

Special Meeting

The 1664th meeting of the Town of Stonington's Planning and Zoning Commission was held virtually via WebEx on Tuesday September 15, 2020. The meeting was called to order by Chairman David Rathbun at 7:00pm. Also present for the meeting were Gardner Young, Ben Philbrick, Lynn Conway, and Fred Deichmann; Alternates Ryan Deasy and Chuck Sheehan; and Town Planner Keith Brynes. Alternate Peter Chomowicz was not present.

Seated for the meeting David Rathbun, Gardner Young, Ben Philbrick, Lynn Conway, and Ryan Deasy.

Minutes:

Mr. Philbrick moved to approve the minutes of the September 1, 2020 meeting, seconded by Mr. Young, all in favor 5-0, motion approved.

Old Business:

PZ2009CAM Masons Island Co. & Masons Island Property Owners Assoc. (P. Biscuti) – Coastal Area Management Site Plan Review application to accompany future zoning permit application for construction of a single-family residence with on-site septic system, driveway, retaining walls and related site improvements. Property located at Great Marsh Rd., Mystic. Assessors Map 180, Block 2, Lot 36F & Great Marsh Rd. private right-of-way. Zones RA-20 & RC-120.

The application was tabled.

Public Hearings:

PZ2013SD & GPP Jane L. Howard, Trustee (JP Mereen) - Re-subdivision and Groundwater Protection Permit applications for a 4-lot Open Space Development. Lots 1 & 2 are developed, Lot 3 is undeveloped, and Lot 4 is the proposed open space. Property located at 152 South Anguilla Rd., Pawcatuck. Assessors Map 37, Block 1, Lot 8. Zones RR-80 & GBR-130. *Continued from 9/1/20.*

Mr. Philbrick moved to continue the application to the October 6, 2020 meeting, seconded by Mr. Young, all in favor 5-0, motion approved.

Mr. Deichmann arrived and was seated. Mr. Deasy was unseated.

PZ2017SUP WinnDevelopment Company LP - Special Use Permit application for the development of an 82-unit residential apartment building with 70% of the units leased as affordable housing pursuant to CGS 8-30g. Proposal includes parking, stormwater management, utilities, and associated landscaping. Properties located at 27 West Broad St. & 15 Cogswell St., Pawcatuck. Assessors Map 1, Block 4, Lots 18 & 19. Zone PV-5.

Chairman Rathbun asked Mr. Brynes to review the process for affordable housing applications. Mr. Brynes explained that applications submitted under state statute 8-30g are not restricted to the town's zoning regulations. The commission can only deny applications that seriously affect health and safety issues that cannot be remedied.

Attorney Bill Sweeney presented the application. Mr. Sweeney stated it is a mixed income affordable housing project submitted under 8-30g of the CT General Statutes.

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Matt Robayna, project manager from Winn Companies, provided a background on their company history. They are a family owned company that has experience throughout the east coast in residential housing. The applicant is applying with the CT Housing Finance Authority to finance the project. They will have onsite property management and work to keep developments fresh and compatible with the neighborhood.

Mr. Sweeney reviewed the current site conditions. The property is currently open after demolition of the previous structures which were compromised. It is a blighted and underutilized property currently. Mr. Sweeney reviewed the proposed apartment building. They are proposing an 82-unit building with parking garage underneath built into the hillside. The project is for mixed income with a percentage leased at market rate and a percentage at lower rates for those under the town's median income. All units will look the same, but prices differ based on income.

Paul Vitaliano, project engineer, reviewed the site plan. Due to the topography of the lot, the building will be built into the hillside with ground floor parking and four stories of residential units about. Primary access to the property will be from Cogswell Street. There is secondary access to the alleyway which exits onto West Broad Street. There is also pedestrian access which connects to Cogswell Street. There will be outdoor green space available to residents along the river. Mr. Vitaliano reviewed the grading and drainage plans which will be an improvement to current conditions. Mr. Sheehan asked whether the parking or pedestrian access is blocked by the 100-year flood level. Mr. Vitaliano stated that the majority of the downtown area is within that zone, but the building is not. There would be about three feet of water at the intersection of West Broad and Cogswell. Ms. Conway asked for the lighting plan. They are proposing light poles in the parking area with low profile fixtures as well as fixtures on the building. The patio may have soft bollard lighting as well. Ms. Conway asked about the sidewalk in the parking area. The applicant stated they would lose a significant amount of landscaping on site due to size restrictions. Mr. Sweeney stated they have an emergency plan for 100-year floods as well.

