

Regular Meeting

The 1573rd meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, August 16, 2016 at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Commissioner John Prue at 7:00pm. Present for the meeting were John Prue, Curtis Lynch, David Rathbun, Frances Hoffman, Gardner Young, Alternate Lynn Conway, Alternate Harry Boardsen and Town Planner Keith Brynes and Director of Planning Jason Vincent. Alternate Shaun Mastroianni was absent.

Seated for the meeting were John Prue, David Rathbun, Curtis Lynch, Frances Hoffman, and Gardner Young.

Minutes

Ms. Hoffman moved to approve the minutes of the August 2, 2016, seconded by Mr. Lynch, all in favor 4-0-1, motion approved. Mr. Young abstained.

Administrative Review:

16-188ZON Peter Fleming & Scott Nye – Request approval for interior changes (630SF 2nd floor mezzanine) to existing retail building. Property located at 786 Stonington Rd., Stonington. Assessor's Map 75 Block 2 Lot 2, Zones GC-60 & RC-120.

Fleming's Feed is looking to add an interior mezzanine to their rear building and is in compliance with the bulk requirements.

Mr. Lynch moved to approve the application; seconded by Ms. Hoffman. All in favor 5-0, motion approved.

PZ1203SUP & TFB3 LLC – Request modification to landscaping plan for approved Special Use Permit & Groundwater Protection Permit applications for construction of two multi-unit residential structures, a community building with caretaker unit on top floor, storage shed/garage, parking, and associated improvements. Property located at 100 & 102 South Broad St., Pawcatuck. Assessor's Map 25 Block 1 Lots 5 & 6, Zones LS-5 & RR-80.

Mr. Brynes summarized the request. One of the neighbors originally agreed to have trees planted on his property as a buffer but would no longer like the trees planted on his property. The trees are not a requirement of the Zoning Regulations. Spruce Meadows is asking to redistribute those trees across the property and on another neighboring property. In the applicant's opinion, there are sufficient existing trees to buffer the neighbor.

Mr. Lynch moved to approve the application; seconded by Mr. Young. All in favor 5-0, motion approved.

Old Business:

16-136ZON & GPP Andrew Halsey (David Snediker) – Zoning and Groundwater Protection Permit applications for a change of user for Assembly Woodworking. Property located at 35 Campground Rd., Old Mystic. Assessor's Map 167 Block 1 Lot 6. Zone GC-60.

The commission members asked Mr. Snediker about safety practices and waste removal. There will be a spill management plan in practice and waste removal will be conducted according to DEEP requirements. There will be no changes to the site and minimal changes to the building.

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Ms. Hoffman moved to approve the application; seconded by Mr. Rathbun. All in favor 5-0, motion approved.

Public Hearing 7:30pm

PZ1617RA Lattizori Development, LLC – Regulation Amendment to add ZR 7.23 Greenway Development District (GDD), a floating zone governed by a Master Plan. The GDD will encourage open space preservation and economic development by allowing a mixture of uses in a planned setting. GDD eligible zoning districts are: GBR-130, RR-80, and RA-40. *Continued from 8/2/16.*

Mr. Vincent reviewed the memo in the staff report in response to questions from the Commission since the last meeting. Staff and the Commission discussed the memo in depth.

Public Comment:

Paul Sartor raised concern with the amount of discretion the Commission will have with this language.

Sue Sutherland raised concern with the uses allowed in the open space which may hinder a land trust's ability to accept the open space.

Rebuttal:

Attorney Harry Heller spoke on behalf of the applicant. Mr. Heller spoke about the proposed buffer requirements and spoke in favor of a previous recommendation to increase the maximum height requirement from 44 feet to 50 feet in Subzone 3. This height is similar to StoneRidge and would enable a 4th story and a smaller building footprint.

Attorney Ted Ladwig spoke on behalf of the applicant recommending eligibility of alternate zones to be included in Subzone 1 - Preservation. The Commission discussed the appropriateness of light industrial uses in Subzone 4. Mr. Ladwig recommended various minor changes to the text.

Mr. Rathbun recommended increasing the height limit in Subzone 4 to 50'. The Commission discussed what constitutes an appropriate amount of retail in a GDD the development. Mr. Boardsen stated that a limited amount of accessory retail should be allowed. Consensus was that a maximum of 5,000sf of retail for an entire master planned development was an appropriate amount as long as it is not constructed in stand-alone buildings. Ms. Conway recommended against increasing maximum height and stressed the importance of buffering.

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

The meeting recessed at 9:06pm and reconvened at 9:11pm.

Mr. Lynch moved to approve the Regulation Amendment as written in the staff report; seconded by Ms. Hoffman. Mr. Vincent summarized modifications to the staff proposal based on testimony from tonight's meeting. The Commission discussed each section of the proposed amendment and discussed modifications.

The Commission discussed which zoning districts should be eligible to use the GDD. Consensus was that the RR-80 district should be included along with the GBR-130. Only properties with public utilities will be eligible. The Commission discussed which activities and features should be allowed in Subzone 1 –

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Preservation. Consensus of the Commission was that soft engineering techniques to minimize drainage and stormwater runoff in addition to underground utilities should be strongly encouraged when necessary.

Mr. Lynch amended his motion to include the 9 modifications presented by Mr. Vincent; seconded by Mr. Rathbun. The vote to amend the motion was taken, all in favor 5-0, motion approved. The Commission discussed the Regulation Amendment's conformance with the Plan of Conservation and Development particularly for economic development and conservation in non-village areas.

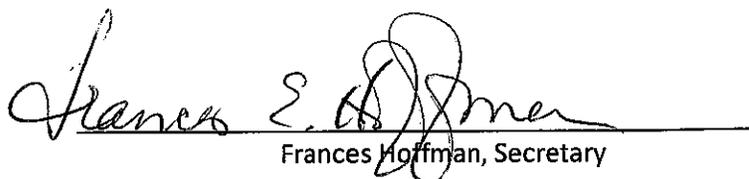
The vote was taken on the amended motion, all in favor 5-0, motion approved. Effective date of the regulation is 9/5/16.

Approved modifications to Staff's recommended language in the staff report:

1. Section 7.23.4 – insert the words “not less than.”
2. Section 7.23.4 – insert the words “without a Master Plan Amendment.”
3. Scrivner's edits proposed by Attorney Ladwig (Staff is authorized to make minor scrivner's edits as needed).
4. Section 7.23.6.1.3&.4 - Increase maximum height in Subzones 3 and 4 to 50'.
5. Section 7.23.1.1 – Delete word “undeveloped.”
6. Section 7.23.3.3.1 – Keep RR-80 as an eligible district.
7. Section 7.23.4.1.10 – Added language regarding soft engineering techniques.
8. Section 7.23.4.1.7 – Added language that underground utilities are strongly encouraged.
9. Section 7.23.6.6.12.3 – Added language regarding homeowners association stormwater management.

Mr. Lynch moved to have staff submit a Regulation Amendment to bring consistency and uniformity to the existing floating zones by consolidating them in the regulations; seconded by Ms. Hoffman. All in favor 5-0, motion approved. The Commission also directed staff to submit a Regulation Amendment modifying the requirements for 3D renderings as discussed at previous meetings.

Mr. Rathbun moved to adjourn, seconded by Mr. Young, all in favor 5-0, the meeting adjourned at 10:09pm.


Frances Hoffman, Secretary