

## Special Meeting

The 1377<sup>th</sup> meeting of the Stonington Planning and Zoning Commission was held on June 3, 2008 at the Mystic Middle School at 7:00 p.m. Present for the meeting were Commission members Lynn Young, Paul Altman, Chuck Sneddon; Alternates Rob Marseglia and Lynda Trebisacci, Town Planner Keith Brynes, and Director of Planning William Haase.

Call to order 7:00 p.m.

Seated for the meeting were: Lynn Young, Paul Altman, Lynda Trebisacci, and Chuck Sneddon, presiding.

**Minutes:**

*Ms. Young motioned to approve the minutes of the May 6, 2008 meeting as written and Ms. Trebisacci seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**ZEO - Pending Variances:** A-2 survey waiver request  
**ZBA #08-10 Amanda Lindberg (Tonya Morgan)**

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**Consent Agenda:**

**PZ0740SD & CAM Jeffrey & Melanie Buck** - Subdivision Application & Coastal Area Management Review for a 2-lot subdivision of an approximate 2.75 acre parcel. Property located at 79 Palmer Neck Rd., Pawcatuck. Assessor's Map 51 Block 1 Lot 3A. Zone RA-40. Request additional 90-day extension to file final subdivision plans.

*Mr. Altman motioned to approve the request and Ms. Trebisacci seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**PZ0750SD & GPP Charles & Michelle Lekites** - Subdivision Application & Groundwater Protection Permit for a 4-lot re-subdivision of a 25.8± acre parcel. Property located off New London Turnpike, Stonington, CT. Assessor's Map 138, Block 3, Lot 7. Zone GBR-130. Request 90-day extension to file final subdivision plans.

*Ms. Young motioned to approve the request and Mr. Altman seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**PZ0754SD Suzanne Medeiros** - Subdivision Application for a 2-lot subdivision of approximate 4.9± acre parcel. The subdivision proposes a lot line revision through the conveyance of 6,973± SF to Map 35 Block 1 Lot 4A. Property located at 108 Greenhaven Rd., Pawcatuck. Assessor's Map 35 Block 1 Lot 4. Zone RA-40. Request 90-day extension to file final subdivision plans.

*Mr. Altman motioned to approve the request and Ms. Trebisacci seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**PZ0747SD John Williams, et al** - Subdivision Application for a 3-lot subdivision of two parcels (approximately 95.96 acres). Property located at Prentice Williams Rd., Stonington. Assessor's Map 137 Block 1 Lot 1 & Map 147 Block 2 Lot 3. Zone GBR-130. Request 90-day extension to file final subdivision plans and review of a boundary line adjustment to same subdivision.

*Ms. Young motioned to approve the requests and Ms. Trebisacci seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**08-136ZON Noank Shipyard, Inc.** - Request approval for construction of a 35' x 26' structure to replace existing shed. Property located at 2-4 Washington St., Mystic, CT. Assessor's Map 182, Block 1, Lot 12. Zone MC-80.

The request was presented by Russell Sergeant and Dan Burns.

*Ms. Young motioned to approve with one stipulation and Ms. Trebisacci seconded. Motion carried 3-1.*

Roll Call: Lynn Young – approve, Paul Altman – deny, Lynda Trebisacci – approve, Chuck Sneddon - approve

**Stipulation:**

1. All lighting shall be full cut-off.

**08-140ZON Suzanne & Paul Berkman (Camille Taylor)** - Request approval for Change of Use from retail to office, and associated signage. Property located at 232 Greenmanville Ave., Mystic, CT. Assessor's Map 171, Block 2, Lot 3. Zone TC-80.

The request was presented by Mr. Robert Taylor.

*Ms. Young motioned to approve the change of use only, not including any signage, and Mr. Altman seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**08-146ZON Swantown Hill Corp. (Dr. Jennifer Welch)** – Request approval for Change of Use from retail to Chiropractic Office. Property located at 2 Greenmanville Ave., Mystic, CT. Assessor's Map 173, Block 7, Lot 2. Zone CS-5.

The request was presented by Planner Keith Brynes.

