March 25, 2015

The Stonington Board of Selectmen held a special meeting on this date at the Stonington High School at 5:00 p.m. Present were First Selectman George Crouse, Selectman Rob Simmons and Selectman Michael Spellman. Also present were members of the public and press.

(1) Call to Order

Mr. Crouse called the meeting to order at 5:02 p.m.

(2) Approval of the Minutes

- A motion was made by Mr. Simmons, seconded by Mr. Crouse and voted unanimously to approve the March 6, 2015 Board of Selectmen special meeting minutes.
- A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to approve the March 9, 2015 Board of Selectmen special meeting minutes.
- A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to approve the March 11, 2015 Board of Selectmen special meeting minutes.

(3) Correspondence

- Mr. Crouse took in correspondence from the POCD Subcommittee regarding the POCD. Mr. Crouse stated that he would take that in at the second part of the hearing.
- Mr. Crouse took in correspondence from the Greater Mystic Chamber of Commerce regarding the POCD. Mr. Crouse stated that he would acknowledge that in the second round.
- Mr. Crouse took in correspondence from John Johnson regarding the Master Planning tool.
- Mr. Crouse took in correspondence from Rick Newton regarding the POCD. Mr. Crouse stated that it would be entered in.
- Mr. Crouse took in correspondence from Dan Barber regarding the POCD. Mr. Crouse stated that it would be entered in.
- Mr. Crouse took in correspondence from Keith Brynes regarding the POCD. Mr. Crouse stated that it would be entered in used as an introduction.
- Mr. Crouse took in correspondence from the Greater Mystic Chamber of Commerce regarding Fusion.
- Mr. Crouse took in correspondence from Lyndsey Pyrke-Fairchild expressing he interest in serving on the Climate Change Task Force.

(4) Resignations

Charter Revision Commission

- The Selectmen acknowledged the resignation of Gail Shea from the Charter Revision Commission.
- The Selectmen acknowledged the resignation of John Gomes from the Charter Revision Commission.

Conservation Commission

The Selectmen acknowledged the resignation of Walter Grant from the Conservation Commission.

RECEIVED FOR RECORD
STONINGTON, CT.
15 APR -7 PM 2:08
CYNTHIA LADWIG
TOWN CLERK

DRAFT

(5) New Business

Discussion - Stonington Breakwater

Mr. Scot Deledda, Town Engineer, briefly updated the Selectmen on the Wharf and Breakwater Restoration project. Mr. Deledda stated that the Stonington Harbor Wharf Breakwater is located on the southwest side of Stonington Borough. He stated that the breakwater was constructed in 1830 by the federal government as a commercial pier with a navigational aid and also to provide protection in the form of a breakwater on the east side of the harbor. He stated all of which functioned for some time but over the years the structure has deteriorated from lack of maintenance, severe storms, sea level rise, etc. Mr. Deledda stated that the breakwater has both historic and functional significance including offering protection to the Town of Stonington's commercial fishing fleet to the north. He stated that as part of the proposal, a task force consisting of members of the Stonington Borough, Stonington Harbor Management Commission and the Town of Stonington was asked to be part of the task force to facilitate organizing the task force and organizing the project. Mr. Deledda also stated that a grant was obtained for $30,000.00 from the Connecticut DEEP for maritime environmental engineering services. He stated that the town has secured the grant and has been working with the task force to facilitate the project. Mr. Deledda stated they have sent out an RFP for design and assessment services. Mr. Deledda stated that they have selected a consultant firm to conduct the work and that consultant firm is Docko, Inc. from Mystic, Connecticut. Mr. Deledda stated they would like to the Selectmen to authorize the agreement between the Town of Stonington and Docko, Inc. Mr. Deledda stated that the funds are currently in place and the entire project has to be completed by June, 2015. Mr. Deledda stated that the agreement is being reviewed by the town attorney. Mr. Deledda stated that once the town attorney has completed the review of the standard contract he would ask that Mr. Crouse sign that agreement. A motion was made by Mr. Simmons and seconded by Mr. Spellman to approve the request. Discussion: Mr. Simmons stated that he is familiar with the breakwater and that it is historic but it's also very useful. He stated that it protects the fishing fleet but it also protects private vessels that are moored to the north. Mr. Simmons stated that we all know that the maritime trade is an important revenue generator for the Town of Stonington because of the dependent businesses. Mr. Simmons stated that on two different occasions over the last ten or twelve years he has engaged their services for significant work on private property owned by his wife and himself. He stated that they are a local company and they are a very talented and capable company. Mr. Simmons stated that he would argue that they are the right choice for this kind of work. Mr. Spellman stated it's good to keep any work we have local. The vote was 3-0 in favor of using Docko, Inc. for the Wharf and Breakwater Restoration project contingent on the review of the agreement by the town attorney.

