Special Meeting

The 1497th meeting of the Town Of Stonington's Planning and Zoning Commission was held on Tuesday, August 27, 2013 at the Mystic Middle school, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Chairman Robert Marseglia at 7:00pm. Present for the meeting were Commissioners Bob Mercer and Frances Hoffman; Alternates Gardner Young, Curtis Lynch, Eric Beverly, and Town Planner Keith Brynes. Commissioners Ben Tamsky and John Prue were absent

Seated for the meeting were Rob Marseglia, Bob Mercer, Frances Hoffman, Eric Beverly, and Curtis Lynch.

Public Hearing:
PZ1310RA Sea Research Foundation, Inc. & Waterstone Retail, Inc. – Zoning Regulation Text Amendment to allow retail sales by Special Use Permit within the M-1 Zoning District under certain conditions. Said sales and associated displays must be situated entirely within a building no greater than 15,000 sq. ft. in gross floor area and be located no more than one (1) mile from an interstate highway interchange. *Continued from 8/20/13.*

Attorney Bill Sweeney, representing Sea Research and Waterstone Retail, provided background information and explained the intent of the application, ultimately to provide West Marine with a larger retail space. He reviewed the proposed text amendment and its stated limitations, noting any further permitting will require a relocation plan for the trailhead to ensure connectivity of the area, a stormwater plan, and architectural renderings. He noted that Aquarium overflow parking will need to be moved to Lot#2. Attorney Sweeney answered questions from the Commission. Supportive letters from the Mystic Chamber of Commerce and Pendleton Health Center were submitted.

The meeting recessed at 7:40pm and reconvened at 7:45pm.

Mr. Anton Melchionda, representing Waterstone Retail, explained the project's vision and the expected minimal impact to the area, stating that a maximum of 13,000 sq. feet will be developed.

Public Comment:
Speaking in Favor: Jerry Olsen, Chris Regan, Joyce Resnikoff, and Blunt White.

Speaking in Opposition: Attorney Tom Collier, representing Michael McQuade, stated that the proposal isn't a modest change to the regulations. He submitted a number of exhibits including a traffic study, a list of retailers commonly adjacent to West Marine stores, and two court cases citing spot zoning. Mr. Collier summarized the parking concerns, traffic issues, existing retail vacancy in town, and the opinion that this application is really for a zone change.
Michael McQuade expressed opposition because there is retail space available in the area but a lack of demand currently exists.

General Comments: Rick Newton, Carlene Donnarummo, Peter Harvey

Staff Comments: Town Planner Keith Brynes stated that the Aquarium will need to address the parking plan, suggesting the same application could be used to develop both the retail use and the parking spaces. He said the Commission can't regulate development with conditions, but must approve, deny, or modify. He noted that further development on the site will require IWWC approval and the POCD recommends a transition zone, specifically the Lattizori property. He shared the Conservation Commission's comments.

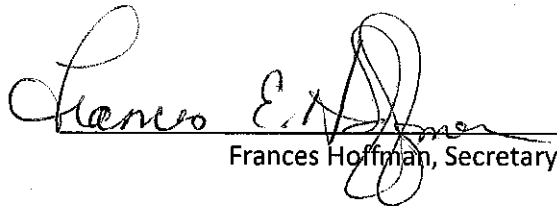The meeting recessed at 9:30pm and reconvened at 9:35pm.

Rebuttal: Attorney Sweeney addressed previous noted issues including: parking, the M-1 zones, smaller retail space proposed for the applicant vs. larger common retailer sizes, the difference between a zone change and a text amendment, and the Commission's responsibility and control of this entire process.

Ms. Hoffman motioned to close the public hearing. Mr. Lynch seconded. The motion was unanimously approved, 5-0. Mr. Mercer motioned to approve the application. Mr. Lynch seconded. Following discussion, the commission voted o approve the application, 4-1.
Roll call: Mercer - approve, Hoffman - approve, Marseglia - approve, Lynch - approve, Beverly - deny

Ms. Hoffman motioned to adjourn the meeting. Mr. Lynch seconded. The meeting adjourned at 10:35pm.

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Frances Hoffman, Secretary