

Regular Meeting

The 1371st meeting of the Stonington Planning and Zoning Commission was held on February 19, 2008 at Mystic Middle School at 7:00 p.m. Present for the meeting were Commission members Paul Altman, Charles Sneddon, Julianne McCabe, and Lynn Young; Alternates Lynda Trebisacci and Rob Marseglia; Town Planner Keith Brynes, and Director of Planning William Haase.

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

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

Minutes:

Ms. McCabe motioned to approve the minutes of the January 15, 2008 meeting as written, and Mr. Altman seconded. Motion carried 5-0.

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

ZEO - Pending Variances: A-2 survey waiver requests

ZBA #08-01 Leslie & David Packer – Seeking a variance of ZR 5.1.1 to reduce the front yard setback from 50' to 35' for construction of an addition to a single family residence on property located at 785 Pequot Trail, Stonington, CT. Assessor's Map 83, Block 3, Lot 3, Zone RR-80.

Mr. Altman motioned to approve the waiver request and Mr. Marseglia seconded. Motion carried 5-0.

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

Consent Agenda:

ZON08-004 Michael Shortman – Zoning Permit application for a 12' x 10' shed. Property located at 152-156 South Broad St., Pawcatuck. Assessor's Map 25, Block 1, Lot 16, Zone GC-60.

Mr. Altman motioned to approve the application and Mr. Marseglia seconded. Motion carried 5-0.

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

ZON08-017 Town of Stonington WPCA - Zoning & Groundwater Protection Permit application for installation of five poles for SCADA antennae. Properties located at 78 Spellman Drive, 3 Rose Lane, 38 Mary Hall Road, 18 Lindburg Lane & 26 Hewitt Road. Assessor's Maps/Blocks/Lots: 25/1/19, 126/7/1, 6/3/1, 129/4/1 & 161/25/1.

Lynn Young is recused and Lynda Trebisacci is seated.

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

Roll Call: Julianne McCabe – approve, Lynda Trebisacci – approve, Paul Altman – approve, Rob Marseglia – approve, Charles Sneddon – approve.

PZ0667CNU & CAM Masons Island Landing, LLC - 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. As per ZR Section 8.2.4.1, request renewal of application for one year.

Lynn Young is seated.

The request was presented by Gennaro Martorelli

Mr. Altman motioned to approve the request and Mr. Marseglia seconded. Motion carried 4-0-1.

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

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 for 90-day extension to file final subdivision mylars.

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

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

ZON08-024 Whitehall Ave., LLC - Zoning Permit application for modification of external door to allow for take-out service of food at Ground Round / Fishtails. Property located at 9 Whitehall Ave., Mystic. Assessor's Map 164 Block 1 Lot 3. Zone TC-80.

The application was presented by Mr. Wajih Jafri

Mr. Marseglia motioned to approve the application and Ms. Young seconded. Motion carried 4-1.

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

PZ0636SUP & CAM Janet Hendel Est. (Mystic Lighthouse Ptrs) - Special Use Permit & Coastal Area Management Review applications for construction of a 3-story, 92 room hotel on a 3.2 acre parcel. Property located at 6 Hendel Dr., Mystic, CT. Assessor's Map 164 Block 1 Lot 8. Zone GC-60. Request modifications to approved application: addition of dormer to accommodate elevator shaft & changes to exterior lighting.

Mr. Marseglia motioned to approve the request for the dormer, only, exclusive of the lighting request and Mr. Altman seconded. Motion carried 5-0.

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

Flights of Fantasy Films, Inc. (Shelly Raineau) - Request Change of Use for the second floor of existing building. Current use is residential, request change to commercial. Property located at 27 Broadway Ave., Mystic, CT. Assessor's Map 174, Block 14, Lot 2. Zone LS-5.

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

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

PZ0603SD & SUP Arlene Steinlauf & Stephen Yardan, Trustees – Subdivision & Special Use Permit Applications for 23-lot subdivision of a 62.5 acre parcel. Property located off Jeremy Hill Road, Stonington. Assessor's Map 90 Block 1 Lot 1. Zone RR-80. Request for 90-day extension to file final subdivision mylars.

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

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

Old Business:

PZ0748POCD Town of Stonington (Route 1 Corridor Study) - Plan of Conservation and Development Amendment for the adoption of the Route 1 Corridor Study.