Resolution Appointing L. Wagner & Associates as Consultant for 2015 Small Cities Grant Application

A motion was made by Mr. Spellman, seconded by Mr. Simmons and voted unanimously to adopt the resolution appointing L. Wagner & Associates as consultant for 2015 Small Cities Grant Application.

Governmental Entity Certificate of Resolution

A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to adopt the Governmental Entity Certificate of Resolution allowing Mr. Crouse, Mr. Paul Cravinho and Ms. Barbara Dexter to be signers on the Town's TD Bank Account.

(6) Public Hearing

- Mr. Crouse stated that if everyone does not get a chance to speak, the Board of Selectmen would reconvene the public hearing at another time.
- Keith Brynes, Town Planner, updated the Selectmen on the Plan of Conservation and Development. Mr. Brynes stated that the Plan of Conservation and Development is an advisory document intended to guide the Town's decision making over the next 10 years. Mr. Brynes stated that the plan consists of a series of recommended policies and tasks with designated leaders and partners to help implement these recommendations. Mr. Brynes stated the POCD is not a series of regulations or laws. He stated that it doesn't actually change any laws that are on the books. Mr. Brynes stated that it's a plan that is intended to be flexible as circumstances change. He stated that per State Statutes, the town must adopt a revised POCD by July 1, 2015 or risk losing discretionary funding. Mr. Brynes stated that if the Town does not adopt a revised plan by July it must request an extension from the Secretary of the Connecticut Office of Policy and Management explaining why the plan was not amended. Mr. Brynes further stated that any part of the POCD not approved by the Selectmen can be approved by a super majority of the Planning & Zoning Commission.
- Ms. Sara Lathrop, Chairperson of the Plan of Conservation and Development Subcommittee for the Planning & Zoning Commission stated that she was here to respond to the memo from the Economic Development Commission to the Board of Selectmen dated February 23, 2015. In response to this memo, Ms. Lathrop stated that the POCD Subcommittee met on March 16, 2015 to review their points and craft a response. Ms. Lathrop stated that the subcommittee concurs with the Economic Development Commission on two points. She stated that the first is eliminating the initial task 8.2.5 "Consider establishing village districts". Ms. Lathrop stated that this was a task that was in the 2004 Plan of Conservation and Development. She stated that the subcommittee understands the concerns of the Economic Development Commission and they did not intend the use of the term village districts to represent land use regulation tool. Ms. Lathrop stated that the subcommittee concurs with the change to initial task 8.2.6 "Review of the neighborhood development districts and industrial development revitalization districts zoning requirements for potential updates". She stated that this was recommended by the Plan of Conservation and Development Subcommittee to the PZC but it was removed by the PZC in their February 6, 2015 draft. Ms. Lathrop stated that most of the items in the 2015 Plan of Conservation and Development already resided in the 2004 plan. She stated that the subcommittee's responsibility was to update the 2004 POCD not to rewrite it. Ms. Lathrop stated that in 2004 the town hired a consultant, Planimetrics, to work with the POCD. She stated that in 2012, the town didn't have the money in its budget for this. She stated that the subcommittee has attempted to draft a POCD that will serve as a guide to balance the needs of both conservation and development. Ms. Lathrop

stated that the POCD is an advisory document. She stated that the final draft for the Selectmen's consideration is the PZC draft of February 6, 2015. Ms. Lathrop stated that any changes made should be addressed to that document not to the October 23rd which was our draft to the PZC.

