

Special Meeting

The 1424th meeting of the Town of Stonington's Planning and Zoning Commission was held on Tuesday, July 20, 2010 at Pine Point School, 89 Barnes Road, Stonington. The meeting was called to order by Chairman John Swenarton at 7:00 p.m. Commissioners Bob Mercer, Lynda Trebisacci, and Ben Tamsky; Alternates Rob Marseglia and Gardner Young; Town Planner Keith Brynes, and Director of Planning Bill Haase were present. Commissioner Paul Holland and Alternate Chris Regan were absent.

Seated for the meeting were Mr. Marseglia, Mr. Mercer, Mrs. Trebisacci, Mr. Swenarton, and Mr. Tamsky.

Minutes:

Mrs. Trebisacci made a motion to approve the minutes of July 20, 2010. Mr. Tamsky seconded. The minutes were unanimously approved, 5-0.

Correspondence:

Mr. Haase discussed the updated Zoning Map Atlas now available in the Planning Department for \$10:00.

Staff Reports:

Mr. Brynes discussed the draft revisions to signage regulations. Chairman Swenarton thought that more comments from Commission members were needed. The Commission discussed the whether to hold a public workshop or a series of hearings. Commission members felt that a public workshop prior to a Public Hearing would be most beneficial. No date for a signage workshop was chosen.

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

ZBA #10-11 Elke & Lenny Bellet. Mr. Tamsky made a motion to approve. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

ZBA #10-13 Robert & Julie Holland. Mr. Mercer made a motion to approve. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

ZBA #10-13 Peter Watrous. Mrs. Trebisacci made a motion to approve. Mr. Mercer seconded. The motion was unanimously approved, 5-0.

Administrative Review:

Stonington Director of Public Works' request to rebuild Collins Road from Flanders Road to the Collins Road Bridge. Collins Road, as a designated Scenic Road, requires PZC approval for any alterations or improvements.

Joe Bragaw, DPW, discussed the planned process for restoring the road. The old roadway would be ground up, rebased, and resurfaced. FEMA will be contributing to part of the cost, paying for 125' of repaving. The roadway would not be widened or reconfigured, just repaired.

Public Comment: Hal Calmar, Allen Bannister, Joe Basile, Blunt White, Kathleen Eyles

Mr. Tamsky made the motion to approve. Mr. Marseglia seconded. The motion and second were withdrawn. Mr. Tamsky made the motion to approve the request to make the described repairs to Collins Road based upon Public Works Director Joe Bragaw's testimony that doing such is necessary for maintaining roadway integrity and ensuring public safety while keeping the overall character of the Scenic Road. Mr. Marseglia seconded. The motion was unanimously approved, 5-0.

ZON10-127 Sea Research Foundation, Inc. – Application for installation of an emergency generator and associated equipment. Property located at 55 Coogan Blvd., Mystic, CT. Assessor's Map 164, Block 3, Lot 2. Zone TC-80.

Keith Sorensen, Vice President of Facilities at the Aquarium and C. J. Doyle of Cherenzia Associates described the request for the emergency generator.

Mr. Tamsky made a motion to approve the application with the stipulation that normal maintenance "exercising" be performed only during business hours. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

Special Meeting

ZON10-100 Meryl Wiener – Application for construction of an elevated walkway through a non-infringement area in order to access a dock. Property located at 149 Wamphassuc Rd., Stonington, CT. Assessor's Map 127, Block 16, Lot 5F. Zone RR-80.

Due to professional reasons, Mr. Mercer recused himself. Mr. Young was seated.

Brian Kent of Kent + Frost Landscape Architects, represented the applicant and described how the walkway was designed to cause the least disturbance to the wetlands. The DEP's 30-day public comment period for the dock has concluded with no comment and the DEP issued their approval. Mrs. Trebisacci made a motion to approve the request. Mr. Marseglia seconded. The motion was unanimously approved, 5-0.

PZ0671SUP Stonington Lodge of Odd Fellows (Mystic Drawbridge, LLC) – Request approval to make changes to previously approved application. Changes are to the exterior façades of the building. Property located at 11 Cottrell St., Mystic. Assessor's Map 182, Block 4, Lot 4. Zone DB-5.

Commissioner Bob Mercer was reseated.

Owner Rod Desmarais described the requested project changes, explaining that the switch from condominiums to rental units facilitated a simpler façade design.

