

Regular Meeting

The 1391st meeting of the Town of Stonington Planning and Zoning Commission was held on Tuesday, February 17, 2009 at Mystic Middle School, 204 Mistuxet Avenue. Chairman Lynn Young called the meeting to order at 6:00 p.m. for an Executive Session regarding the Stipulated Judgment Agreement for PZ0564SUP & GPP Girouard Associates. In attendance were members John Swenarton, Paul Holland, Paul Altman, and Lynda Trebisacci; and Alternate Rob Marseglia. Town Planner Keith Brynes and Town Attorney Jeffrey Londregan were present. Alternate Leon Jacobs was absent.

The Commission adjourned the Executive Session and the regular meeting was called to order at 7:00 p.m.

Minutes:

Mr. Swenarton made the motion to approve the January 20, 2009 minutes. Mr. Altman seconded. The minutes were unanimously approved.

ZEO - Pending Variances: A-2 survey waiver requests:**ZBA #09-02 – Keith Bridgham (Andrew Drakos)**

Mr. Altman recused himself. Mr. Marseglia was seated. Mr. Holland made the motion to approve the application. Mr. Marseglia seconded. The motion was unanimously approved.

Consent Agenda:

Mr. Altman was resealed. Mr. Holland made a motion to amend the agenda to include the topic of rezoning properties on Taugwonk Rd. Mr. Swenarton seconded. The motion was approved 4-1. Roll call: Altman – deny, Trebisacci – approve, Young – approve, Swenarton – approve, Holland – approve.

Mr. Holland made a motion to instruct staff to draft a Zone Change application to rezone selected properties on Taugwonk Road from LI 130 to GBR 130, with the Public Hearing to be heard at the April 7th meeting. Mr. Swenarton seconded. The motion was approved 4 to 1.

Roll call: Altman – deny, Trebisacci – approve, Young – approve, Swenarton – approve, Holland – approve.

Old Business:

PZ0827SPM Mystic Food N More, LLC (Malik) - Site Plan Modification for the placement of a walk-in cooler and construction of stairs and deck on site. Property located at 34 East Main St., Mystic, CT. Assessor's Map 174, Block 18, Lot 1. Zone LS-5.

Architect Russell Sergeant presented the design for the addition which would provide greater interior retail floor space for his client. Mr. Altman asked about the abutter's fence and if it expands an existing non-conformity. Ms. Young clarified that the building's non-conformity is that it is in the flood plain, and the addition, which would add 10% more space, will be a flood proof structure.

Mr. Holland made the motion to approve the application. Ms. Trebisacci seconded. The motion was approved 4 to 1.

Roll Call: Holland - approve, Young - approve, Trebisacci - approve, Swenarton - approve, Altman - deny.

PZ0830SPM & CAM Zheng Investments, LLC (Canavan) - Site Plan Modification & Coastal Area Management Review for the construction of a 798 sq. ft. addition to existing structure. Proposal includes associated parking & landscaping. Property located at 6 Greenmanville Ave., Mystic, CT. Assessor's Map 173, Block 7 Lot 1. Zone CS-5.

Mr. Holland made the motion to approve tabling the application. Mr. Altman seconded. The motion was unanimously approved.

Public Hearings: 7:30 p.m.

PZ0901SUP & CAM Sally & Donald Vail - Special Use Permit application & Coastal Area Management Review to permit property to be used as a Hospital (ZR 3.3.3.11), and to expand existing gravel parking area to accommodate six (6) additional off-street parking spaces. Property located at 64 Washington St., Mystic, CT. Assessor's Map 174, Block 15, Lot 8. Zone RH-10.

Mr. Altman and Mr. Swenarton recused themselves. Mr. Marseglia was seated.

Owner Don Vail described the history of the building and its use as a Doctor's office. He further described the surrounding businesses detrimental growth to a residential use. Mr. Vail cited correspondence with staff and stated there was not enough time for his engineer Patrick Lafayette to prepare drawings requested by staff. He then read into the record his letter of rebuttal to staff's letter of January 30th. This letter addressed multiple issues of the definition of a hospital, number of parking spaces, and required landscaping. Dr. Sally Vail confirmed that, no matter the outcome of the application, the business will remain, that she does not wish to expand her practice, but wants to remove her residence from the premises. Ms. Young asked why she didn't relocate her dental practice. Dr. Vail replied that the cost was prohibitive.

