

Planning & Zoning Commission
Regular Meeting
February 20, 2024
Final Minutes

The 1749th meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street on February 20, 2024. The meeting was called to order at 7:00 PM by Chairman Charles Sheehan. Also present for the meeting were Ryan Deasy, Gary Belke, Lynn Conway, Andy Meek, Ben Philbrick, MaryEllen Mateleska and Town Planner, Clifton Iler.

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

Minutes:

Motion by Mr. Deasy to approve the minutes of February 6, 2024 with an edit to revise the virtual meeting date to "February 28th"; seconded by Ms. Conway; approved 5/0/0.

Public Comment: None

Correspondence: None

Reports:

Staff: None

Commission: None

Zoning Enforcement and Violations: Mr. Iler shared the ZEO report for January 2024. No comments from the Commission.

Administrative Review: None

Old Business: None

Public Hearings:

PZ2329ZC Maple Lawn Farm, LLC (Paul & Sharyne Cerullo)

Motion by Mr. Deasy to reopen the public hearing; seconded by Ms. Conway; approved 5/0/0.

Mr. Meek stated he was not present at the previous public hearing and had not reviewed the previous material. Mr. Sheehan seated Mr. Philbrick in place of Mr. Meek for the public hearing.

The applicant's representative, Bill Bertsche, presented the application to the Commission. Mr. Bertsche introduced the revisions made based on previous comments from staff, the Commission, and the public and read through the Master Plan submittal. The Commission asked the following questions:

- Mr. Sheehan asked how the parking requirement was calculated. Mr. Bertsche stated that parking was calculated assuming a restaurant use since there were no parking regulations for event spaces in the Zoning Regulations. Mr. Bertsche also introduced the Traffic Engineer, who shared the traffic study. Mr. Sheehan suggested the applicant consider reducing the calculation from 3 persons per vehicle to 2 or 2.5 vehicles per person. Mr. Bertsche concurred and stated they could update for the Site Plan Application (SPA).
- Mr. Philbrick asked about the height of Streetlight Type A being 34 feet tall. Mr. Bertsche stated that it will be lowered to a standard streetlight but is requested by the Police Chief. Ms. Conway

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asked the count of lights in the parking lot. Mr. Bertsche said there are three on the plan currently but that will be revised for the SPA with a photometric plan.

- Mr. Sheehan asked how are the parking spaces being delineated, particularly ADA spaces. Mr. Bertsche said they had no plans to delineate but could rope off the area. Mr. Meek added that the grass should be reinforced because it will turn to mud with the expected traffic, concurred by Mr. Sheehan. Mr. Bertsche stated they could revise the plan at SPA to include geotextiles or other methods of reinforcement.
- Mr. Philbrick asked whether the applicant addressed the Ledge Light Health District questions. Mr. Bertsche said those will be addressed at SPA.
- Ms. Conway, Mr. Meek, and Ms. Mateleska shared concerns about the frequency of events. Mr. Bertsche and the applicant, Paul Cerullo, stated that they projected the most intense schedule for the Master Plan but do not anticipate the frequency of events to be that high in reality. Mr. Meek added they should consider a maximum of one large event per week.
- Mr. Sheehan clarified the acoustic plan and asked whether the applicant planned outdoor amplified sound. Mr. Bertsche stated there is no planned outdoor amplified sound.
- Mr. Belke asked about the risk associated with alcohol at events. Mr. Cerullo stated that their catering agreements mitigate risks at events.

Public Comment:

Carole Nossek, 43 Dawley Drive, spoke in support of the plan and the events, but was worried about the traffic on the roads. Shared concerns about people driving at night, how people would get there via GPS, and whether generators or heaters will be used in the tent.

Richard Webb, 445 Wheeler Road, spoke on the application process, stating it's hard to assess the impacts of an application without a complete application set, including: drainage impacts, surface details for pathways and parking, and location of bathroom or catering structures. Also asked whether the tent was a permanent or temporary structure.

Lisa Konicki, Ocean Community Chamber of Commerce, spoke in support of the application. Also recommended the Commission and general public conduct a site walk at the SPA.