Joe Balskus, traffic engineer, presented the traffic study. Mr. Balskus reviewed the existing site conditions. They looked at West Broad Street specifically intersections at Cogswell and Liberty/Mechanic Street. It is a busy area but has no traffic signals and traffic flows. The pedestrian crossing is high yielding, but there is limited visibility at the Cogswell Street intersection. Mr. Balskus reviewed the crash history. Though there have been numerous crashes over the past three years, none have serious injuries and are mostly property damage. They have brought this to DOT's attention and they are reviewing the Liberty/Mechanic intersection. Mr. Balskus reviewed the trip generation which showed about 30 trips at peak hour in the morning and afternoon. He also reviewed the traffic distribution out of the area. There are low volumes of cars calculated to be traveling in and out of the site at peak hours. They did not calculate any change in level of service at the Cogswell Street intersection. They provided recommendations to make the pedestrian crossing safer at the Cogswell Street intersection by restriping the crosswalks and reducing length without reducing parking. Ms. Conway asked whether the counts were taken on the weekdays or weekends. The DOT counts were taken during the week so they took counts that were in line. They did observe the weekend traffic however. Mr. Balskus explained that the DOT counts do take seasonality into consideration, but also noted that residential traffic is reduced on the weekend and spread out. He stated that the improvements at Cogswell Street intersection will also improve flow. Mr. Philbrick asked about the alleyway traffic. Mr. Balskus stated they did not account for it to provide a more conservative analysis.

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Jay Syzmanski, project architect, reviewed the site geometry and presented the building renderings. Mr. Philbrick asked about the ground floor level and softening all the gray and questioned whether solar was considered. The applicant stated they are considering both. Ms. Conway asked about emergency access. Mr. Syzmanski reviewed the egress stairwells on site.

Mr. Sweeney summarized the application and spoke about the regulations and review process.

Public Comment in Favor:

EDC member, Kevin Bowdler, spoke in favor of the application and its benefit to the community.

Judd & Dale Rosen, 6 Coggswell Street, spoke about their support of the redesigned crosswalk.

Dave Hammond, Chair of the Economic Development Commission (EDC) and resident stated their support of the application and its benefit to downtown Pawcatuck. Mr. Hammond spoke about the affordable housing shortage in town and this project's benefit as well as alignment with the Plan of Conservation and Development.

EDC member, Jim Lathrop, property owner at 29 West Broad Street, stated his support for the application.

Public Comment Against:

Janis Mink, 18 Williams Street, Pawcatuck resident, stated she is concerned that the proposed building is in a flood zone and does not believe new construction should take place in this area. She would rather see a park or a seasonal restaurant.

General Comments:

Judd & Dale Rosen, 6 Coggswell Street residents, expressed their general support for the project but expressed concern with additional vehicle traffic on their street from the site. They are concerned with the traffic exiting Coggswell Street specifically.

Stephen Capizzano, business owner at 5 Coggswell Street, also stated his support of the project in general but still has concerns with the traffic on Coggswell Street and the waiting times at the intersection taking a left on to West Broad Street.

Rebuttal:

Mr. Sweeney stated that the town's regulations allow residential buildings to be built in flood plain if constructed to FEMA standards. The building is set back 70 feet from the river and is not a danger to residents. Mr. Vitaliano stated they have built the site conservatively and while not required, provided compensatory flood storage. He also stated their building is safely above flood levels and would not be in jeopardy of a 100-year flood event. Mr. Vitaliano clarified that the intersection of West Broad and Coggswell is actually at Elevation 10 and tapers down to Elevation 7 at the end of Coggswell. Mr. Sweeney stated that Mr. & Mrs. Rosen and Mr. Cappizzano are neighbors and they have an open policy to working with neighbors. Matters of traffic are based on expert testimony and must be taken into consideration their professional opinion. Mr. Sweeney reiterated there is no change in level of service at the intersection at Coggswell Street. Mr. Balskus addressed crashes that have occurred and stated that there is less concern due to all of the crashes being rear end crashes; noting that they would re-evaluate the data were the crashes of an angular nature. Mr. Balskus addressed the delays exiting the

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intersection and stated there is likely going to be a slight increase but will not have a significant impact to change the level of service designation.

