

Regular Meeting

The 1736th meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street, Pawcatuck, on September 19, 2023. The meeting was called to order at 7:00 PM by Chairman Charles Sheehan. Also present for the meeting were Commissioners Ryan Deasy, Gary Belke, Lynn Conway, and Andy Meek; Alternates Ben Philbrick and Bennett Brissette; and Town Planner Clifton Iler.

Seated for this meeting were Ryan Deasy, Andy Meek, Charles Sheehan, Gary Belke, and Alternate Bennett Brissette (Lynn Conway was seated for Mr. Brissette after the first vote, as mentioned below).

Minutes:

Mr. Deasy made a motion to approve the minutes of September 5, 2023, as written, seconded by Mr. Belke, all were in favor, 5-0.

Lynn Conway was seated for Mr. Brissette.

Administrative Review:

23-217ZON Riverwalk Condominium Association (J. Rosen) - Zoning permit application for removal of a cantilevered concrete deck. Property located off 4 Coggswell St. / 5 West Broad St., Pawcatuck. Assessor's Map 1 Block 5 Lot 5. Zone PV-5.

Mr. Rosen spoke about the removal of the deck structure and the approval received from DEEP. The goal is to complete the project by October 12th. The applicant understood that reconstructing the concrete deck would require an entirely new permitting process.

Mr. Deasy made a motion to approve the application, with the two existing stipulations, seconded by Mr. Belke, all were in favor, 5-0.

Stipulations:

1. Modifications to the site development plans shall be reviewed and approved by Town staff and the Commission, as necessary.
2. The applicant shall apply for a new Zoning Permit for the reconstruction of the walkway or any alterations to the proposed project description.

23-216ZON Enko Realty, LLC (Earthlight Technologies) - Zoning permit application for ground mount solar system. Property located 62 Maritime Dr., Mystic. Assessor's Map 161 Block 1 Lot 28E. Zone M-1.

Alex Smith, Earthlight Technologies, discussed the project and its timeline. They have connection plans in place with Eversource.

Mr. Deasy made a motion to approve the application, with one stipulation, seconded by Mr. Belke, all were in favor 5-0.

Stipulation:

1. Final site plans shall be reviewed to the satisfaction of the Town Engineer.

Regular Meeting

Old Business:

PZ2314SUP Jannat, LLC (J. Casey) - Special Use Permit application to permit construction of 1-story, 3,300 SF convenience store with 3 fuel filling stations with a canopy. Proposal includes parking, repaving, stormwater drainage, and associated site work. Property located at 54 South Broad St., Pawcatuck. Assessor's Map 14, Block 2, Lot 6. Zone LS-5. *PH closed 9/5/23.*

Mr. Iler noted that the last meeting ended with a request from the Commission that an opinion from the Town Attorney be attained. As an opinion letter was received the morning of the meeting, Mr. Iler recommended tabling this decision for the next meeting.

Mr. Deasy made a motion to table this decision until the next meeting, seconded by Mr. Belke, all were in favor, 5-0.

Public Hearing(s):

PZ2319SUP Sea Research Foundation, Inc. (W. Sweeney, Esq.) – Special Use Permit application for Special Wall Signs pursuant to ZR §7.12.7.1.5 to permit four wall signs totaling 346.71 SF. Property located at 55 Coogan Blvd., Mystic. Assessor's Map 164, Block 3, Lot 2. Zone TC-80. Attorney Bill Sweeney - According to Atty Sweeney, this is part of an effort to bring the aquarium entrance signage into zoning compliance. The progression of the signage history on this lot was discussed. Atty Sweeney discussed the signage square footage rule that is based on the amount of street frontage. The permit is for a revolving exhibit sign, a membership and information sign, and a primary (illuminated) identification sign. The illuminated sign will comply with the percentage requirements for the amount of a sign that may be lit, and it will be turned off at night, according to Atty Sweeney.

The Commission confirmed that the revolving sign will be physically changed and not backlit.

Atty Sweeney confirmed for the Commission that the distance from the road to the illuminated sign is 287 feet.

Per Mr. Iler, there have been no negative comments from the Police Commission or ZEO.

Keith Sorenson, Senior Vice President, Facilities and Capital Projects, discussed the operating hours of the aquarium. The illuminated sign will turn on at 'dusk' with a sensor.