*Mr. Altman motioned to approve the request and Ms. Trebisacci seconded. Mr. Altman amended his motion to include that the applicant must come back for signage approval and Ms. Young seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**08-153ZON Inland American CFG** – Request approval for above-ground storage tank at existing bank. Property located at 23 Broadway Ave., Mystic, CT. Assessor's Map 174, Block 8, Lot 4. Zone LS-5.

The request was presented by Tim Ladizki.

*Ms. Young motioned to approve and Ms. Trebisacci seconded. Motion carried 4-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Chuck Sneddon - approve

**PZ0720SUP & GPP Mukesh & Meena Patel** – Request for Site Plan Modifications to approved Special Use Permit & Groundwater Protection Permit for construction of a 3-story, 75 room hotel on a 4.05 acre parcel. Property located at 349 Liberty St., Pawcatuck, CT. Assessor's Map 17 Block 3 Lot 1. Zone HI-60.

After discussion with the Commission, Patrick Lafayette, engineer, withdrew his request.

**Old Business:**

**PZ0803SD & GPP James & Jacqueline Burgess & Susan Blaisdell** – Subdivision & Groundwater Protection Permit Applications for a 26-lot subdivision of an approximate 50.54 acre parcel. Property located at 56 Jeffrey Rd., Pawcatuck, CT. Assessor's Map 17, Block 1, Lot 6, Zone RM-20. Continued from 4/1/08. Applicant requests continuance to 6/17/08. No action required. Public Hearing continued to: 6/17/08

**PZ0812ZC & CAM Edward & Andrea Besky** - Zoning Map Amendment from Residential RC-120 to Residential RM-20, and a Coastal Area Management Review for property located at 83 Noyes Ave., Stonington, CT. Assessor's Map 129 Block 9 Lot 3. Zones RC-120 & RM-20.

No action required. Public Hearing set for: 7/15/08

**PZ0813SUP Quantum of Mystic, LLC (Tastings of NE)** - Special Use Permit application for approval of a 47-seat Restaurant and a Liquor Permit to allow liquor sales for consumption on-premises. Property located at 4 Hendel Drive, Mystic, CT. Assessor's Map 164 Block 1 Lot 8A. Zone GC-60.

No action required. Public Hearing set for: 7/15/08

**PZ0814SUP & CAM KAC Realty, LLC** - Special Use Permit application and Coastal Area Management Review for rehabilitation of buildings: one (1) with a retail restaurant (deli) & one (1) with 8 residential units. Proposal includes associated parking, landscaping & utilities. Property located at 17-19 East Main Street, Mystic, CT. Assessor's Map 174 Block 2 Lot 4. Zone DB-5.

No action required. Public Hearing set for: 7/15/08

**PZ0815SUP Alva Associates, LLC (Duncklee, Inc.)** - Special Use Permit application to construct three (3) 1-story office & warehousing structures (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: 7/15/08

Chairman Sneddon called a five minute recess.

**Public Hearings:**

Seated for the Public Hearings were: Rob Marseglia, Lynn Young, Paul Altman, Lynda Trebisacci, and Chuck Sneddon presiding.

Ms. Young read the call for Public Hearing A:

**PZ0802SUP Berstev, LLC (Joshua Feldman)** - Special Use Permit application to increase seating capacity, allow outdoor seating, & increase number of permitted employees at existing restaurant (Rice Spice Noodles). Request a reduction of parking requirements and acceptance of a Shared Parking Agreement. Property located at 4 Roosevelt Ave., Mystic, CT. Assessor's Map 174, Block 17, Lot 4. Zone LS-5. Continued from 5/6/08

The application was presented by Joshua Feldman

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

Mr. Brynes presented staff comments. There was no rebuttal.

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

*Ms. Young motioned to approve the application with the two stipulations recommended by staff, and an additional one from discussion, and Ms. Trebisacci seconded. Motion carried 5-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

**Stipulations:**

1. Special Use Permit is not effective until the shared parking agreement is reviewed to the satisfaction of the Town Attorney and recorded in the Town's Land Evidence Records.
2. The Town's maximum seating notice must be posted in a conspicuous location inside the restaurant. Maximum total number of seats is 72 (30 indoor and 42 outdoor).
3. Seating shall not impede the public Right of Way.