- Mr. Simmons thanked Ms. Lathrop and the subcommittee for all of their work. He stated that Stonington relies on citizens volunteering to chair and staff these various committees. He stated that he appreciates their time and effort. Mr. Simmons stated that this is an important process and we are on the cusp of major funding for school renovations but we're also confronted with a situation where our grand list has been essentially flat since the addition of StoneRidge some eight years ago. He stated to engage in a major economic development plan with regard to our school systems with a flat grand list is something that has to be taken into consideration. Mr. Simmons stated that as a consequence to that, the First Selectman asked him to meet with members of the business community over the last several months and talk with them informally as to some of the issues that they have here in the Town of Stonington. He stated that he personally hopes that nobody takes the commentary personally. Mr. Simmons further stated that it's not designed to be personal. He stated that it's designed to weigh the different issues and come up with a solution that is going to provide guidance for the next ten years which are going to be very important years for the Town of Stonington. Mr. Simmons stated with that being said his question goes to the issue of Planning & Zoning changing some of the subcommittee's recommendations and in particular with regard to the planning tools. He stated that the planning tools according to many people that he has talked to have been very useful. Mr. Simmons stated that he believes the subcommittee supported those planning tools and they were removed from their draft.
- Ms. Lathrop stated that was correct.
- Mr. Simmons asked Ms. Lathrop if she had any further comments about those planning tools and their utility when it comes to addressing some of the more complicated development issues that we face in the Town of Stonington.
- Ms. Lathrop stated the subcommittee believes that these tools are important elements for potential creative solutions for difficult development/redevelopment opportunities however, the PZC expressed that these tools may give the PZC too much discretionary power.
- Mr. Spellman thanked Ms. Lathrop for her service to the town. He stated that the calls that he got from a lot of citizens were primarily with regard to the village concept. He asked Ms. Lathrop if it is has been eliminated from the plan.
- Ms. Lathrop stated that it has not been eliminated from the plan.
- Mr. Spellman stated he has gotten a lot of calls encouraging the public use of open space. He asked if there are identified areas in town that we can achieve that.
- Ms. Lathrop stated that they generally receive positive support for an expansion of those areas for bike lanes, more pedestrian paths and walks. She stated that they did not specifically identify areas.
- Mr. Blunt White, Chairman of the Economic Development Commission thanked the POCD and Keith Brynes. Mr. White stated that there are many things that the

commissions agree on like growing the grand list every year and bringing in a 100 job business within the next ten years. Mr. White stated that the town is development light. Mr. White stated that the Chamber's recommendation is to delay the plan until the Planning & Zoning Department is back up to speed. He stated that the plan is unbalanced and that needs to be fixed. Mr. White stated that the POCD does not have any priorities in it. He stated that it just lists tasks that need to be completed. Mr. White stated that the Economic Development Commission agreed with the subcommittee with regard to greater use of Master Planning tools. Mr. White stated that the EDC asks the Selectmen to reaffirm the subcommittee's recommended greater use of Master Planning tools. He stated the EDC and subcommittee were in agreement on the elimination of Village Districts. Mr. White stated that the EDC asks the Selectmen to reaffirm the subcommittee's recommendation to eliminate Village Districts. He stated that in Mystic and downtown Pawcatuck the EDC and the subcommittee were in agreement with reviewing parking issues. Mr. White stated they were not in agreement with reviewing signage. Mr. White stated the EDC would like the signage to be reviewed as well. Mr. White stated that sandwich board signs are not allowed for businesses in the downtown area. He stated in Westerly on a cold day you'll drive by a restaurant and there is a sandwich board sign that says hot soup. Mr. White stated that you come over the border into Stonington and in front of the Creamery or any other restaurant there can be no sign that says hot soup. He stated that needs to be addressed. Mr. White stated that the EDC and the subcommittee do not agree on buildable land regulations. He stated there will be bigger lots in Stonington if we adopt buildable land recommendations and bigger lots shut out the people who want to move out of an apartment and buy a single family home. Mr. White stated that if they have to buy a five acre lot they are not going to be able to do that in Stonington. Mr. White further stated that if they can buy a one acre lot then they have a shot. Mr. White stated that the EDC and the subcommittee were not in agreement with regard to increasing the open space set- aside increase from 15% to 20%. Mr. White stated that the EDC asks the Selectmen to recommend elimination of buildable land regulations and the elimination of the open space set-aside increase to 20%. Mr. White requested the Selectmen that streamlining the permitting process be made a specific task and be made a high priority.

- Suzanne Lane, member of the Economic Development Commission stated that she reviewed the Survey Monkey. She stated that the survey methodology was weak. Ms. Lane stated that there were 734 individuals surveyed. She stated that 591 were residents, 93 were business owners and 50 were visitors. Ms. Lane stated that 418 of the 734 people surveyed were property owners. Ms. Lane stated that unfortunately all of the responses were grouped together and they should have been broken out by groups. She stated that a deeper sampling of households from the 30-50 age range would have been useful as they have children in the schools. Ms. Lane stated that 24% were in the 60 and up age range and these individuals may be more concerned with their current tax bill. She stated that the POCD survey design was weak and therefore the survey is weak.

