

**Planning & Zoning Commission
Special Meeting
January 2nd, 2024
Final Minutes**

The 1746th meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street, January 2, 2024. The meeting was called to order at 7:00 PM by Chairman Charles Sheehan. Also present for the meeting were MaryEllen Mateleska, Ryan Deasy, Gary Belke, Bennett Brissette, and Town Planner Clifton Iler. Andy Meek, Ben Philbrick, and Lynn Conway were not present.

Seated for the meeting were Charles Sheehan, Ryan Deasy, Gary Belke, and Alternates Bennett Brissette and MaryEllen Mateleska.

Minutes:

Mr. Deasy made a motion to approve the minutes of December 19, 2023, seconded by Mr. Belke, all were in favor, 5-0.

Mr. Deasy made a motion to approve the minutes of December 20, 2023, seconded by Mr. Belke, vote was taken 3-0-2. Abstain from MaryEllen and Ryan Deasy.

Public Comment:

Jim Moody, 77 Old North Rd, was not in favor or against the Mason's Island CAM applications on this agenda, however he would like the Commission to know that Old North Road does flood, storm drains do not treat this area, and houses in addition to this would make the issue worse. The lot is not currently empty, there are boats and other items being stored there. *(Commissioner Sheehan explained that this Public Comment section is often reserved for comments outside of a particular night's agenda, however an email from Mr. Moody was not included in tonight's report, thus he was allowed a brief comment).*

Correspondence: None

Reports: None

Old Business:

PZ2331CAM Masons Island Company, Inc. (S. Moran) – Coastal Area Management application to accompany future Zoning Permit application for the construction of new residential structures. Property is located at Old North Road, Mystic; M/B/L: 175-2-3. This property is located in the RM-15 Zone

Seamus Moran, H+H Engineering, displayed the conceptual lot development idea. The lot is available for a free split (Commissioner Sheehan clarified that one split of a non-subdivided lot is 'free'; a 'subdivision' must consist of three lots, or two splits). Per Mr. Moran, the conceptual plan shows both properties as duplexes as this is the most intensive use allowed, however the developer could shift to single family units if desired. The existing dock will remain on "lot 1". Both proposed duplexes have 2 three-bedroom units;

6 bedrooms on each lot. Lot 1 was approved by Ledge Light. Mr. Moran discussed comments from the Town Engineer as well as DEEP.

Atty John Chase discussed the submitted report from SLR and comments from DEEP.

The Commission questioned what would trigger this application to come before them again. Per Mr. Iler, this conceptual plan is the highest and most intensive use of the site thus a substantial change would be required.

Mr. Moran discussed the grading of these lots for the Commission upon request. Per Mr. Moran, the buildings do not have to be built on piers; this specific plan consists of foundation walls with flood vents; however, no utilities will be in this cellar area. Mr. Moran agreed that lesser events than a 100-year storm may still produce some flooding here.

No staff comments.

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

PZ2332CAM Masons Island Company, Inc. (S. Moran) – Coastal Area Management application to accompany future Zoning Permit application for the construction of new residential structures. Property is located at Old North Road, Mystic; M/B/L: 175-2-3. This property is located in the RM-15 Zone.

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

Public Hearing(s): Began at 7:36 PM

PZ2328SUP Phoenix Pawcatuck, LLC (Northeast Sign Co.) – Special Use Permit application for Special Wall Signs pursuant to ZR §14.7.1 to permit a building mounted sign totaling 37.5 SF. Property is located at 100 Mechanic Street, Pawcatuck; M/B/L: 4-7-16. Property is located in the Heritage Mill Zone.

Beth Tabriz, Interior Designer at Northeast Sign Co, discussed the necessity to build a larger size than what is allowed; it will be acrylic and without illumination. Ms. Tabriz displayed a rendering of how the sign will appear on the building. The commission confirmed that there will be no lighting and Ms. Tabriz further discussed the necessity for a special use permit.

Mr. Iler discussed brief staff comments, none of which were against this application.

Mr. Deasy made a motion to close the public hearing at 7:47 PM, seconded by Mr. Belke, all were in favor, 5-0.

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

Mr. Deasy made a motion to approve the special use permit with existing stipulations, second by Mr. Belke, all were in favor, 5-0.

PZ2329ZC Maple Lawn Farm, LLC (Paul & Sharyne Cerullo) – Zoning Map Amendment application for an Agricultural Heritage District (AHD) Zone. Proposal consists of a Master Plan to create a campus for food, education, and events. Properties are located at 343 Wheeler Road and another unaddressed parcel on Wheeler Road, Stonington; M/B/L: 94-1-4; 86-1-4. Properties are located in the RR-80 Zone and GBR-130 Zone.

Paul Cerullo, 343 Wheeler Rd, displayed a slide show and explained the historic, current, and potential future activities of this property. Mr. Cerullo discussed the agricultural activities that have taken place on this lot as well as current uses such as raising ducks, chickens, small crops, etc. Per Mr. Cerullo, drainage has always been something that they have tried to address, the pond helps in reducing flooding on Wheeler Rd, a high yield well has been installed to reduce stress on residential wells, and there was further discussion regarding the homestead renovation. Mr. Cerullo would like to create a self-sufficient property that can financially support itself and hold recreational events that include art, culinary education, weddings, etc. Per Mr. Cerullo, the agricultural funds that have been raised have all gone toward scholarships in addition to fundraiser events held with the TAPS organization.