Ms. Young read the call for Public Hearing B:

**PZ0808SUP Mystic Junction, LLC** - Special Use Permit application for a Change of Use to existing 2nd floor from office/retail to residential, and addition of a 3.5' x 15' covered exterior stairway for direct egress to residential unit. Property located at 40 Washington St., Mystic, CT. Assessor's Map 174, Block 19, Lot 2. Zone LS-5.

The application was presented by Suzanne Moore, applicant.

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

Mr. Brynes presented staff comments. There was no rebuttal.

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

*Ms. Young motioned to approve the application with the two stipulations recommended by staff and a third stipulation in the resolution language, and Ms. Trebisacci seconded. Motion carried 5-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

**Stipulations:**

1. Proposed stairway must conform to the minimum rear yard setback of ten percent of lot depth.
2. Two on-site parking spaces must be maintained as residential parking only.
3. Fire Department shall review revised stairway.

Ms. Young read the call for Public Hearing C:

**PZ0809SUP & CAM Joanne B. Colli, Trustee** - Special Use Permit application and Coastal Area Management Review for modifications to existing Dunkin Donuts. Request approval for Restaurant (increase seating from 8 to 15 seats), and the addition of a Drive-thru, including reorientation of parking, and changes to signage & landscaping. Property located at 17 Whitehall Ave., Mystic, CT. Assessor's Map 164 Block 1 Lot 4. Zone TC-80.

The application was presented by Ted Harris, 351 Main Street, Niantic, CT and Bill Fleet, 41 Prospect Street, Manchester, CT

Mr. Brynes presented staff comments.

No one spoke in favor, against, or with general comments. There was no rebuttal.

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

*Ms. Young motioned to approve the application as consistent with CAM and Mr. Marseglia seconded. Motion carried 5-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

*Ms. Young motioned to approve the Special Use Permit with three stipulations and Mr. Altman seconded. Motion carried 5-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

**Stipulations:**

1. The Town's maximum seating notice must be posted in a conspicuous location inside the restaurant. This application permits a maximum of 15 indoor seats and 18 outdoor seats.
2. Landscaping plan, including additional perimeter shade trees, shall be reviewed to the satisfaction of staff prior to the issuance of any Zoning Permits.
3. Final plans shall be recorded in the Town Clerk's Office prior to the issuance of any Zoning Permits.

Ms. Young read the call for Public Hearing D:

**PZ0810SUP South Broad Realty. LLC** - Special Use Permit application for approval of Restaurant (increase seating from 8 to 24 seats), additional four (4) outdoor seasonal seats, and associated signage & parking in existing structure. Property located at 76 South Broad St., Pawcatuck, CT. Assessor's Map 14 Block 2 Lot 11. Zone LS-5.

The application was presented by Dave Rosenblum, applicant.

Speaking against was Leonard Epstein, owner of Rutmans Furniture, an adjacent property.

General Comments were made by Kathy Schwartzman.

*Ms. Young motioned to continue the Public Hearing to June 17, 2008 and Mr. Marseglia seconded. Motion carried 5-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

Ms. Young read the call for Public Hearing E:

**PZ0811SUP Whitehall Mansion Partners, LLC** - Special Use Permit application for approval of a 113-seat Restaurant and a Liquor Permit to allow liquor sales for consumption on-premises in existing structure. Property located at 56 Whitehall Ave., Mystic, CT. Assessor's Map 164 Block 2 Lot 2 Unit 2. Zone GC-60.

The application was presented by Chuck Canavan, architect.

Speaking in favor was Bob Valenti.

Mr. Brynes presented staff comments.

No one spoke against or with general comments.

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve.

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

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

*Ms. Young motioned to approve the Special Use Permit with the three stipulations in the staff report and Mr. Altman seconded. Motion carried 5-0.*

Roll Call: Lynn Young – approve, Paul Altman – approve, Lynda Trebisacci – approve, Rob Marseglia – approve, Chuck Sneddon – approve

**Stipulations:**

1. A Multi-Tenant Signage Program must be approved by the Commission prior to the issuance of any Signage Permits.
2. Plan must be revised to show location of any new dumpster with required landscaping per Section 7.13.1.4.
3. Plan must show location of bicycle rack per Section 7.10.4.6.

*Mr. Altman motioned to adjourn and Mr. Marseglia seconded. The meeting was adjourned at 9:45 p.m.*

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Lynn Young, Acting Secretary