

Regular Meeting

The 1348th meeting of the Stonington Planning and Zoning Commission was held on March 20, 2007 at the Mystic Middle School at 7:00 p.m. Present for the meeting were: Commission members Paul Altman, Julianne McCabe, Lynn Young, and Alternates Paul Holland and Robert Marseglia. Also in attendance were Town Planner Keith Brynes and Director of Planning Jason Vincent.

Seated for the meeting were: Julianne McCabe, Paul Holland, Robert Marseglia, and Paul Altman presiding.

Minutes:

Ms. McCabe motioned to approve the minutes of the March 6, 2007 meeting as written and Mr. Holland seconded. Motion carried 3-0-1

Roll Call: Robert Marseglia – abstain, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve.

Correspondence:

Mr. Vincent stated 2 letters had been received by the Planning and Zoning Office.

Old Business:

PZ0661RA Town of Stonington – Regulation Amendment to Section 8.7 Fee Schedule to provide a re-application fee process for applications that have been withdrawn prior to Commission review and for Zoning Permit resubmissions within one year of Zoning Official decision.

Mr. Marseglia motioned to approve the Regulation Amendment for purposes of discussion and Ms. McCabe seconded. Motion carried 4-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve.

The effective date is April 10, 2007.

PZ0701POCD Town of Stonington (Conservation Commission) - Plan of Conservation and Development Amendment for the adoption of the Conservation Commission 2006 Open Space Plan. *Approved as Amended, 2/20/07 (Draft)*

No action required.

PZ0705RA Lattizori Development - Regulation Amendment to create a Mixed Use Transitional District (MUTD) in Section 1.1, add proposed MUTD Regulations (Article VII), and add Special Detached Signage language (Section 7.12).

No action required. Public Hearing set for 4/3/07 #1

PZ0706RA Town of Stonington – Zoning Regulation Amendment to ZR 6.6.5 Drive-in Windows to remove the maximum distance a window can be from a street.

No action required. Public Hearing set for 4/3/07 #2

PZ0707ZC Town of Stonington – Zoning Map Amendment from Residential RR-80 to Residential RA-20 for properties located on the eastern side of Greenhaven Rd., approximately 242 feet south of Renie Drive, then heading southeast 1137'± to a point; then heading in a northeasterly direction 381'± to a point; then heading in a north direction 478'± to a point; then heading in a northwesterly direction 782'± to a point; then heading in a northerly direction 333'± to a point; then heading in a westerly direction 374'± to a point; then heading in a southerly direction 512'± to the point of beginning. Said area being approximately 15.65 acres and the subject of this application. Involving Map 11, Block 2, Lots 1-4; Map 12, Block 16, Lots 2-5.

No action required. Public Hearing Date Set: 5/1/07

PZ0708SPM IRNM Fee Mystic, LLC (Comfort Inn) – Site Plan Modification application for 18' x 30' outdoor pool

with a 6' x 13' deck at existing hotel building. Site work includes landscaping & relocation of one yard drain & one rain leader. Property located at 48 Whitehall Ave., Mystic, CT. Assessor's Map 164, Block 2, Lot 1. Zone GC-60. No action required. Public Hearing Date To Be Set

PZ0710CAM Penelope Townsend (Robert Mercer) – Request for Coastal Area Management review to allow for demo of existing & construction of a new 3,444 sq. ft. single family residence. Property located at 27 Chippechaug Trail, Mystic. Assessor's Map 177 Block 8 Lot 3. Zone RA-20. The request was presented by Robert Mercer and William Bertsche.

Mr. Brynes presented staff comments, adding 5 stipulations to those recommended in the staff report.

Mr. Holland motioned to approve the request as consistent with Coastal Area Management with 10 stipulations recommended by staff and Ms. McCabe seconded. Motion carried 4-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve.

Stipulations:

1. Final plans shall show minimum required side setback in the RA-20 zone as 10'.
2. Final plans shall include a statement as to whether there will be dry access to the structure during the 100-year storm event. (7.7.4.5)
3. Final plans shall include certification that, "The design and methods of construction are certified to be in accordance with accepted standards of practice to minimize flooding and flood damage." (7.7.4.6)
4. Final plan note shall clarify FEMA designation.
5. Final plans shall be reviewed to the satisfaction of the Town Engineer.
6. Final plans shall depict the High Tide Line.
7. Final plans shall reference existing DEP permit issued to modify seawall and steps within DEP jurisdiction.
8. Final plans shall depict location of Tidal Wetlands.
9. Final plans shall be revised to the satisfaction of the Town Sanitarian regarding compliance with State Health Code.
10. Final plans shall conform to the Fire Marshal's 2/28/07 comments.

PZ0714ZC MIRG Mystic Harbour, LLC - Zoning Map Amendment to increase the number of housing units from 47 to 55, as per ZR 7.19.6.3.2. Property located at 2 Harry Austin Drive, Mystic, CT. Assessor's Map 160 Block 4 Lot 8. Zone IHRD-2. No action required. Public Hearing Date To Be Set

Chairman Altman called a 5 minute recess.

