

Regular Meeting

The 1693rd meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education District Office at 40 Field Street, Pawcatuck, on Tuesday, April 19, 2022. The meeting was called to order by Chairman Ben Philbrick at 7:01pm. Also present for the meeting were Commissioners Charles Sheehan, Ryan Deasy, Fred Deichmann, and Lynn Conway; Alternate Gary Belke, and Town Planner Keith A. Brynes. Alternates Marjorie Selinger and Andy Meek were absent.

Seated for the meeting were Ben Philbrick, Fred Deichmann, Ryan Deasy, Charles Sheehan, and Lynn Conway.

Minutes:

Mr. Deasy moved to approve the minutes, seconded by Mr. Deichmann. Mr. Deichmann recommended an amendment to correct the vote on the minutes. The vote was taken on the amended minutes, all in favor 5-0, motion approved.

Administrative Review:

22-068ZON Clavdy, LLC (D. Eck) – Zoning Permit application for fencing in garden/play area and adjacent property line. Property located at 20 Old Stonington Rd., Stonington. Assessor's Map 153, Block 2, Lot 4. Zone GC-60.

Mr. Brynes summarized the application. The applicant is requesting to replace the existing fencing for the play area and the outdoor storage area with solid fence. Mr. Philbrick asked about the lighting of the area. David Eck stated they were planning to extend the play area slightly and have the rest for storage, and there will not be lighting installed. Ms. Conway asked about whether they were planning to extend the tree line. Mr. Eck stated they are not planning to at this point in time, just install the fence. Mr. Sheehan asked about fire department access.

Mr. Sheehan moved to approve the application, seconded by Ms. Conway, all in favor 5-0, motion approved.

22-081ZON Ocean Community YMCA (C. Frost) - Zoning Permit application for the installation of play equipment: 2 structures & 3 moveable play features. Property located at 1 Harry Austin Drive, Mystic. Assessor's Map 160, Block 6, Lot 14. Zone RC-120.

Chad Frost, landscape architect, presented the plan for the playground installation. Mr. Frost reviewed the equipment and their heights. It is a low ropes course, but there are two utility poles that are 30 feet high. The area is off to the side, out of view, and not in the setbacks or non-infringement zone. The poles are pre-manufactured and designed based off standard utility poles. The poles will not be climbed but are necessary for the use of the swing that is connected to be at the proper angle. A ladder is required to reach the top staples for maintenance climbing, thus preventing unwarranted use. Mr. Sheehan asked that an Erosion and Sedimentation Control Plan be included if any re-grading is to be done. Ms. Conway asked whether this would allow them to come back later for a structure at this height. Mr. Sheehan asked for a stipulation that there is no disturbance of the ground other than to auger for the poles without an Erosion and Sedimentation Control Plan on file. The commission discussed the definition of a structure.

Mr. Deasy moved to approve the application with two stipulations, seconded by Mr. Deichmann, all in favor 5-0, motion approved.

Stipulations:

Regular Meeting

1. Equipment height shall not exceed 25 feet.
2. Other than to auger for poles, there shall be no ground disturbance without an Erosion & Sedimentation Control Plan.

Public Hearing:

PZ2206SUP & GPP Brookside Associates, LP (W Sweeney) – Special Use and Ground water Protection Permit applications for an Affordable Housing Project submitted pursuant to CGS 8-30G. Proposed consists of 100 housing units and associated improvements. Property located at 111 South Broad St., Pawcatuck. Assessor's Map 37, Block 1, Lot 1A. Zone GC-60. Applicant requests public hearing be opened and immediately continued to 5/17/22.

Mr. Deasy moved to continue the public hearing to May 17, 2022, seconded by Ms. Conway, all in favor 5-0, motion approved.

PZ2201SUP & CAM Secchiaroli, LLC (S Cherenzia) - Special Use Permit & Coastal Area Management Review applications for the renovation and demolition of a portion of an existing restaurant building and construction of a new one-story, 5,000SF building for Retail and Accessory Storage. Property located at 29 Old Stonington Rd., Mystic. Assessor's Map 153, Block 1, Lot 4. Zone GC-60.

Public Hearing continued from 3/15/22.

Project engineer, Sergio Cherenzia, presented the existing site conditions. The property is neighbored by a vacant residential property with significant tidal wetlands, Mystic Coastal Flooring with mixed use, Dog Watch Café, Densmore Office Building, and Quiambaug Fire Department. Mr. Cherenzia presented the special use permit site plan approved in June 2021, noting there was not a previous requirement of adding a sidewalk. The new site plan proposes to demolish a portion of the existing building to make a smaller building and additional parking area that is ADA accessible to the building. This building will remain a restaurant with Go Fish planning to occupy the space (175 seats). They are proposing a crushed stone parking area in front of the building to lessen the impervious surface. The proposed second structure would include 3,600SF for retail use and 1,075SF for storage, but they currently do not have a tenant for the second building. Mr. Cherenzia reviewed the stormwater management and photometric plans for the site. The new building will be built to FEMA flood standards, and there is no plan to use the storage area as a garage. Mr. Cherenzia reviewed the parking requirements, noting that the previously approved vendor market would be removed as a use with this application. The fire district has had the chance to comment on the application but have not. The commission discussed potential traffic for the development. Mr. Deasy asked about the signage. They will be removing the detached sign and will only have building signage with downward facing external illumination. There will be soil testing for the stormwater management system. Ms. Conway stated that one of the uses they would want to see again for a change of use would be for a day care facility. Mr. Cherenzia stated they would have to come back for a site plan approval anyways due to the changes needed for that use. The retail building is under the required height for the zone.

