

Planning and Zoning Commission  
Regular Meeting  
December 19, 2023  
Final Minutes

The 1744th meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street, Pawcatuck, December 19, 2023. The meeting was called to order at 7:01 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.

Chairman Sheehan notified the Commission of a change to the Town's policy regarding School Impact Reports associated with future projects. Seated for this meeting were Ryan Deasy, Charles Sheehan, Gary Belke, Lynn Conway, and Andy Meek.

**Minutes:**

Mr. Deasy made a motion to approve the minutes of November 15, 2023, seconded by Mr. Belke, all in favor, 5-0.

Mr. Deasy made a correction to the minutes of November 21, 2023: Mr. Deasy is listed twice as seated for the public hearing and Mr. Belke was not listed. Mr. Deasy made a motion to approve these minutes with this edit, seconded by Mr. Belke. The vote was taken 4-0-1; Mr. Deasy - approve, Mr. Sheehan - abstain, Mr. Belke - approve, Ms. Conway - approve, Mr. Meek - approve.

Mr. Deasy made a motion to approve the minutes of November 28, 2023, seconded by Mr. Belke. The vote was taken 4-0-1; Mr. Deasy - abstain, Mr. Sheehan - approve, Mr. Belke - approve, Ms. Conway - approve, Mr. Meek - approve.

**Public Comment: None**

**Correspondence:**

- a. Connecticut Department of Transportation – Stonington Overpass

**Reports:**

*Zoning Enforcement and Violations*

Zoning Enforcement Officer Report – Nov. 2023

**Administrative Review**

**PZ2314SUP Jannat, LLC (J. Casey)** – Certificate of Approval request pursuant to C.G.S. 14-321 for the sale of gasoline at 54 South Broad Street, Pawcatuck; M/B/L: 14-2-6. Property is located in the LS-5 Zone. - *Special Use Permit approved on October 3, 2023.*

Attorney John Casey, Robinson & Cole LLP, explained the necessity to acquire a Certification of Location to indicate that the site is an appropriate location to sell gasoline. Per Atty Casey, this is just a formality as the special use permit was already approved for a gas station to operate here.

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

**Old Business:**

**PZ2325SPA Unicorn Project, LLC (B. Middleton)** – Site Plan Approval application to modernize and update an existing motel. Project includes new exterior materials, bringing railings and stairs up to code, new covered entry, replacement pool, rooftop solar panels, and two additions (416 SF and 648 SF). Property located at 247-251 Greenmanville Avenue, Mystic; M/B/L 171-1-1. Property is located in the TC-80 Zone.

Bill Middleton explained that the application was continued to allow time for comments from the Town Engineer. They have since been received and the Town Engineer recommends approval according to Mr. Middleton.

Mr. Iler clarified that the items in the report that are listed as “not addressed” can be sufficiently acknowledged as stipulations.

Mr. Middleton clarified for the Commission that the additional space will be used for hotel rooms.

The Commission clarified that they have the ability to approve the waivers and application, with stipulations, all in one motion.

Mr. Deasy made a motion to approve the waivers and site plan application, with existing stipulations, seconded by Mr. Belke, all in favor, 5-0.

**PZ2330BR Garden Homes Management (S. Delaporta)** – Bond Release/Reduction application for work performed under application **PZ2023SPA & CAM**. Property is located at 39 Whitehall Avenue, Mystic; M/B/L: 164-1-9-48. This property is located in the GC-60 Zone.

Steve Dellaporta, Regional Manager, was seeking bond release upon completion of the project. Per Mr. Dellaporta, the project was started and finished within 7 months and he thanked the Building and Zoning Departments for their cooperation.

Mr. Deasy made a motion to approve the bond release/reduction, seconded by Mr. Belke, all in favor, 5-0.

**Public Hearing(s):**

Seated for the public hearings were the regular commission members: Mr. Deasy, Mr. Sheehan, Mr. Belke, Ms. Conway, and Mr. Meek.

**PZ2326SUP Whaler's Inn RE, LLC (W. Sweeney, Esq.)** – Special Use Permit application for a revision to a previously approved Special Use Permit. Proposal reconfigures approved layout of hotel and retail space and includes a 399 SF addition. Properties are located at 9 & 11 Cottrell Street, Mystic; M/B/L: 182-4-3; 182-4-4. Properties are located in the DB-5 and RH-10 Zones.

