

Special Meeting

The 1416th meeting of the Town of Stonington's Planning and Zoning Commission was held on Tuesday, March 2, 2010 at Mystic Middle School, 204 Mistuxet Ave., Mystic. The meeting was called to order at 7:00 p.m. by Chairman John Swenarton. Present were Commissioners Lynda Trebisacci, Ben Tamsky, Paul Holland, and Bob Mercer; Alternates Rob Marseglia and Gardner Young; and Town Planner Keith Brynes. Director of Planning Bill Haase and Alternate Chris Regan were absent.

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

Minutes:

In response to a request for clarification of Town Attorney Tom Londregan's discussion of recusal, Mr. Brynes requested the 2/16/10 minutes be amended to include the words "due to a personal or financial conflict," when a Commissioner states he is recusing himself from hearing an application.

Mrs. Trebisacci made a motion to approve the February 16, 2010 minutes as amended. Mr. Tamsky seconded. The motion was approved, 4-0-1.

Roll Call: Swenarton - approve, Trebisacci - approve, Tamsky - approve, Mercer - approve, Holland - abstain

Correspondence:

A letter from Town Attorney Tom Londregan in response to Zoning Board of Appeals member John Prue's comments regarding waivers. Attorney Londregan's written opinion noted that when acting in a zoning capacity, i.e., site plans, special use permits, etc., the courts have approved regulations that provide for waivers. His opinion referenced two cases: Belanger v. Ashford PZC and Eidt v. Town of Windsor PZC.

Administrative Review:

ZON10-022 Cove Real Estate Partnership – Request zoning permit to operate truck rental business. Property located at 764 New London Turnpike, Stonington, CT. Assessor's Map 67 Block 2 Lot 3 Zone GC-60.

Mr. Brynes reviewed the request to operate a truck rental business (Budget). The site has existed for a number of years as a retail outlet for camper sales and periodically as a truck rental. As a permitted use in a GC-60 district, Mr. Brynes recommends administrative approval.

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

Chairman Swenarton called for a recess until 7:30 pm.

Public Hearing:

PZ1001ZC Thomas Haggerty & Gail Shea - Zoning Map Amendment from Residential RC-120 to Residential RR-80 (portion to remain RC-120), for property located at 197 River Road, Pawcatuck, CT. Assessor's Map 7 Block 2 Lot 2. Zone RC-120.

Seated for the application were John Swenarton, Ben Tamsky, Bob Mercer, Paul Holland and Rob Marseglia. Lynda Trebisacci recused herself for personal reasons.

Ms. Shea presented her application for a zoning map amendment, describing the parcel and neighborhood characteristics, and referencing the driveway and utility easements. The parcel, as part of a town-wide rezoning done in 1979, was rezoned from RA-2 to RC-120, a change the applicants stated that they were not notified of, therefore, were unaware of for a period of time. Because of the RC-120 bulk and coastal and marsh area non-infringement buffer requirements, no building expansion is permitted without a variance, despite the parcel having significant acreage. The applicants are requesting a waiver of all impact statements as they have no specific proposed project to describe and compare. The applicants claim that any potential activity would be minimal. Mr. Haggerty spoke noting that a CAM Review is not required.

Public Comment in Favor: Nancy d'Estang, Ed Hart, Dora Hill, and Carlene Donnarummo.

Staff Report: Mr. Brynes read comments from the Conservation Commission in support of the application. Comments from Carol Szymanski at the DEP finding the application incomplete were received in the Planning &

Zoning Office the prior day. Mr. Brynes read Ms. Szymanski's comments to the Commission. Mr. Brynes mentioned that two letters had been received from the public: one from Joyce Ballou and one from Ross & Jean Aiello.

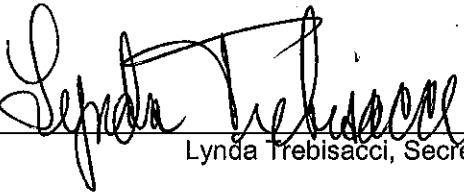
Mr. Holland made a motion close the Public Hearing. Mr. Mercer seconded. The motion was unanimously approved, 5-0. The Public Hearing was closed at 9:00 pm.

Mr. Holland made a motion to approve the request for the waivers listed in the staff report. Mr. Mercer seconded. The motion was unanimously approved, 5-0.

Mr. Holland made a motion to find the application consistent with the POCD. Mr. Tamsky seconded. The motion was unanimously approved, 5-0.

Mr. Holland made a motion to approve the application for a zoning map amendment. Mr. Mercer seconded. The motion was unanimously approved, 5-0.

Mr. Holland made a motion to adjourn the meeting. Mr. Mercer seconded. The meeting was adjourned at 9:00 p.m.


Lynda Trebisacci, Secretary