- Mr. Simmons asked if it is an issue with the town getting an extension on the POCD. He asked if other towns are exceeding this timeframe. He stated that we don't want to be penalized.
- Mr. White stated that Groton is going to look for an extension. He stated that extensions are standard operating procedure.
- Mr. Stanton Simm, Chairman of the Conservation Commission stated that some of his points are paralleled with the Economic Development Commission. He stated that he didn't agree with buildable land regulations. Mr. Simm also stated that the commission was also concerned with how the building land regulations might effect existing properties, existing subdivisions and existing buildable units in town. He recommended that once the Planning & Zoning and Wetlands have approved a lot they create a building envelope. He stated that the building envelope should stay with the property. Mr. Simm stated that the Planning & Zoning Commission should not have the authority to come back after ten years and make people reapply if they wanted to create a subdivision or build an addition. Mr. Simm also stated that existing houses should not have to come back to the Planning & Zoning Commission He stated that the commission does not want to see an increase in the open space set-aside from 15% to 20% for set aside. Mr. Simm stated the Conservation Commission was opposed to having a municipal land acquisition and development authority. He stated it was an unnecessary expense. He stated we already have two private land trusts. Mr. Simm further stated that the IHRD is something that the Conservation Commission thinks is a good idea rather than going out to other areas that are not developed.
- Mr. Simmons stated asked about access to open space. He stated that open space is a value here in the Town of Stonington. Mr. Simmons asked Mr. Simm if he feels there should be sufficient emphasis on public access to open space in this document as opposed to simply conservation of land where there is not public access.
- Mr. Simm stated that from the commission's perspective there is quite a bit of emphasis on the concerns in the current document for public access.
- Mr. Harry White stated that he is an on-site volunteer for the Nature Center. He stated he would like to speak to the issue of open space. He stated that there is a very well-known set of studies that have been done documenting the cost to towns of excessive development. Mr. White stated that they found listening to many of their 800 donors a very strong sentiment in favor of conservation of environmental, land and heritage aspects of the open space that we have. He stated people responded strongly to the notion of education where space can be a venue for children, adults and families. Mr. White stated that there is sustainable tourism linked to open space and green is more attractive to tourists.
- Tricia Walsh, President of the Greater Mystic Chamber of Commerce. She stated that she is submitting her letter on behalf of the Board of Directors. She stated they are expressing their deep concerns regarding the draft Plan of Conservation and Development. Ms. Walsh stated that they are requesting the Board of Selectmen reject the draft POCD and recommend a temporary delay until a professionally improved Plan of Conservation and Development can be prepared for consideration. Ms. Walsh stated that as a membership based organization representing over 760

businesses throughout the Greater Mystic area, which includes the Town of Stonington, it is their mission to advocate for business and prosperity in the community. She stated that adoption of the proposed draft POCD would pose significant threats and would not do enough to promote prosperity. Ms. Walsh also stated that the Town of Stonington must be poised to move into the future as a community with jobs and housing available to them. Ms. Walsh stated that the Board of Directors realize that in order for Stonington to survive and thrive as a place to live and do business the Town must make greater use of Master Planning tools. She further stated that the Chamber is very skeptical of the draft POCD's proposed new lot size regulations as well as the proposed increase in subdivision open space set-asides from 15 to 20%. Ms. Walsh stated that the Chamber supports demonstrating possibilities for growth by including a new policy goal of attracting a 100+ employee company to building in Stonington. She stated that the addition of percentage growth goals for the grand list is also appropriate for a 10 year policy plan. Ms. Walsh stated that the Board of Directors recommends that the Board of Selectmen reject the entire draft POCD dated February 6, 2015. She stated that after the Planning Department is back to full staffing levels, led by a Director of Planning, the draft POCD should be reviewed and improved.

