

Special Meeting

The 1704th 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, September 6, 2022. The meeting was called to order by Acting Chairman Charles Sheehan at 7:02pm. Also present for the meeting were Commissioner Lynn Conway, Alternates Gary Belke and Marjorie Selinger, and Town Planner Keith A. Brynes. Chairman Ben Philbrick, Commissioners Ryan Deasy and Fred Deichmann; and Alternate Andy Meek were not present.

Seated for the meeting were Charles Sheehan, Lynn Conway, Gary Belke, and Marjorie Selinger.

Minutes:

Ms. Selinger moved to approve the minutes of the August 23, 2022, meeting, seconded by Mr. Belke, all in favor 4-0, motion approved.

Commission:

Memo on the process for the town to opt out of the state's Accessory Dwelling Unit regulations. This will eventually require action by the Selectmen. PZC will hold a public hearing on 10/4/22.

Mr. Brynes stated that a public hearing will be held October 4th on the item regarding opting out of the state's Accessory Dwelling Unit regulations. The decision must be made by January 2023 and the Board of Selectmen must also approve the decision to opt out.

Administrative Review:

Jeffrey Valentine request for the elimination of stipulation #1 from the 1994 approval of application PZ9419CAM Nancy Klotz regarding the limitation of the structure to a 2-bedroom home. Property located at 82 Riverside Dr., Pawcatuck. Assessor's Map 9, Block 3, Lot 18. Zone RC-120.

Mr. Brynes stated that the request is to eliminate a stipulation from a 1994 approval that limits the property to a two-bedroom home. The minutes read that the stipulation was due to health code at the time for the septic system. The owner converted a room to a bedroom and is seeking approval of that action. Ledge Light Health District has stated they can repair the system to address the additional leeching field requirements to come into conformance. Jeffrey Valentine explained he represented the sellers and buyers in a transfer of this property and has been working with Ledge Light Health District on the repairs. The buyer and previous owners were under the impression it was a three-bedroom home and it was missed in the deed restrictions.

Ms. Selinger moved to approve the application with a stipulation, seconded by Ms. Conway, all in favor 4-0, motion approved.

Stipulation:

1. Application to the Inland Wetlands and Watercourses Commission may be required.

22-204ZON Whalers Inn, LLC – Zoning Permit application for change of use from Retail to Hotel (multi-purpose meeting room). Property located at 11 Cottrell St., Mystic. Assessor's Map 182, Block 4, Lot 4. Zones DB-5 & RH-10.

Mr. Brynes stated that the commission recently approved an application for hotel and retail in the former Oddfellows building. The applicant is now requesting to convert one of the retail spaces into a multi-purpose meeting room for the hotel. The parking requirement is reduced being an accessory use

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to the hotel. Ms. Conway asked how many people would fit in the room. Amanda Arling, president of Whaler's Inn stated that the room would accommodate 15-20 people.

Mr. Belke moved to approve the application, seconded by Ms. Selinger. Ms. Conway is concerned about the actual parking needs of a meeting room if opened to other organizations. She suggested a stipulation that the room only be used for hotel guests. Mr. Belke amended his motion, seconded by Ms. Conway. Ms. Selinger expressed that it would be good for the community to allow those such as the Chamber of Commerce. The vote was taken all in favor 4-0, motion approved.

Stipulation:

1. Meeting room usage shall be limited to hotel guests.

Ian Camfield – Request for Commission interpretation as to whether Dog Training business, Rhodes Collar, should be considered a "Personal Service" use in the GC-60 Zone. Property location 769 Stonington Rd., Stonington. Assessor's Map 75, Block 1, Lot 6. Zone GC-60.

Mr. Brynes stated that the purpose of this application is for a commission interpretation on whether a dog training use would qualify as a personal service versus a dog daycare center. Ian Camfield stated that Rhodes Collar is a successful existing business in Mystic that is wishing to relocate to his building. The building is nearby an animal hospital and Fleming's Feed. The building currently also houses a wedding facility and a daycare, with the wedding facility operating only 25 days out of the year. The surrounding area is also commercially zoned. Rusty Sergeant, project architect, stated that the Dog Daycare use was added two other commercial zones to accommodate My Dog's Place which also has a kennel. Previously, these uses were treated as personal services. The other tenants in the building are supportive of the new tenant. There is sufficient parking and Mr. Sergeant spoke to the Route One Corridor study and how it fits with its goals. There will be an outdoor training area required for the zoning permit application. Mr. Camfield stated it is difficult to find tenants due to the lack of town water and sewer. Glenna Doyle, owner of Rhodes Collar, stated that they have been looking for quite a while for another location and stated that this location is very appropriate for their needs. Most of their operations take place "out in the world" in order to acclimate dogs to those environments. Mr. Belke asked what is the maximum number of dogs they have at their existing location. Ms. Doyle stated only a few, but they are more limited by their ratio of trainers to dogs. A senior trainer's maximum dogs is five. The state also limits the number per square foot they can have, with classes limited in size to six dogs. Ms. Doyle stated that their trainers are not all on site at the same time working with the dogs as they are out in the community, noting that only dogs will be trained at the facility. Mr. Belke asked how long dogs are on site. Ms. Doyle stated they operate 8:00am – 1:00pm and dogs are there just to get checked in and then cleaned up after they come back from their outing. She also spoke to the difference between dog daycare and training. Mr. Camfield stated next door is an animal hospital that likely services many more animals during the day.

