

## Special Meeting

The 1362<sup>nd</sup> meeting of the Stonington Planning and Zoning Commission was held on October 2, 2007, at Mystic Middle School at 7:00 p.m. Present for the meeting were: Commission members Charles Sneddon, Paul Altman, Lynn Young; and Alternates Paul Holland and Robert Marseglia. Also in attendance were Interim Director of Planning, Keith Brynes and Town Attorney Thomas Londregan.

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

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

### Election of Officers:

*Mr. Holland motioned to table the Election of Officers until all members were present and Ms. Young seconded. Motion carried 5-0.*

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

### Consent Agenda:

**07-342ZON D'Amato Investments / Matthew Eckenroth** - Request change of user for operation of tattoo shop in Unit #16 at 163-165 South Broad St., Pawcatuck. Assessor, Map 37 Block 1 Lot 4A. Zone GC-60.

Matthew Eckenroth answered questions from the Commission.

*Ms. Young motioned to deny the use of a tattoo shop as Personal Services and Mr. Altman seconded. Motion carried 4-1.*

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

**PZ07-03SPM LCS Westminster , LLP** - Request for site plan modification to Stoneridge Phase III (Memory Care Unit).

Al Bisacky presented the application and answered questions from the Commission.

*Ms. Young motioned to approve and Mr. Marseglia seconded. Motion carried 4-0-1.*

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

**Commission interpretation of Zoning Regulation Section 10.1.3** – U.S. Route 1 Temporary Moratorium, impacted Development; on construction of a new structure of under 5,000 square feet gross floor area in an existing complex of two or more structures that total over 5,000 square feet in gross floor area.

Mr. Altman is recused.

*Mr. Holland motioned to interpret that the moratorium applies and Ms. Young seconded. Motion carried 4-0.*

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

### Old Business:

Mr. Altman is seated.

**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. Holland motioned to table the application and Mr. Marseglia seconded. Motion carried 5-0.*

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

**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 Alamoe, 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

**PZ0739SPM Flights of Fantasy Films, Inc. (Shelly Raineau)** - Site Plan Modification application to refurbish 1640 sq ft of first floor of existing building for personal services business with café (retail restaurant). Project includes stair/walkway improvements and construction of an ADA access ramp. Property located at 27 Broadway Ave., Mystic, CT. Assessor's Map 174, Block 14, Lot 2. Zone LS-5.

*Mr. Holland motioned to approve with one stipulation recommended by staff and one additional stipulation and Mr. Marseglia seconded. Motion carried 5-0.*

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

#### **Stipulations:**

1. Proposed detached sign shall be a maximum of 18 SF in area, 12' in height and shall comply with the visibility requirements of Section 7.12.4.3.5.
2. Any lighting of signage shall be shielded and full cut-off.

Chairman Sneddon called a five minute recess.

**Public Hearings:** 7:30 p.m.:

Public Hearing C:

**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.

The applicant has requested a continuation of the Public Hearing to 11/7/07.

Lynn Young read the call for Public Hearing 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.

Keith Brynes presented the application.

Town Attorney, Thomas Londregan presented information and comments on what town regulations state concerning the appropriate use of a supermajority vote.

Speaking in favor was Dora Hill, 22 Oakwood Ave, Pawcatuck, CT.

Speaking against was Carlene Donnarummo, 26 Oakwood Ave, Pawcatuck, CT.

General Comments were made by Gail Shea, River Rd, Pawcatuck, CT.

Attorney Londregan spoke in Rebuttal.

Mr. Brynes presented staff comments.

Ms. Young read a letter from the DEP into the record.

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

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

*Mr. Holland motioned to table the application and Ms. Young seconded. The motion was denied 3-2.*

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

*Mr. Altman motioned to approve the application and Mr. Marseglia seconded. Motion carried 3-2.*

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

Ms. Young read the call for Public Hearing B:

**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. *Continued from 9/4/07*

This Public Hearing continued with Rebuttal. Keith Nielson and Ian Hetherington spoke in Rebuttal.

No one spoke in favor of the application.

Speaking against were: Dino Polselli, 7 Lambert's Lane, Stonington, CT; Ron Levine, attorney representing the owners of property at 218 North Water St., Stonington, CT; Joe Masterjoseph, North Water Street, Stonington, CT.

General Comments were made by Bill Emberton, North Water St., Stonington, CT; Gil Nichols, 3 Lamberts Lane, Stonington, CT.

Mr. Neilson requested a continuance.

*Ms. Young motioned to continue and Mr. Altman seconded. Motion carried 5-0 (probable continuance date 11/20/07).*

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

Ms. Young read the Call for Public Hearing D:

**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.

Susan Hayes presented the application.

Mr. Brynes presented staff comments.

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

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

*Mr. Holland motioned to approve the request for waivers and Mr. Marseglia seconded. Motion carried 5-0.*

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

*Mr. Holland motioned to approve the Special Use Permit with staff recommended resolution language and one stipulation and Ms. Young seconded. Motion carried 5-0.*

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

**Stipulation:**

1. Any proposed signage shall comply with the approved Multi-Tenant Signage Program for this site. (PZ0478SPA).

*Ms. Young motioned to set the effective date for the text amendment (**PZ0733RA Town of Stonington**) to October 22, 2007 and Mr. Altman seconded. Motion carried 3-2*

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

Mr. Holland motioned to adjourn and Mr. Altman seconded.

The meeting was adjourned at 11:15 p.m.

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Lynn Young, Acting Secretary