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Planning & Zoning Commission
Special Meeting
April 2, 2024
Draft Minutes

The 1753rd meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street, April 2, 2024. The meeting was called to order at 7:00 PM by Chairman Charles Sheehan. Also present for the meeting were MaryEllen Mateleska, Ben Philbrick, Ryan Deasy, Gary Belke, Lynn Conway, Andy Meek, Bennett Brissette and Town Planner Clifton Iler.

Seated for the meeting were Charles Sheehan, Ryan Deasy, Gary Belke, Lynn Conway, and Andy Meek.

Minutes:

Mr. Deasy made a motion to approve the minutes of March 19, 2024, seconded by Mr. Belke. The vote was taken as 4-0-1; Sheehan - approve, Deasy - approve, Belke - approve, Conway - approve, Meek - abstain.

Public Comment: None

Correspondence: None

Reports: None

Old Business: None

Public Hearings:

- a. **PZ2403RA J and H Hospitality, LLC (J. Casey)** - Zoning Text Amendment application for changes to ZR 8.1 and ZR 8.6.1 to include revised frontage and buffer requirements, applicable to the Tourist Commercial (TC-80) Zone.

Atty John Casey, Robinson & Cole, discussed eliminating "unnecessary" buffer requirements, the intention to redevelop the hotel including sitework, and further explained the application's desire for text amendments. These amendments included adjusting footnotes and the zones they are applicable to, buffer requirements, and more specifically the buffer rules in regard to properties along I95 and hotel properties which have a property line that abuts another hotel. Atty Casey discussed the Board's authority to execute a text amendment as well as the actual relevance to the goal of the POCD. Atty Casey mentioned that screening a 'less intense' use from a 'more intense' use is appropriate but it is not necessary to screen a commercial use from a highway.

Atty Casey clarified that the requested amendment to replace letter 'J' with 'I' in table 8.1 is no longer relevant as the current lettering is being used in the table.

Atty Casey discussed the number of hotels in the TC-80 zone. Per Atty Casey, there are seven hotels in the zone but none are abutting each other. There is a vacant lot that abuts a hotel which could be

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developed and the amendment would apply to that lot if a hotel were to be built. Ms. Conway discussed the possibility of a hotel being built in Old Mystic Village. It was acknowledged that there are no current plans for that although that can always change. There was brief discussion regarding the possibility of abutting hotels to share parking space and thus reduce the amount of impervious surfaces.

The Chairman briefly discussed a list of major issues that a developer would likely run into if attempting to develop the vacant lot mentioned above.

Atty Casey confirmed for the Commission that they have not spoken with the abutting hotel owner. Atty Casey briefly discussed the scope of the hotel and site renovations including a third-floor addition, renovated entry way, parking reconfiguration, etc.

The Commission discussed 'non-access lines' along the highway and how that affects the permitting process. It was clarified that no further language would be needed.

Mr. Iler clarified that the Police Commission met after the staff report was already sent out but that they had no comments or concerns regarding this project.

Ms. Conway confirmed with Mr. Iler that the application could be approved if the text amendment to section 8.6.1 (B) was disregarded.

Public Comments:

Ben Tamsky, 5 Edgemont St, believes that buffer language for the hotels should be addressed. For full disclosure Mr. Tamsky informed the Board that the vacant lot mentioned above is also owned by the applicant. Mr. Tamsky commented on the applicants lack of correspondence with the abutting hotel owner, the potential to increase impervious surfaces, and offered an alternate route of a ZBA application.

Rebuttal:

Per Atty Casey, the impact of removing buffers between two hotels is minimum and for this site it reflects the built environment. Atty Casey cast more doubt on the idea of the vacant lot being developed as a hotel and clarified that he does not represent the applicant on that matter. The Commission discussed with Atty Casey the possibility of proving a hardship to the ZBA, potentially by showing a decrease to a nonconformity.

Mr. Iler clarified that it would be the Town's desire to mitigate the number of variances instead of them increasing.

There was a brief discussion amongst Board members regarding the specific text change to 8.6.1 (B) and its ability to be used for purposes outside of the intended scope of this application.

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The Chairman discussed the zoning rewrite and mentioned that any changes are subject to review again during that process; Atty Casey was aware of this and felt moving along with the application was appropriate.

Mr. Deasy made a motion to close the public hearing, seconded by Ms. Conway, all were in favor, 5-0. The public hearing closed at 7:50 PM.

Per the Board's concerns, Mr. Iler drafted and read a possible change to the requested amendment for 8.6.1 (B); the edit intended to more specifically reference the lot lines where two hotel sites are abutting instead of the entirety of the site boundary.

Ms. Conway questioned how this would affect a site where a hotel closes and an alternate business moves in. Per Mr. Iler, depending on the scale of the development, it would potentially be necessary for the lot to be reconfigured, however if it is just a change to the use of the building it would likely be reviewed by the Zoning Enforcement Officer. If the project required additional parking or any reconfiguration it would have to come before this Board for site plan approval, special use permitting, etc. Ms. Conway feels there is some 'gray area' with the language amendment to 8.6.1 (B) and that there is a potential route for the intent to be abandoned. The Commission questioned if Mr. Iler's text edit would suffice, however Ms. Conway felt that this would be in opposition to the POCD and not an improvement to Mystic. The Board confirmed that the applicant would have to come back for site plan review on this project. Mr. Iler clarified for Ms. Conway that the third-floor addition increases the parking requirement however the current buffer rules would prohibit that possibility.

Mr. Iler acknowledged that this application was the recommended 'first step' from the Town and the ZBA should be reserved as a last resort.

Mr. Belke commented that the further development of hotel sites does improve tourism.

Mr. Deasy made a motion to approve the application with the added stipulation of Mr. Iler's text edit, seconded by Mr. Belke. The vote was taken as 4-1; Meek - approve, Belke - approve, Deasy - approve, Sheehan - approve, Conway - deny. The motion passed.

Mr. Deasy made a motion to adjourn the meeting, seconded by Ms. Conway, all were in favor, 5-0. The meeting was adjourned at 8:10 PM.