

Regular Meeting

The 1344th meeting of the Stonington Planning and Zoning Commission was held on January 16, 2007 at the Mystic Middle School at 7:00 p.m. Present for the meeting were: Commission members Paul Altman, Alisa Morrison, Lynn Young, Charles Sneddon, Julianne McCabe, and Alternates Paul Holland and Robert Marseglia. Also in attendance were Town Planner Keith Brynes and Director of Planning Jason Vincent.

Call to order 7:00 p.m.

Seated for the meeting were: Paul Altman, Julianne McCabe, Lynn Young, Alisa Morrison and Charles Sneddon, presiding.

Minutes:

Ms. McCabe motioned to approve the minutes of the October 17, 2006 meeting as written and Mr. Altman seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

Ms. Young motioned to approve the December 11, 2006 meeting and Ms. McCabe seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

Correspondence:

Ms. Young asked if anyone had received a letter from Attorney Londregan to the First Selectman concerning fees for applications. No one had received this letter, and Mr. Vincent stated he had not seen the letter.

Consent Agenda:

Richard J. Sluszka - Requesting determination of Zoning District for parcel located at 207 Whitehall Ave., Old Mystic. Assessor's Map 166 Block 4 Lot 5, Zone RA-40. Property owner has a signed, hand-annotated map from 1984 indicating parcel is split by CS-5 Zone line.

Mr. Brynes summarized the history of the application.

Ms. Young motioned to identify the parcel located at 207 Whitehall Ave, Old Mystic, Assessor's Map 166 Block 4 Lot 5 as zoned RA-40 and Ms. Morrison seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

PZ0643SD Carl F. Fusaro, Jr. (Jameson Court) - Application for an 11-lot subdivision of two (2) parcels (2.3 acres total). Property located at 13 Palmer Street, Pawcatuck. Assessor's Map 4 Block 6 Lots 1 & 13. Zone DB-5. Request 90-day extension to file final plans.

Mr. Brynes summarized the request for an extension. Both Mr. Brynes and Mr. Vincent answered questions from the Commission.

Mr. Altman motioned to approve the 90-day extension and Ms. McCabe seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

Robert & Stacey Arruda – Seeking Commission approval to install water quality restoration device (crushed stone drywell) in Non-Infringement Area per Zoning Regulations Section 1.2. Property located at 80 Coogan Blvd., Mystic CT, Assessor's Map 150, Block 1, Lot 27. Zone GB-130.

Mr. Brynes gave a brief history of the application.

Ms. Young motioned to approve the installation of the drywell and Ms. Morrison seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

PZ0666SUP IRNM Fee Mystic, LLC (Comfort Inn) – Requesting temporary use of approved hotel swimming pool addition as outdoor swimming pool. Property located at 48 Whitehall Ave., Mystic, CT. Assessor's Map 164, Block 2, Lot 1. Zone GC-60.

The Commission believed a Public Hearing was in order for the application and did not deliberate on the request.

PZ0656SUP & GPP Readco Stonington, LLC - Request for approval of Stipulation #12: Stop & Shop elevation along Route 49 shall be redesigned to include additional arch detail. This design shall be approved by the Commission through consent agenda review.

Attorney Theodore Ladwig, representing the applicant, answered questions from the Commission and submitted drawings of the redesign.

Mr. Altman motioned to approve the request and Ms. Morrison seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

Old Business:

PZ0658SPA J&B Seidel and R&J Fawcett – Site Plan Application for the creation of a rear lot to create two (2) parcels for the development of two (2) single family residences. Property located on North Stonington Rd., Stonington, CT. Assessor's Map 138, Block 1, Lot 3. Zone RR-80.

Mr. Brynes presented staff comments.

Ms. Young motioned to approve the application with stipulations presented by staff and Ms. McCabe seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Town Engineer and Old Mystic Fire Department; driveway grade shall not exceed fifteen percent.
2. Any driveway grading within the 100-foot Inland Wetlands Upland Review Area will require further approval from the Inland Wetlands and Watercourses Commission.
3. Final plans shall show any improvements required by CTDOT. If no CTDOT approvals are required, a letter from CTDOT stating such shall be forwarded to the Town.
4. Prior to the issuance of any Zoning Permits, final plans shall be recorded in the Town's Land Evidence Records after Commission signature.

PZ0664SPM & CAM Latimer Point Condominium Assoc., Inc. – Site plan application for approvals for the additions to existing houses & various deck, shed & stair additions / alterations. Property located at addresses in the southern portion Latimer Point, Stonington, CT. Assessor's Maps/Blocks/Lots: 154/2/13, 154/4/2, 154/4/20, 154/4/27, 154/5/2, 154/5/9, 154/6/8 & 154/6/9.2 of 2 Zone RM-20.

