

## Special Meeting

The 1569<sup>th</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, June 7, 2016 at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Acting Chair David Rathbun at 7:00pm. Also present for the meeting were Commissioners, Curtis Lynch, Gardner Young, Frances Hoffman, and Alternates, Lynn Conway and Harry Boardsen; Town Planner, Keith Brynes, and Director of Planning, Jason Vincent. Commissioner, John Prue and Alternate, Shaun Mastroianni were absent.

Seated for the meeting were David Rathbun, Curtis Lynch, Fran Hoffman, Gardner Young, and Lynn Conway.

**Minutes:**

Ms. Hoffman moved to approve May 17, 2016 minutes, seconded by Mr. Lynch, all in favor 5-0, motion approved.

**Commission Reports:**

Discussion of Town Center Plan for Pawcatuck Streetscape Project developed for Main Street Investment Fund application.

Mr. Vincent summarized and distributed this plan which was developed for a grant application to redesign and install sidewalks in Pawcatuck east of the high school.

**Administrative Review:**

**16-120ZON Murphy Point Realty, LLC (Kris Simonds)** – Request approval for dormer for storage space. Property located at 4 Broadway Ave. Ext., Mystic. Assessor's Map 174, Block 20, Lot 5. Zone M-1.

Mr. Brynes presented the application. The applicant is looking for approval of a southerly side dormer. They originally applied for a northerly dormer as well but a variance would be required due to setbacks. Ms. Hoffman raised concern with an approval of this dormer influencing approval of the northerly dormer.

Mr. Lynch moved to approve the application with recommended stipulations by staff and an additional stipulation regarding the use of the space, seconded by Ms. Hoffman, all in favor 5-0, motion approved.

**Stipulations:**

1. This approval is for the southern dormer only.
2. Addition shall conform to all Building and Fire Code requirements.
3. Dormer shall be used for storage only.

**Atty. Joseph P. Williams** - Preliminary Discussion regarding bond reductions and municipal acceptance of roads at Old Mystic Estates Subdivision.

Attorney Williams, spoke representing Toll Brothers, developers of the Old Mystic Estates Subdivision. Toll Brothers is seeking a temporary phasing plan to allow Town acceptance of the completed portion of Nautilus Way where homes have been constructed.

## Special Meeting

A bond reduction could be approved for the completed portion of the road. All construction equipment would only access the site from Nautilus Way's western intersection with Pequot Trail and would stay off of the finished portion. The Homeowners' Association is supportive of this concept. The temporary cul-de-sac will remain until the completion of phase 2. Mr. Brynes stated that during a December meeting with Town staff, there were no objections to the concept from the Department of Public Works or Old Mystic Fire Department.

Ms. Hoffman moved to approve the completion of the partial road as Phase 1 with one stipulation; seconded by Mr. Young. All in favor 5-0, the motion was approved.

Stipulation:

"Construction vehicles for Phase 2 shall not use the Phase 1 road."

Public Hearing 7:30pm

**PZ1608SUP Goran & Desiree Subotic** – Special Use Permit application to extend the current permitted hours of operation to Monday thru Saturday, 9:00 AM to 9:30PM, and Sunday, no later than 8:00 PM. Property located at 325 Mistuxet Ave., Mystic. Assessor's Map 133 Block 6 Lot 5B. Zone RA-40. *Public Hearing continued from 5/17/16.*

Mr. Vincent stated that the applicant and neighbors have met regarding property management and right of way issues. Those attending the meeting brought out issues of general and emergency access, parking, business hours, business intensity, and zoning compliance. Mr. Vincent also presented some of the methods discussed with the applicant and neighbors to remediate this situation. Mr. Vincent laid out 3 recommended stipulations to achieve these goals as well as a planned enforcement strategy for the property.

Ted O'Hanlon, attorney for the applicant stated that the applicant is in agreement with Mr. Vincent's stated summary. The applicant wishes to work with their neighbors and come to an agreement accepted by all.

Public Comment:

Neighbor, Henri Gourd, stated he expressed several concerns but is in agreement with the enforcement strategy presented by the town.

Mr. Lynch moved to close the public hearing, seconded by Ms. Hoffman, all in favor 5-0, motion approved.

The Commission discussed the possibility of a provisional permit.

Mr. Lynch moved to approve the application with the 3 stipulations recommended by Mr. Vincent; seconded by Ms. Hoffman. The vote was taken, 2-3-0, the motion did not carry.

Roll Call: Conway – oppose, Hoffman – approve, Lynch – approve, Rathbun – oppose, Young – oppose.

Staff stated that a motion to deny with stated reasons should be voted on by the Commission.

Ms. Hoffman moved to table a decision on the application, seconded by Mr. Lynch, all in favor 5-0, motion approved.

