

## Special Meeting

The 1717<sup>th</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office at 40 Field Street, Pawcatuck, on Tuesday, February 7, 2023. The meeting was called to order at 7:00 PM by Chairman Ben Philbrick. Also present for the meeting were Commissioners Lynn Conway and Charles Sheehan; Alternates Gary Belke and Marjorie Selinger, and Town Planner Keith A. Brynes. Commissioners Fred Deichmann, Ryan Deasy and Alternate Andy Meek were not in attendance.

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

### **Minutes:**

Ms. Conway moved to reapprove the minutes of December 6, 2022 as corrected; seconded by Mr. Sheehan. The motion was approved 5-0.

Ms. Selinger moved to approve the minutes of January 24, 2023; seconded by Mr. Sheehan. Motion approved, 4-0-1.

Roll Call: Philbrick - approve, Conway - approve, Belke - approve, Selinger - approve, Sheehan - abstain.

### **Correspondence:**

**Property owner letter asking the commission to change the zoning district of 3 residential properties on W. Vine St., Pawcatuck.**

Mr. Brynes summarized the issue in which a property owner is requesting that the Commission submit a Zoning Map Amendment application to rezone 3 existing residential properties at 25, 27 & 29 W. Vine St. from GBR-130 to RH-10. All other homes in the area are zoned RH-10. The current designation is prohibiting typical home additions enjoyed by other houses in the neighborhood. It is unknown why these 3 parcels were zoned GBR-130. There are no environmental constraints on or adjacent to these lots. Regulations require that a property owner seeking a Zoning Map Amendment must submit a boundary survey; this is difficult for 3 separate house lots. The Commission can submit a Zoning Map Amendment application or consider this issue during the Comprehensive Zoning Rewrite. Consensus of the Commission was to submit a Zoning Map Amendment application to correct this issue. An application will require a public hearing sometime over the next few months.

Mr. Sheehan moved to direct the Department of Planning to submit a Zoning Map Amendment application for these 3 properties; seconded by Ms. Conway. The motion was approved 5-0.

### **Commission Reports:**

**Appoint a commission member as the commission's representative to the Regional Planning Commission.**

Mr. Brynes explained the need for the Commission to appoint a member to the Southeastern CT Regional Planning Commission. This will be discussed further at the next meeting.

**Brandon Flack request for consideration of changes to the Town's bonding requirements for land use development, specifically subdivision lots.**

Mr. Brynes summarized this issue which was originally discussed on 12/6/22. Per the Commission's request, the Department prepared a draft policy stipulating under what conditions individual Subdivision lot bonding could be acceptable. Mr. Flack has already submitted an Erosion and Sedimentation Control Bond for his entire subdivision but wanted to continue this discussion. Mr. Sheehan stated he reviewed the 12/6 discussion and felt the change in policy could have significant

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implications for other subdivisions. The change would make it harder to assign responsibility during erosion control failures and would be too risky for the Town. Making individual lot owners responsible may run counter to approved Erosion and Sedimentation Control plans which typically assign responsibility to one developer. Consensus of the Commission was to maintain the current policy of submitting a single Erosion and Sedimentation Control Bond for Subdivisions.

### Administrative Review

**ZON23-023 Garden Homes Derby Co. (G. Arganese)** – Zoning permit application to expand restaurant area into adjacent laundromat. No expansion of the current permitted 55 seats is requested. Property located at 39 Whitehall Ave., Mystic. Assessor's Map 164 Block 1 Lot 9/48. Zone GC-60.

Mr. Brynes summarized the application for Mystic Slices restaurant to expand their floor area into the adjacent space formerly occupied by a laundromat. A larger bar will be constructed but the total number of seats will not increase at this time. Business owner, Gene Arganese, stated that parking is adequate. He will be requesting a Special Use Permit later this year to increase the number of seats.

Mr. Sheehan motioned to approve the application; seconded by Ms. Conway. The motion was approved 5-0.

**ZON23-024 Whaler's Inn RE, LLC. (R. Nelson)** – Zoning permit application to operate a takeout coffee station in existing retail store. Property located at 4 East Main St., Mystic. Assessor's Map 182 Block 1 Lot 14. Zone DB-5.

Mr. Brynes summarized the request for a self-service coffee bar at the Just Mystic retail store. Coffee service will not be a separate establishment. Interior work includes addition of walls to partition a storage area in the Chamber of Commerce office but will not create a separate café.