Public Hearing: 7:30 p.m.:

Ms. McCabe read the call for Public Hearing A:

PZ0709SUP Mystic River Marina, Inc. (William Bertsche) – Request for Special Use Permit to allow for construction of a 12' x 31' one-story addition to existing structure & an 8' x 8' walk-in freezer, as per requirements of 6/28/82 Superior Court judgment. Property located at 36 Quarry Rd., Mystic, CT. Assessor's Map 181 Block 1 Lot 8. Zone RM-15.

Seated for the Public Hearing were: Paul Holland, Robert Marseglia, Julianne McCabe, and Paul Altman presiding.

The request was presented by William Bertsche.

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

Mr. Brynes presented staff comments, including 2 stipulations.

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

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland –

approve.

Mr. Holland motioned to approve the waivers and Mr. Marseglia seconded. Motion carried 4-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve.

Mr. Holland motioned to approve the request with staff's resolution language and 2 recommended stipulations, and Ms. McCabe seconded. Motion carried 4-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve.

Stipulations:

1. Final plans shall be revised to include relevant certifications required under Section 7.7.4.
2. Final plans shall be revised to the satisfaction of the Town Sanitarian regarding State Health Code Compliance.

Commissioner Lynn Young was seated.

Ms. McCabe read the call for Public Hearing C:

PZ0712SUP Noank Shipyard, Inc. (John Holstein) - Special Use Permit Application for approval of required parking spaces in regards to additional slips recently approved by the CTDEP. ZR 7.10.4.4 requires 61 spaces (122 slips). Properties located on Washington & Willow Streets, Mystic, CT. Assessor's Map 182 Block 1 Lots 6, 7, 8, 12 & 16. Zones RC-120 & MC-80.

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

The application was presented by Kathleen and Dan Burns.

No one spoke in favor or against.

General comments were made by David Snediker, 11 Washington St, Mystic, CT; Janis Mink, 17 Washington St., Mystic, CT; and Mike Crowley, Willow St., Mystic, CT.

Mr. Brynes presented staff comments.

Dan Burns spoke in rebuttal.

Mr. Vincent explained regulations regarding notices to abutting properties.

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

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve, Lynn Young – approve.

Mr. Holland motioned to approve waivers and Mr. Marseglia seconded. Motion carried 5-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve, Lynn Young – approve.

Mr. Holland motioned to approve the application with staff resolution language and 3 stipulations and Mr. Marseglia seconded. Motion carried 5-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve, Lynn Young – approve.

Stipulations:

1. Final plan shall be submitted showing adequate fire department access to be reviewed to the satisfaction of the Fire Marshal. Plan shall include boat storage locations.

2. The applicant shall provide an updated parking plan depicting the required spaces.
3. The vacant lot on the corner of Washington and Willow Streets shall only be used for special events (no approval of this area for marina activities).

Ms. McCabe read the call for Public Hearing B:

PZ0711SUP C. George Kanabis (Bravo Bravo, LLC) - Application for Special Use Permit to expand existing restaurant seating capacity by 20 seats, supported by availability of an additional 5 parking spaces. Properties located at 17-19 East Main St. (parking) & 20 East Main St. (restaurant), Mystic, CT. Assessor's Map 174 Block 2 Lot 4 & Map 182 Block 4 Lot 13. Zone DB-5.

The application was presented by Angela Kanabis who presented 3 letters to enter into the record.

Speaking in favor were: Eric Janney, 975 Stonington Rd., Pawcatuck, CT; Albert Razzano, 62 West Main St., Mystic, CT; Carl Spiegel, 5 Holmes St., Mystic, CT; George Tazinni, 24 Willow St., Mystic, CT; Larry St. Pierre, 12 Cottrell St., Mystic, CT; Elizabeth & Mary Ervin, 492 West Main St., Mystic, CT; Larry Gemma, 37-39 West Main St., Mystic, CT; Ann Navin, 5 Holmes St., Mystic, CT; and Tim Murray, 9 Cottrell St., Mystic, CT.

William Scheer, 4 Haley St., Mystic, CT spoke against.

Tom Quirk, 96 Palmer Neck Rd., Pawcatuck, CT, and Christine Cooney, 2 Holmes St., Mystic, CT made general comments.

There was no rebuttal.

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

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve, Lynn Young – approve.

Mr. Holland motioned to approve the application with resolution language articulated in the staff report and two stipulations and Ms. McCabe seconded. Mr. Holland withdrew his motion and Ms. McCabe withdrew her second.

Mr. Holland motioned to approve waivers and Ms. McCabe seconded. Motion carried 5-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve, Lynn Young – approve.

Mr. Holland motioned to approve the application with resolution language articulated in the staff report and two stipulations and Ms. McCabe seconded. Motion carried 5-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve, Lynn Young – approve.

Stipulations:

1. Prior to the issuance of a Zoning Permit, a legal agreement for off-site parking must be filed in the Town's Land Evidence Records after review by the Town Attorney.
2. The Town's maximum seating notice must be posted in a conspicuous location inside the restaurant.

Mr. Holland motioned to adjourn and Mr. Marseglia seconded. Motion carried 5-0.

Roll Call: Robert Marseglia – approve, Paul Altman – approve, Julianne McCabe – approve, Paul Holland – approve, Lynn Young – approve.

The meeting was adjourned at 9:00 p.m.

Julianne McCabe, Secretary