

## Regular Meeting

The 1397<sup>th</sup> meeting of the Town of Stonington Planning and Zoning Commission was held on Tuesday, May 19, 2009, at Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. Chairman Lynn Young called the meeting to order at 7:00 p.m. In attendance were members John Swenarton, Paul Holland and Lynda Trebisacci; alternates Leon Jacobs, Rob Marseglia and Bob Mercer; Director of Planning Bill Haase and Town Planner Keith Brynes. Mr. Jacobs was seated for the absent Paul Altman.

### Minutes:

Mr. Swenarton made the motion to approve the May 5, 2009 meeting minutes. Mr. Holland seconded. The minutes were approved, 4-0-1.

Roll Call: Young – abstain, Holland – approve, Swenarton – approve; Trebisacci - approve, Jacobs – approve

### Consent Agenda:

**PZ0914SUP & CAM Ocean Community YMCA (Maureen Fitzgerald)** – Request approval of lighting for the expansion of the existing parking. Special Use Permit & Coastal Area Management Review approved 5/5/09. Property located at 1 Harry Austin Dr., Mystic. Assessor's map 160 Block 6 Lot 14. Zone RC-120.

YMCA Manager Tim Babcock discussed the request for five (5) lights which were inadvertently left off the approved parking lot expansion application.

Mr. Holland made the motion to approve with one stipulation. Ms. Trebisacci seconded. The application was unanimously approved with one stipulation, 5-0.

#### Stipulation:

1. Lights shall be a maximum of 20 feet high.

### Old Business:

**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.

Art Hayward, of Hayward and Holbrook Engineers, presented the application.

Staff presented the six stipulations recommended for approval.

Mr. Holland made the motion to accept a fee in lieu of open space. Mr. Swenarton seconded. Motion was unanimously approved, 5-0.

Mr. Holland made the motion to approve with the 6 stipulations presented by staff and one additional stipulation. Ms. Trebisacci seconded. The motion was unanimously approved, 5-0.

1. Final plans shall include the items listed in the Town Planner's letter dated 5/5/09.
2. Permanent line of sight easement shall be recorded in favor of the owner of Lot 3 over the property located at 114 Greenhaven Road.
3. No Zoning Permits shall be issued for Lot 3 until such time as all work associated with the establishment of the required line of sight is completed and verified in the field by the Department of Public Works.
4. Final plan shall be revised to reflect new lot and house numbers to be assigned by the Town.
5. Prior to recording, AutoCAD files of the subdivision shall be submitted to the Town.
6. 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 (1/3 of the 10% value)."

7. Final plan shall list abutting property owner information.

**PZ0918BR Readco Stonington, LLC** - Request Bond Release/Reduction of \$45,000.00 to \$.00 for PZ0656SUP & GPP Erosion & Sedimentation Bond. Property located northeast of Route 2 (Liberty St.) & Route 49 (Voluntown Rd.) intersection, Pawcatuck. Assessor's Map 18 Block 1 Lots 33 & 33A & lots acquired from the State of CT DOT. Zone HI-60.

Mr. Brynes presented the application request that the \$45,000.00 E&S bond be released.

Mr. Holland made the motion to table the request to the next meeting. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

**Public Hearings:**

**PZ0909SUP Mary Lee Steigler (CVS / A&P)** - Special Use Permit application for a multi-tenant signage program, including a 2' x 30' halo-lit, illuminated sign (replacement). Property located at 25 Broadway Avenue, Mystic. Assessor's Map 174, Block 14, Lot 1. Zone LS-5. Rescheduled from 4/21/09.

Jeremy Waycott of Arnco Sign Company, Wallingford, CT, presented the design of the new LED sign. Power supply will be inside and will not buzz. Staff confirmed that the signage meets size requirements.

Carlene Donnarummo commented about the Town's "no product placement" policy regarding the sign.

Staff said there has been neighbor comment about the dumpster and suggested a stipulation to place the dumpster in setback requirements as a requirement to obtain a zoning permit.

Mr. Holland made the motion to close the Public Hearing. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

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

Mr. Holland made the motion to approve the special use permit with one stipulation. Mr. Swenarton seconded. The motion was unanimously approved, 5-0.

**Stipulation:**

1. Prior to the issuance of any Zoning Permits, dumpster must be relocated to comply with setback and buffer requirements.

**PZ0913RA Pine Point School** - Zoning Regulations Text Amendment to Article VII to create regulations for Alternative Energy Systems: Section 7.22 (Renewable Energy Systems) and Subsection 7.22.1 (Small Wind Energy Systems).

Paul Geise, headmaster of Pine Point School, spoke of the Connecticut Clean Energy Fund's (CCEF), decision that, due to the restrictive language of the proposed changes to the regulations, to take their project to other communities that would be better positioned to accept and embrace wind energy alternatives more immediately. Based on that information, Pine Point withdrew their application. Neil Mickillop, of the Alternative Energy Task Force, asked the Commission to review the application and continue the discussion. Mr. Holland thought the Task Force might better address the issue. Ms. Young thought the Commission and the Task Force should work on it together, perhaps in a workshop/special meeting, with the public participating at that time.

**PZ0911RA Town of Stonington (PZC)** – Zoning Regulations Text Amendments to Article II Section 2.6 – Non-Conforming Use & Bulk; Article V Sections 5.1.2 & 5.1.3 – Use & Bulk Tables; Article VI Section 6.1 – Special Use Permits, Section 6.23 – Traffic Impact Study, & Section 6.24 – Archaeology Study; & Article VIII Section 8.3 – Site Plan Submissions, Section 8.4 – Plan Requirements, Section 8.6 – Bonding Requirements, Section 8.7 – Fee Schedule, Section 8.8 – Impact Statement, Section 8.9 – Public Hearings, and Section 8.10 – Zoning Board of Appeals.

Director of Planning Haase stated the purpose of this was to better define procedure and remove redundancy, not to change policy. He reviewed each regulation change and editor's notes, many of which were grammatical in nature.

Public Comment in Favor: Dora Hill agreed with most of the changes. She had several specific questions which were discussed and clarified. She thought that all of the waivers were problematic. Mr. Haase reiterated that his intent was to tweak the procedures not the policy.

Carlene Donnarummo thought it was a good effort. She hoped there would be change date annotations. She was displeased that the fee schedule would not be included in the Regulations. Mr. Haase replied that they should not be in the document and that they are clearly posted in the office and on the website.

Public Comment General: Gail Shea cited several grammatical errors and editorial comments. John Prue, a member the Zoning Board of Appeals, spoke to his suggestions for changes to Section 2.6 Non-conforming Use and Bulk, and Section 8.10 Zoning Board of Appeals.

Paul Holland left the meeting at 10:45 p.m.

Ms. Trebisacci made the motion to close the Public Hearing. Mr. Swenarton seconded. The motion was unanimously approved, 4-0.

Mr. Haase will make the text changes and distribute them before the next meeting.

Ms. Trebisacci made the motion to adjourn. Mr. Jacobs seconded. The meeting was adjourned at 10:58 p.m.

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John Swenarton, Secretary