Attorney Bill Sweeney, TCORS Attorneys, presented the modifications to the existing special use permit. According to Atty Sweeney, the structural condition of the building was more compromised than they had originally believed. The plan is to open this building by next year. One modification consists of reconfiguring the 4th floor to turn one large suite into two. The second significant modification is to convert the remaining retail space on the first floor into a lobby/ office / conference room area for hotel guests. The third modification is to build a 399 square foot addition to the first floor to house the trash / recycling storage. The total number of hotels 'suites' increased from 5 to 6 as part of these modifications per Atty Sweeney. The exterior changes consist of a privacy wall on the fourth-floor deck to separate the two units. According to Atty Sweeney, the overall parking need is reduced and the removal of an exterior dumpster is a benefit to this site. The applicant had no issues with any of the Town Engineer's comments.

Atty Sweeney clarified for the Commission that the 'lobby' will be an open room with a concierge desk where guests may check in.

Paul Larson, Architect, discussed the overhead doors per the Commission's request. They will be blended with the facade, painted white, and detailed to blend with the rest of the building.

Atty Sweeney discussed that the occupancy level of the conference room will be determined by the Fire Marshall, however the intent is for the room to only be used by guests of the hotel.

Regarding the degree and flow of traffic in the Cottrell Street area, the net effect of adding a room but also removing retail space will be minimal, if any, to the existing traffic, per Atty Sweeney. The Commission questioned the need for a conference room in a hotel of this size; Atty Sweeney discussed that there is a trend for businesses to desire smaller, intimate, historic, boutique style hotels for events, thus a conference room is desired even with the small number of rooms.

No Public Comment

Mr. Deasy made a motion to close the public hearing, seconded by Ms. Conway, all in favor, 5-0. The public hearing was closed at 7:47 PM.

Mr. Deasy made a motion to approve the waivers and special use permit, with existing stipulations, all in favor, 5-0.

**PZ2327ZC RCP Waterford II, LLC & Readco Stonington III, LLC (J. Browning)** – Zoning Map Amendment application for a Neighborhood Design District (NDD) Zone. Proposal consists of 124 multi-family residential apartments, 10,000 square feet of commercial space, and 30,000 square feet of commercial recreation space. Properties are located at 85 Voluntown Road and 455 Liberty Street, Pawcatuck; M/B/L: 18-1-36; 18-1-33-A. Properties are located in the HI-60 Zone.

Attorney John Casey, Robinson & Cole LLP, discussed that this is a transformative project on a site with a currently vacant movie theater. The intention at this meeting was to introduce a master plan which would be supplemented with a more specific site plan upon approval. The intention is to convert these lots into the NDD zone which would be the second one in town according to Atty Casey.

Geoff Fitzgerald, Professional Engineer and Planner, displayed the site plan and indicated that this is a 'perfect' place for this type of development. This is an opportunity to take advantage of a site with a good location and strong infrastructure. According to Mr. Fitzgerald, a majority of the existing storm water infrastructure can remain. The existing theater will be converted into an indoor pickle ball arena with outdoor courts as well, pool, etc. The site will have 124 total residential units consisting of studios, one bedroom, two bedroom, and some three-bedroom units. A mixed-use building will include the bank and more retail space. Overall, the site would have increased landscaping and there would be a decrease to the impervious area by about 4% according to Mr. Fitzgerald.

Ethan Schukoske, Professional Traffic Engineer, discussed that there is already an established robust roadway network around this site. Mr. Schukoske discussed the entry points and the potential of including an additional right turn entrance from Liberty St. Mr. Schukoske determined that there will be less traffic during weekday and weekend peak day-time hours as compared to traffic if there were still an operating movie theater here. The traffic for peak morning hours would increase. They are still looking for an update from OSTA. Per Mr. Schukoske, the onsite parking is more than sufficient to meet the site's needs.

Per Mr. Fitzgerald, 393 parking spaces are required and the proposal consists of 427.

Jeremy Browning, Manager, discussed the potential partnership with the YMCA to create a 'community center' Mr. Browning discussed his prior experience with related projects such as Harbor Heights on Perkins Farm Dr. Mr. Browning also discussed the signage plan and the potential floor plan of the community center; seven pickle ball courts, fitness center, etc. The 'projection rooms' of the theater can be used as a walkway / mezzanine type of space.

Orazio Cifolelli, Architect, discussed the general lot orientation, location of free-standing garage structures, the 'amenity' building, etc. The elevation diagrams were displayed and discussed. Mechanicals will be on the roof. Mr. Cifolelli discussed the entrance locations, style and material of siding, and overall design and architecture to the building. The interior garage spaces were also discussed; the end units have direct access from their garage space into their units. All of the detached garage spaces are similar with 8 bays to each building, horizontal siding, cupolas, gables, etc.