Public Comment Against: Carrie Sinnett spoke on behalf of her parents of Frank and Barbara Sinnett, who offered the analogy of moving their retail store to their residence. Marilyn Citron, Robert Ahearn, Helen Ahearn, Gerry Candeloro and Janice Mink all spoke against changing the residential character and potential future transference of the hospital use. Letters from two (2) additional neighbors, Robert Bunker and Ronald Foxx, were read into the record. Frederick Allard stated the application would violate the 25-foot buffer. Dora Hill and Carlene Donnarummo spoke against approval of the special use permit.

Public Comment in Favor: Joe Rendero, Stacy Miller, Dr. Linda Robson, co practitioner with Dr. Vail; Dr. Frank Lionelli, and Bruce Fielding all spoke in favor of the special use application.

Public Comment General: Nicholas Salerno and Russell Sergeant.

Mr. Holland made motion to continue the Public Hearing to the March 3rd meeting. Mr. Marseglia seconded. The motion was unanimous.

Roll Call: Young - approve, Holland - approve, Marseglia - approve, Trebisacci - approve

Chairman Young left due to illness; Mr. Holland assumed the Chair.

PZ0902SPM & CAM Threadmill Acquisition, LLC (Poko) – Site Plan Modification & Coastal Area Management review to previously approved application for conversion of historic Threadmill property into 58 residential dwelling units and retail spaces, including modifications to parking and emergency access. Property located at 12 River Rd., Pawcatuck, CT. Assessor's Map 5, Block 5, Lot 3. Zone IHRD-1. *Rescheduled from 2/3/09.*

Mr. Altman and Mr. Swenarton were reseated.

Simon Gerson of Poko Partners described the changes in the application. Architect Bill Crosskey described changes to the original plans which would, due to historic tax credit regulations, require the renovation of the two smaller buildings which they had previously planned to eliminate. Clint

Brown discussed the commercial use and its restrictions. Mr. Holland questioned the number of bedrooms and the 2.15 parking spaces per unit. Gerson stated there are 27 one-bedroom units and 31 2-bedroom units. Mr. Altman asked about ADA accessibility and low income availability. Mr. Gerson replied that they would comply with DCE standards to rent up to 120% of median income for New London County. Mr. Marseglia asked if this plan conforms to POCD.

Public Comment in Favor: Ed Hart felt that the applicant has been reliable and adaptable; commenting that in this economy their project would benefit the community. Tim Medeiros stated that he has been staring at the blighted building for decades and would like to see that improved.

Public Comment General: Carlene Donnarummo, Dora Hill.

Staff read the recommended stipulations:

1. Final plans shall be filed in the Town's Land Evidence Records after Commission signature.
2. Final plans shall meet the satisfaction of the Pawcatuck Fire Department concerning their 1/28/09 comments, and the Town Engineer concerning his 1/27/09 comments.
3. Snow removal associated with the parking spaces along the southern side of Pawcatuck Ave. and the western side of Clark St. shall be the responsibility of the property owner(s). A snow removal maintenance agreement between the property owner(s) and the Town shall be submitted to the Director of Public Works for review and endorsement prior to the issuance of any Zoning Permits and shall be filed in the Town's Land Evidence Records.
4. Commission stipulations related to the previous Master Plan and Site Plan Approvals (PZ0460ZC & PZ0475SPA) still apply.

Mr. Altman made a motion to close the public hearing. Ms. Trebisacci seconded. The motion was unanimously approved.

Mr. Altman made the motion to approve the application **PZ0902SPM & CAM Threadmill Acquisition, LLC (Poko)** - Site Plan Modification & Coastal Area Management review with the 4 stipulations recommended by staff. Ms. Trebisacci seconded.

Mr. Holland did not believe there was enough parking. Ms. Trebisacci did not think that was a large enough issue to delay the application. The motion was approved 4 to 1.

Roll Call: Swenarton - approve, Altman - Approve, Trebisacci - approve, Marseglia - approve, Holland - deny.

Adjournment:

Mr. Marseglia made the motion to adjourn. Mr. Altman seconded. The meeting was adjourned at 10:32 p.m.

John Swenarton, Secretary