change request appears to be intended to allow more intense development of the properties. MOTION: The Conservation Commission has several concerns including steep slopes (greater than 20%), the potential for an access road near a dangerous bend on Hewitt Road, and an area described by the survey as an "area of confusion" that needs clarification (Herbst, Lyons). Passed unanimously.

**2b. PZ0825RA Town of Stonington (PZC)** - *Zoning Regulations Text Amendment to Article VII to create regulations for Alternative Energy Systems: Section 7.23 (Renewable Energy Systems) and Subsection 7.23.1 (Small Wind Energy Systems).* Copies of the application form were distributed. MOTION: Defer item until next meeting (Baldwin, Herbst). Passed unanimously.

**2c. PZ0826RA & ZC Town of Stonington (PZC)** *Zoning Regulations Text & Map Amendments to establish a "Downtown Pawcatuck Parking Overlay District," modifications to existing Sections 7.10.2.3 (Parking Reductions), 7.10.2.4 (Dedicated Off-Site Parking), 7.10.2.5 (Shared On-Site Parking), and 7.10.4 (Parking Space Requirements); deletion of Section 7.10.2.6 (Agreements) to be replaced with new 7.10.2.6 (Residential Parking Agreements); and addition of new Section 7.10.8 (Downtown Pawcatuck Parking Overlay District).* Copies of the application form were distributed. MOTION: Defer item until next meeting (Bell, Herbst). Passed unanimously.

**2d. Any pending applications and new preliminary proposals.** None.  
MOTION: Go to item 5a (Bell, Herbst). Passed unanimously.

### **5. New Business**

**5a. Discussion of Revisions to Neighborhood Development District (NDD) Zoning Regulations.** Copies of the regulation were distributed. Chairman Simm said that flaws were seen in this regulation and that it should either have residential uses eliminated from it, have geographic limits set or be eliminated altogether. MOTION: The Conservation Commission is to apply to the PZC for a regulation amendment to eliminate the NDD adopted 11/16/2005 and amended 9/5/2006 for the following reasons:

1. Despite its first paragraph, the statement of purpose indicates that the NDD can be used not only in the DB-5 zone, but in the MC-80, M-1, and HC-60.
2. The minimum district size of 150,000 sq. ft. size is too large.
3. The voting requirement for a supermajority is inconsistent with the ruling by the Town attorney that supermajority votes are not allowed in the regulations.
4. The Conservation Commission believes that the "zero feet" setbacks inappropriate with all prior zoning procedures in Town and probably Connecticut.
5. The lack of a maximum height and FAR sets no parameters for the builder, neighborhood or Commission.
6. The list of 54 permitted uses is too long and includes light manufacturing in the DB-5 zone.

(Bell, Herbst) Passed unanimously.

MOTION: Go to item 3a (Bell, Herbst). Passed unanimously.

### **3. Open Space Subcommittee**

*3a. Discussion on parcels for preservation in Pawcatuck.* Nothing to discuss at present.

### **4. Old Business**

*4a. Mystic River Dam Committee.* Nothing to discuss at present.

*4b. Discussion of Stonington's 200 Greatest Roadside Trees.* Not discussed.

*4c. Discussion of Anguilla Brook Preserve Transfer.* Transfer vote has taken place.

*4d. Discussion of Waivers In Land Use Regulations.* Not discussed.

*4e. Discussion of Updates to Plan of Conservation and Development.* Lyons said that the POCD Implementation Committee (Bill Abt, Webb Copp, Kate Robinson, and Sheila Lyons) has met for 4 years. The POCDIC is concerned with water resources, especially runoff into aquifers, preservation of open space, and the modification of the Aquifer Protection Zone to allow uses dependent upon "potential risk." Lyons said that Aquarion's drinking water quality has been poor; that the Town's Standards manual needs to be completed, and that the PZC should adopt buildable land area regulations. Lyons distributed copies of her letter to the PZC on the proposed Maritime Research and Education District (MRED) regulation. The letter described how the Conservation Commission rescinded its previous recommendations and requested that the regulation amendment not be adopted.

*4f. Discussion of HI-60 Zoning Regulations.* Copies of the regulation were distributed. Requirements for the zone have gone from a 50-foot buffer to 20 feet. Discussion included comments that more stringent buffers should be restored, a 100-foot buffer from residential zones should be included and that bigger front yard setbacks are needed. MOTION: Recommend a workshop on the HI-60 zone with PZC (Lyons, Herbst). Passed unanimously.

*4g. Discussion of Alternative Energy Regulations and Public Information and Participation.* To be discussed at the next meeting.

*6. Review of August 25, 2008 draft minutes* - Motion to approve as amended (Bell, Lyons). Passed unanimously.

*7. Adjournment* - Motion to adjourn (Bell). Approved at 10:40 p.m.

Submitted by Ben Baldwin, Secretary

Approved as amended on October 27, 2008.