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CYNTHIA LADWIG
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October 28, 2015

The Stonington Board of Selectmen held a regular meeting on this date at the Stonington Police Department at 7:00 p.m. Present were First Selectman George Crouse, Selectman Rob Simmons and Selectman Michael Spellman. Also present were members of the public.

(1) Call to Order

Mr. Crouse called the meeting to order at 7:00 p.m.

(2) Comments from the Public

None

(3) Approval of the Minutes

A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to approve the October 14, 2015 Board of Selectmen regular meeting minutes.

(4) Interviews

The Selectmen interviewed James Leigh, Boyd Cooke and Fred Wagner for the Wild and Scenic Rivers Committee.

(5) Correspondence

- Mr. Crouse took in correspondence from James Kading expressing his interest in serving on the Zoning Board of Appeals.
- Mr. Crouse took in correspondence from Blunt White, Economic Development Chairman, to John Prue, Planning and Zoning Commission Chairman, requesting the PZC to undertake an initiative to allow Micro Breweries and Brewpubs.
- Mr. Crouse took in correspondence from Lynn Conway expressing her interest in serving on the Planning and Zoning Commission.

(6) New Business

Street Number for Map 154, Block 1, Lot 2

A motion was made by Mr. Crouse, seconded by Mr. Spellman and voted unanimously to assign Street Number for Map 154, Block 1, Lot 2 the address of 51 Latimer Point Road, Stonington, Connecticut.

Street Number for Map 129, Block 7, Lot 4

A motion was made by Mr. Crouse, seconded by Mr. Spellman and voted unanimously to assign Street Number for Map 129, Block 7, Lot 4 the address of 32 Quarry Path, Stonington, Connecticut.

Request to Broaden Allowed Uses in M1 Zoning Districts

A motion was made by Mr. Simmons and seconded by Mr. Spellman to accept and forward the request of the Economic Development Commission to the Planning and Zoning Commission regarding allowed uses in M1 Zoning Districts with the M1 Zoning Strategies attached dated October 16, 2012. Discussion: Mr. Crouse stated that this is only a recommendation and the Planning and Zoning Commission has full authority to act on it and this is a memo to them that we support this. Mr. Simmons stated that yesterday we received the bad news about the Monsanto site and we have other sites in the State of Connecticut that are zoned M1 particularly in Pawcatuck where we have the Yardney site and the so-called Mechanic Street site. Mr. Simmons stated that by taking this action it suggests to any potential buyer or any potential business that might want to occupy some of these sites that at

the very least that we on the Board of Selectmen are eager to have our Planning and Zoning Commission look at alternative as a way of encouraging future acquisitions and future investments. Mr. Crouse stated that he didn't want the Board jumping over the process that the planning and zoning commission uses. He stated that if this comes from the Board as an advisory and not a demand then he was okay with it. The vote was 3-0 in favor of accepting and forwarding the request of the EDC to the Planning and Zoning Commission regarding allowed uses in M1 Zoning Districts.

Discussion re: FEMA Flood Insurance

Scot Deledda, Town Engineer, updated the Selectmen and the public as to the FEMA-Community Rating System (CRS) Status a copy of which is attached to these minutes as Exhibit "A". Mr. Simmons stated that he appreciated Mr. Deledda's work. He stated that as he reads Mr. Deledda's memo it states that there are 3 remaining properties which have been reviewed and will require varying degrees of modification. Mr. Simmons stated that in the closing statement it says the town staff will continue to work with 4 other property owners as soon as the property owners are allowed. He stated that there were 8 and he gathers that 4 still remain out of consideration that you have not been able to communicate and work with those property owners. Mr. Deledda stated that they have actually been able to get in touch with every property owner. He stated that however those contacts may have only been a one-time contact where we need follow-up conversations. Mr. Deledda stated that we need to go out and do inspections and we have not been able to get in touch enough times to adequately do with what we need to do to assess those properties. Mr. Simmons asked if he was correct in understanding that if we solve 4 problems but 4 remain we are still out of compliance. Mr. Deledda stated that FEMA has expressed to us that we need to clear up these 8 properties so they made no indication that we can only do a percentage of them. He stated that at the moment we know that there are 3 properties that need some modification so those will be the most time consuming. Mr. Simmons stated that it sounds to him like we are in a very difficult situation where a lot of property owners are being disenfranchised with higher premium rates because a very small number apparently are difficult to reach. Mr. Crouse stated that the problem is when you receive a CO and you're not worried about your insurance some of them have paid off their properties already then their willingness to cooperate and to spend money to modify their houses becomes difficult.