New Submittal: 11/20/07

No action required. Public Hearing rescheduled for 3/4/08

PZ0752CNU Peter Fleming & Scott Nye (Fleming's) – Change of Non-Conforming Use approval to add an 8' x 100' roof overhang & wood siding to existing building and replace existing 18 sq. ft. I.D. sign with 80 sq. ft. lighted I.D. sign. Remove 1200 sq. ft. of billboards and replace with 600 sq. ft. of billboards, one double-sided, lighted 10' x 30' x15' single-pole mounted. Property located at 786 Stonington Rd. Assessor's Map 75, Block 2, Lot 2. Zone GC-60.
 New Submittal: 12/18/07
 No action required. Public Hearing continued to 3/18/08

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.
 New Submittal: 1/15/08

The application was presented by Arthur Hayward.

Mr. Brynes presented staff comments, reviewing the staff recommended stipulations.

Mr. Marseglia motioned to approve the fee in lieu of open space and Ms. Young seconded. Motion carried 5-0.

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

Mr. Marseglia motioned to approve the application with the four (4) stipulations recommended by staff and Ms. Young seconded. Motion carried 5-0.

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

Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Department of Public Works, including a review of appropriate sightline from the new driveway location.
2. Final plans shall include the items listed in the Town Planner's letter dated 1/7/08.
3. Final plan shall be revised to reflect new lot and house numbers as assigned by the Town.
4. 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 (1/2 of the 10% value)."

Chairman Sneddon called a five minute recess.

Public Hearings:

Ms. McCabe read the call for Public Hearing A:

PZ0747SD & GPP John O S Williams, et al - Subdivision Application & Groundwater Protection Permit 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.

The application was presented by property owner, Georgia Jenkins.

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

Mr. Brynes presented staff comments.

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

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

Ms. Young motioned to approve the ground water Protection Permit and Mr. Altman seconded. Motion carried 5-0.

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

Ms. Young motioned to approve the subdivision with three (3) stipulations recommended by staff and Ms. McCabe seconded. Motion carried 5-0.

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

Stipulations:

1. Final plans shall include new house and lot numbers to be provided by the Town.
2. Deeds for individual lots shall include language that lots are to be transferred to family members for no financial consideration per CGS Section 8-25(a).
3. Final plans shall be reviewed to the satisfaction of the Old Mystic Fire Department.

Ms. McCabe read the call for Public Hearing B:

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.

The application was presented by Alisa Morrison.

General comments were made by Thomas Collier, attorney representing James Farrell and Curt Floyd.

Mr. Brynes presented staff comments.

Ms. Young motioned it was the opinion of the Commission that they are within their authority to rescind the 1967 decision stipulation mandating a Town road for access to any new lots created by re-subdivision, and Ms. McCabe seconded. Motion carried 5-0.

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

Alisa Morrison spoke in rebuttal.

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

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

Ms. Young motioned to approve the Groundwater Protection Permit and Mr. Altman seconded. Motion carried 5-0.

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

Ms. Young motioned to approve the application with seven (7) stipulations and Mr. Altman seconded. Motion carried 5-0.

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

Ms. Young motioned to approve the fee in lieu of open space and Ms. McCabe seconded. Motion carried 5-0.

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

Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Town Engineer.
2. Final plan shall show measurements of the conservation easement.
3. Final plans shall be revised to reflect new lot and house numbers as assigned by the Town.

4. 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)."
5. Final plans shall be reviewed to the satisfaction of the Old Mystic Fire Department.
6. Maximum grade of driveway shall be 12% as per ZR 7/11/1/5.
7. Deeds and plans shall state that lots are located near a gun club.

Ms. McCabe read the call for Public Hearing C:

PZ0801SUP Douglas W. Hanson - Special Use Permit application to operate a full service, 60-seat restaurant with on-premises liquor sales (beer & wine). Request a reduction of parking requirements as per ZR 7.10.2.3. Property located at 59 West Broad St., Pawcatuck, CT. Assessor's Map 1, Block 4, Lot 2. Zone DB-5.

The application was presented by Douglas Hanson

Speaking in favor were Stefan Ambrosch, 4 Fellows St. Ext., Pawcatuck, CT, and Carlene Donnarummo, 22 Oakwood Ave., Pawcatuck, CT.

General comments were made by Peter Romeo, 15 Green Ave., Pawcatuck, CT.

Doug Hanson spoke in rebuttal.

Mr. Brynes presented staff comments.

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

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

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

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

Ms. Young motioned to grant the parking reduction and Mr. Marseglia seconded. Motion carried 5-0.

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

Ms. Young motioned to approve the Special Use Permit with two (2) stipulations and Mr. Marseglia seconded. Motion carried 5-0.

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

Stipulations:

1. Proposed signage and any building elevation changes shall be reviewed by the Commission through the Consent Agenda process.
2. No sign shall be erected stating that parking is for the Restaurant Only.

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

The meeting was adjourned at 9:30.

Julianne McCabe, Secretary