

Special Meeting

The 1401st meeting of the Town of Stonington Planning and Zoning Commission was held on Tuesday, August 4, 2009 at Pine Point School, 89 Barnes Road, Stonington. Acting Chairman Paul Altman called the meeting to order at 7:00 p.m. In attendance were member Lynda Trebisacci, alternates Rob Marseglia and Bob Mercer, Director of Planning Bill Haase, and Town Planner Keith Brynes. Members Paul Holland and John Swenarton and Alternate Leon Jacobs were absent.

Seated were Mr. Altman, Mrs. Trebisacci, Mr. Marseglia, and Mr. Mercer.

Minutes:

Ms. Trebisacci made the motion to approve the minutes of the 7/21/09 meeting. Mr. Mercer seconded. The minutes were approved, 3-0-1.

Roll Call: Altman - approve, Trebisacci – approve, Marseglia - abstain, Mercer - approve

Administrative Review:

ZON09-134 John Lowe - Request zoning permit to enclose existing 16' x 8' back porch. Property located at 28 Coveside Lane, Stonington, CT. Assessor's Map 99, Block 4, Lot 23D. Zone GC-60.

Planner Brynes briefly described the request for a screened-in porch in the residential condominium development. Mr. Mercer motioned to approve the application. Mrs. Trebisacci seconded. The motion was unanimously approved, 4-0.

PZ0603SD & SUP Arlene Steinlauf & Stephen Yardan, Trustees – Request for second 90-day extension to file final mylars for the referenced subdivision (Signal Hill). February 2009 approval date established by court granted stipulated judgment.

Mr. Marseglia made the motion to approve. Mrs. Trebisacci seconded. The motion was unanimously approved, 4-0.

PZ0916SD Suzanne Medeiros - Subdivision Application for a 3-lot subdivision of approximate 4.27± acre parcel. 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.

Mrs. Trebisacci made the motion to approve. Mr. Marseglia seconded. The motion was unanimously approved, 4-0.

Public Hearings:

PZ0917ZC Jamie D. Aluzzo (Ted Ladwig) - Zoning Map Amendment to change from Residential RA-20 to Commercial LS-5 for properties located at 140 Liberty St. & 146-148 Liberty St., Pawcatuck. Assessor's Map 15 Block 2 Lots 8 & 9. Zone RA-20.

Attorney Ted Ladwig spoke on behalf of the applicant. Additional property owner Diane Grills stated that she had no objection to the zone change. Mr. Ladwig stated that he believed the zone change did in-part, conform to the POCD. He referred to the adjoining "pork chop-shaped" property with more acreage, a pond, and a small amount of street frontage, which was not included in the zone change.

Mr. Marseglia asked why the applicant wanted the change. Mr. Aluzzo stated that he had not entertained any offers to develop the property.

Public Comment for:

Jon McGurn had no objections to the application.

Public Comment Against:

Carlene Donnarummo thought the application was incomplete. Warren Liepold and Charles and Barbara Mehringer spoke against the zone change.

Rebuttal:

Mr. Ladwig stated that the application would benefit the Town as a whole. Planner Brynes believed the application was complete. Mr. Mercer was concerned that the abutters were not in favor of the application. Mr. Marseglia asked what the procedure would be if Mr. Aluzzo conducted a home occupation on the property. Mr. Haase responded that a violation would be reported to Zoning Official Joe Larkin. The requirements for buffers and screening for specific commercial uses were discussed.

Mrs. Trebisacci made a motion to close the Public Hearing. Mr. Marseglia seconded. The motion was unanimously approved, 4-0.

Mr. Marseglia made the motion to approve the waivers. Mrs. Trebisacci seconded. The motion to approve the waivers was unanimously approved, 4-0.

Mr. Marseglia made the motion that the application is in compliance with POCD. Mr. Marseglia thought that it met the intent of the POCD. Mr. Altman did not see a problem with the zone change in light of the commercial development on Route 2. Mr. Mercer had also been persuaded that it is an appropriate change and especially liked the necessary buffers. Mrs. Trebisacci seconded. The motion was unanimously approved, 4-0.

Mr. Marseglia made the motion to approve the Zoning map change; then withdrew his motion.

Mr. Marseglia made the motion to approve the Zoning map change. Mr. Altman seconded. The motion was unanimously approved, 4-0.

Mr. Marseglia made the motion that based on a site inspection by staff, if commercial activities are currently ongoing on 140 or 146-148 Liberty Street, that a public hearing shall be held for the application to the Commission per Section 8.3.2.2 of the Zoning Regulations. Mrs. Trebisacci seconded. The motion was unanimously approved, 4-0.

PZ0924SD & CAM RSK-Kellco, Inc. - Subdivision application and Coastal Area Management Review for a 4-lot subdivision of a 3.05± acre parcel. Property located at 186 River Road, Pawcatuck. Assessor's Map 7 Block 1 Lot 41. Zones RA-20 & RM-20.

Attorney Ladwig stated that the application complies with the subdivision regulations and should be approved. Mr. Marseglia inquired about whether the WPCA's concerns had been resolved. Mr. Brynes replied that it had been satisfactorily addressed.

Mr. Arthur Hayward of Hayward-Holbrook Engineers discussed details of the subdivision plan.

Public Comment - General:

Gail Shea, in favor of the application, asked about the RA-20 zone line. Tom Haggerty spoke for the application.

Attorney Ladwig confirmed that there was 200 feet from River Road to the RM-20 zone.

Mr. Marseglia made a motion to close the Public Hearing. Mrs. Trebisacci seconded. The motion was unanimously approved, 4-0.

Mr. Marseglia motioned to approve the application and find that it is consistent with CAM. Mrs. Trebisacci seconded. The motion was unanimously approved, 4-0.

Mr. Marseglia made a motion to approve with the application with the four stipulations in the staff report. Mrs. Trebisacci seconded. The motion to approve was unanimously approved.

Stipulations:

1. Final Plans shall be reviewed to the satisfaction of the Town Engineer.
2. Final plan shall be revised to reflect new lot and house numbers as assigned by the Town.
3. 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 new lot shall be assessed [1/4 of the 10% value].”

4. Prior to recording, AutoCAD files of the subdivision shall be submitted to the Town.

Mrs. Trebisacci made a motion to approve that the effective date for **PZ0917ZC Jamie D. Aluzzo (Ted Ladwig)** (Aluzzo Zone Change) as August 24, 2009. Mr. Marseglia seconded. The motion was unanimously approved, 4-0.

PZ0922RA Donald & Sally Vail - Zoning Regulation (ZR) Amendment to add Professional Office to Section 1.2.2 Specific Definitions, Section 3.3.3 Uses Allowed by Special Permit; Section 5.1.2 Residential Zones: Permitted, Accessory & Special Uses; Section 5.2.2 Commercial/Industrial Zones: Permitted, Accessory & Special Uses; and change Section 7.10.5.2.3 Office buildings – General and Professional.

Mrs. Trebisacci made the motion to open the Public Hearing and continue it to the September 15, 2009 meeting. Mr. Altman seconded. The motion was approved 3-0-1.

Roll Call: Altman - approve, Trebisacci – approve, Marseglia - abstain, Mercer - approve

Mrs. Trebisacci made the motion to adjourn the meeting. Mr. Mercer seconded. The motion to adjourn the meeting was unanimously approved, 4-0. The meeting was adjourned at 9:25 P.M.

Paul Altman, Acting Chairman