Rebuttal:

Mr. Bertsche spoke in rebuttal, stating that concerns will be addressed at the SPA.

Additional Public Comment:

Nancy Watson, 280 Wheeler Road, was concerned about traffic along Sommers Lane.

Stanton Simm, 20 Sommers Lane, was concerned about traffic and the lack of stormwater drainage calculations.

Tom Ward spoke against the application based on the concerns raised by the neighbors.

Motion by Mr. Deasy to close the public hearing; seconded by Mr. Belke; approved 4/0/1 (Ms. Conway abstained).

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Motion by Mr. Deasy to approve the application with the following stipulations; seconded by Mr. Belke; approved 4/0/1 (Ms. Conway abstained):

1. Outdoor amplified music shall not be permitted for events.
2. All alcohol service during events shall not go beyond 9:00pm. Events hours shall be permitted between 9:00am and 10:00pm.
3. Any generators, fans, or cooling devices used for events shall have sound attenuation to minimize noise pollution.
4. The Site Plan Application (SPA) shall provide a revised traffic report and parking calculations assuming 2.0 occupants per vehicle.
5. The Site Plan Application (SPA) shall provide a revised parking lot layout with reinforcement measures to be determined by the applicant.
6. The Site Plan Application (SPA) shall provide a revised Stormwater Management Plan.

Mr. Sheehan called for a brief break between applications. Ms. Conway left the meeting.

The meeting was called back to order at 9:25 PM.

PZ2322SPA & GPP Fair Housing of Connecticut, LLC (M. Ranelli)

Mr. Sheehan seated Mr. Philbrick in place of Ms. Conway.

Motion by Mr. Deasy to reopen the public hearing; seconded by Mr. Belke; approved 5/0/0.

The applicant's representative, Matt Ranelli, presented the application to the Commission. Mr. Ranelli introduced the revisions made based on previous comments from staff, the Commission, and the public.

Mr. Ranelli introduced Sergio Cherenzia, Cherenzia & Associates, to discuss the detailed design changes. Mr. Cherenzia described the revisions to the site plan based on previous comments, including: pedestrian walkability changes, DOT/OSTA approval processes, incorporation of green space, adjustments to parking areas, revisions to the stormwater management plan following peer review, and bioretention options to be considered.

Robert Ferrari, Northeast Water Solutions, Inc., spoke on the water quality and hydrogeologic concerns associated with the aquifer raised at the previous public hearing. Mr. Ferrari introduced the report submitted as part of the application set. The Commission asked the following questions:

- Mr. Philbrick asked if the above-ground and groundwater drainage flows towards the Pawcatuck River and wellhead area. Mr. Ferrari confirmed.

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- Mr. Meek asked why the restaurant use was used to calculate impact if the current property is vacant. Mr. Ferrari and Mr. Ranelli stated that it is the most recent use and has not been abandoned.
- Mr. Sheehan asked about nitrogen loading concerns raised through the peer review. Mr. Ferrari stated that the soils are not conducive to attenuating nitrogen and needs to be designed into the stormwater system.

Mr. Ranelli introduced Michael Dion, BL Companies, to describe the traffic report and crash data. Mr. Dion shared the report and noted that there is no discernable pattern in recorded crash data and no significant increase in trips. The Commission asked the following questions:

- Mr. Deasy asked if the report could model school bus traffic at peak hours. Mr. Dion stated that it could be done, but is not a common practice.
- Mr. Meek asked why school hours were not used to calculate traffic impacts. Mr. Dion stated that school hours are not peak hours in traffic modeling.
- Ms. Mateleska asked if the Level of Service (LOS) decreases at non-peak hours. Mr. Dion stated that there should be a negligible change in the LOS at non-peak hours.

Josh Wheeler, Landscape Architect, shared the updated landscape plan, including: ~7,500 SF of green space to the south, programmable space to the south and northeast, and increased plantings around the site. The Commission asked the following questions:

- Mr. Meek and Mr. Deasy asked if the bioretention options (planter boxes) were above-ground or at-grade. Mr. Ranelli stated they are proposed for consideration to attenuate nitrogen, but would accept either form as a condition of approval.
- Mr. Belke asked whether a photometric plan was included. Mr. Cherenzia brought up the photometric plan to share with the Commission. Mr. Deasy asked if there was any lighting planned for the programmable green spaces. Mr. Cherenzia stated no lighting was planned at this time.