Mr. Sheehan motioned to approve the application; seconded by Ms. Conway. The motion was approved 5-0.

### Old Business:

**PZ2229SPA & GPP Amera-UZ, LLC** – Site Plan and Groundwater Protection Permit applications for construction of a 4,500SF retail convenience store with drive-thru window, a 5,625SF retail building with associated parking and site improvements. Property located at 376, 380 & 384 Liberty St., Pawcatuck. Assessor's Map 18, Block 5, Lots 1-4. Zone CS-5.  
This application was tabled until the 2/21/23 meeting.

**PZ2233CAM Jaclyn, Steven & April Martorelli (LRC Group)** – Coastal Area Management Review application for construction of retaining walls and a kayak launch. Property located at 33 Dubois Dr., Mystic. Assessor's Map 175 Block 4 Lot 10B/8. Zone RM-15 & RC-120.  
This application was tabled until the 2/21/23 meeting.

**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.  
This application was tabled until the 2/21/23.

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### Public Hearing:

**PZ2234ZC, SPA & CAM Mystic Seaport Museum (C. Frost)** – Master Plan Zone Change, Site Plan, & Coastal Area Management Review applications for various exhibit relocation & expansion; alterations, improvements, repairs, ADA accessibility improvements, signs, and creation of a pocket park and a public water taxi dock. Properties located at 75 Greenmanville Ave., Mystic. Assessor's Map 173 Block 1 Lot 1 & other properties within the Seaport MHD zone.

Attorney John Casey introduced the application. Mystic Seaport falls under the Maritime Heritage District (MHD), a floating zone which was adopted in 2005. At that time a Master Plan for the Seaport was developed which was intended to evolve over time. In 2019 the Commission approved a Master Plan amendment which included a public boat exhibition hall in the Rossie Mill. Mystic Seaport President, Peter Armstrong, provided an overview of the Seaport's goals to enhance ADA accessibility, assist the community in addressing transportation issues and display additional objects and artifacts to the public.

Landscape Architect, Chad Frost, stated that the Seaport held a meeting with neighbors. Mr. Frost described each project proposed under the current Master Plan application which include the following:

1. Boat Hall relocation/expansion within Rossie Mill. (Site Plan Approval also sought for this project.)
2. Temporary exhibition banners on Rossie Mill.
3. Temporary restrooms during hotel construction.
4. Membership patio improvements.
5. Relocated performance stage (previously approved by the Commission on 11/1/22).
6. Print shop accessibility ramp.
7. Toy boats building accessibility ramp.
8. Youth team building area.
9. Water taxi – docking location for service to downtown Mystic.
10. Dunton ship restoration area.
11. Main entrance ingress/egress improvements (previously approved by the Commission 1/4/22).
12. Anchor Bake Shop outdoor tables – Tables reoriented in 2021 with fewer seats.
13. Seaport pocket park – corner of Greenmanville and Isham St.
14. Paid downtown parking & shuttle – portion of southern parking lot.
15. Rossie Mill roof replacement (Site Plan Approval also sought for this project.)

Mr. Frost stated that plans for the boat hall have been reoriented and slightly expanded since 2019. Proposed temporary banners on the Rossie Mill will not be directly lit. The 153SF banner will not appear large due to the mill's size. The water taxi will not be limited to paid Seaport guests and it will be located at the basin behind the visitor's center. The water taxi may help reduce traffic congestion in the area. The Seaport is working with neighbors and the Town on the design of the pocket park with a goal of improving pedestrian connectivity. Paid public parking in the southern parking lot includes shuttle service to downtown. The lot is not accessed from residential side streets. Mr. Frost stated that the Town Engineer's comments will be addressed. This proposal should not lead to increased pedestrian traffic across Rt. 27. The Police Commission discussed this application and concluded that no changes to the application were necessary. The Seaport is working with CTDOT and local police to address traffic safety and congestion issues. Seaport attendance has significantly declined over the past 20 years and traffic counts on Rt. 27 were at a 15 year low in 2021. Recent congestion has not been due to Seaport visitation. DOT recently changed the timing of the northern traffic light to instantly stop vehicular traffic for pedestrian crossings. This change has led to an increase in traffic backups despite an overall decrease

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in vehicles. Mr. Frost stated they will comply with all Fire Department requirements during the Building Permit stage. New trees near Rossie Mill will be reviewed for emergency vehicle access and the mill's sprinkler system will be upgraded.

