

Regular Meeting

The 1720th 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 Tuesday, March 21, 2023. The meeting was called to order at 7:01PM by Chairman Ben Philbrick. Also present for the meeting were Commissioners Ryan Deasy, Charles Sheehan, Fred Deichmann and Lynn Conway; Alternates, Andy Meek and Gary Belke; Interim Town Planner Samuel Alexander from the Southeastern Connecticut Council of Governments, and Susan Cullen, Director of Economic and Community Development were present. Alternate Marjorie Selinger was absent.

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

Minutes:

A motion was made by Mr. Deasy to approve the minutes of February 21, 2023; seconded by Mr. Sheehan. All in favor 4-0-1. Motion approved. Mr. Deichmann abstained.

A motion was made by Mr. Deasy to approve the minutes of February 28, 2023; seconded by Mr. Sheehan. All in favor; 5-0.

Commission:

Desegregate CT: Work Live Ride Act Presentation – Pete Harrison, Director of Desegregate CT. Focuses on equitable reform for land use processes and promoting economic prosperity and environmental sustainability. One third of home owners and renters are cost burdened. Land Use reform is one portion of this. Program of the Regional Program Association which is a tri-state organization in the northeast corridor. Work – Live – Ride, Transit Oriented Development takes us away from car centric Connecticut. Important attractions in sustainable places and infill density around train stations. They are supporting legislation to improve transit choices and walking patterns and decrease the number of cars needed in Connecticut. In the future there may be legislation to opt into this type of design district through the Office of Responsible Growth at the State of Connecticut.

Mr. Sheehan asked the source of transit funding and sewerage project funding. Mr. Harrison responded that the IRA and Federal Highway Funds should be directed to transit not highway. He also said he was looking to bundle grant funding to make projects into a common application to make them accessible to more towns. Mr. Belke asked what distance was acceptable for a transit connection. He asked if the Westerly train station would be eligible for this type of funding since it is another state. Mr. Harrison said that only stations within the state would be eligible. Mr. Belke also asked if only new construction and new zoning was eligible for new funding. Mr. Harrison stated that retrofits and re-development of older buildings would be eligible. Mr. Philbrick stated that our own train station in Mystic doesn't make sense since that station is flood prone. Mr. Harrison stated that some of that feedback was built into the newer models. Mr. Philbrick invited the public to speak with Mr. Harrison.

Mr. Ben Tamsky stated that when he used to sit on the commission that he favored local control and that he hoped that this and other state mandates were followed by the commission. Ms. Laura Graham thanked Mr. Harrison for coming and said that she hoped that the state would remember that we were next to a state line and would like the state to find ways to work directly with local populations and local towns about their specifics to their town. She stated that younger people want bicycles and sidewalks not car centric communities.

Administrative Review:

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Request for final 90-day extension to file mylars for application/ approval **PZ2217SD & SUP Cherenzia Excavation, Inc & EG Home LLC (Pawcatuck)**

Mr. Alexander stated that the applicant was currently working with Westerly Water and Mr. Sheehan supported the delay for the purpose of appropriate coordination with the utility and the town. Mr. Sheehan made the motion to approve, Mr. Deasy seconded the motion. All in favor, 5-0.

PZ2201SUP & CAM Secchiaroli - Modification of the planned parking lot at 29 Old Stonington Rd. to be gravel versus bituminous concrete pavement. Assessor's Map 153 Block 1 Lot 4. Zone GC-60.

Mr. Alexander explained the application. He stated that both the Town Engineer and the Zoning Enforcement Officer addressed concerns regarding runoff. He stated that alternative surfaces were to be used for low traffic areas and with appropriate maintenance. Mr. Alexander stated that he thought the impact statement should be addressed in this regard. Today, Mr. Alexander received an updated set of plans and referred to sheet C2. The Town Engineer has not reviewed since it was received today. Mr. Sergio Cherenzia stated that his client had asked him to change the surfaces and that he has brought an impact statement with him tonight that is updated. He stated that Ms. Palmer was concerned about transport of sediments and that he had satisfied her comments. He stated that the maintenance plan was to utilize the checklist on a semi-annual basis. He is happy to oblige by adding notes to the plans with stipulations by the Commission. He asked the Commission to vote this evening and allow the staff to make minor modifications to the plan. He stated that he knew because this was a commercial site he knew the gravel would cause runoff and that the bituminous aprons would still exist. He has brought copies of the impact statement with him. He has consented to anything to be added by the Town Planner, Enforcement Officer or Town Engineer. Mr. Philbrick stated that he was concerned that there was so much new information that was coming in today. Ms. Conway asked why the change was made. Mr. Cherenzia stated that this was a request of his client. Ms. Conway stated that she was concerned because Mr. Philbrick stated that the gravel was already delivered and on the site. Mr. Sheehan stated that it was possible that the gravel could be part of the crushed stone base underneath the bituminous pavement. Mr. Cherenzia stated that this is an active construction site. Mr. Deichmann asked why a gravel surface would be wanted in a commercial parking in a high traffic setting. Mr. Cherenzia stated there is one in the Borough across from the Dog Watch Café and another across from the Shipwright's Daughter in Mystic. Ms. Conway asked Mr. Cherenzia about the number of parking spaces included. Mr. Cherenzia stated that there were 90 spaces in the lot. She stated that his examples were of much smaller lots than 90 spaces. She supported Mr. Alexander's comments and Mr. Meek also reminded the commission that the Town Engineer had not had a chance to respond to the comments of today's updates. Mr. Sheehan stated that these are staff issues and would be comfortable approving the application and sending these concerns back to be approved by the staff members. Mr. Deichmann stated that the next meeting was only two weeks away. Mr. Sheehan stated that he would defer to the group. Mr. Alexander stated he was comfortable if this was remanded back to the staff. Mr. Sheehan made a motion to approve with the stipulation that all staff requirements were taken care of by the applicant and Ms. Conway seconded the motion. All in favor.

