

Regular Meeting

The 1361st meeting of the Stonington Planning and Zoning Commission was held on September 18, 2007, at Mystic Middle School at 7:00 p.m. Present for the meeting were: Commission members Charles Sneddon, Paul Altman, Lynn Young; and Alternate Robert Marseglia. Also in attendance was Interim Director of Planning Keith Brynes.

Chairman Sneddon called the meeting to order at 7:00 p.m.

Seated for the meeting were: Robert Marseglia, Lynn Young, Paul Altman, and Charles Sneddon presiding.

Correspondence:

None

ZEO - Pending Variances:

ZBA #07-26 Patricia Delaney - Request waiver of A-2 Survey.

Mr. Altman motioned to approve the waiver of an A-2 Survey and Ms. Young seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Minutes:

Ms. Young motioned to approve the minutes of the September 4, 2007 meeting as written and Mr. Altman seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Old Business:

PZ0724SUP 228 North Water Street , LLC - Special Use Permit Application to expand existing dock facility, install new boat hauling facility, & rebuild an existing boat launch. Property located at 228 North Water Street, Stonington , CT. Assessor's Map 100 Block 4 Lot 11. Zone MC-80. No action required. Public Hearing continued to 10/2/07 #1

PZ0731SPA & CAM Market Realty, LLC - Site Plan Application & Coastal Area Management Review to construct an 18' x 48' 2-story office and retail building (1,728 sq. ft. total) with associated parking and related site improvements. Property located on Stonington Road, Mystic, CT. Assessor's Map 160, Block 2, Lot 5. Zone GC-60.

Mr. Altman motioned to table the application and Mr. Marseglia seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

PZ0732SUP Alva Associates, LLC (Duncklee, Inc.) - Special Use Permit application to construct three (3) buildings (5,300SF, 6,000SF, & 7,100SF) with associated parking, access

drives, grading, lighting & landscaping. Property located at 296 Taugwonk Rd., Stonington , CT. Assessor's Map 70, Block 1, Lot 3. Zone LI-130.

No action required. Public Hearing set for 10/2/07 #3

PZ0733RA Town of Stonington – Zoning Regulation Amendment to various sections to remove super-majority voting threshold from areas where it is not statutorily authorized.

No action required. Public Hearing set for 10/2/07 #2

PZ0734SUP RoxRiv Realty Associates, LLC - Special Use Permit Application for change of use from office to medical clinic (Quest Diagnostics) in Unit 109 of existing structure.

Approximately 2,481 sq. ft. of interior space will be converted. Property located at 12 Coogan Blvd., Mystic, CT. Assessor's Map 164 Block 4 Lot 1. Zone TC-80.

No action required. Public Hearing set for 10/2/07 #4

PZ0735SUP Pequot Mystic Hotel, LLC - Special Use Permit Application for installation of a special detached sign with internal illumination. Property located at 20 Coogan Blvd., Mystic , CT. Assessor's Map 164 Block 4 Lot 1A. Zone TC-80.

No action required. Public Hearing set for 10/16/07 #1

PZ0736SUP Anthony J. Torraca - Special Use Permit Application to allow for outdoor seating (16 seats) at existing restaurant in accordance with Section 6.6.16.14. Property located at 6 Holmes St., Mystic, CT. Assessor's Map 174 Block 2 Lot 2. Zone DB-5.

No action required. Public Hearing set for 10/16/07 #2

PZ0737SUP & CAM Alamo, LLC - Special Use Permit Application & Coastal Area Management Review for the conversion of an existing structure into offices, construction of a 2-story (30' x 66') addition & a 4,950 sq. ft. 1-story building, including associated, parking, drainage, and associated site improvements. Property located at 19 Old Stonington Rd., Stonington, CT. Assessor's Map 153 Block 1 Lot 2. Zone GC-60.

No action required. Public Hearing set for 10/16/07 #3

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.

No action required. Public Hearing set for 10/16/07 #4

Chairman Sneddon called recess until 7:30 p.m.

Public Hearings:

Ms. Young read the call for Public Hearing A:

PZ0719SD Aborn D. Smith - Application for a 5-lot subdivision of an approximate 2 acre parcel. Property located at 1 Johnson Street, Pawcatuck. Assessor's Map 14 Block 8 Lot 7. Zone RA-15. Continued from 8/7/07

Seated for the Public Hearing were: Paul Altman, Rob Marseglia, Lynn Young, and Charles Sneddon, presiding.

Attorney Theodore Ladwig, 185 South Broad St., Pawcatuck, CT, presented the application.

No one spoke in favor.

Speaking against were: Nancy Petrie, 4 Cronin Ave., Pawcatuck, CT; Joe Bostic, 7 East Enterprise Ave., Pawcatuck, CT; Sean Keeley, 5 East Enterprise, Pawcatuck, CT; Carlene

Donnarummo, 22 Oakwood Ave., Pawcatuck, CT; Dora Hill, 26 Oakwood Ave., Pawcatuck, CT; Bill Ferguson, 8 Oakwood Ave., Pawcatuck, CT; Rosemarie Pont, 2 Cronin Ave., Pawcatuck, CT.