Rebecca Nolan, landscape architect, presented the landscape plan for the site. The west side of the project will have a tree-lined buffer to the neighboring property. They are also planning to add three street trees to the property. On the eastern border there is a mix of invasives which will be kept ten feet from the building and add new native species in the buffer. There will be plantings around the exterior of the buildings as well. Two bike racks will be added to the site. Mr. Sheehan stated that the DEEP letter explains that they must maintain the existing vegetated buffer, but the selective trimming is needed. They are not proposing anything in the current town right of way, but any improvements would have to

Regular Meeting

approved by the Department of Public Works. Ms. Conway asked if there was a way to add to an island with trees in the lot. Mr. Cherenzia explained that the parking is too tight for the drive aisles. Mr. Sheehan recommended a spot on the plan that the applicant stated they could work with. The commission discussed being able to sod the public right of way area. The applicant stated that they are opposed to the statement in the DEEP letter that states no further cutting in perpetuity. The commission did not interpret it as such. Mr. Sheehan stated he does not see the letter needing to be a part of the approval.

No Public Comment

Mr. Brynes reviewed the department comments. The Town Engineer comments have mostly been satisfied but there is a stipulation for the final few. Mr. Brynes reviewed the recommended stipulations from the staff report as well as those added by the commission.

Mr. Sheehan moved to close the public hearing, seconded by Mr. Deasy, all in favor 5-0, motion approved.

Mr. Sheehan moved to approve the special use permit waiver request, seconded by Mr. Deasy, all in favor 5-0, motion approved.

Mr. Sheehan moved to approve the CAM application with stipulations, seconded by Mr. Deasy, all in favor 5-0, motion approved.

Mr. Sheehan moved to approve the special use permit application with stipulations, seconded by Mr. Deasy. Ms. Conway asked if the PZC could ask the DPW to improve the Town right of way in front of the property. Mr. Philbrick agreed to move it along, but it is not part of the approval. The vote was taken all in favor 5-0, motion approved.

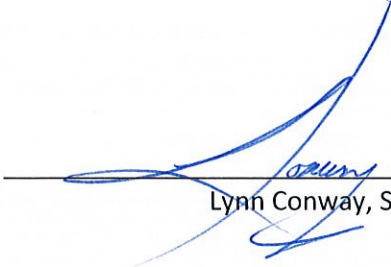
Stipulations:

1. The Town's maximum seating notice must be posted in a conspicuous location inside the restaurant.
2. The applicant will apply to the Building Official (through Building Permit process) for determination of Substantial Improvement for the existing building. If the proposed improvements are found to be a Substantial Improvement, the entire structure must comply with current applicable flood hazard requirements and building modifications will be subject to Commission review.
3. No live music, or amplified music above normal dining volume, is permitted indoors or outdoors as part of this application.
4. Final plans shall be reviewed to the satisfaction of the Town Engineer.
5. Final plans shall be recorded in the Town's Land Evidence Records after Commission signature.
6. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of a Zoning Permit. The bond shall be either in the form of a certified check or irrevocable letter of credit meeting the requirements of Section 8.6.3 of the Zoning Regulations. The bond amount shall be established by the Town Engineer after an estimate of the costs of installing and maintaining appropriate erosion and sedimentation control measures is provided by the applicant and approved by the Town Engineer. Work shall remain bonded for a minimum of one year from the date of Zoning Compliance.
7. Any improvements in the road right-of-way require an Encroachment Permit from the Stonington Department of Public Works.

Regular Meeting

8. Proposed signage shall comply with requirements for Illumination and Motion in Section 7.12.3.
9. All new building or site lighting shall be full cut-off. New light poles shall be a maximum of 20' high from grade to the light source per Section 2.16.2.6.
10. Prior to approval of a Zoning Permit, an A-2 survey shall be provided verifying location of property lines and the proposed building's conformance with building setbacks.
11. New building may include office, personal services, retail restaurant or financial services uses without additional Commission approval.
12. Accessory storage shall be added to retail building as per site plans and parking calculations.
13. Landscaped island shall be added to the parking lot between the buildings.

Mr. Deasy moved to adjourn, seconded by Mr. Deichmann, all in favor 5-0, the meeting adjourned at 8:51pm.



Lynn Conway, Secretary