

REGULAR MEETING

The 1490th meeting of the Town of Stonington's Planning and Zoning Commission was held on Tuesday May 21, 2013 at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, Connecticut. The meeting was called to order by Chairman Rob Marseglia at 7:00pm.

Seated for the meeting were Rob Marseglia, Bob Mercer, Ben Tamsky, Frances Hoffman and Eric Beverly. Alternate, Curtis Lynch was present. Town Planner, Keith A. Brynes was present. Member John Prue and Alternate, Gardner Young were absent.

Commission Initiatives:

Discussion of 2014 Plan of Conservation and Development:

Mr. Brynes stated the next POCD Subcommittee meeting is June 3rd and this will be the last meeting with Planometrics. The Subcommittee is looking into to dividing the document into two parts: the vision statement (broader goals) & the implementation schedule featuring specific tasks that can be updated without formally updating the POCD. The Subcommittee may seek the PZC's input on this issue in the future.

Discussion of policy/commission interpretation regarding potential conflict between Zoning Regulations 7.7.8.2.1, 7.7.8.3.2 and FEMA regulations related to additions to legally non-conforming buildings that are not "substantial improvements" in flood hazard areas:

Mr. Brynes presented draft text of a regulation amendment that clarified that such minor improvements do not have to conform to current FEMA requirements. Consensus was that definitions should remain in Section 1.2.2 but reference flood hazard regulations.

Mr. Tamsky recommended drafting language showing the opposite approach with small additions required to meet current flood hazard requirements. Mr. Mercer stated in his experience in several towns even minor additions must meet FEMA requirements. Mr. Marseglia stated the Commission already interpreted the issue at a previous meeting. Staff will draft new language that is the opposite of what is currently in place for comparison. Mr. Mercer motioned to table this item to another meeting. Mr. Tamsky seconded. The vote was unanimous 5-0.

Discussion of draft regulations and Zoning Map Amendment for a new Zoning Heritage Mill (HM) District:

Staff summarized draft regulations for the new district prepared by staff that expanded upon the work by Planometrics. Mr. Tamsky stated that such a major change to the regulations was not necessary and that small changes would suffice as needed. The 2014 POCD could offer guidance on this issue.

Blunt White, EDC Chairman, stated that the 2014 POCD Subcommittee seems supportive of this change, citing the innovative reuse of mills. Mr. Marseglia stated that the current 2004 POCD also supports this amendment. Mr. Tamsky questioned why the ACME Wire and Packer Building properties were included. Consensus was to remove the ACME Wire building from any HM Zone application but leave in the Packer Building which could be removed from any approvals. Staff suggested the commission review the draft regulations & zoning map amendments for the new zoning of the HM district before the next meeting. The Commission requested that the Chair of the POCD Subcommittee attend a future meeting to discuss the Subcommittee's opinion on the issue.

Meeting adjourned for a three minute break.

Meeting resumed at 8:17pm

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Meeting Minutes:

Frances Hoffman moved to table the minutes from May 7, 2013. Mr. Tamsky seconded. The motion was approved 5-0.

Reports:**Commission**

Discussion of CT State Statue 8-3(e) related to zoning enforcement and permitting:

First Selectman, Ed Haberek, stated that he met with the Director of Administrative Services to discuss advertising the position of Director of Planning. He is investigating whether money is available to fill the position prior to January. Candace Palmer is covering duties for Mr. Larkin. Mr. Tamsky volunteered to be on the selection committee for the Director of Planning position. Mr. Haberek updated the commission on the Handlebar signs. They will come before the PZC with their sign package proposal. Mr. Marseglia stated that the Commission works to bring applications into compliance. There was general discussion on this commission's responsibility to the Town of Stonington, and the First Selectman's responsibilities to "sell" the brand of Stonington.

Administrative Review:

ZON13-102 C & H Smith (Stonington Vineyards) - Zoning Permit to construct 6' x 24' temporary deck. Deck will be replaced by stone steps & a terrace at the end of the season. Property located at 523 Taugwonk Rd., Stonington, CT. Assessor's Map 68, Block 8, Lot 1 Zone GBR-130.