Mr. Brynes reviewed the items that are allowed under an 8-30g application that does not comply with regulations. The application was also reviewed by town departments and commissions providing no negative feedback. Mr. Brynes reviewed the comments and alignment with downtown revitalization report. Mr. Brynes also reviewed the Architectural Design Review Board's comments. Mr. Brynes reviewed the proposed stipulations. Mr. Sweeney stated they are happy to meet with the ADRB about their suggestions but noted that the applicants cannot be forced to make changes.

Mr. Philbrick moved to close the public hearing, seconded by Mr. Young, all in favor 5-0, motion approved.

Ms. Conway asked Mr. Brynes what the town's projected percentage of affordable housing would be with the other projects in town moving forward. Mr. Brynes stated they are not counted in the threshold until built, but likely would not cause them to surpass 10%. Ms. Conway asked about the disbursement of affordable units in comparison to types of units and the shadow study waiver. Mr. Brynes stated that the units cannot be any different from market rate units and there will not be significant impact from shadows. Ms. Conway expressed her concern the building looks inexpensively built.

Mr. Philbrick moved to approve the special use permit waivers, seconded by Ms. Conway, all in favor 5-0, motion approved.

Mr. Philbrick moved to approve the special use permit with the stipulations, as amended, seconded by Ms. Conway, all in favor 5-0, motion approved.

Stipulations:

1. Final plans shall be recorded in the Town's Land Evidence Records.
2. Final plans shall be reviewed to the satisfaction of the Town Engineer and Pawcatuck Fire District.
3. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits. The bond shall be either in the form of a certified check or irrevocable letter of credit meeting 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. Public Access Easement shall be recorded prior to issuance of a Certificate of Zoning Compliance and shall include specific language permitting construction of a future pedestrian bridge. Easement will require Board of Selectmen approval.
5. Transportation related off-site improvements that are approved by CTDOT shall be completed prior to issuance of a Certificate of Zoning Compliance.
6. The applicant shall provide a flood evacuation plan to the Department of Planning prior to issuance of a Zoning Permit which shall be recorded in the Town's Land Evidence Records.
7. Modifications to building design addressing the Architectural Design Review Board's 9/14/20 recommendations, shall be reviewed by the Board.

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The meeting recessed at 9:44pm and reconvened at 9:55pm. Mr. Rathbun lost connection and Mr. Young chaired the meeting and Mr. Deasy was reseated.

PZ2015RA Town of Stonington PZC – Zoning Regulation Amendment to modify various sections of the regulations to require a Special Use Permit for construction of retaining walls over 7 feet tall within building setbacks. *Continued from 9/1/20.*

Mr. Brynes reviewed the application and spoke about modifications made since the last meeting. The definition was modified to exempt them as a structure and requires retaining walls over 5 feet tall in the setbacks require a special use permit. Under that will still require a zoning permit and anything over three feet will require a building permit as well. Ms. Conway asked about distance to the property line. Mr. Sheehan clarified how the footings are measured and it would not be likely to build something 4'11" and 6" from the property line.

No Public Comment

Mr. Sheehan stated his support for the staff handling walls under 5 feet.

Mr. Philbrick moved to close the public hearing, seconded by Mr. Deasy, all in favor 5-0, motion approved.

Mr. Deichmann moved to approve the regulation amendment as revised September 10, seconded by Mr. Philbrick, all in favor 5-0, motion approved.

Mr. Philbrick moved to adjourn, seconded by Mr. Deichmann, all in favor 5-0, the meeting adjourned at 10:06pm.


Ben Philbrick, Secretary