- Lisa Konicki, Greater Westerly-Pawcatuck Area Chamber of Commerce, thanked the Plan of Conservation and Developent. S he stated that they put in a tremendous amount of volunteer time. She stated that the Board of Directors reviewed the draft plan and there were two primary issues. Ms. Konicki stated that all language and maps regarding the Village District needs to be removed and there needs to be a greater use of Master Planning tools. Ms. Konicki stated that our downtown is a two state downtown and we work very hard to make it seem to people driving through that they don't even realize that have left one state and entered the other. She stated that it's a challenge that the sandwich board signs are presently not allowed in the Pawcatuck side of downtown. She stated that there is a business on Cogswell Street that is off the beaten path. Ms. Konicki stated Cappizano's Oil made a wonderful investment in that property and within the first week that they were opened enforcement came in and told them they have to get the sandwich board off the corner. Ms. Konicki stated that her board is asking the Board of Selectmen to take out a red pen tonight and address the items that we brought forward and don't' delay that action for a year.
- Jason Vincent, former Stonington Director of Planning, stated that with the 2004 Master Plan Tool, the Mystic Seaport wanted to expand. He stated that they received a big federal grant to redo the Rossi Mill and fix the sidewalk and they couldn't do it because of Zoning. He stated that at that time, the Mystic Seaport was zoned for 3 houses. He stated that Stonington for 3 or 4 years had said to the Mystic Seaport we are zoning you RC-120 and that zone allowed 3 houses to be built where the Mystic Seaport is today. Mr. Vincent stated that he doesn't think anyone in this community wanted to say goodbye to Mystic Seaport. He stated that you have the premiere museum of maritime history in this country in your community and you're telling them you can't do anything. Mr. Vincent stated overtime because we didn't deal with the rule because we took an ostrich approach as a community that they started to

solve problems on an ad hoc basis. He stated when they fixed the parking lot they added lights and the lighting bothered all of the neighbors. Mr. Vincent stated that the neighbors sued and they were very confrontational with the Seaport and there was no way to fix it. He stated that they tried to use conventional zoning and it didn't work. He stated that they came up with the idea of creating a Master Plan Tool called the Maritime Heritage District. Mr. Vincent stated that tool enabled all parties to come to the table and have a conversation about what could happen with the properties, about how future development could happen that could benefit the needs of the Seaport, the needs of the community and the needs of the neighborhood. He stated that with the adoption of that Master Plan, the neighborhood applauded the Planning & Zoning Commission for adopting the Master Plan.

- Mr. Simmons asked what is the timing issue for the deadline.
- Mr. Vincent stated that he has worked with communities that are 15 years out of whack and Stonington is already 95% of the way there.
- Mr. Simmons asked if we just have to write a letter to the State.
- Mr. Larry Davis, former Chairman of the Inland Wetlands Commission, stated as he read the document he felt it was slighted heavily to conservation and having been on Inland Wetlands for several years he can appreciate the need for a comprehensive POCD for guidance. Mr. Davis stated he thinks it's a little too heavy on the conservation side and it needs more management from economic side to help have some steady, responsible growth for the town's tax base. He stated that the increase of the open space requirement may be a little excessive and if this document passes Planning & Zoning is going to be really busy. He stated that the real reason he was at the meeting was to address the Agricultural chapter of the POCD. He stated that an Agricultural Commission is not needed. Mr. Davis stated that many of the issues that are proposed are already available. Mr. Davis stated that best management practices already exist. He stated that may be the town could go to Davis Standard and tell them how to run their business with best practices. He stated that wouldn't work. Mr. Davis stated that in Section 4.2.2 those agencies already exist. Mr. Davis stated that in Section 4.2 he wasn't sure how much town owned land would be suitable for agriculture. Mr. Davis asked the Board of Selectmen to reject Section 4 as proposed.
- Mr. Crouse asked Mr. Davis if there was anything in that section that he would like to support.
- Mr. Davis stated that he wasn't sure the town can do a whole lot that the government doesn't already do.
- Mr. Spellman asked Mr. Davis how long has his family farmed here.
- Mr. Davis stated that there have been 13 generations dating back to circa 1640.
- Mr. John Holstein stated that he would suggest a delay on the POCD to hire a professional consultant.
- Mr. Harry Boardson, General Manager of Seaport Marine, stated that in 2012 after a year of planning and putting a package together they spent another year running around with Planning & Zoning. He stated that he spent $150,000.00 permitting fees. He said there is a great opportunity moving forward. He stated that he echoes the

EDC as well as Mr. Holsten, let's put this thing to the side and get some professional input.

(7) Comments from the Public

None

(8) Comments from the Selectmen

(9) Adjourn

There being no further business to come before this Board, the meeting was adjourned at 7:15 p.m.

Kristine Bell
Recording Secretary