Mr. Browning discussed that the current landscaping plan is conceptual but the idea is to have more landscaping overall and to consider a possible playscape and/ or dog park area.

Atty Casey further discussed the possible ways that this project may be a benefit to the town in terms of tax revenue, development fees, consumer spending in town, etc. Atty Casey briefly discussed the groundwater requirements as well as the favorable responses from the Police Commission and the ADRB. According to Atty Casey, this project complies with many ideals of the POCD. Atty Casey also discussed the proximity of single-family housing, or lack thereof, nearby this site. There is an abandoned home on the corner of Liberty St and Voluntown Rd.

Mr. Browning, Michael Lech (CEO of READCO Property Management, LLC), discussed the current groundwater system amongst questions from the Commission. There was concern from the Commission that the system is 20+ years old and the qualifications in place at that time are much different than they are now. According to Mr. Lech, the system was state of the art at the time it was installed. It has been maintained and monitored every year and there are records of this activity. They have looked into bioremediation on site; however, they are comfortable with the current filtration system.

Mr. Sheehan made some recommendations to the overall appearance of the building regarding corner boards, crown molding, wider molding, etc.

Mr. Meek began a discussion regarding the possibility of including affordable housing with this project. According to Atty Casey, there is no current plan in place to include affordable housing. Mr. Browning discussed a new CT program that could allow for affordable units to be included with this project, however more information is needed. It is not clear if converting units with this program would count towards the 10% town threshold that is desired.

Atty Casey and Mr. Browning confirmed that based on other projects, there is a sufficient ratio of garage spaces to the number of units (roughly 65 garage spaces).

Mr. Browning briefly discussed the possibility of including solar panels on a number of the buildings.

The Commission confirmed that the pickleball and fitness center would be part of the YMCA while the kitchen / recreation / pool area would be private for residents.

Maureen Fitzgerald, President of Ocean Community YMCA, mentioned that this would be the only combination of indoor and outdoor pickleball courts in town. This would serve as an economic driver as they would have the capability to host regional and national tournaments for a fast-growing sport.

Atty Casey confirmed that currently there are no plans for outdoor court lighting.

Staff Report: According to Mr. Iler, the ADRB and Police Commission have offered favorable reviews of this project. Regarding the affordable housing discussion, Mr. Iler clarified the actual number of units that would have to be affordable to have an effect on the 10% threshold.

Public Comment:

Carlene Donnarummo, 22 Oakwood Ave, had a number of comments and disagreements regarding the presentation that was given. There was an error in the traffic report, a lot of planning for a project that has not been approved, and concern regarding the future desire for pickleball. Mrs. Donnarummo discussed the intent of the NDD district and questioned if this project falls under that umbrella. The town's need for affordable housing was reiterated by Mrs. Donnarummo.

Deborah Downie, LEP, spoke as a resident of Pawcatuck instead of Selectwoman and discussed her familiarity with the site and the town's desire to strengthen the aquifer and groundwater protection regulations. She urged for analysis to include potential future storms, more trees included in the site plan, and the inclusion of a post-construction stormwater management plan. Other towns have already implemented testing regulations for new general permits.

Rebuttal: According to Atty Casey, the affordability discussion can only go so far but they will attain more information regarding the available programs. The Commission clarified that they have the discretion to ask for a certain number of affordable housing units. Atty Casey and his colleagues will also have further discussions regarding the stormwater and aquifer protection. In response to district eligibility, Atty Casey referenced section 7.21.3 of the relevant regulations which indicate that this site meets the three necessary requirements.

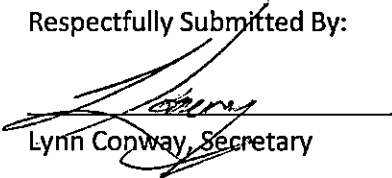
Mr. Schukoske confirmed that he had made an error in presenting the traffic study, however the submitted analysis was done correctly and reflects accurate information.

The Commission discussed the overall timeline and intentions of requiring more information for this application; no stipulations are needed at this time.

Mr. Deasy made a motion to continue the public hearing to January 16th - if more time is needed the applicant can discuss this with Mr. Iler - seconded by Ms. Conway, all in favor, 5-0.

Mr. Deasy made a motion to adjourn the meeting, seconded by Ms. Conway, all in favor, 5-0. The meeting was adjourned at 10:00 PM.

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read "Lynn Conway", is written over a horizontal line. Below the line, the text "Lynn Conway, Secretary" is printed.

Lynn Conway, Secretary