Mr. Tamsky made a motion to approve the request. Mrs. Trebisacci seconded. Mr. Marseglia felt negatively about business developers requesting changes to previously approved applications due to economic issues. Mr. Swenarton asked how soon the Architectural Design Review Board could review the changes. Mr. Haase indicated August 18th would be the next meeting date. Mrs. Trebisacci withdrew her second. Mr. Mercer made the motion to table the application until review and comment could be received from the Architectural Design Review Board. Mr. Marseglia seconded. Ms. Cheryl Robdau, owner of Mystic Drawbridge Ice Cream, spoke in support of the changes and allowing the project to go forward. Mr. Desmarais agreed to go before the ADRB. A design compromise entailing an approval with stipulations was discussed. Mr. Mercer withdrew his motion and Mr. Marseglia withdrew his second. Mr. Mercer made the motion to approve the application as presented with the stipulation that windows on the west elevation second floor be paired up for a total of eight windows. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

PZ0711SUP C. George Kanabis (Bravo Bravo, LLC) – Request approval for change to previously approved Special Use Permit for the expansion of restaurant seating. Change is for the addition of outdoor seating (24 seats) on property to be leased from the State of Connecticut. Property located at 20 East Main St., Mystic. Assessor's Map 174, Block 2, Lot 4. Zone DB-5.

Mr. Haase spoke to the request, telling the Commission they needed to make a policy determination as to whether or not the expansion of seating was a minor modification to the approved special use permit.

Angela Kanabis described the plan for outdoor seating which would last from approximately Memorial Day to Columbus Day. Mr. Tamsky asked where the additional patrons would park. Ms. Kanabis feelings were that the people were already there walking around downtown Mystic.

Mr. Swenarton felt a Public Hearing should be held since the proposal contained issues of parking and sidewalk usage that the public should have the opportunity to comment on.

Public Comment: Dora Hill stated that both this request and the previous one, **PZ0671SUP Stonington Lodge of Odd Fellows (Mystic Drawbridge, LLC)**, should have required public hearings.

Mr. Tamsky made a motion to deny the request. There was no second.

Mr. Mercer made a motion to approve the request. Mrs. Trebisacci seconded. The motion was approved, 3-2.

Roll Call: Swenarton – deny, Tamsky – deny, Marseglia – approve, Trebisacci – approve, Mercer - approve

Old Business:

Mrs. Trebisacci made a motion to switch the order of agenda items **PZ1003RA Town of Stonington (PZC)** and **PZ1012BR Coccoimo III, LLC**. Mr. Marseglia seconded. The motion was unanimously approved, 5-0.

Special Meeting

PZ1012BR Coccoomo III, LLC - Application for release of remaining Public Improvement Bond posted to satisfy requirements of proposed construction activity related to PZ0433SD. Original \$165,000.00 bond reduced to \$100,000.00 on 9/19/2006. Property located at Whaler Rd., Schooner Dr. & Cutter Dr., Mystic, CT. Assessor's Map 162 Block 1 Lots 4-11; Map 162 Block 2 Lots 1-5; Map 163 Block 2 Lots 7-12; Map 163 Block 1 Lots 14-16 & Map 163 Block 2 Lot 17. Zones RA-20 & GBR-130.

Mr. Brynes read the Town Engineer's comments in regards to costs for work still to be completed.

Mr. Coccoomo presented the request, describing the work that had been completed, issues regarding reimbursement of funds to the Town, and his intentions to complete the work.

Mr. Marseglia made a motion to approve with the stipulation that the bond be reduced from \$100,000 to \$75,000. Mrs. Trebisacci seconded. The motion was unanimously approved, 5-0.

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). Public Hearing Closed 6/15/10.

Mr. Mercer, Mr. Marseglia and Mrs. Trebisacci were not seated for this application and exited the meeting at 10:00 P.M. Seated for the application were Mr. Swenarton, Mr. Young, and Mr. Tamsky.

Chairman Swenarton, Mr. Young and Mr. Tamsky reviewed comments to the text amendments.

Mr. Swenarton made the motion to approve with changes discussed from the 6/1/10, 6/15/10 public hearing and the evening's discussions. Mr. Tamsky seconded. The motion was unanimously approved. 3-0.

Changes:

1. Section 2.6.3 – Change word "may" to "shall" in 2nd sentence.
2. Section 2.13.4 – Keep existing language in the regulations.
3. Section 6.3 – Keep existing language in the regulations.
4. Section 7.8 – Keep existing language in the regulations.

Mr. Tamsky made a motion to adjourn. The motion was unanimously approved, 5-0. The meeting was adjourned at 10:18 P.M.


Lynda Trebisacci, Secretary