Chairman Sneddon called a 5 minute recess.

Speaking against was: Larry Theodore, 4 East Enterprise Ave., Pawcatuck, CT.

Attorney Ladwig spoke in rebuttal.

During rebuttal Atty. Ladwig presented a traffic study. Chairman Sneddon stated the Commission would need time to review the study, but Mr. Brynes noted there was insufficient time to continue the Public Hearing. Atty. Ladwig withdrew the traffic study.

Mr. Brynes presented staff comments, including 8 stipulations. A ninth stipulation could be added to move the sidewalk.

Mr. Marseglia motioned to close the Public Hearing and Mr. Altman seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

The Public Hearing was closed at 10:00 p.m.

Mr. Altman motioned to approve the fee in lieu of open space and Mr. Marseglia seconded. Motion carried 3-1.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – deny, Rob Marseglia – approve.

Mr. Altman motioned to approve the application with 9 stipulations recommended by staff and Mr. Marseglia seconded. Motion carried 3-0-1

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – abstain, Rob Marseglia – approve.

Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Town Engineer.
2. Prior to Commission endorsement and recording of plans, a drainage easement in favor of the Town must be filed granting permission to the applicant to utilize private property for the proposed retention basin. Easement language will include maintenance provisions and be reviewed to the satisfaction of the Town Engineer and the Town Attorney.
3. An inspection fee equal to 5% of the total cost of site improvements, including Erosion and Sedimentation Control elements shall be paid to the Town of Stonington for inspection services relative to Erosion and Sedimentation Control and Construction Inspection. The Inspection Fee amount shall be established by the Town Engineer after an estimate of the construction costs is provided by the applicant, and approved by the Town Engineer. The inspection fee shall be submitted prior to the issuance of any Zoning Permits.
4. An Erosion and Sedimentation Bond shall be secured with the Town in the form of Cash, which must be acceptable to the Town Attorney. The Bond amount shall be established by the Town Engineer after an estimate of the construction cost is provided by the

applicant, and approved by the Town Engineer. The Erosion and Sedimentation Bond shall be submitted to the Department of Planning prior to the issuance of any Zoning Permits.

5. Final plan shall be revised to reflect new lot and house numbers as assigned by the Town.
6. Final plan must clarify limits of clearing on Sheet 3.
7. Final plans must include location, style and height of any proposed streetlights. Streetlights shall be full cut-off and be a maximum of 20' high.
8. The applicant shall hire an appraiser, acceptable to the Department of Planning, to conduct an appraisal of the land. A fee in lieu of open space equal to 10% of the value of the land shall be applied to all lots in the subdivision. The Final Plans must include the following statement: "A Fee-In-Lieu of Open Space of \$ (amount shall be determined prior to recording final plans on the land records) was Approved by the Planning & Zoning Commission, each lot shall be assessed (1/4 of the 10% value)."
9. Proposed sidewalks shall be moved to the south side of Burdick Lane.

Ms. Young read the call for Public Hearing B:

PZ0730ZC & CAM Joanne Colli, Trustee - Zoning Map Amendment for Commercial GC-60 to TC-80 & a Coastal Area Management Review for property located at 17 Whitehall Ave., Mystic, CT. Assessor's Map 164 Block 1 Lot 4. Zones GC-60 & TC-80.

Theodore Harris, attorney for the applicant, presented the application.

No one spoke in favor or against.

Dora Hill, 26 Oakwood Ave., Pawcatuck, CT spoke with general comments.

Mr. Brynes presented staff comments.

Ms. Young motioned to close the Public Hearing and Mr. Altman seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Ms. Young motioned to approve the waiver request with resolution language recommended by staff and Mr. Marseglia seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Ms. Young motioned to approve CAM as consistent with Coastal Area Management Review and Mr. Marseglia seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Ms. Young motioned to approve the application consistent with the Plan of Conservation and Development and Mr. Marseglia seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Ms. Young motioned to approve the Zoning Map Amendment with an effective date of October 8, 2007 and Mr. Marseglia seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Ms. Young read the call for Public Hearing C:

Town of Stonington Draft Design Review Guidelines - Public Hearing for Adoption

Mr. Brynes presented the application.

General Comments were made by Dora Hill, 26 Oakwood Ave, Pawcatuck, Ct, and Carlene Donnarummo, 22 Oakwood Ave., Pawcatuck, CT.

Mr. Marseglia motioned to close the Public Hearing and Ms. Young seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Ms. Young motioned to approve the Draft Design Review Guidelines and form a temporary subcommittee to set up bylaws and select members. Mr. Marseglia seconded. Motion carried 4-0.

Roll Call: Paul Altman – approve, Charles Sneddon – approve, Lynn Young – approve, Rob Marseglia – approve.

Mr. Marseglia motioned to adjourn the meeting and Mr. Altman seconded. Motion carried 4-0.

The meeting was adjourned at 11:00 p.m.

Lynn Young, Acting Secretary