

Regular Meeting

The 1457th meeting of the Town of Stonington's Planning and Zoning Commission was held on Tuesday, November 15, 2011 at Mystic Middle School, 204 Mistuxet Ave., Mystic, CT. Acting Chairman Ben Tamsky called the meeting to order at 7:01 P.M. Present were Commissioners Rob Marseglia, John Prue, and Bob Mercer; Alternates Curt Lynch, Gardner Young, and Frances Hoffman; and Acting Director of Planning/Town Planner Keith Brynes.

Seated were Mr. Marseglia, Mr. Tamsky, Mr. Mercer, Mr. Prue, and Ms. Hoffman

Minutes : #1451, September 12, 2011 approved as corrected, not signed; #1452, September 14, 2011; #1453, September 20, 2011 approved, not signed; #1455, October 18, 2011 approved, not signed; #1456, November 1, 2011. Mr. Marseglia made a motion to approve the minutes of November 1, 2011. Ms. Hoffman seconded. The minutes were unanimously approved, 5-0.

Reports - Commission:

Discussion of 2014 Plan of Conservation and Development.

Commission members chose to put off discussion on this topic until after the Public Hearings.

Administrative Review:

ZON11-251 Mystic Shipyard - Construct 9' 8" x 13' 9" 2nd floor deck and a change of user with associated signage for Dockside Electronics. Property located at 18 Stafford St., Mystic. Assessor's Map 174, Block 23, Lot 3. Zone MC-80. Mr. Brynes reviewed the plan for a second floor deck and responded to commissioners' questions about the project. Mr. Marseglia made a motion to approve the deck and change of user requests. Ms. Hoffman seconded. The application was unanimously approved, 5-0.

Mr. Tamsky asked Mr. Brynes about the Admiral Cove subdivision site on Rt. 27, noting that the Coastal Public access sign is missing. Previous and potential enforcement actions were discussed, with Mr. Brynes stating that the Town Attorney has a professional conflict in the situation and consultation with a different attorney wasn't encouraging. Mr. Marseglia felt that enforcement action should be taken if they are in violation of their approvals. Mr. Prue made a motion to instruct staff to pursue enforcement and report back on this violation. Mr. Marseglia seconded. The motion was unanimously approved, 5-0.

Mr. Brynes discussed the Public Hearing schedule for the newly submitted Coogan property Subdivision and Special Use Permit applications. Mr. Prue thought the application might need several meetings and wanted to open the public hearing at the January 3, 2012, meeting. Mr. Lynch felt that the Subdivision and Special Use Permit hearings should be heard together, as one. He also suggested that Commission members go on the Wetlands site walk scheduled for November 19th. Mr. Brynes explained that the Wetlands Commission would likely hold its Public Hearing at their January 5, 2012, meeting so it would be wiser to schedule the PZC hearings for January 17, 2012. Mr. Marseglia noted that that date would be a potential snow day.

Mr. Prue made a motion to schedule a Public Hearing on January 17, 2012, for application **PZ1131SD & CAM Clara M. Coogan Trust**. Mr. Marseglia seconded. The motion was approved 4-1.

Roll call: Mercer - for, Prue - oppose, Tamsky - for, Marseglia - for, Hoffman - for

Mr. Marseglia made a motion to schedule the Public Hearing for application **PZ1132SUP Clara M. Coogan Trust** for January 17, 2012, and request that the applicant combine both the Subdivision and Special Use Permit hearings to be heard as one. Ms. Hoffman seconded. The motion was unanimously approved, 5-0.

Old Business: None

Public Hearings: 7:30 p.m.

Regular Meeting

PZ1118SUP Debra & John Carreiro - Special Use Permit application to permit conversion of an existing two-family residential structure to a three-family residential structure. Property located at 7 Walnut St., Pawcatuck, CT. Assessor's Map 1, Block 2, Lot 7. Zone RH-10. *Continued from 9/20/11.*

Mr. Brynes reviewed the application status, noting that the applicant had not applied to the ZBA for relief, and read a letter from Dora Hill in opposition to the application. He reviewed the zoning regulations for accessory apartments, noting that the application did not meet the single family residence and density requirements. Mr. Carreiro, the applicant, was not present at the meeting.

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

Mr. Marseglia made a motion to deny the application. Mr. Prue seconded. Mr. Prue stated that in the future that these types of application not make it to the Commission. The motion to deny was unanimously approved.

PZ1128SD & GPP James F. Holdridge, Jr. – Subdivision and Groundwater Protection Permit applications for a 2-lot re-subdivision. Property located at 612 New London Turnpike, Stonington. Assessor's Map 91 Block 2 Lot 1B. Zone RR-80.

