

Special Meeting

The 1509th meeting of the Town Of Stonington's Planning and Zoning Commission was held on Tuesday, February 4, 2014 at the Mystic Middle school, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Chairman Ben Tamsky at 7:04pm. Also present were Commissioners Frances Hoffman, Bob Mercer, John Prue, and Curtis Lynch; Alternate Gardner Young; ZEO Candy Palmer; and Town Planner Keith Brynes. Alternate Eric Beverly was absent.

Seated for the meeting were Ben Tamsky, Bob Mercer, John Prue, Curtis Lynch, and Fran Hoffman.

Minutes:

Ms. Hoffman moved to approve the minutes of January 7, 2014. Mr. Lynch seconded. Mr. Tamsky asked that a comment on the 3rd to the last paragraph of the final page attributed to Mr. Prue be changed to Mr. Tamsky. Ms. Hoffman was concerned that language in the denial resolution for **PZ0360SD, SUP & GPP Meehan Group, LLC**, did not make it clear that drainage problems still exist. Mr. Brynes explained that the resolution did contain the language that all previous approvals are still in effect but they are conditioned. Mr. Tamsky asked that the recording be listened to as he remembered stopping Ms. Hoffman from reading the specific resolution language, "The original Subdivision, Special Use Permit and Groundwater Protection Permits, along with all previously approved revisions, for PZ0630SD, SUP & GPP remain in effect." Mr. Prue asked for confirmation that the Planning Department is not issuing any permits for lots in the area that the stormwater issues exist. Mr. Brynes confirmed that, adding that even paving is not being allowed. Ms. Hoffman withdrew the motion to approve the 1/7/14 minutes.

Commission Initiatives:

Mr. Lynch noted that the draft POCD has been received and forwarded to commissioners for review at the joint PZC/POCD Subcommittee meeting on 2/11/14.

Mr. Tamsky stated that the Director of Planning position for the town has been posted and applications are being accepted. He noted that he and Ms. Hoffman are scheduled to meet with First Selectman Haberek the next day to discuss the Planning Director position, and if anyone has any concerns or questions regarding this issue, please communicate with either of them prior to their 2/5/14 meeting. Mr. Prue said he would likely have questions for the interview board task candidates.

Administrative Review:

Consideration of Certificate of Zoning Compliance for 2nd floor office space. Property located at 232 Greenmanville Ave., Mystic. Assessor's Map 171, Block 2, Lot 3. Zone TC-80.

Mr. Brynes summarized the history of the issue for the commission and then deferred to Zoning Enforcement Officer, Candace Palmer. She provided details regarding this zoning compliance issue, and why she didn't grant approval for this site. Ms. Palmer submitted the following: copy of 12/7/10 minutes, 2011 certificate of activity compliance, photo of the sign on the property dated 7/30/13 (not the sign currently on the site), and the 2/17/12 signage zoning permit. Commissioners discussed the GFAR and office use issues of the second floor space. Mr. Tamsky stated that his understanding of the 12/7/2010 meeting was that all parties were in agreement that a Special Use Permit would be applied for in order to use any or all of the 2nd floor space. Mr. Brynes stated that the applicants can apply for the Special Use Permit for the 2nd floor office space and the shared parking they would need.

Attorney Scott Sawyer, representing the applicants, noted that the applicants have continued with the improvements to their building based on the approval they were previously given. He asked that the discussion be continued to the next meeting in order to review the information submitted in order to provide a more complete response addressing the issues.

Mr. Tamsky said he had no problem continuing the discussion to the next meeting in two weeks. Mr. Mercer suggested Atty. Sawyer listen to the recording of the 12/7/2010 PZC meeting and noted that an A-2 survey showing parking was supposed to be provided.

Special Meeting

ZON13-280 Mystic Seaport/Latitude 41 - Zoning Permit application to reduce size of sheds in order to comply with gas tank setbacks. Property located at 105 Greenmanville Ave., Mystic. Assessor's Map 173, Block 1, Lot 1. Zone MHD. Mr. Brynes summarized the application, referencing the documentation in the staff report. Ken Wilson, representing Mystic Seaport, clarified the requirements and logistics for the request. Ms. Hoffman motioned to approve the application with the stipulation included in the staff report. Mr. Prue seconded. All in favor, 5-0.

Stipulation:

1. Sheds shall conform to all relevant flood hazard requirements.

The meeting recessed at 7:37pm and reconvened at 7:43pm.