## Special Meeting

**PZ1604SUP 30 Extrusion, LLC (Carl Bardy, Jr.)** – Special Use Permit application for the construction of a 28,700± square foot mini-warehouse storage facility consisting of 5 one-story buildings (5th building likely built in second phase), and associated parking, landscaping, and drainage. Property located at 30 Extrusion Dr., Pawcatuck. Assessor's Map 36 Block 4 Lot 2E. Zones M-1 & RR-80.

Sergio Cherenzia, project engineer, presented the application. The applicant is proposing a mini-warehouse storage facility. In 2007, a 35,000 square foot manufacturing facility was approved for the lot. This facility was never constructed and a previous foundation was removed. The applicant originally proposed a larger, multi-story building on a smaller footprint. The applicant is now proposing five smaller buildings, the fifth to be built at a later date. They have reduced the intensity of the use in this new revision. The applicant has greatly reduced the amount of impervious surfaces from the prior approval. The applicant has gained approval from the Inland Wetlands and Watercourses Commission and has addressed comments from the Town Engineer regarding stormwater quality and quantity. Mr. Cherenzia reviewed the stormwater management plan. The Architectural Design Review Board has recommended decorative fencing on the front of the building which will be an aluminum black fence with the less visible areas being standard chain link. The site will not be easily viewed from Route 1. Mr. Cherenzia presented the building plans and lighting plans and discussed site security measures.

**Public Comment – General Comments:**

Carlene Donnarummo, raised concern of the need of the use. Ms. Donnarummo disagreed with the comments of the Architectural Design Review Board that these buildings should appear industrial and simple. Ms. Donnarummo raised concern with lighting for neighbors, and hours of operation.

**Rebuttal:**

Carl Bardy Jr., applicant and owner, stated that he has spent a year building a business plan for this facility and has surveyed the available storage in the radius and determined there is a demand for storage in Stonington. Tom Lance, General Contractor, gave an overview of the unit sizes available for rental. The lighting will be all Dark Sky compliant, low in height and can be motion activated. The Commission discussed the design of the buildings. Proposed hours of operation are 7:00AM or 8:00AM to 7:00PM or 8:00PM. The applicant explained the signage requested as well.

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

Mr. Young moved to approve the waiver requests, seconded by Mr. Lynch, all in favor 5-0, motion approved.

Mr. Young moved to approve the application with 3 stipulations recommended by staff, seconded by Ms. Hoffman, all in favor 5-0, motion approved.

**Stipulations:**

1. Final plans shall be recorded prior to the issuance of a Zoning Permit.
2. Final plans shall be reviewed to the satisfaction of the Town Engineer and Pawcatuck Fire Marshal.
3. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits per 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

## Special Meeting

and maintaining appropriate erosion and sedimentation control measures is provided by the applicant and approved by the Town Engineer.

The meeting recessed at 9:31pm and reconvened at 9:38pm

**PZ1609RA Andrew Halsey** – Regulation Amendment to ZR Section 7.2 Groundwater Protection Overlay District (GPOD) to add conditional uses (Assembly Woodworking) in the GC-60 Zoning District.

Eric Janney, attorney for the applicant, presented the application. This Regulation Amendment applies in only two small areas along Route 184. The applicant is looking to add woodworking as a conditional activity in the Groundwater Protection Overlay District in areas in that are zoned GC-60 that are not served by public sewer. This would allow an applicant to begin the process for a Groundwater Protection Permit to prove that their wooden boat restoration activity will conform to the regulations. There have been no negative comments on the application to date.

Ms. Hoffman question what activities take place outdoors. David Snediker stated that outdoor activities will consist of storage of lumber and boats.

Public Comment in Favor:

Blunt White, chairman of the Economic Development Commission, spoke in support of the application and read aloud the previously submitted letter by EDC.

Ed Purcell spoke in support of the use and the business owners.

Quentin Snediker spoke in support of the use and its impact on the maritime community we have.

No Public Comment Against and No General Comment.

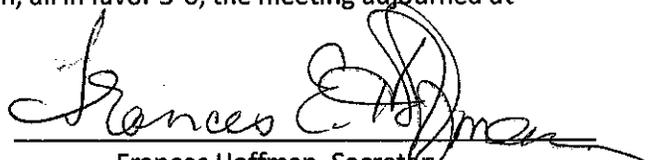
Mr. Brynes stated that both local water authorities replied that they are satisfied with the way the amendment is written and do not have further concerns.

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

Ms. Hoffman moved to recognize conformance with the 2015 Plan of Conservation and Development; seconded by Mr. Lynch, all in favor 5-0, motion approved.

Ms. Hoffman moved to approve the Regulation Amendment; seconded by Mr. Lynch. Mr. Lynch stated the two step process provides adequate protection. The vote was taken with all in favor 5-0, motion approved.

Mr. Lynch moved to adjourn; seconded by Ms. Hoffman, all in favor 5-0, the meeting adjourned at 10:17pm.

  
Frances Hoffman, Secretary