

Special Meeting

The 1532nd meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, January 6, 2015 at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Chairman Ben Tamsky at 7:00pm. Present for the meeting were Commissioners Ben Tamsky, Bob Mercer, and Curtis Lynch; Alternate Gardner Young, and Town Planner Keith Brynes. Absent were Commissioners Frances Hoffman and John Prue, and Alternate Shaun Savoie. Chairman Tamsky noted that Ms. Hoffman was present in the audience.

Seated for the meeting were Ben Tamsky, Bob Mercer, Curtis Lynch, and Gardner Young.

Minutes:

Due to the absence of Commissioners Hoffman and Prue, minutes were not addressed.

Commission Initiatives:

Discussion of 2014 Plan of Conservation and Development: Mr. Lynch requested the commissioners outline their areas of importance to ensure adequate coverage during the review process. Chairman Tamsky requested that the most recent version of the draft POCD be posted on the Town website.

Reports:

Commission: Discussion of scheduling of Public Hearings - Mr. Brynes discussed complete and incomplete applications, noting that the Regulations allow for the provision of certain information after acceptance, and *Fuller* (case law), recommends accepting and scheduling the public hearing, then disapproving the application if it is still incomplete. Scheduling and the timing of public hearings are governed by CT State Statute and occur early in the process. Unforeseen factors can require rescheduling or opening and continuing the public hearing. Mr. Lynch asked what the largest issues are that constitute an incomplete application. Mr. Tamsky asked if the commission was obligated to open the hearing if other land use commission approvals are needed prior to PZC approval. Mr. Brynes explained that the public hearing would be required to be opened, and when scheduling a hearing, known factors are considered in the process, it is the issues found during application review that may cause a delay in the public hearing.

Administrative Review:

14-273ZON KAC Realty (Chang Fan Jin) – Change of Use: Retail to Personal Services (Cozy Nail & Spa) and associated signage. Property located at 2-4 Holmes St., Mystic Assessor's Map 174 Block 3 Lot 4. Zone DB-5.

Mr. Brynes explained that the Cozy Nail & Spa is proposing to occupy vacant space within the building, the proposed use and signage meet the Regulations, and interior walls and a rear entrance being added. The Fire Marshal has no issues and the Building Official has requested more detailed floor plan. Any change of use in a commercial zone must come before commission. Mr. Tamsky questioned whether the additional rear entrance was requested by the Fire Marshal. Mr. Brynes said he didn't know but it would certainly be beneficial.

Mr. Mercer motioned to approve the application, seconded by Mr. Young. Motion unanimously approved 4-0.

Old Business

PZ1417SD Woods Road Development, LLC – Subdivision application for a 2-lot subdivision of a 10.8 acre parcel. Property located on the southerly side of Pequot Trail, Stonington. Assessor's map 96 Block 3 Lot 4. Zone GBR-130.

Mr. Brynes recommended tabling the application, explaining that a property ownership dispute is still ongoing and the applicant has been granted an extension.

Mr. Mercer motioned to approve the application, seconded by Mr. Young. Motion unanimously approved 4-0.

The meeting was recessed at 7:22pm and reconvened at 7:31pm

PZC 1/6/15

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Public Hearing 7:30p.m.:

Curtis Lynch read the call for the public hearing at 7:31pm

PZ1418SUP & CAM Denison Pequotsepos Nature Center Inc. – Special Use Permit & Coastal Area Management
Review applications for the creation of a nature & heritage center. Site improvements include parking, sidewalks, trails, indoor and outdoor educational areas, and event spaces. Property located at 162 Greenmanville Ave., Mystic. Assessor's Map 172 Block 2 Lot 5. Zones RM-15 & RA-40.

Mr. Tamsky asked commissioners to disclose any donations they have made to the non-profit and assure that they will hear the application without prejudice. Mr. Mercer stated he has contributed financially and with his time but feels he can be objective. Mr. Young small donation made on behalf of a friend. Mr. Lynch did not contribute. Mr. Tamsky did not contribute as yet.

Mr. Tamsky announced that the hearing will not close tonight since the applicant still requires variances from the ZBA, and that hearing is scheduled to be heard on 1/13/15.

Maggie Jones, Executive Director of the DPNC provided an overview of the Coogan Farm site, explaining the need to preserve one of the last open spaces in Mystic, and raising over \$4M in order to create a public park for the benefit of the community. She noted that educational programs will be offered and the center itself will serve as a model for good land development practices, as well as plans to expand the community garden that provides food to New London County.

Stephen Dodd, FI (Farm Implementation) Team member, explained the group's efforts to solicit input from the community. A variety of meetings were held to explain the proposal for the site and gather input from the different factions of the community in order to address the needs and concerns of all.