Atty Sweeney stated that it is not clear from town records if there were permits for every sign in place at the aquarium, thus it is not clear if the current signage is legally non-conforming or non-conforming. This Special Use Permit acts as an abundance of caution. Per Atty Sweeney, this is affirmative proof of the intent to abandon the non-conforming use, regardless of legality.

Mr. Deasy made a motion to close the public hearing at 7:32 PM, seconded by Mr. Belke, all were in favor, 5-0.

Regular Meeting

Mr. Deasy made a motion to approve the waivers and the special use permit, seconded by Mr. Belke.

Ms. Conway discussed the signage square footage and street frontage rule as it pertains to a corner lot. The overall size of the illuminated sign was discussed regarding what is permitted by the regulations; as well as the necessity for the sign illumination.

The vote was taken, motion approved, 4-1.

Roll Call: Deasy - approve, Meek - approve, Sheehan - approve, Belke – approve, Conway - deny.

Town of Stonington Planning & Zoning Commission - Adoption of Phase 1 of the Zoning Regulations Comprehensive Rewrite.

Clifton Iler, own Planner, gave a brief presentation for Phase 1, including the reading of a memorandum into record.

Francisco Gomes, FHI Studios - Mr. Gomes commended the current and former Commission members' diligence, commitment, and willingness to work late hours in this pursuit. Mr. Gomes reviewed and discussed the purpose of the update. Corrections, additions, and consolidation will all occur. Mr. Gomes discussed that phase 2 will engage the public to a further extent using public workshops and things of that nature.

Mr. Iler discussed the exhibits and documents that are part of this application's record and are available to the public if desired.

The Commission confirmed that the ZEO had made comments but no other Commission had. Mr. Iler, along with the Commission, thanked Mr. Gomes for his team's work thus far in the project.

Public Comments:

Ben Tamsky, 5 Edgemont Street, Mystic, thanked Mr. Gomes and the Commission for their work. Mr. Tamsky discussed two concerns regarding the off-street parking limitations for requiring a special use permit, as well the jurisdiction of fee waivers and where that should fall.

Mr. Tamsky also read a letter that he submitted to the Commission in May.

Rick Newton, Chair of the Climate Change Taskforce, discussed the language around sea-level rise, and provided comments regarding generator soundproofing, height of solar canopies, developments in flood plains, regulations regarding heat, amongst other items.

Jim Lathrop, 4 Mechanic Street, Pawcatuck, was concerned about the updated language regarding the limitation of mixed-use buildings to require commercial use on the first floor that

Regular Meeting

faces the street. Mr. Lathrop discussed that this is a regulatory change and that is not consistent with the intent of phase 1.

Carlene Donnarummo, 22 Oakwood Ave., Pawcatuck, offered many edits and changes to the current update to help with grammar, spelling, clarity, etc. Her list of recommendations was submitted to the Commission. The Commission confirmed that these types of changes will be discussed between the Town Planner and consultant; syntax errors do not need to come to a public hearing.

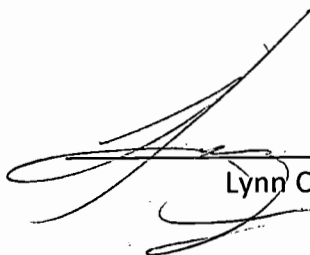
Kevin Bowdler, Chair of Economic Development Commission, praised the goals and objectives of Phase 1. Mr. Bowdler was supportive of increasing housing density - more housing, including affordable housing. Signage size rules were discussed; these can be compared to other towns. Mr. Bowdler discussed the idea of eliminating parking minimums in certain areas.

Rebuttal: Mr. Gomes discussed the requirements of mixed-use properties that were mentioned by Mr. Lathrop. This was an effort to provide more clarity and to fall in line with the original intent. Mr. Gomes expressed appreciation for Mrs. Donnarummo's comments. Mr. Gomes clarified that 'motels' and 'hotels' were combined as one, therefore the use of the word 'hotel' refers to both.

Rebuttal from Mr. Lathrop: According to Mr. Lathrop, the change in language is more restrictive as it has gone from ambiguous to specific.

Mr. Deasy made a motion to continue the public hearing to a later meeting, seconded by Mr. Belke, all were in favor, 5-0.

Mr. Deasy made a motion to adjourn the meeting, seconded by Mr. Belke, all were in favor, 5-0. The meeting was adjourned at 8:53PM.


Lynn Conway, Secretary