The applicant is requesting a 65-day extension on this application.

Ms. Young motioned to accept a 65-day extension and Ms. Morrison seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

PZ0669RA MIRG Mystic Harbour, LLC - Regulation Amendment to Zoning Regulation Section (ZR) 7.19.6.3.2 IHRD New Construction Design Standards to allow for ten (10) units of housing per acre. No action required. Public Hearing set for: 2/6/07

PZ0671SUP Stonington Lodge Odd Fellows Corp. - Special Use Permit application for rehabilitation of existing structure as per ZR 6.6.14. Rehabilitation includes 1st floor retail; 2nd, 3rd & 4th floor residential; parking & landscaping. Property located at 11 Cottrell St., Mystic, CT. Assessor's Map 182 Block 4 Lot 4. Zone DB-5.

No action required. Public Hearing set for: 2/6/07

Public Hearing 7:45 p.m.

Ms. McCabe read the Call for Public Hearing A:

PZ0659SD & GPP Colin & Wendy Donahue (LeBlanc) – Subdivision & Groundwater Protection Permit applications for a 5-lot resubdivision of a 43.30 acre parcel. Property located at 490 Al Harvey Rd., Stonington, CT. Assessor's Map 112 Block 3 Lot 2. Zone RR-80.

This Public Hearing was continued from January 2, 2007.

Seated for the Public Hearing were: Paul Altman, Lynn Young, Alisa Morrison, Paul Holland, and Charles Sneddon presiding.

Attorney Mark Kepple and Project Engineer Paul LeBlanc presented changes to the site plan.

Mr. Brynes presented staff comments.

Mr. Holland motioned to close the Public Hearing and Ms. Morrison seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Paul Holland – approve.

The Public Hearing was closed at 8:05 p.m.

Ms. Young motioned to approve the request of a fee in lieu of open space and Mr. Holland seconded. Motion carried 4-1.

Roll Call: Charles Sneddon – approve, Paul Altman – deny, Alisa Morrison – approve, Lynn Young – approve, Paul Holland – approve.

Ms. Young motioned to approve the scenic road permit and Mr. Holland seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Paul Holland – approve.

Ms. Young motioned to approve the groundwater protection permit and Mr. Holland seconded. Motion carried 4-1.

Roll Call: Charles Sneddon – approve, Paul Altman – deny, Alisa Morrison – approve, Lynn Young – approve, Paul Holland – approve.

Ms. Young motioned to approve the application for subdivision with 7 stipulations presented by staff and Mr. Holland seconded. Motion carried 4-1.

Roll Call: Charles Sneddon – approve, Paul Altman – deny, Alisa Morrison – approve, Lynn Young – approve, Paul Holland – approve.

Stipulations:

1. Final plans are reviewed to the satisfaction of the Town Engineer.
2. The existing curb cut for the cart path on Lot 4 shall be closed off, loamed and seeded.
3. Final plans shall include signature blocks on each page for Planning and Zoning and Inland Wetlands and Watercourses Chairmen.
4. Final plans shall renumber lots as 1 through 4. Previous Lot #2 shall be eliminated and Lot #5 shall be renumbered as Lot #2. Staff will file a memo in the applicant's Inland Wetlands and Watercourses Commission file (IW#0627) clarifying this change in lot numbers.
5. Final plans shall include house address numbers and tax assessor's lot numbers to be provided by staff.
6. Proposed conservation easement shall be recorded prior to or simultaneously with the recording of final plans. The Conservation Easement shall have the Town Conservation Area marker installed around the overall perimeter of this area. The markers shall be installed at a rate of one marker for every one hundred feet of perimeter. Markers shall be installed on two points at property corners. Markers shall be a minimum of 7 feet high above the adjacent grade.

7. 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 final plans are recorded on the land records) was Approved by the Planning & Zoning Commission, each lot shall be assessed (1/4 of the 10% value)."

Ms. McCabe read the call for Public Hearing B:

PZ0653SUP & GPP Richard & Constance Morrone - Special Use Permit & Groundwater Protection Permit applications to permit retail truck rental business on site. Property located at Elmata Ave. (aka White Rock Rd.), Pawcatuck, CT. Assessor's Map 17, Block 2, Lot 8B. Zone HI-60.

This Public Hearing was continued from December 5, 2006.

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

Presenting the application were Attorney Ray Trebisacci and Charles Cocca.

No one spoke in favor, against, or with general comments.

Mr. Brynes presented staff comments.