23-046ZON Waterfront Group, LLC - Zoning permit application for a temporary accessory structure to be used as a Dock Master's office during reconstruction of structures destroyed by fire. Property located on Willow Street, Mystic. Assessor's Map 182 Block 1 Lot 6. Zone MC-80.

Mr. Alexander explained the application at the Seaport Marine Facility is for a pre-fabricated structure on a bed of six inches of crushed stone. It is exempt from CAM review and appears to comply with flood hazard requirements. The applicant's agent, Attorney John Casey from Robinson & Cole stated that a

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temporary electrical connection will be made but not water service. The property needs a dock master's office for the summer season. Mr. Deichmann asked if there are facilities for the boaters after the fire. Attorney Casey stated there are facilities available in the Red 36 building. Mr. Deasy made a motion to approve with the two stipulations as stated by Mr. Alexander's comments. Seconded by Mr. Deichmann. All in favor, 5-0.

Stipulations:

1. Due to the planned temporary nature of the Dock Master's Office, this permit is valid for one (1) year and may only be renewed upon reapplication to this Commission.
2. This temporary structure shall be moved outside of the Special Flood Hazard Area in the twenty-four (24) hours preceding any major coastal storm.

23-049ZON Kenneth Sigel & Sarah Kelly - Zoning permit application to clear invasives, prune healthy trees, remove dead & diseased trees, & replace with native plants within the non-infringement area. Property located at 35 Borodell Ave., Mystic. Assessor's Map 161 Block 3 Lot 2A. Zones RC-120 & RA-20.

Mr. Alexander explained the application and that the regulations are not specific to these activities, therefore, it has been brought to the commission for approval.

Mr. Cowan, Mr. & Mrs. Kelly's landscape designer, described the activities applied for on the property. The intention is to improve the habitat on the property and remove a large number of invasives on the property. He conducted a thorough survey last summer and fall and made recommendations to remove the invasives and nuisance species and the trees that were hazardous due to the intense overgrowth. Mr. Cowan has specified a list of non-invasive species plant list and focus on the tidal wetland area for removal of phragmites. A permit has been applied for with DEEP to remove the phragmites from the tidal wetlands. He has proposed sea lavender and others to improve the area for the enjoyment of both the homeowners and the boaters nearby, recommending a number of native bushes and trees that are evergreen, deer resistant and salt tolerant to compensate the area and infill with native species. He stated that the work would be done under his direction to correctly locate the plants, anticipating this to take at least a full year. Mr. Meek asked for additional information regarding the process of removal of the phragmites. Mr. Cowan stated that the process is already underway with DEEP and with minimal herbicides. Mr. Sheehan asked Mr. Cowan to state that there was no excavation or work with machinery that would trigger a wetland application. Mr. Cowan stated that there would be no soil disturbance whatsoever and that the brush and woody material would be left to decompose and leave the nutrients on site. Mr. Meek made a motion to approve with the two stipulations from staff. Seconded by Mr. Sheehan. All in favor, 5-0.

Stipulations:

1. Strict compliance with submitted plans for work and plantings.
2. Any deviations from submitted plans must be reviewed by Town staff and the Commission.

Old Business:

PZ2302BR Mason Island Co. (Advanced Improvements, LLC) – Bond Reduction/Release application for an Erosion & Sedimentation Control Bond#21-006 associated with PZ2009SUP & CAM application. Requesting full release of \$6,775.00. Property located at Great Marsh Rd., Mystic. Assessor's Map 180 Block 2 Lot 36F. Zones RA-20 & RC-120.

Mr. Alexander stated that a new contractor has posted a larger bond than this one. The Town Engineer recommends this be approved. Mr. Meek made a motion to release the bond, seconded by Mr. Sheehan. All in favor, 5-0.

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PZ2303CAM Richard Koup & Charla Andrews (S. Marquardt) – Coastal Area Management Review application to accompany future zoning permit application for the construction of a single-family residence (SFR) with on-site septic system. Property located at 28 Money Point Rd., Mystic. Assessor's Map 180 Block 2 Lot 31. Zone RA-20.

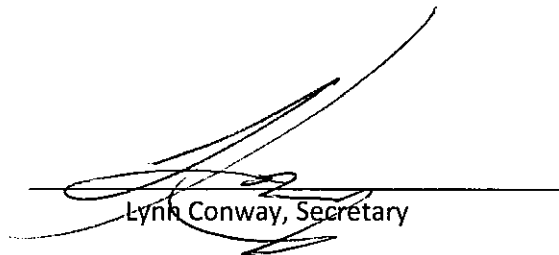
Mr. Alexander explained the application and stated that there were a number of items and reviews outstanding. The application was tabled by the Chairman.

Public Hearing(s):

PZ2335SD & CAM Old Stoneridge, LLC – Residential Re-subdivision and Coastal Area Management review applications for the creation of two lots. Property located at 111-113 Montauk Ave., Stonington. Assessor's Map 131 Block 3 Lot 6. Zone RR-80 & RC-120.

At the applicant's request, the Public Hearing was opened and immediately continued to the 4/4/23 PZC meeting.

Mr. Deasy motioned to adjourn, seconded by Ms. Conway. All in favor, 5-0. The meeting was adjourned at 8:50 pm.



Lynn Conway, Secretary