Micro Brewery and Brewpub - Request for PZC to act as applicant

A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to open the agenda to include discussion of this item. Mr. Blunt White, Chairman of the Economic Development Commission spoke in favor of requesting the Planning and Zoning Commission to consider being the applicant to amend the zoning regulations to allow Micro Breweries and Brewpubs and read a memo which is attached to these minutes as Exhibit "B". A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to consider an action regarding the EDC letter submitted by Chairman White. A motion was made by Mr. Simmons and seconded by Mr. Spellman to send a letter to the Planning and Zoning Commission recommending that they consider acting as an applicant and consider the zoning text amendment proposed by the EDC without prejudice. Discussion: Mr. Blunt White stated that they would like to modify the correspondence because it doesn't include any reference to Cottrell Brewing and the conflict that exists within the M-1. The vote was 3-0 in favor of sending a letter.

Discussion re: Ombudsman

This matter was tabled.

(7) Comments from the Public

Ms. Celeste DiCesare stated that at the debate about two weeks ago Mr. Crouse mentioned about thirty minutes into the meeting "by the end of this month we will have a Director of Planning". Mr. Crouse stated that he didn't visualize Florida, Arizona, Georgia and Michigan. He stated that we had 24 applicants and it's down to 15. Mr. Crouse stated that airfares as they are we couldn't demand that they buy their tickets right away. He stated that we are in the process of 15 questionnaires coming back. Mr. Crouse stated that there is a new timetable out. He stated that he was not visualizing the airfare as being a problem. Mr. Crouse also stated that we have several local people who are excellent candidates and in the end to be transparent and do due diligence if one of these people from out of state are deemed interview quality we have to interview them. Mrs. Cynthia DiCesare stated that on the flood insurance issue she appreciates all of the work being done but she is still pretty upset especially now hearing these so-called owners. She stated that she believes that she is now in compliance. Mrs. DiCesare stated that she was one of the lucky ones. She stated it cost about \$400-\$500 to have a revised elevation certificate done. Mrs. DiCesare stated with that in addition to the loss of the discount in her current situation that was a financial burden for her. She also stated that what she fears is the final 4 could be facing far more expensive renovations or issues that are going to be required to get their properties in compliance. Mrs. DiCesare stated that her property was in its existing condition for over 12 years and in those 12 years they enjoyed that discount. She stated that her perception is the loss of the flood plain manager is what put us over as far as our terms with FEMA was concerned which is why we are in the boat we are in having to start in getting absolutely squared away with FEMA. Mrs. DiCesare further stated that now we've placed the burden on these property owners who may or may not be able to afford these changes and it's an unfair situation that you are putting these tax payers in.

(8) Comments from the Selectmen

Mr. Spellman stated that the Chairman of the West Broad Street School Advisory Committee would like to share with department heads what the projections of facility use in the next decade is and envision the use of the West Broad Street School to have that ready. He stated that secondary, he may be approaching at a later time for an engineering study but he needs a definitive cost and he wants to try getting it on a grant rather than tax payer money.

(9) Adjourn

There being no further business to come before this Board, the meeting was adjourned at 8:14 p.m.

Kristine Bell
Recording Secretary

EXHIBIT "A"

FEMA - Community Rating System (CRS)

Status

By: Scot Deledda, P.E.

October 28, 2015

Summary:

- Met with FEMA representative, August 2015, to discuss 8 properties that required additional information to confirm compliance with flood hazard regulations.
- 2 of the 8 identified properties were quickly checked off of the list due to revisions in the most current effective flood maps thereby locating the structures outside of the 100yr flood hazard area. This rendered them exempt from minimum flood hazard regulations.
- 1 of the remaining 6 structures required a minor modification to existing flood vents as a result of a retrofit discovered during a recent inspection. This property is awaiting a final inspection by the building official and is expected to be checked off of the list.
- 2 of the 5 remaining properties lacked finished construction Elevation Certificates (EC). Both structures were permitted by the building department and zoning office, however did not submit a final elevation certificate upon final completion of the project. The EC is a final document which certifies and summarizes general compliance with SFHA regulations.
Of the 2 above referenced properties lacking EC's:
 - 1 property owner has provided an EC and the town is working with the owner to both review the EC and arrange for a final inspection with the building official. This data will be sent to FEMA as soon as it is confirmed.
 - The second property still has not provided the town with a final EC despite multiple attempts by phone and one certified letter requesting the information. The owner has stated the document is in progress.
 - Final results of the EC's and inspections will dictate if any physical modifications will be necessary to structures.
- There are 3 remaining properties which have been reviewed and will require varying degrees of modifications to the structure including: flood venting, utility elevations, basement elevations, etc. to bring them into compliance with applicable regulations.
 - The town has sent certified mail to all three property owners to notify them and has been setting up individual meetings with the property owners. At this time one meeting has been completed. One meeting is scheduled for next week. The

last owner has been reached by phone and is willing to let the town conduct further necessary inspections.

- The town is in hopes that they will work with individual property owners to define the most cost effective approach to bringing the structures into conformance.
- No physical modifications to any of the structures have been made at this time.

Closing Statement:

The town has been working to identify, summarize and report back to FEMA the status of each property. All property owners have been notified by phone and mail. The town currently has 2 properties cleared and is close to having two additional properties checked off. Town staff will continue to work with the other 4 property owners as soon as the property owners will allow.

Status of reinstatement will depend on cooperation by the property owners and ultimately timing of corrective measures. The town has been continually following up with owners in an effort to keep things moving. We are also seeking support from an outside consultant for on call services related coordination of and oversight of modifications to ensure the most cost effective solutions to the property owners.

EXHIBIT "B"

BOS meeting October 28, 2015. EDC Introduction by Blunt White

Selectmen, you are in receipt of EDC's correspondence. Prior to introducing Drew Rodgers, a longtime Cottrell Brewing employee and Brewing Manager, and Charlie Buffum the owner of Cottrell Brewery, do you have any questions about EDC's correspondence?

Drew Rodgers is seeking to open a Micro Brewery in Mystic at 40 Washington Street. It's one of the former Mystic Lumber sheds. The location has been vacant for over 5 years.

Before the State will consider Drew Rodger's Micro Brewery license application there must a signed lease. Drew's constraint to entering into a lease is that Micro Breweries are not allowed at 40 Washington Street. In fact they are not allowed anywhere in Stonington. A change to our Zoning Regulations is needed if this opportunity is to progress.

Drew could apply to PZC in his own name to amend Stonington's Zoning Regulations for the location in Mystic. However the course of action recommended by EDC is to amend our Zoning Regulations to allow Micro Breweries in both Mystic and downtown Pawcatuck. The track record of Micro Breweries is breathing life into older vacant buildings, something that is needed in both Mystic and Pawcatuck.

We're familiar with the success and growth of local Micro Breweries such as Cottrell and Beer'd. Consider that Beer'd is subject to the Borough's zoning regulations which allow the sale of beer for consumption on premises. There is a Brewery in the Town of Stonington, Cottrell Brewery, but Stonington's Zoning Regulations do not allow Cottrell to sell beer for consumption on premises. At Cottrell consumption on site is limited to only free tasting.

State law permits Micro Breweries like Cottrell to sell beer for consumption on premises, Stonington's Zoning Regulations are therefore more restrictive and conflict with the State's regulations.

Tonight EDC asks the Board of Selectmen to approve a motion recommending that a letter be sent PZC to asking them to "consider acting as the Applicant" and to "act without delay" on amending Stonington's Zoning Regulations to: (1) Allow Micro Breweries and Brewpubs in both Mystic and Pawcatuck in LS-5 and DB-5 zones as proposed by EDC in their correspondence dated October 25, 2015; and (2) to amend the current definition of Brewery in the M-1 zone so that Cottrell Brewery can sell beer for consumption on premises. You would not be endorsing PZC approval, only asking that PZC promptly consider the Brewery questions.

EDC and Drew will be presenting to PZC on November 4 where they will ask PZC to consider being the applicant to change its Zoning Regulations.

Are there any questions? Drew and Charlie you have the floor.