Ms. Hoffman read the call for the Public Hearing at 7:43pm. The order of the two public hearings was switched. **PZ1319SUP Sea Research Foundation, Inc.** - Special Use Permit application for development of a 3± acre gravel surface parking lot with paved driveways and new landscaping on a 10.47 acre site. Property located at Coogan Blvd. and Maritime Drive (Lot 2), Mystic. Assessor's Map 150 Block 1 Lot 28. Zone M-1. **Public hearing continued from 1/21/14.**

Attorney Bill Sweeney, representing the applicant, provided an overview of the application, its relationship to the proposed retail project on Lot 1, and the history of the existing overflow lot. Project Engineer Clint Brown, P.E., gave a detailed presentation of the proposed 168-space parking lot. He highlighted the drainage, landscape, and maintenance plans, noting that the Mystic Aquarium would have an operational plan. Commissioners discussed the location of crosswalks, bus parking, the buffer to the Pendleton property, and the proposed location of parking lot on the site. It was stated that approximately 20-25 spaces would be lost if a 50' buffer was required to be added to the design. Mr. Prue asked Staff to have the Town Attorney provide his advice on the Planning and Zoning Commission's ability to grant waivers, as it relates to a recent court decision. Mr. Prue will send Mr. Brynes information he'll need to pass onto Attorney Londregan. Mr. Brynes stated that Attorney Sweeney and the applicant have addressed all the issues raised, and the Town Engineer had no further comments or concerns. Mr. Brynes discussed the recommended stipulations provided in the staff report.

The meeting recessed at 9:04pm and reconvened at 9:10pm.

There was no public comment speaking in favor.

Public comment speaking in opposition:

Carlene Donnarummo objected to the lot being referred to as "seasonal use," as she has seen it in use and very full at other times of the year. She objected to the request to forego the requirement of shade trees, noting the IWWC's encouragement to construct sunken planted islands. She questioned the proposed number of bus parking spaces and the lack of lighting. She submitted a copy of her comments as an exhibit.

Public general comments:

Attorney Tom Collier, representing Michael McQuade, discussed the need for overflow parking, questioned how existing and proposed spaces were counted, and the need for a buffer versus additional spaces. Jennifer Lacker, representing Bike Stonington, discussed measures for supporting bicycles as a mode of transportation through the creation of bike lanes, bike racks and corrals. She recommends adding stipulations to project approvals for biking amenities.

Rebuttal: Attorney Sweeney briefly addressed a few items mentioned by the speakers.

Mr. Mercer motioned to close the public hearing. Ms. Hoffman seconded. The motion was approved, 4-1.

Roll Call: Mercer – approve, Prue - deny, Tamsky - approve, Hoffman - approve, Lynch - approve

The meeting recessed at 9:41pm and reconvened at 9:45pm.

Special Meeting

Ms. Hoffman read the call for the next Public hearing at 9:45pm.

PZ1317SUP Sea Research Fndtn. (Waterstone Retail, Inc.) – Special Use Permit application for development of ~ 1.7 acres of an 11.1 acre site for construction of a 13,000 SF retail sales building, 53-car parking lot, and special wall signage. Property located at Maritime Drive (Lot 1), Mystic. Assessor's Map 150 Block 1 Lot 28A. Zone M-1. **Public hearing continued from 1/21/14.**

Mr. Brynes gave a brief summary on the application's status.

Attorney Sweeney spoke on behalf of Waterstone Retail, Inc., providing an overview of the application and introducing the project staff: Clint Brown, P.E., DiCesare Bentley Engineering; Tim Tobin, Architect; Mike Galante, Traffic Engineer; and Megan Gardner, Landscape Architect. He states this application was approved by the IWWC. Mr. Brown reviewed the site plans and provided details on the topography, drainage & landscape plans, and the trail head. Mr. Galante shared the traffic study results, and swings in volume pending the time of year. Mr. Tobin shared the building design drawings and said this plan has been approved by the Architectural Design Review Board. Mr. Richardson of West Marine said they have designed this building to fit the character of Mystic versus their traditional style of cement/stucco buildings.

Mr. Brynes stated that the applicant and Mr. Sweeney have addressed all the issues raised by staff and the Town Engineer, noting that the Fire and Police departments have no issues with traffic or access. Mr. Brynes read the recommended stipulations in the staff report, eliminating the town engineer comment.

There was no one speaking in favor or in opposition to this application.

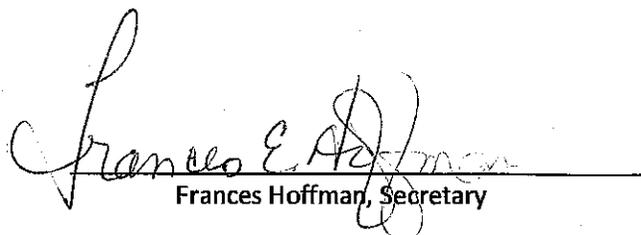
There were general comments from Carlene Donnarummo.

Rebuttal: Attorney Sweeney answered some of the issues Ms. Donnarummo raised.

The commission discussed the idea of requiring a 3-D model or sketch of the entire project (building, parking lots, landscaping), in order to better understand the impact on this entire area, as it is in a prominent location in the community.

Mr. Sweeney asked for a continuance to the next meeting. Mr. Prue motioned to continue the Public Hearing to the 2/18/14 meeting. Ms. Hoffman seconded. All in favor, 5-0.

Mr. Prue motioned to adjourn the meeting. Mr. Mercer seconded. Meeting was adjourned at 11:12pm.


Frances Hoffman, Secretary