

Regular Meeting

The 1461st meeting of the Town of Stonington's Planning and Zoning Commission was held on Tuesday, January 17, 2012 at Mystic Middle School, 204 Mistuxet Avenue, Mystic, Connecticut. Chairman Rob Marseglia called the meeting to order at 7:00 P.M. Present for the meeting were Commissioners Ben Tamsky, John Prue, and Frances Hoffman and Acting Director of Planning/Town Planner Keith Brynes. Commissioner Bob Mercer and Alternates Gardner Young and Curt Lynch were absent.

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

Approval of Minutes:

#1460, January 3, 2012 - Ms. Hoffman made a motion to approve the minutes of the January 3, 2012 meeting. Mr. Tamsky seconded. The motion to approve the minutes with one correction was unanimously approved, 4-0.

Administrative Review:

PZ0360SD SUP & GPP Meehan Group, LLC (original applicant) / Toll Brothers Inc., (current applicant) – Consideration of modification of plans to include easement areas for approved forty-eight lot subdivision. Property located on Whitehall Ave., Jerry Browne Rd., & Pequot Trail, Old Mystic. Map 165 Block 5 Lots 1 & 14, & Map 148 Block 3, Lots 1 & 3. Zones RA-40 & RR-80.

Michael Scanlon of DiCesare-Bentley Engineers spoke on behalf of the Toll Brothers development Old Mystic Estates, explaining the additional drainage easements recommended by the Town Engineer. Several of the easements will be maintained by the Town and several by the homeowner's association. Mr. Prue asked if these easements are consistent with the Town's Subdivision Regulations. Mr. Brynes said that drainage easements are done. Mr. Tamsky asked that the new easement plan be titled and labeled for approval. Toll Brothers representative Ted Merchant explained that there was an agreement allowing the detention ponds to be "carved out" of the open space to be given to the Land Trust, with the remainder going to the Home Owners Association. Mr. Scanlon responded to Ms. Hoffman's question regarding the drainage issue involving a pond in the Whitehall Condominiums property. Mr. Prue made the motion to approve the modifications as depicted on the submitted plans. Mr. Tamsky seconded. The motion was unanimously approved, 4-0.

PZ1125SD Jayne Kivlin & Naomi Gobeille – Request 90-day extension to file final plans and easements for approved re-subdivision application for a 3-lot subdivision of a combination 5.98± acre parcels with a strip to be conveyed to provide conforming road frontage to Lot#3. Property located at 2 North Broad St & 44 Pequot Trail, Pawcatuck. Assessor's Map 15 Block 3 Lots 17 & 17A. Zone RA-20.

Ms. Hoffman made a motion to approve the request for an extension to file final plans. Mr. Tamsky seconded. The motion was unanimously approved.

Commission Initiatives:

Discussion of 2014 Plan of Conservation and Development. Mr. Brynes noted that there has been a good amount of interest although no applications have been received as of yet and the announcement will be advertised soon.

Discussion of modifications to Section 6.6.7 - Excavations and Filling.

Re-appointment of Zoning Enforcement Officer. The Commission decided to table both of these issues.

Old Business:

PZ1133BR Pequot Development Associates - Application for reduction of Public Improvement Bond posted to satisfy requirements of proposed construction activity related to PZ0803SD & GPP. Original bond instrument was a Letter of Credit for \$981,568.13. Applicant received a reduction to \$300,000.00 on 8/17/10 & requests a

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further reduction to \$150,000.00. Property located at 56 Jeffrey Rd., Pawcatuck. Assessor's Map 17, Block 1, Lot 6, Zone RM-20.

Mr. Brynes explained the request for a bond reduction stating that he has not yet received written comments from the Town Engineer or the Fire Marshal. Mr. Tamsky made a motion to table the application. Mr. Prue seconded. Mr. Marseglia expressed concerns about cost estimates needed to complete work in the future. The motion was unanimously approved.

Public Hearings: 7:30 p.m.