Staff provided a handout summarizing the application. Mr. Tamsky moved to approve the application. Mr. Mercer seconded. The vote to approve was unanimous 5-0.

ZON 13-106 Randy Holt (Stonington Spas) – Zoning Permit application for change of use from restaurant to retail sales with installation of a garage door. Property located at 148 So. Broad St., Pawcatuck. Assessor's Map 25, Block 1, Lot 14. Zone GC-60.

Staff summarized the application. Randy Holt, owner of Stonington Spas, stated that he will return to the Commission with plans for signage, reducing the size of a landscaped island and possibly eliminating the eastern curb cut. Ms. Hoffman moved to approve the application. Mr. Tamsky seconded. The vote to approve was approved unanimously 5-0.

PZ1231SD & GPP Robert & Margaret Gilbert- Approved subdivision and groundwater protection permit applications for a 2-lot subdivision. Property located at 704 Al Harvey RD. Stonington. Assessor's Map 114 Block 1 Lot 2. Zone RR-80. Request for 90 day extension to file final plans.

Mr. Tamsky moved to approve the extension. Mr. Mercer seconded. The vote to approve was unanimous 5-0.

Old Business:

PZ1303SPA & CAM Latimer Point Condominium Assoc., Inc.- Site Plan application & Coastal Area Management Review for proposed relocation & 2nd floor addition to existing house; demolition & reconstruction of existing cottage; and new decks, deck additions, & shed. Properties located at 16 North Shore Way, 55 East Shore Rd., & 106 Latimer Pt. Rd., Stonington, CT. Assessor's Maps/Blocks/Lots: 154/2/10, 154/6/10, 154/2/17. Zone RM-20.

Staff recommended tabling this application. Mr. Tamsky moved to table the application. Mr. Mercer seconded. The vote was unanimous 5-0 in favor.

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Public Hearing:

Ms. Hoffman called the public hearing at 8:58pm.

PZ1304SUP Ravie, LLC (John P. Walsh)- Special Use Permit application to permit use of 465 square feet of space in second floor bakery as professional office space, and for approval of Shared parking on site. Property located at 21 East Main St. Mystic. Assessor's Map 174 Block 2 Lot 5. Zone DB-5.

The architect, John Walsh, presented a summary of the proposed plan. There was discussion of past issues with the previous owners, but there are no outstanding issues or complaints per staff. The Fire Marshal's comments will be addressed prior to occupying the 2nd floor. Owner, Mercedeh Pourmoghadam, described parking for residents and business customers.

Speaking in Favor - Elaine Cole, 17 Burrows St., Mystic, who walks to the bakery, stated she has never seen any parking issues with this property.

Mr. Mercer motioned to close the public hearing. Ms. Hoffman seconded. The motion was approved 5-0.

Mr. Mercer moved to approve the waivers for this application. Ms. Hoffman seconded. The motion was approved 5-0.

Mr. Mercer moved to approve the special use permit for this applicant with 1 stipulation. Ms. Hoffman seconded. The motion was approved 5-0.

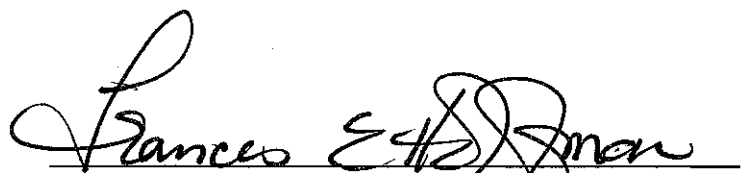
Stipulation:

1. Outstanding fire code deficiency shall be addressed prior to the issuance of a Zoning Permit. The vote was unanimous 5-0 in favor with the stipulation.

PZ1302RA Town of Stonington PZC (FEMA) - Regulation Amendment for proposed revisions to Flood Hazard Regulations to conform to new FEMA Flood Hazard Coastal Maps which will be effective August 5, 2013.

Mr. Tamsky moved to continue this hearing to the next meeting. Mr. Mercer seconded. The motion was approved 5-0.

Mr. Tamsky moved to adjourn meeting. Mr. Mercer seconded. The motion was approved 5-0. The meeting adjourned at 9:35pm.



Frances Hoffman, Secretary