Chad Frost, Kent + Frost Landscape Architects, presented the proposal, noting that the project design is intended to preserve, protect, and enhance this valuable resource, making it a model for actively managing conservation land. Mr. Frost discussed the overall site plan, explaining that existing buildings will be repurposed for the education center, the walking trails can provide connection to the Seaport and Aquarium, noting that the trailhead is at the top of Clara Drive with proposed connections to the rear of Masonicare property, and the need to create a "walking friendly" environment. Mr. Lynch expressed his desire for a 3-D model and Mr. Brynes explained that the regulations suggest 3-D modeling for large-scale projects. Mr. Frost explained the proposed driveway enhancements, pedestrian plaza, and the two parking areas, both with handicap accessibility and bike racks. He noted that the parking areas were designed to enhance storm water management, using best management practices, pointing to the positive comments received from both the DEEP and IWWC. Mr. Frost discussed the need to remove the crumbling asphalt and invasive bamboo, preserving the cedar tree in center of the parking lot, the Giving Garden, the grading plan, low level outdoor lighting, and landscaping, including the creation of the new trails with the least disturbance to the site. In response to Mr. Lynch's concern regarding the 3 parking spaces at the Clara Drive trailhead, Mr. Frost explained that the Police Commission has reviewed them and had no concerns but would note it at their upcoming meeting on Thursday. Mr. Frost explained that the contract limit lines are references for the project bid, showed where the drainage easement is located, and reviewed the variances being requested: 100' natural resources buffer and the 35ft property lines buffer.

In response to Mr. Tamsky's question regarding the utility easement, Stephen Dodd explained that at a Water Pollution Control Authority meeting, Masonicare discussed connecting to sewer via Clara Drive. Mr. Mercer asked for clarification on the lookout tower. Mr. Frost said that the lookout tower is shown on the plan but as it is not part of this approval, they will be required to return to the commission for further permitting. Mr. Tamsky asked about special events on property and Mr. Frost explained that parking, including shared parking with Precious Memories and shuttle parking at the Seaport, would tend to limit the size of special events. Mr. Tamsky suggested having a

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stipulation that limited the number of special events they could have yearly in order to clarify the proposed use as a nature & heritage center. Maggie Jones stated that only minor events are planned. Mr. Tamsky was also concerned with the nature and frequency of private special events and would like to see basic descriptions and an estimated number in order to establish the primary use limitations. Mr. Frost said he would provide that information to the commission.

The meeting recessed at 8:56pm and reconvened at 9:04pm

Staff Comments:

Mr. Brynes stated that the variance requests are to be heard by the ZBA at their 1/13/15 meeting and noted the Sanitary Sewer, Traffic, School, 3-D Rendering, Flood Hazard, and Shadow Plan waivers requested for the Special Use Permit. As mentioned earlier, they are meeting again with the Police Commission on Thursday. DOT will need to comment on the proposed driveways, however, they will only comment on an approved application. DEEP has recommended approval of the CAM review, the IWWC approved the wetlands application, and the project helps to satisfy some of the goals of current 2004 POCD. The Town Engineer will be reviewing revised plans prior to continuation of hearing. Three votes will be required: CAM, SUP waivers, and SUP. Mr. Brynes comments will be addressed in the revised plan submitted for the next review. He explained that it is generally a goal to limit access from main roads and arterials, however, this site's key factors are historical, preexisting grade levels change significantly, and important to traffic flow within the site. He also suggested the applicant ask for a waiver of the Water Impact Study

Public Comment in Favor:

Jonathan Duncklee, Duncklee Heating and Cooling, is pleased with the plans as presented, the educational aspect of the center, and encouraged commissioners to approve the project.

Bill Turner, Kentford Farm expressed desire to return nature and farming to Stonington, and the educational aspects are key to our region.

James Davis, Elm Grove Cemetery Manager and next door neighbor to the site, is in favor of the proposal and supports the project.

Chris Eckersley, co-owner of Precious Memories Daycare, supports the project, loves having Coogan Farm as neighbors, and appreciates the great communication and information provided about the proposal throughout its planning.

Jon Mitchell, 25 Hinckley Street, Seaport Heights, supports the project and appreciates that they listened to their input during discussions the applicants had with the neighbors.

Public Comment Against: None

General Comment: None

Mr. Brynes noted that without an extension, the hearing must be closed by 2/10/15.

Mr. Young motioned to continue the public hearing to the February 3rd meeting, seconded by Mr. Mercer. Motion unanimously approved 4-0.

Mr. Young motioned to adjourn, seconded by Mr. Lynch. Motion unanimously approved 4-0. The meeting adjourned at 9:30pm.