PZ1131SD & CAM Clara M. Coogan Trust - Subdivision and Coastal Area Management Review applications for a 2-lot subdivision. Property located at 162 Greenmanville Ave. & Pleasant St., Mystic. Assessor's Map 172 Block 2 Lot 5. Parcels included as part of proposed Open Space are Assessor's Map 163 Block 1 Lots 5A & 9. Zones RM-15, RA-20, & RA-40.

PZ1132SUP & CAM Clara M. Coogan Trust – Special Use Permit & Coastal Area Management Review applications for phased development of a 245-unit Congregate Living Facility on 18.02 acres to be created through subdivision of a ±52.07 acre parcel. Phase 1 proposes 125 units and Phase 2 proposes 120 units. Property located at 162 Greenmanville Ave., Mystic. Assessor's Map 172 Block 2 Lot 5. Zones RM-15 & RA-40.

Ms. Hoffman read the call for both applications. Chairman Marseglia seated Ms. Hoffman, Mr. Tamsky and Mr. Prue for the meeting and stated that absent members would listen to the meeting recordings.

Surveyor and Engineer Richard Strouse of CME Associates explained the proposed subdivision of the three parcels. The 18.02 acres parcel which the Congregate Living Facility will be built on will be accessed by Clara Drive. They propose to deed just over 11 acres of open space to Pequotsepos Nature Center. Trails developed on assisted living parcel are proposed to connect with those in the open space. He discussed public sewer and water utility tie-ins, and noted that the Wetlands Commission has approved the application.

Mr. Tamsky asked why the parcel wasn't entitled to a free split. Mr. Strouse replied that they already had their free split but there had been no approved subdivision. There was discussion regarding the sizes and shapes of the lots. Mr. Strouse explained that positioning the entrance at Clara Drive dictated the parcel line and the required density for the building project dictated the acreage. Mr. Tamsky asked about changing the westerly boundary in respect to the buffer violation. Ms. Hoffman asked about the proposed connection of the trails in the open space. Commissioners discussed traffic issues including large deliver and service vehicles in and out of the facility. Mr. Strouse noted that he had worked with the Fire Marshal to ensure that the largest required vehicle's turning radii would be accommodated. Mr. Strouse stated that the traffic pattern on Clara Drive would not change.

Joe Mastronunzio of Brom Builders gave an overview of his company and presented the plans for the proposed Congregate Living Facility.

Glen Gordon, attorney for the applicant, reviewed the items he submitted with the application, submitting an updated Marketing Study. Mr. Brynes and the Commission discussed the acceptance of the updated study, agreeing that it came under the 5-day rule and copies would be forwarded for their review.

Pete Parent, a Licensed Engineer from CME Associates described Phase 1 as memory care and assisted living units and Phase 2 as independent living. The services loading dock will be in the rear of the complex. He described the catch basin, grading, and fire access road. The sewer will run over the high point of the property and gravity feed to Route 27. Commissioners asked about construction and anticipated ledge. Mr. Parent gave

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detailed descriptions of the catch basin, recreation area, and snow stockpile. He explained the stormwater management plans for each phase of construction. Mr. Tamsky asked about the height of the snow stockpiling.

Mr. Kevin Bessolo, an architect at Bessolo Design Group of St. Petersburg Fla. presented slides of other senior residential facilities his firm has designed, pointing out the structures design features. The Commissioners asked questions regarding building height and average finished grade measurements. He presented a shadow impact study depicting very little shadow cast outside of the property boundary. He described one of the attached buildings as "separate" due to its design made to conform to the sloping topography. He detailed the "neighborhoods" created by aggregated rooms and activity spaces and the "hospitality" atmosphere created by the building layout. Mr. Bessolo presented the Landscaping Plan noting the entry and courtyard features. He clarified the calculations used to address average finished grade for building height issues previously raised by Mr. Brynes in his Staff Report. He further discussed the amount of acreage being provided for parking and open space. Ms. Hoffman asked about landscaping near the roads. The architect stated they were maintaining the existing trees near Clara Drive as part of the buffer. He noted that the building design emphasizes wide corridors with usable space in order to create a larger living and home environment.

