

Special Meeting

The 1410th meeting of the Town of Stonington's Planning and Zoning Commission was held on Tuesday, December 1, 2009 at Mystic Middle School, 204 Mistuxet Ave., Mystic. Chairman John Swenarton called the meeting to order at 7:00 p.m. Present were commissioners Lynda Trebisacci, Ben Tamsky, Bob Mercer, and Paul Holland; alternates Rob Marseglia and Chris Regan; Town Planner Keith Brynes, and Director of Planning Bill Haase.

Seated for the meeting were John Swenarton, Lynda Trebisacci, Ben Tamsky, Bob Mercer, and Paul Holland.

Minutes:

#1409, November 17, 2009. Mrs. Trebisacci made the motion to approve with two corrections. Mr. Mercer seconded. The motion was approved, 4-0-1.

Roll Call:

Swenarton – approve, Trebisacci – approve, Tamsky – approve, Mercer – approve, Holland - abstain

Reports:

ZEO - Pending Variances; A-2 survey waiver requests:

ZBA #09-24 Michael Shortman

As requested by the Zoning Official, Joe Larkin, Mr. Brynes asked that the A-2 survey waiver be tabled. Mrs. Trebisacci made the motion to table the A-2 survey waiver requests. Mr. Holland seconded. The motion was unanimously approved, 5-0.

Administrative Review:

09-234ZON K Brothers, LLC – Application to install an 8' x 3' treatment shed for mitigation of contaminated soil. Property located at 29 Main St., Old Mystic. Assessors Map 166, Block 3, Lot 3. Zone CS-5.

John MacNeil, Construction Manager of Aldin Associates, described the application for the shed and stockade fence. Mr. Holland asked how the soil was treated and Mr. Mercer asked about other possible locations for the shed. The soil will be tested after months of treatment. Mr. Brynes explained the regulation requiring small accessory structure fencing. Discussion determined that the fencing was unnecessary.

Mr. Holland made the motion to approve with the stipulation that the fence not be constructed. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

Mr. Brynes explained that the next two applications were essentially the same; both are asphalt pads for mandated boat wash water collection.

09-235ZON Mystic Shipyard East - Application to install a 35' x 50' asphalt boat wash pad and associated water run-off treatment facilities on site. Property located at 18 Stafford Street, Mystic. Map 174, Block 23, Lot 3. Zone MC-80.

Mr. Holland made the motion to approve. Mr. Tamsky seconded. The motion was unanimously approved, 5-0.

09-236ZON Mystic River Properties - Application to install a 35' x 60' asphalt boat wash pad and associated water run-off treatment facilities on site at Brewer Yacht Yard. Property located at 56 Roseleah Drive, Mystic. Map 175, Block 1, Lot 18. Zone MC-80.

Mr. Holland made the motion to approve. Mr. Tamsky seconded. The motion was unanimously approved, 5-0.

09-239ZON Bhikhu Gandhi – Application to partially replace deck and stairs at the existing Jamm's restaurant building. Property located at 8 Coogan Boulevard, Mystic. Map 171, Block 2, Lot 1. Zone TC-80.

Mr. Holland made the motion to approve. Mr. Tamsky seconded. The motion was unanimously approved, 5-0.

Public Hearings:

PZ0934RA Lattizori Development, LLC - Zoning Regulation (ZR) Amendment to add a Highway Transition Design District (HTDD) to create a mixed use zone for retail, commercial, office, and residential uses.

Alternate Chris Regan excused himself from hearing the application. Mr. Swenarton reviewed the public hearing procedure.

Attorney Theodore Ladwig, representing the applicant, Lattizori Development, made the presentation for the zoning text amendment. Were the amendment to be approved, a zone change amendment and master plan would be submitted at a later date. He emphasized that this floating zone would apply to only one site in town. Attorney Ladwig reviewed the differences between the 2007 application and the current one, emphasizing the increased interaction with the community. Mike Cegan, from Richter & Cegan, Landscape Architects and Urban Designers, Avon, CT, gave a Powerpoint presentation of a conceptual plan for Briarwood Walk, reviewing each concern and previously raised issue. The plan showed an increase in the open space buffer on three sides to encompass more than 50% of site. They compared the site's as-of-right use for residential development. Mr. Marseglia asked about future of the Perkins farmhouse on site. Attorney Ladwig answered that they do not have a use for the building but are open to ideas. He suggested its use as a farmstead garden.

Ms. Maura Cochran of Bartram & Cochran, discussed the economic impact of the proposal. She asserted that there would be a net economic revenue value of one million dollars under the mixed use plan. Mr. Mercer asked about the size of the retail box stores and Mr. Holland questioned what type of tenant rents a 30,000 square foot building. Ms. Cochran's reply was a Barnes and Noble. Mr. Cegan stated that he estimated the approximate size of the represented structures to be 12,000 square feet. Mr. Swenarton asked Ms. Cochran asked about comparable mill rates. Mr. Tamsky asked if the applicant would promise not to request any tax abatements from the Town. Mr. Ladwig preferred to answer that in rebuttal feeling it was a more a matter for the Town to decide. When asked by Mr. Mercer about the retail competition, Ms. Cochran used Olde Mystic Village as a comparison, stating that OMV's smaller building sizes and total square footage (~109,000 square feet), attracts a different type of merchants. The projection is to attract national retail chains similar to those of Waterford Commons. Mr. Tamsky asked that, should the outcome of this regulation amendment be negative, would the applicant return to the permitted use of single family subdivision development. Mr. Ladwig replied that that would be a decision to be made by his client based on the options available. Mr. Holland questioned when it would be appropriate for him to discuss specifics of the amendment text itself.

Mr. Ladwig presented the application's compliance with the POCD. He refuted Attorney Mark Branse's point that the Commission must vote the finding *of* consistency rather than vote *on* consistency which he believed the zoning text amendment substantially is consistent.

Public Comment in Favor: Dorothy Leib, Ed Planeta, Susan Clark, Edward Dear, and Alyssa Lattizori.

Mr. Holland made the motion to both continue the public hearing to December 15th and to adjourn the current meeting. Mr. Mercer seconded. The motion was unanimously approved, 5-0. The meeting was adjourned at 10:35 PM.

Lynda Trebisacci, Secretary