

Regular Meeting

The 1399th meeting of the Town of Stonington Planning and Zoning Commission was held on Tuesday, June 16, 2009 at Mystic Middle School, 204 Mistuxet Avenue. Acting Chairman Paul Holland called the meeting to order at 7:00 p.m. In attendance were members Paul Altman, Lynda Trebisacci, and John Swenarton; alternate members Rob Marseglia and Bob Mercer, Director of Planning Bill Haase, and Town Planner Keith Brynes. Alternate Leon Jacobs was absent. The Commission received and accepted Lynn Young's resignation.

Seated were Mr. Holland, Mr. Swenarton, Mrs. Trebisacci, Mr. Altman, and Mr. Marseglia.

Minutes:

Mr. Swenarton made the motion to approve the June 2, 2009 minutes. Mr. Marseglia seconded. The minutes were approved, 4-0-1.

Roll Call: Holland – abstain, Swenarton – approve, Trebisacci – approve, Altman – approve, Marseglia – approve

Consent Agenda:

09-096 ZON AT&T Corporate Real Estate – Request approval for placement of a 3000 gallon above ground fuel tank for an emergency generator. Project includes removal and disposal of existing underground storage tank. Property located 30 East Main St., Mystic, CT. Assessor's map 182 Block 5 Lot 3. Zones RH-10 & LS-5.

Architect Alan Lagocki of Ames and Whitaker, Architects, described the project to replace underground storage tanks in order to prevent false leak detections. The replacement above ground tank will sit on a concrete pad.

Mr. Altman asked about leaks and Mr. Marseglia asked about legal requirements for above ground tanks. Mr. Lagocki explained that they are a double-hulled tank and are inspected weekly. Mr. Altman requested that a 2-foot concrete wall be built around the tank to contain leakage. Mr. Lagocki thought that a tub would collect rain water. Mr. Marseglia requested if the code regarding this was available. Mr. Altman thought that the architect's professional ethics and standards were enough to satisfy him. When Mr. Mercer asked about screening, Mr. Lagocki replied that it would be plastic fencing.

Mr. Marseglia made the motion to approve the application. Mr. Swenarton seconded. The motion was approved 3-1-1.

Roll call: Swenarton – approve, Holland - approve, Trebisacci – abstain, Altman – deny, Marseglia – approve

Director of Planning Haase read a memo asking the Commission to include a finding in tonight's agenda, that the Mystic Streetscape project poses no adverse impact on the area. A finding by the Commission is required in order to conclude paperwork necessary to get the project out to bid to facilitate fabrication beginning in August and construction commencing after the "Taste of Mystic" in September.

Mr. Altman made the motion to amend the agenda, Mr. Marseglia seconded. The motion was unanimously approved, 5-0.

Mr. Marseglia made the motion to approve the finding that the Mystic Streetscape had no adverse impacts to the Coastal Area Management Act, that there will be no increase in the amount of impervious surface area, and no increase in rates or volumes of storm water discharge to the Mystic River. Mr. Altman seconded. The motion was unanimously approved, 5-0.

Old Business:

PZ0911RA Town of Stonington (PZC) - Set Effective Date of 7/04/09 for previously approved regulation Amendment.

Mr. Altman made the motion to approve the Effective Date of the amendment for 7/04/09. Mr. Marseglia seconded. The motion was unanimously approved, 5-0.

Public Hearings:

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. *Continued from 5/5/09*

Seated for this application were Mr. Swenarton, Mr. Altman, Mrs. Trebisacci, Mr. Holland, and Mr. Marseglia.

Public Comment Against: Ed Dear, Bill Gash, Suzanne Robinson, Suzanne Vargas Tosco, Ryan Feeney, Charles Glew (letter read by Blunt White), Randy Holt, Paresh Soni (letter read by Ed Hanna), Evelyn Robinson, Ian Camfield, and Bill Turner.

Public Comment General: Stanton Sims, Dora Hill, Sheila Lyons, Bill Lyman, Niall Dougherty.

Staff Comments: Mr. Brynes noted that this Zone Change application decision requires a 4 out of 5 member supermajority vote.

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

Mr. Haase discussed the options available to the Commission.

Mr. Swenarton felt there was much information and wanted more time to review it.

Mr. Altman made the motion to approve the application. Mr. Marseglia seconded. Mr. Swenarton stated that there was overwhelming public input and information that he would like more time to review. Mr. Marseglia and Mr. Holland discussed supporting the four (4) residential property owners with alternatives to the non-permitted residential uses in LI-130.

The motion was to approve was denied, 1-3-1.

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

Mr. Swenarton left the meeting at 9:37 p.m. Late arrival Leon Jacobs was seated for the hearing along with Mr. Marseglia, Mr. Altman, Mr. Holland, and Mrs. Trebisacci.

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. *Public Hearing continued from 5/5/09.*

Mr. Haase reviewed the Open Space Development Regulation and its objective to better clarify procedural aspects of development. Mr. Haase and the Commission reviewed specific text changes. Mr. Holland discussed one section regarding the percentage of wetlands allowed in Open Space. Mr. Haase agreed to include the original ZR 6.6.22.8.1 as ZR 6.6.22.5.1.

Public Comment: Dora Hill discussed a section of the text which was left out regarding perimeter buffer areas. Carlene Donnarummo did not like that the RA 20 and RA 15 zones which were added to the regulation.

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

Mr. Altman made the motion to approve the application with the discussed change. Mr. Jacobs seconded. The motion was unanimously approved, 5-0.

Mr. Altman made the motion to set the Effective Date of the amendment for 7/6/09. Mr. Jacobs seconded. The motion was unanimously approved, 5-0.

Mr. Marseglia made the motion to adjourn. Mr. Altman seconded. The motion to adjourn at 10:50 p.m. was unanimously approved, 5-0.

John Swenarton, Secretary