Mr. Ranelli discussed additional concerns the Commission raised at the last public hearing, including: school-age children count multipliers, 8-30g application approval processes, and previous case law regarding stormwater impacts on aquifers. The Commission asked additional questions:

- Mr. Philbrick asked whether the Police Commission reviewed the updated application set. Mr. Iler stated they have not reviewed the most-recent submittal.

Mr. Iler shared the Town's report on the application.

Public Comment:

Farrah Garland, 396 N. Stonington Road, spoke against the application, stating there is a significant lack of ADA-accessible housing in Stonington. Stated the majority of the units in this project are inaccessible and the proposed pedestrian pathways are not sufficient for disabled persons. Also asked whether the HOA fees needed to maintain the stormwater system would make the project unaffordable under 8-30g regulations.

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Deborah Downie, 5 Back Acres Way, spoke against the application, stating there are significant concerns to the sole-source aquifer and the new documents provided are insufficient for engineering review. Echoed concerns about the HOA maintaining the stormwater system. Also highlighted pedestrian safety concerns and the traffic study not accounting for abutting neighborhoods.

Tom Geroulo, 23 Russell Avenue, spoke against the application, citing multiple safety concerns, including: green space adjacency to Liberty Street without fencing puts children at risk. Also stated that the stormwater and aquifer report presented by Mr. Ferrari was unsatisfactory and provided analysis to Town staff. Also stated that the Affordability Plan with the application is incomplete.

Ali Geroulo, 23 Russell Avenue, spoke against the application, stating the traffic study does not account for abutting neighborhoods, the proposed garages are too narrow, and there is no snow storage proposed for the site. Also shared concerns with emergency vehicle access and management, stating an overwhelming level of perfection and coordination is required to mitigate life-safety risks on the site.

Seth McAdams, 28 Russell Avenue, spoke against the application, stating the project does not promote the health and safety of its residents, citing environmental risk, building code risks, and a flawed traffic study. Echoed the need for the HOA fees to be included in the Affordability Plan.

Ralph Arganese, Preston, Connecticut, spoke on the application and recommended the Commission request a resume of the developer's past projects before deciding on the application.

Nick Verzillo, 14 Manor Street, spoke against the application, stating that the whole site and associated reports are flawed. Noted that the photometric plan requires residents to keep their lights on at all times in order to keep the site lit. Also worried about HOA maintenance of the site and suggested additional bonding if approved.

Rebuttal:

Mr. Ranelli led the rebuttal, answering the various questions posed through the public comment period. Mr. Ranelli stated that the reports and plans filed by the applicant are sufficient with what is legally required and industry-standard. Reiterated the statutory approval process for 8-30g applications, noting that a denial requires the Commission to identify the risk and evaluate the risk to public health and safety against the need for affordable housing.

Additional Public Comment:

Lisa Konicki, Ocean Community Chamber of Commerce, spoke in support of the project team and their quality in previous applications submitted before the Commission. Shared concerns that there are multiple opposing views between the project team and the experts sharing public testimony.

Motion by Mr. Deasy to close the public hearing; seconded by Mr. Belke; approved 5/0/0.

Mr. Sheehan stated that the Commission should not make a decision on the application until Town staff has had the time to review and report on the most-recent submittal.

Future Public Hearings: No comment.

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New Submittals:

PZ2402SPA & CAM St. Edmund of Connecticut, Inc. (R. Avena, Esq.)

Mr. Sheehan asked Mr. Iler if a motion was required to request a public hearing for a SPA. Mr. Iler stated he was unsure of the statutory need but suggested doing so regardless.

Motion by Mr. Deasy to require a public hearing for this application; seconded by Mr. Belke; approved 5/0/0.

Adjournment:

Motion by Mr. Philbrick to adjourn the meeting; seconded by Mr. Deasy; approved 5/0/0.

The meeting was adjourned at 12:30 AM.

Respectfully Submitted By:



Lynn Conway, Secretary