Charles Cocca spoke in rebuttal.

Chairman Sneddon called a 5 minute recess.

Mr. Cocca resumed his rebuttal.

Ms. Young motioned to close the Public Hearing and Mr. Altman seconded. Motion carried 5-0.

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

Ms. Young motioned to approve the requested waivers and Mr. Altman seconded. Motion carried 5-0.

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

Ms. Young motioned to approve the Groundwater Protection Permit with 14 stipulations recommended by staff and Mr. Altman seconded. Motion carried 5-0.

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

Ms. Young motioned to approve the Special Use Permit with 14 stipulations articulated by staff and Mr. Altman seconded. Motion carried 5-0.

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

Stipulations:

1. Motor vehicle service, repair and/or exterior washing and cleaning are not permitted on the site per Sections 7.2.5.1.13 and 7.2.5.1.18 of the Zoning Regulations.
2. No parking or storage is permitted on the south side of the existing fence without Commission approval.
3. No ocean freight containers are permitted on the site without Commission approval.
4. Site shall be brought into compliance with all Zoning Regulations.
5. Sheet 2 shall be revised to show correct spelling of Elmata Drive.
6. Plan title shall be revised to reference Special Use Permit as well as Groundwater Protection Permit.
7. Parking calculation on plan shall be revised to state that 9 parking spaces are provided.
8. Plans shall include details on class and compacted depth of bituminous pavement to be installed along with all proposed base and subbase materials to be reviewed to the satisfaction of the Town Engineer.

9. Handicapped parking space must comply with Section 7.10.3 of the zoning regulations along with relevant State regulations. A note concerning the installation of a handicapped parking sign must be provided on the plans.
10. Plans shall provide a curve radius on all edges of pavement to be installed that contain a curve.
11. Final plans shall be recorded in the Town's Land Evidence Records after Commission signature.
12. Applicant shall post a \$5,000.00 cash Zoning Compliance Bond for a minimum period of two (2) years. Prior to Bond expiration the applicant shall submit a Bond Release application to the Department of Planning. The PZC will conduct a compliance review to determine if future bonding is required.
13. Disturbed areas outside of tenant compound will be loamed, seeded and hay mulched per 1/16/07 correspondence.
14. Compliance date to be agreed upon by Applicant and Staff.

Ms. McCabe read the call for Public Hearing C:

PZ0667CNU & CAM Masons Island Landing, LLC - Applications for Change of Non-Conforming Use & Coastal Area Management Review for the redevelopment of an existing 4.2+/- acre parcel into five (5) residential duplexes & three (3) single family residences. Property located at 29-30 Dubois Dr., Mystic, CT. Assessor's Map 175, Block 4, Lot 10. Zones RM-15 & RC-120.

This Public Hearing was continued from December 19, 2006.

Seated for the Public Hearing were: Paul Altman, Lynn Young, Julianne McCabe, Alisa Morrison, and Charles Sneddon presiding.

*Ms. Morrison motioned to reschedule **PZ0661RA Town of Stonington** to February 20, 2007 and Ms. McCabe seconded. Motion carried 5-0.*

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

The application was presented by Bob Ferrara and Gerry Martorelli, applicants, and Roy Okurowski, Coastal Engineering Company, Inc, 260 Cranberry Highway, Orleans, MA.

Speaking in favor were: John Vichi, 24 Mystic River Square, Mystic, CT; Don Proeko, 22 Orchard Hill Drive, Mystic, CT; Andy Ballinger, 21 Beach Drive, Mystic, CT; Michael Ferrera, 166 Mason's Island Rd., Mystic, CT; Marylou Andrias, 3 Black Duck Rd., Mystic, CT; Robert Johnson, 7 Nauyaug North, Mystic, CT; Peter Briggs, 12 Schoolhouse Rd, Mystic, CT; and Robert Jastremski, 9 Dubois Drive, Mystic, CT.

No one spoke against.

General comments were made by Jean and David Schweid, 15 Dubois Drive, Mystic, CT; and Carol Szymanski, CTDEP-OLISP, 79 Elm St., Hartford, CT.

Mr. Brynes presented staff comments.

Mr. Altman motioned to continue the Public Hearing until the February 6, 2007 meeting and Ms. Morrison seconded. Motion carried 5-0.

Roll Call: Charles Sneddon – approve, Paul Altman – approve, Alisa Morrison – approve, Lynn Young – approve, Julianne McCabe – approve.

Mr. Altman motioned to adjourn the meeting and Ms. Morrison seconded. Motion carried 5-0. The meeting was adjourned at 11:30 p.m.

Julianne McCabe, Secretary