

Special Meeting

The 1396th meeting of the Town of Stonington Planning and Zoning Commission was held on Tuesday, May 5, 2009 at Mystic Middle School, 204 Mistuxet Avenue. Acting Chairman Paul Holland called the meeting to order at 7:02 p.m. In attendance were members John Swenarton, Paul Altman, and Lynda Trebisacci. New alternate member Bob Mercer was introduced and seated. Director of Planning Bill Haase and Town Planner Keith Brynes were present. Chairman Lynn Young and alternates Leon Jacobs and Rob Marseglia were absent.

Minutes:

Mr. Swenarton made the motion to approve the April 21, 2009 minutes. Mr. Altman seconded. The minutes were unanimously approved.

Consent Agenda:

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

Staff recommended approval. Mr. Altman made the motion to approve. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

CGS 8-24 Review – Joseph and Mary Putnam proposed land swap with the Town of Stonington for property on Mistuxet Avenue, Mystic. Properties located at 200 & 204 Mistuxet Ave. Assessor's Map 151 Block 3 Lots 11 & 13. Zone RA-20.

Staff stated that the proposed swap was consistent with the Plan of Conservation and Development.

Attorney Nick Kepple was present.

Mr. Altman made the motion to approve the CGS 8-24 Review for the land swap. Mr. Swenarton seconded. The motion was unanimously approved, 5-0.

PZ0749SPM Town of Stonington / Pawcatuck Neighborhood Ctr. - Modification to approved landscape plan for Senior Center. Property located at 27 Chase St., Pawcatuck, CT. Assessor's Map 4, Block 5, Lot 10. Zone LS-5.

Town Highway Supervisor, formerly Assistant Building Inspector, Lou DiCesare, described the changes in the landscape design. Ms. Trebisacci made the motion to approve the changes. Mr. Altman seconded. The motion was unanimously approved, 5-0.

Old Business:

PZ0915SPA & CAM Latimer Point Condominium Assoc., Inc. – Site plan application & Coastal Area Management Review for proposed additions to existing houses & various deck, shed & stair additions / alterations. Property located at addresses in the southern portion of Latimer Point, Stonington, CT. Assessor's Maps/Blocks/Lots: 154/4/3, 154/4/13, 154/4/19, 154/4/27, 154/4/32, 154/5/4, 154/6/3. Zone RM-20.

Ed Lally spoke for the Latimer Point Condominium Association, describing the proposed projects.

Mr. Altman made the motion to find that the application was consistent with CAM. Mr. Mercer seconded. The motion was unanimously approved, 5-0.

Mr. Altman made the motion to approve the site plan application. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

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.

Mr. Altman made the motion to approve the tabling of the application to the May 19, 2009 meeting. Ms. Trebisacci seconded. The motion was unanimously approved, 5-0.

Public Hearings:

PZ0914SUP & CAM Ocean Community YMCA (Maureen Fitzgerald) – Special Use Permit application and Coastal Area Management Review for expansion of the existing parking lot by 12 additional spaces. Total area of the finished project including parking & landscaping is 9200 SF. Property located at 1 Harry Austin Dr., Mystic, CT. Assessor's map 160 Block 6 Lot 14. Zone RC-120.

Attorney Rich Cody described explained that the project has already received a variance from the Zoning Board of Appeals and a Wetlands permit. A \$35,000 state grant funding the project stipulates that the project begin by June of 2009. C.J. Doyle of Cherenzia Associates explained the project.

Public Comment:

John Holstein spoke about the community value of the YMCA facility. Tim Babcock, YMCA manager, discussed the increase in membership and the need for expansion and safe parking.

Town Planner Keith Brynes read DEP's comments in response to the application into the record.

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

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

Mr. Altman made the motion to find that the application consistent with the CAM. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

Mr. Altman made the motion to approve the Special Use Permit Application. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

PZ0907ZC Town of Stonington (PZC) - Request Zone Change for properties currently zoned as LI-130 to GBR-130 (Map/Block/Lot: 70/1/4, 70/1/4A, 70/1/5, 71/1/1, 71/1/1A & part of 84/1/2), realignment of LI-130 zoning district boundary with rear property lines of MBL: 70/1/1, 70/1/2 & 70/1/3), & realignment of LI-130 zoning district boundary to be offset 50 feet of property line of Map 70 Block 1 Lot 3 onto Map 70 Block 1 Lot 4A. Properties are located off Taugwonk Road, Stonington.

Seated for the hearing were: Mr. Holland, Mr. Swenarton, Mr. Altman, and Ms. Trebisacci.

Mr. Haase read an opinion letter from Town Attorney Londregan regarding the number of Commission members needed for a vote requiring a two-thirds majority. Attorney Londregan stated that five (5) members are required for a two-thirds majority vote to be conducted.

Mr. Haase summarized the activity on the application up to this point. Mr. Brynes discussed the protest petition, stating that a supermajority vote would be required: 4 out of 5 of the members.

Mr. Haase read a portion of an earlier Attorney Londregan letter regarding the protest petition.

Public Comment in Favor:

Charles Hamm, Burt McKinley, Laurie Smith, Gail Shea, Sharyne Cerullo, Paul Cerullo, Jerry Fingerut

Public Comment Against:

Ed Planeta, Fred Knous, Blunt White read a letter from Pat Ryan and a letter from Gary Bennett, Gardner Young submitted a letter from John Michalak, Wayne Robinson, Blunt White, George Robinson submitted a list of signatures from 70 neighbors' opposing the application, Tricia Cunningham (Mystic CoC), read a letter from Tony Sheridan (Eastern CT CoC); Michael Blair, Attorney Harry Heller, representing Gemstonington owners, the Holts, regarding the opinion letter by Town Attorney Londregan concerning

disqualification of Commission members, and Mr. Holland's participation as a member of the Stonington Uplands Association. Mr. Holland rebutted that a clerical error listed him in the SUA 2008 directory, saying that he had resigned upon his appointment to the Planning & Zoning Commission and has submitted a memo stating this. Jonathan Duncklee, Gardner Young, Carlene Donnarummo

Mr. Holland made the motion to continue the Public Hearing to June 16, 2009. Mrs. Trebisacci seconded. Mr. Altman felt that the remaining speakers should be heard that evening. The motion was approved, 3-1. Roll Call: Swenarton - approve; Trebisacci - approve; Holland - approve; Altman - deny

Mr. Mercer was reseated

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.

Mr. Swenarton made the motion to continue the Public Hearing to the May 19, 2009 meeting. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

PZ0912RA Town of Stonington (PZC) - Zoning Regulations Text Amendment to replace all portions of existing language in Section 6.6.22 – Open Space Development, and the addition of OSD's in the RA-20 and RA-15 zoning districts.

Mrs. Trebisacci made the motion to continue the Public Hearing to the June 16, 2009 meeting. Mr. Swenarton seconded. The motion was unanimously approved, 5-0.

Mr. Mercer made the motion to adjourn, Ms. Trebisacci seconded. The motion was unanimously approved. The meeting was adjourned at 10:38 p.m.

John Swenarton, Secretary