Tony Nenna, P.E., from On-Site Engineering, Inc., described the proposed re-subdivision of one lot from a 2002 subdivision dividing the property into 2 lots. He noted that they have received IWWC approval and the proposed single family dwelling and activity are outside of the upland review area. He described the proposed curb cut on New London Turnpike (Rt. 184) and additional safeguards taken to protect groundwater and drainage. Ms. Hoffman asked about placement of the septic system. Mr. Nenna stated that he had dug and monitored test pits during the wet season in the presence of the Town Sanitarian. Mr. Prue commented that he would like to see the building setback lines be delineated on the plans.

Public Comment: None

Staff Comment: Mr. Brynes said that the application conforms to the regulations and the Town Engineer did not have any issues with the application. He suggested four stipulations.

Mr. Lynch voiced concern that the property was fragile and asked Mr. Brynes if anything might be falling through the cracks during the various Commission processes. Mr. Brynes stated that the application had been approved by the Inland Wetlands Commission and read the stipulations. Ms. Hoffman was concerned as well with septic hydrology. Mr. Mercer confirmed that the Town of Stonington's wetland requirements were twice that of the State's. Mr. Marseglia asked about the Town Sanitarian's review process.

Rebuttal: Mr. Nenna had none.

Mr. Prue made a motion to close the Public Hearing. Mr. Marseglia seconded. The motion was unanimously approved.

Mr. Marseglia made a motion to approve the application with four stipulations. Mr. Prue seconded. The motion was unanimously approved.

Stipulations:

1. Final plans shall address the Town Planner's 10/25/11 comments.
2. Prior to recording, AutoCAD files shall be submitted to the Town.
3. Final plans shall be reviewed to the satisfaction of the Town Engineer.
4. The applicant shall hire a state certified real estate appraiser, acceptable to the Department of Planning, to conduct an appraisal of the land. A fee in lieu of open space equal to 10% of the value of the land shall be

Regular Meeting

applied to all lots in the subdivision. The Final Plans must include the following statement: "A Fee-In-Lieu of Open Space of \$ [amount shall be determined prior to final plans are recorded on the land records] was approved by the Planning & Zoning Commission, each new lot shall be assessed [1/2 of the 10% value]."

The Commission opened a discussion on the 2014 Plan of Conservation and Development. The governing State Statutes, as assembled by Mr. Prue, were distributed. Chairman Tamsky suggested advertising for people who may be interested in serving on a POCD Steering Committee. Mr. Lynch thought there were three ways which mistakes could be made: 1) composition of the committee, 2) process, and 3) content. Mr. Marseglia reviewed the selection process used to form the Route 1 Corridor Study committee. Mr. Prue thought that they should backload goals from 2014 to ensure they were on track with the various state and local review requirements. The potential for funding was discussed and it was noted that the cost ten years ago was \$120,000.00. Commissioners discussed methods of publicizing the request for applications to the Steering Committee. Mr. Lynch thought that the Commission should meet with the previous Steering Committee members to acquire any lessons learned from their experiences. Mr. Mercer stated that Planimetrics was responsible for 99½ percent of the 2004 POCD. Ms. Hoffman and Mr. Prue will draft a Steering Committee application form that includes member commitment requirements. Mr. Brynes will invite past POCD Steering Committee members to the next meeting and contact Planimetrics for a cost estimate to revise/update the POCD.

Mr. Prue brought up the issue of making changes when deficiencies in the regulations arise and how to regularly address them during the meeting format. He suggested adding "Commission Initiatives" to the agenda after "Minutes."

Mr. Prue made a motion to instruct staff to revisit ZR 6.6.7 and recommend clarifications. Mr. Marseglia seconded. The motion was unanimously approved.

Commissioners discussed the Stonington High School scoreboard sponsorship panel regulation amendment. Mr. Brynes said that the signage and the Press box signage had to come back to PZC for approval. Mr. Prue felt the regulation that was adopted was more permissive than what was approved.

Mr. Prue made a motion to revisit the scoreboard issue. Mr. Mercer seconded. Ms. Hoffman was wary of revisiting that having gained insight from a recent professional training workshop at UConn.

Mr. Prue withdrew his motion and Mr. Mercer withdrew his second.

Mr. Prue made a motion to adjourn. Mr. Mercer seconded. The motion to adjourn was unanimously approved. Chairman Tamsky adjourned the meeting at 9:38 P.M.



12/20/11

Robert Marseglia, Secretary