

Regular Meeting

The 1419th meeting of the Town of Stonington's Planning and Zoning Commission was held on Tuesday, April 20, 2010 at Mystic Middle School, 204 Mistuxet Ave., Mystic. The meeting was called to order at 7:03 p.m. by Chairman John Swenarton. Present were Commissioners Lynda Trebisacci, Ben Tamsky, Paul Holland, and Bob Mercer; Town Planner Keith Brynes and Director of Planning Bill Haase. Alternates Rob Marseglia and Gardner Young arrived at 7:14 p.m. and 7:45 p.m., respectively, and Chris Regan was absent.

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

Minutes:

Mrs. Trebisacci made a motion to approve the minutes of the April 6, 2010 meeting. Mr. Tamsky seconded. The minutes were unanimously approved, 5-0.

Staff:

Mr. Haase mentioned that the Council of Governments is thinking of hosting a workshop with Randall Arendt. The workshop would be geared towards Conservation Development and Traditional Neighborhood Design. The approximate cost would be \$30 per attendee. No date has been chosen. Commission members voiced interest in attending, schedules permitting.

ZEO - Pending Variances; A-2 survey waiver requests:

ZBA10-04 Hugo A. Simonelli VFW Post #3263

Mr. Holland made a motion to approve the request for a waiver of the A-2 survey. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

Administrative Review:

ZON10-038 Robert & Camille Taylor – Approval of replacement signage and new handicap ramp for property located at 232 Greenmanville Ave., Mystic. Assessor's Map 171, Block 2 Lot 3. Zone TC-80.

Due to personal issues, the applicants have requested the application be tabled until the May 4th meeting.

Mr. Holland made a motion to table the application to the next meeting. Mr. Tamsky seconded. The motion was unanimously approved, 5-0.

ZON10-056 Flights of Fantasy Films, LLC - Approval for installation of an air conditioning unit for property located at 27 Broadway Ave., Mystic. Assessor's Map 174, Block 14 Lot 2. Zone LS-5.

Mr. Brynes gave an overview of the request, noting that it complies with setback requirements.

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

Old Business:

PZ1008SPM & CAM Latimer Point Condominium Association, Inc. - Site plan application & Coastal Area Management Review for proposed additions to existing houses & various deck & shed additions / alterations. Property located at addresses in the southern portion of Latimer Point, Stonington, CT. Assessor's Maps/Blocks/Lots: 154/2/8, 154/4/2, 154/4/7, 154/4/12, 154/4/29, 154/6/10. Zone RM-20.

Edward Lally, representing the applicants, reviewed the various proposals for the Latimer Point parcels. Mr. Swenarton asked if neighboring association members were aware of the proposals. Mr. Lally described the process that all Association members requesting changes must follow, and the additional FAR limitations placed on the property owners.

Mr. Holland made a motion to find the application consistent with the CAM. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0. Mr. Holland made a motion to approve the site plan application. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

Public Hearings 7:30 p.m.:

Mr. Holland made a motion to change the public hearing order on the agenda, moving **PZ1003RA Town of Stonington (PZC)**, to be heard first. Mr. Tamsky seconded. The motion to amend the agenda was unanimously approved, 5-0.

Mrs. Trebisacci read the Public Hearing call:

PZ1003RA Town of Stonington (PZC) - - Zoning Regulations Text Amendments to Article I (1.2 Definitions), Article II (2.4 Required Permits; 2.6 Non-Conforming Use & Bulk; 2.11 Gasoline Sale Places; 2.13 Performance Standards), Article II (2.4 Required Permits; 2.6 Non-Conforming Use & Bulk; 2.11 Gasoline Sale Places; 2.13 Performance Standards), Article III (3.1.2.4, 3.2.2.4, 3.3.2.4 & 3.4.2.3 Accessory Apartments; 3.2.4 & 3.3.4 Buffer Requirements; 3.1.3.3, 3.2.3.26, 3.3.3.6 & 3.4.3.3 Communications Towers), Article V (5.1.1, 5.1.2 & 5.2.1 Bulk & Use Tables), Article VI (6.1 Special Use Permits; 6.3 Conceptual Review for Projects over 30 Units; 6.6.9 Marinas – Yacht Clubs), Article VII (7.8 Residential Use Growth Management; 7.10.5.2 Off-Street Loading Berths; 7.10.6 Off-street Parking Lot Design Requirements; 7.17 Telecommunications Antennas & Towers), Article VIII (8.2.2.6 Zoning Permits; 8.3 Site Plan Submissions – Review and Approval; 8.4.2 Type 2 Site Plans; 8.4.3 Master Plans; 8.8.1 Impact Statement; 8.8.3 Zoning Text Amendments; 8.9 Public Hearings; 8.10 Zoning Board of Appeals), Article IX (9.4.5 Reapplication), Article X (10.1 US Route 1 Temporary Moratorium), Appendix (Acronyms).