Project architect, Mark Comeau, presented the building plans for the Rossie Mill addition. Plans include a new exterior elevator shaft and a wide staircase to accommodate public visitation. Plans were designed to limit impact to the historic mill's exterior. Department of Interior guidelines for historic structures recommend that new additions should appear contemporary, rather than imitate historic design features. Attorney Casey stated that the application conforms to the Town's Plan of Conservation and Development and Comprehensive Plan.

### Public Comment Against:

Stephen Hobaica, 19 Velvet Ln., stated that tourist related activities should not be located on the east side of Rt. 27. The proposal will make neighborhood traffic and parking problems worse, especially during special events when cars park along narrow Velvet Lane.

### Public Comment – General Comments:

James Tennant, 6 Hinckley St., stated that DOT's recent changes to traffic lights have made congestion worse. The project is great but will lead to additional pedestrian traffic along with the new hotel. A plan to mitigate traffic issues should first be developed.

Mary Hendrickson, 20 Rossie St., described traffic and parking challenges and asked whether the State Historic Preservation Office (SHPO) had reviewed changes to Rossie Mill.

### Applicant Rebuttal:

Attorney Casey stated that the Maritime Heritage District's Statement of Purpose specifically allows public exhibits in Rossie Mill and that the district allows the Seaport to evolve. The Rossie Mill project was discussed with SHPO but, with no public funding involved, there is no requirement or process for their formal review. Pedestrian traffic across Rt. 27 is not expected to increase. The new exhibit is already located between the parking lot and Seaport main entrance. A crosswalk will be added across Rossie Pentway. The Seaport will work with the Town and neighbors to investigate ways to manage parking on Velvet Lane. Ms. Conway asked whether the paid public parking at the southern parking lot will increase pedestrian crossings on Rt. 27. Ken Wilson, Mystic Seaport Facilities Director, stated that it is not expected to increase since a downtown shuttle is provided. There has proven to be more than enough parking for all uses. Mr. Belke stated that traffic is mainly due to downtown Mystic being a popular destination. Mr. Frost explained that the ground floor of the Rossie Mill will be wet floodproofed as recommended by the Town's Floodplain Management consultant. Mr. Brynes reviewed comments received on the application and votes required. The Commission's decision must relate to the MHD's Statement of Purpose.

Mr. Sheehan motioned to close the public hearing; seconded by Mr. Belke. Motion approved 5-0.

Mr. Sheehan motioned to approve conformance with the Plan of Conservation and Development and Comprehensive Plan; seconded by Ms. Selinger. Motion approved 5-0.

Mr. Sheehan motioned to approve the waivers requested with 2 stipulations; seconded by Mr. Belke. Motion approved 5-0.

Stipulations of approval:

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1. The applicant shall continue to work with the Department of Transportation and Stonington Police Commission regarding mitigation of pedestrian and vehicular movement issues along Rt. 27 adjacent to the Seaport.
2. The applicant shall address questions posed by the Town Engineer.

Mr. Sheehan motioned to approve the Master Plan Amendment application; seconded by Mr. Belke. Motion was approved 5-0.

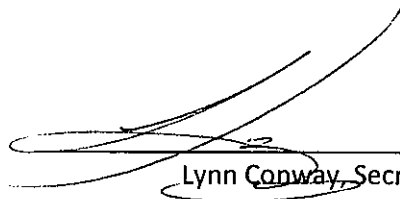
Mr. Sheehan motioned to approve the Site Plan application with stipulations; seconded by Ms. Selinger. Motion was approved 5-0.

Stipulations of approval:

1. Final plans shall be recorded prior to the issuance of any Zoning Permits.
2. Final plans shall be reviewed to the satisfaction of the Town Engineer and the Mystic Fire District.
3. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits per 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 completion.
4. The applicant shall continue to work with the Department of Transportation and Stonington Police Commission regarding mitigation of pedestrian and vehicular movement issues along Rt. 27 adjacent to the Seaport.

Mr. Sheehan motioned to approve the Coastal Area Management application; seconded by Mr. Belke. Motion was approved 5-0.

Mr. Sheehan motioned to adjourn the meeting; seconded by Ms. Conway. Motion was approved 5-0. The meeting adjourned at 9:28PM.



Lynn Conway, Secretary