Mr. Cerullo confirmed for the commission that there have no no complaints about traffic, noise, or anything else during the TAPS events. The Commission discussed stormwater management with Mr. Cerullo and the desire for there to be more extensive plans in writing on how this will be managed.

Bob Mercer, MBV Architects, confirmed that he is not qualified to produce a stormwater management plan. Only a few days prior to the meeting they received a detailed list regarding information that should be included in their plans. They are working on producing conceptual plans for stormwater management and a traffic study.

Jessica Cerullo, 16 Cutler St, discussed the farm land loss in Connecticut. Per Ms. Cerullo, it is important to gather meaningfully and garner community relationships. She discussed the artistic and recreational activities that honor the nature and historic elements of this property.

The Commission agreed that a master plan should have conceptual ideas regarding stormwater management and a traffic study.

Mr. Iler discussed comments from the town commissions and town staff. The determination of intent is up to the Commission this evening. Mr. Iler discussed the rules of zone amendments within Stonington's regulations. Mr. Iler discussed the timeline of this application and what will be expected from this Commission.

Public Comment:

Bill Lyman, 579 Taugwonk Road, had concern regarding large events where boundaries may not be clearly defined, the amplification of music, and the frequency and timing of events. According to Mr. Lyman, 'fundraising events' is a vague term and should be defined more explicitly in a master plan.

Stuart Cole, Chairman of Conservation Committee, discussed the intent of the AHD. All activities shown by the applicant can be done without this zoning amendment. Mr. Cole read from comments that were already submitted on the record. The AHD does not prevent this land from being subdivided with multiple homes in the future; there is little control over future uses of this land. Mr. Cole is concerned with the looseness of regulations for this zone.

Stanton Simm, 20 Sommers La, reiterated that none of these activities require the AHD zone change. This would not prevent a commercial entity from purchasing the property in the future. Permitted 'performances' should be better defined. Mr. Simm discussed similar properties in Stonington which currently use easements to preserve land and are not within an AHD zone.

Joyce Fingerut, 537 Taugwonk Rd, has experienced noise issues from Stonington Vineyards as there is no real enforcement, broken promises, etc. Ms. Fingerut would like the commission to consider time limits, decibel restrictions, and overall enforcement of these rules.

Ben Tamsky, 5 Edgemont St, spoke as a citizen, reinforced that guidelines should be in place for amplified music; it can be a long process to enforce sound, number of events / people, etc.

Laurie Cerullo, 267 Taugwonk Rd, daughter of Paul and Sharyne Cerullo, confirmed her and her sister's intention to maintain their parent's vision for future generations.

Carrie Moore, 186 Dawley Dr, expressed appreciation for the Cerullo's intentions. Ms. Moore is concerned as a mother and neighbor regarding noise, traffic, drunk driving, and potentially setting a precedent for 'spot zoning'. Ms. Moore discussed that intention does not prevent certain actions of others. They have heard noise from parties in the past. The Moores bought their property due to the surrounding land preservation.

John Pereira, 182 Dawley Dr, expressed concern regarding large events as there have been events in the past that have disrupted their horses.

Vicki McCord, 400-Wheeler Rd, wanted to inform the Commission that she has never heard loud noises or parties as others have stated. Ms. McCord is in favor of this application.

Anna Hankin, 30 Dawley Dr, expressed that up to this point they have not experienced any issues with loud noise; however, she is concerned about this increasing in the future.

Rebuttal:

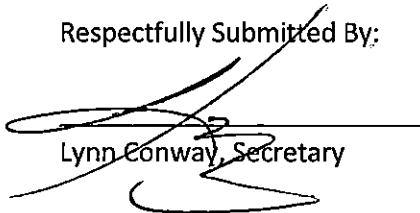
Mr. Cerullo explained that they simply responded to a Town letter regarding the AHD zone and it seemed to be a good idea considering the options that were available to them to preserve this land. Mr. Cerullo confirmed that he is happy to adhere to any necessary rules regarding lights, sound, etc. Mrs. Cerullo explained that the farm used to be around 600 acres but pieces have been sold; they would like to prevent that from continuing. The extra parking was an attempt to improve the application, not to indicate a desire for larger events. Per Mr. Cerullo, the location of a tent for events would be behind the house and not visible from the street. Parking would also be behind the house. There is a 96-acre lot that serves as a 'horse shoe buffer' around their lot.

Mr. Iler discussed 'floating zone' precedent and why this is not an example of 'spot zoning'. It was confirmed that decibel regulation cannot be set by this Board, however they could eliminate it all together; setting a limit would be a Police issue. Mr. Iler listed a number of items on the town's radar, mostly conceptual items.

Mr. Deasy made a motion to table the public hearing until Feb 6th, seconded by Mr. Belke, all in favor, 5-0. The public hearing was tabled at 9:33 PM.

Mr. Deasy made a motion to adjourn the meeting, seconded by Mr. Belke, all in favor, 5-0. The meeting was adjourned at 9:34 PM.

Respectfully Submitted By:



Lynn Conway, Secretary