Kelly Mason, CEO of Morningside Management, a woman-owned business, spoke on behalf of her organization. She showed slides of several of their existing residences and detailed the services provided to the residents. Mr. Prue asked how many residents would have cars. She thought that perhaps 10-15% did. She stated there will be no skilled nursing care in this facility.

Mr. Mastronunzio reviewed the oversight and approvals required by the Town and discussed the Plan of Conservation and Development, and how the proposed project fits the vision of the POCD. Mr. Prue asked if they planned on starting construction of the project right away. Mr. Mastronunzio replied that they were hoping to begin in April.

Public Comment In Favor: Edward Planeta Jr., a member of the Stonington Economic Development Commission, reported that the EDC is unanimously in favor of the proposal and hopes that the PZC also votes in favor of the project. Susan Pochal, an attorney representing the Clara M. Coogan Trust, clarified that the Trust is donating the land for the Open Space, not the project developer.

Public Comment Against: None

Public Comment - General Remarks: Ed Hart had questions regarding use on the parcel remaining after the subdivision and access from Route 27. David Evans, representing the Denison Homestead, asked about any concerns or input from CL&P regarding public access to the power lines in the Open Space. Carlene Donnarummo asked about whether the Regulations permitted the open space to be dedicated to The Denison Homestead Society. She was most concerned that there was only one means of ingress and egress for the proposed development, suggesting a secondary emergency access route through the adjacent property owned by RoxRiv Realty.

Dick Strouse clarified that they are working with Pequotsepos Nature Center to be the recipient of the Open Space, not the Denison Homestead Society. Rick Newton of Avalonia Land Conservancy noted that the POCD stressed preservation of Open Space and discussed the impact of the project on stream flow capacity. He felt utility easements should not be permitted in Open Space and commented on forecasted demographic projections. Ward Smith commented on the blasting that was performed when McQuade's was constructed, stating that he was sure a neighbor's foundation was cracked as a result. He was also concerned that the parking lot lighting not be overly bright or cause neighboring residents' concerns. Juliane Bauer of Seaport Heights was

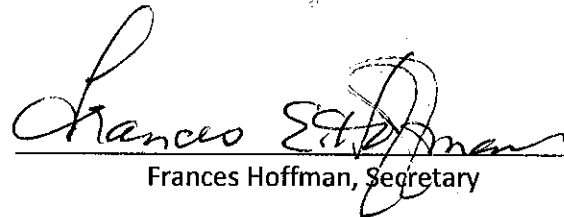
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concerned about the ledge blasting as her water ran brown after blasting for construction of the child care center was performed. She also had concerns for pedestrians walking to McQuades. Bill Lyman was concerned about the 90° blind turn on Clara Drive with the potential for traffic bottlenecks at the proposed left turn into the site. He suggested signage directing traffic to the site to use the West Marine route to approach as a means to help alleviate the potential traffic issues. Mr. Brynes noted that the Town Engineer had similar issues with the roadway and the application should go to the Police Commission for review.

Maggie Jones, Executive Director of Denison Pequotsepos Nature Center, stated that they are ready and legally able to accept the Open Space. The Nature Center's concerns are the detention basin in the open space and the interconnectivity of the trail system. She will check the maps to ensure the proposed swale does not interfere with any trails and future trails are well-planned out. Ms. Hoffman asked whether the suitability of land for connecting trails could be addressed in rebuttal. Mr. Tamsky felt it was up to the applicant to show the Commission their efforts to provide trail connectivity.

The Commission discussed meeting schedules to best provide for Police Commission review of the traffic issues. Mr. Prue asked how many employees would be working per shift. Ms. Hoffman made a motion to continue the Public Hearing to the February 7th meeting. Mr. Tamsky seconded. The motion was unanimously approved, 4-0.

Ms. Hoffman made a motion to adjourn. Mr. Tamsky seconded. The motion was unanimously approved. Chairman Marseglia adjourned the meeting at 11:09 P.M.



Frances Hoffman, Secretary