Staff recommended continuing the public hearing.

Mr. Holland made a motion to continue the public hearing to the May 4th, 2010 meeting. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

PZ1006SUP & GPP Keith L. Main (NERP) - Special Use & Groundwater Protection Permits for construction of a 19,097 square foot retail building, adjacent 15,000 SF outdoor display & sales area, loading dock, and associated parking, utilities, landscaping & lighting. Property located at 335 Liberty Street, Pawcatuck, CT. Assessor's Map 17, Block 3, Lots 3, 4 & 4A. *Continued from 4/6/10.*

Attorney Theodore Ladwig, representing the applicant, described the application for the proposed Tractor Supply Store claiming that it is essentially a hardware store for small farm owners. He described the hazardous products storage and containment plan and a spill emergency contract with *Infotrac*, a company specializing in hazardous and toxic materials handling. Commission members wished to see more information on what *Infotrac* actually provides, including a Spill Containment Plan, in order to respond to the comments from Westerly Water.

Mr. Jim Cassidy, a Professional Engineer representing the applicant, described the application in detail. Mr. Holland noted that the current proposal exceeds the maximum permitted impervious coverage, thus making the application un-approvable. Mr. Cassidy described the architectural design which was designed in response to the Architectural Review Board's input. Both freestanding and internal use signage for the project was discussed. Traffic Engineer Scott Hesketh presented his traffic study results and projection for traffic at this location.

Public Comment against:

Carlene Donnarummo, Don Sadowski, Dora Hill

Staff Comments:

Mr. Brynes referred to the Staff report and comments received from the Architectural Design Review Board, Fire Department, and the Town of Westerly. Paul Holland raised the point that the ADRB was an advisory board, and the PZC had only to take their recommendations into consideration, not abide by them. Mr. Haase confirmed that this was the case and also discussed the access issue with the adjoining La Quinta hotel site. Mr. Brynes said the applicant probably should provide a Shadow Plan, but an environmental assessment and 3-D modeling are items that may be waived. Mr. Haase discussed the environmental assessment requirements in the Ground Water Protection Permit application, noting the need for further information to be provided. Storm water drainage at the site was also discussed.

Mr. Holland made a motion to continue the public hearing to the May 4th meeting. Mrs. Trebisacci seconded. The motion to continue was unanimously approved, 5-0.

Mr. Tamsky discussed his concerns regarding signage and the storage of chemicals.

Mr. Holland and Mrs. Trebisacci withdrew their motions.

Mr. Holland made a motion to continue the Public Hearing to the May 4th meeting. Mrs. Trebisacci seconded. The motion to continue was unanimously approved, 5-0.

Mr. Holland left at 11:01 P.M.

PZ1005ZC Town of Stonington (DEP) - This application provides for the expansion of the Town's "Level A" Aquifer Protection Area as mandated by the CT Department of Environmental Protection. While State Law requires that this area be shown on the Town's Zoning Map, it is not technically a Zoning District established pursuant to Section 8-2 of the CT General Statutes.

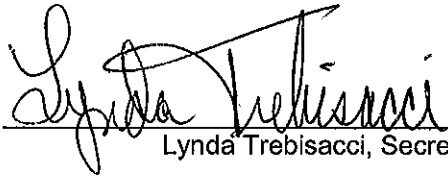
Seated for this application were John Swenarton, Lynda Trebisacci, Ben Tamsky, Bob Mercer, and Gardner Young.

Mr. Haase and Mr. Brynes explained the DEP's mandate to have the "Level A" Aquifer Protection Area shown on the Town zoning map even though it is not a zoning district.

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

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

Mrs. Trebisacci made a motion to adjourn. Mr. Tamsky seconded. The motion was unanimously approved, 5-0. The meeting was adjourned at 11:09 p.m.


Lynda Trebisacci, Secretary