

Special Meeting

The 1379th meeting of the Stonington Planning and Zoning Commission was held on July 15, 2008, at Pine Point School, 89 Barnes Road. Present for the Meeting: Regular members Paul Altman, Paul Holland and Charles Sneddon, Alternates Lynda Trebisacci and Robert Marseglia (who arrived at 7:20 p.m.), Town Planner Keith Brynes, and Director of Planning William Haase.

Chairman Sneddon called the meeting to order at 7:01 p.m.

Minutes:

Outstanding Minutes: #1375, April 15, 2008, approved, not signed; #1376, May 6, 2008, approved, not signed; #1377, June 3, 2008, approved, not signed; #1378, June 17, 2008. Approval of minutes was deferred.

Reports:

Keith Brynes distributed copies of the *Stonington Housing Affordability Plan* to Commission for review prior to an informal discussion scheduled for August 5, 2008.

Consent Agenda:

PZ0656SUP & GPP Readco Stonington - Request for modification of restaurant elevations and minor site plan modifications to approved application. Property located northeast of Route 2 (Liberty St.) & Route 49 (Voluntown Rd.) intersection, Pawcatuck, CT. Assessor's Map 18 Block 1 Lots 33 & 33A & property to be acquired from the State of CT DOT. Zone HI-60.

Readco Development Manager Wayne Frasier provided a project update. Stop & Shop will break ground on July 23rd and Newport Federal will break ground on August 4th. McDonald's representative Steve Fredericks described the "New England" architectural prototype and landscape plan. Signage is approved at 85 sq. ft. Mr. Brynes stated that internally lit signs may be lit for 15 percent of the total area, so wall signs will have to be externally lit or use halo lighting.

Mr. Holland motioned to approve restaurant elevations and minor site plan modifications, with stipulations that wall signs be halo lighting, no internally lit signs, and lighted directional signs be full cutoff facing down or not visible from Route 49 and Route 2. Mr. Altman seconded. Motion carried 5-0.

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. *Mr. Holland motioned to table the decision, seconded by Mr. Sneddon. Motion carried 3-1 (Altman opposed; Marseglia not voting).*

Public Hearings:

Seated for all Public Hearings: Paul Altman, Lynda Trebisacci, Paul Holland, Robert Marseglia, and Charles Sneddon presiding. Paul Holland read the call for all Hearings.

PZ0812ZC & CAM Edward & Andrea Besky - Zoning Map Amendment from Residential RC-120 to Residential RM-20, and 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.

Theodore Ladwig, Esq. represented the applicants and Debbie Marshall Baker, PE presented technical aspects, describing physical aspects of the lot, which is zoned RC-120 but only 16,130 sq. ft. in area. When the Beskys decided to expand the home they could not meet bulk requirements for RC-120, which they can do with a RM-20 rezone. With inclusion of Beach Avenue and the CAM

zone overlay, there will be virtually the same protection as with the RC-120 zone. Attorney Ladwig said this property should be zoned appropriately to others in the neighborhood.

Public Comment: Robert Taber, 13 Boulder Avenue – asked for clarification that coastal area zoning would control building height.

Mr. Brynes stated that within 150 feet of the coast there are extra height limit regardless of underlying zoning. Five feet would be gained, but this requires approval by the zoning official. The Conservation Commission has recommended approval of zone change.

Mr. Holland motioned to close the Public Hearing, seconded by Mr. Marseglia. Motion carried 5-0.

Mr. Holland motioned to grant requested waivers, seconded by Mr. Altman. Motion carried 5-0.

Mr. Holland motioned that the application is consistent with the Coastal Management Act, seconded by Mr. Marseglia. Motion carried 5-0.

Mr. Holland motioned to approve zone change, incorporating resolution language on page 26 of staff report, seconded by Mr. Altman. Motion carried 5-0.

Mr. Holland motioned that application is consistent with Plan of Conservation and Development, seconded by Ms. Trebisacci. Motion carried 5-0.

PZ0813SUP Quantum of Mystic, LLC (Tastings of NE) - Special Use Permit application for approval of 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.

Owner Paul Siscata presented the application. Wine and beer will be sold for consumption on premise only. Mr. Marseglia asked if a liquor license had been approved. Mr. Siscata responded that he met with the liquor control agent and a provisional license should be issued by the end of July with a permanent license issued by the end of August. A Tastings of NE sign will be on the building, and also on the existing Hampton Inn pylon sign.

Public Comment: Janet Tripp, 5 Whitehall Landing – questioned the hours, number of parking space, dumpster location and planned entertainment. David Bristol, 22 Whitehall Landing – expressed concerns about parking. MaryAnn Starwalt, 14 Bradford Rd. - expressed concerns about parking.

Mr. Brynes responded, stating there are 21 parking spots for Tastings and 14 for Starbucks totaling 35 which meet parking requirements. The Commission approved shared parking by special permit two years ago.

Mr. Siscata spoke in rebuttal, stating there will be no live entertainment. Placement of the dumpster and service vehicle area is noted on the approved site plan.

Mr. Holland motioned to close the public hearing, seconded by Mr. Altman. Motion carried 5-0.

Mr. Holland motioned to approve requested waivers, seconded by Mr. Altman. Motion carried 5-0.

Mr. Holland motioned to approve the special use permit incorporating resolution language on page 32 of staff report, to include stipulation that the Town's maximum seating notice be placed in a conspicuous location inside restaurant. Mr. Altman seconded. Motion carried 5-0.

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

Applicant Christopher Rixon described proposed relocation of an existing 18th century house to southwestern corner of the property, turning it 90 degrees. This house will contain a deli and one unit. Proposed structure to rear of property will contain two levels of stacked flats, 2 bedrooms each, located atop structured parking.

Clinton Brown, PE with DiCesare Bentley Engineering, discussed the site, which includes two foundations that remain after buildings were destroyed by fire. Commissioners asked questions about shared parking with Bravo Bravo.

John Carlin, Carlin Construction Company, will serve as construction manager. He reviewed two project elements -- relocation and rehabilitation of the house, and new construction at the rear of the property.

Public Comment: Tim Murray, 9 Cottrell Street – spoke in favor, noting project will be beneficial for entire downtown. Carline Donnarummo – asked why existing building must be moved.

Mr. Brynes stated the current plan shows roof top access, but that building official notes these areas will have to be roofed per code to prevent ice and snow accumulation.

Mr. Rixon spoke in rebuttal, stating that moving the house was essential to its preservation.

Mr. Altman motioned to close the public hearing, seconded by Mr. Marseglia. Motion carried 5-0.

Mr. Marseglia motioned to approve requested waivers, seconded by Mr. Altman. Motion carried 4-1. Roll Call: Paul Altman - approve, Paul Holland - oppose, Robert Marseglia - approve, Charles Sneddon - approve, Lynda Trebisacci - approve.

Mr. Marseglia motioned that the application is consistent with the Coastal Management Act, seconded by Mr. Altman. Motion carried 5-0.

Mr. Altman motioned to approve special use permit incorporating resolution language on page 42 of staff report, to include stipulation that garage doors be constructed of wood. Mr. Holland seconded. Motion carried 4-1. Roll Call: Paul Altman - approve, Paul Holland - oppose, Robert Marseglia - approve, Charles Sneddon - approve, Lynda Trebisacci approve.

Adjournment: Mr. Altman made a motion to adjourn, seconded by Robert Marseglia. The meeting adjourned at 10:10 p.m.

Paul Holland, Acting Secretary