Mr. Brynes explained the permitting requirements for the business.

Ms. Conway moved that the commission interpret the use as Personal Services, seconded by Ms. Selinger. Ms. Conway stated that there is a clear difference between a Dog Daycare and a Training Facility such as this but wants to make sure the interpretation is aligned with how this business operates. The reasons for the interpretation stated are that the majority of the training takes place offsite and dogs are not kenneled for more than four hours. The vote was taken, all in favor 4-0, motion approved.

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Old Business:

PZ2224BR 30 Extrusion, LLC – Bond Reduction/Release application for Bond No. 20-004 for E&S Control associated with PZ2007SUP 30 Extrusion, LLC for the construction of two (2) mini-warehouse storage facilities. Property located at 30 & 40 Extrusion Dr., Pawcatuck. Assessor's Map 36 Block 4 Lots 2D & 2E. Zones M-1 & RR-80.

The application request is for full release of their bond. The Town Engineer, Zoning Official, and Fire Marshal review comments on the completion of the work were all positive.

Mr. Belke moved to approve the bond release, seconded by Ms. Conway, all in favor 4-0, motion approved.

PZ2225BR EG Perkins Reserve, LLC – Bond Reduction/Release application for Bond No. 19-002 for E&S Control associated with PZ1836SPA & GPP Lattizori for the construction for 50 townhouse-style units of residential. Property located at 30 Park Ave., fka Perkins Farm Dr., Mystic. Assessor's Map 134 Block 3 Lot 3. Zone GDD.

The Town Engineer had comments and recommended tabling until the next meeting.

Mr. Sheehan moved to table the application, seconded by Ms. Conway, all in favor 4-0, motion approved.

Public Hearing:

PZ2223SD & CAM Masons Island Company (Prominent Development) – Subdivision & Coastal Area Management Review applications for an 11-lot residential re-subdivision. Property located on School House & Cormorant Roads, Mystic. Assessor's Map 181, Block 3, Lot 1. Zone RM-15. *Continued from 8/16/22.*

Mr. Sheehan stated that the Town Engineer has not finished his review of the stormwater management plan and the application will likely be continued.

Norm Thibeault stated that the Town Engineer has comments they have to resolve still. They have made significant progress since the last meeting. They have received a letter from the Mason's Island Fire District with a number of concerns. The Town's GIS does not align with the fire district's mapping of their area and some falls in the Quiambaug district. They met with the district and discussed their concerns. They eliminated the road connection to Schoolhouse Road and have instead terminated it in a cul-de-sac. The road modification also addresses the drainage issues toward Schoolhouse Road that were initially a concern. The road will now be all in one fire district, but they will need to change boundaries. Two lots will be part of the Masons Island Fire District and the rest, as well as the road, will be part of the Quiambaug Fire District. The plans require Police Commission review, and are scheduled for their Thursday meeting. As the cul-de-sac exceeds the size allowed by Subdivision Regulations, a waiver is being requested. They do not have permission to tie into Schoolhouse Road due to the Association owning the private road. Reducing the size of the cul-de-sac would allow for the same number of lots, but they would be smaller, and the change adds additional open space. They plan to address the drainage issue through a landscaped berm to direct excessive stormwater. Mr. Belke asked

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about the septic easements and if there are only two as discussed last meeting. Mr. Thibeault confirmed. The open space would be managed by the homeowners' association for the development. Mr. Sheehan asked about the fire district boundaries and recommended having the districting clarified in writing for the next meeting. He also requested that the offsite retention basin be shown on the plans.

Mr. Thibeault clarified that the nearby cul-de-sacs are greater than 600 feet in length. Peter Giordano, developer, stated that the subdivision was approved in 2004 for 24 lots, with an agreement of road transfer on the record. They have negotiated this alternative with the fire district and MIPOA.

Public Comment in Favor:

Jim Moody, 77 Old North Road, stated he is in favor of this plan over the previous 24-lot subdivision and is only concerned about water to Old North Road but will leave it to the engineers to determine whether a swale or berm is best. He also expressed concern with the proposed clearing.

General Comments:

Paul Naumann, 22 Schoolhouse Road, stated that there is no pending building permit for 28 Schoolhouse Road and there is no pending permit for septic for that site either.


Ethan Tower, president of Mason's Island Fire District, stated that previous agreements were put in place for the prior subdivision and stated that after meeting with the applicant, they are happy with the proposed solutions.

Public Comment Against:

None

Ms. Conway moved to continue the public hearing to September 20, 2022, seconded by Ms. Selinger, all in favor 4-0, motion approved.

Ms. Conway moved to adjourn, seconded by Mr. Belke, all in favor 4-0, the meeting adjourned at 8:41pm.



Lynn Conway, Secretary