Special Meeting

The 1530th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, December 2, 2014 at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Chairman Ben Tamsky at 7:01pm. Present for the meeting were Commissioners Ben Tamsky, Bob Mercer, Frances Hoffman, John Prue, and Curtis Lynch; Alternates Gardner Young and Shaun Savoie; and Town Planner Keith Brynes.

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

Minutes:
There were no minutes for review.

Commission Initiatives:
Discussion of 2014 Plan of Conservation and Development: Review and discussion of the POCD Subcommittee's final draft will be at a special meeting on January 13th and the regular meeting of January 20th, with the possibility of discussion at the December 16th meeting, time permitting. Mr. Lynch suggested commissioners do their review of the draft with a side-by-side comparison to the 2004 POCD.

Review draft changes to the Subdivision Regulations, including discussion of Technical Standards Document Adoption. Mr. Brynes stated that the commissioners have been provided with hard copies of draft Subdivision Regulations.

Administrative Review:
PZ0612ZC Prospect Northeast Development, LLC – Request release of all currently held funds associated with Stipulation of Approval #12 (4/4/06).

> *Stipulation #12: At the applicant's suggestion, $1,000 per unit shall be deposited into an interest bearing account at the initial sale of each individual unit. This fund shall become fully active at the completion of the all of the initial unit sales. This fund shall remain active for a period of five years from the completion of sales, at which time the fund shall be available to the town of Stonington for public improvements in the vicinity of this development (1/4 mile).*

The applicant's representative, Attorney Ted Ladwig, addressed the commission, stating that at the time of original 2006 approval, the stipulation was euphemistically, "at the applicant's suggestion," and the agreement to it the result of "having a gun to his head." He noted that it is beyond the powers of land use commissions to require exactions from developers off site. He explained that due to the poor financial climate, the project has not been completed within the expected 5-year period. Atty. Ladwig requested that the remaining funds be returned and the stipulation of approval be vacated.

Commissioners asked questions about number of units built and sold, allocation of the funds, and the initial purpose and rationale for the stipulation.

Mr. Prue motioned to release the remaining funds accrued from Stipulation #12. Ms. Hoffman seconded. Motion approved, 5-0.

Mr. Prue motioned to remove Stipulation #12. Ms. Hoffman seconded. Motion approved, 5-0.

PZ0482SPA Mason's Island Realty Group, LLC - Request for an additional four-year renewal of approved site plan.

The applicant's representative, Attorney Ted Ladwig, addressed the commission, explaining CT Public Act 11-5, approved in 2011, which gave all land use approvals unexpired by 7/1/11, extended validity for a maximum of 14 years. He noted that this extension would allow the applicants time to return with a proposal that would be satisfactory to both the developer and the commission. Mr. Ladwig said that extending the site plan approval to

2/16/19 would serve as a placeholder while the appeal of the denied application is in the court.

Mr. Prue was concerned that, due to damaged fencing, the site is unsafe and needs to be made secure. Commissioners discussed how to ensure the site could be kept secure, agreeing that the Building Official would inspect the site.

Mr. Prue motioned to approve the request to renew the site plan with one stipulation. Mr. Hoffman seconded. Motion approved, 5-0.
Stipulation:

1. The site shall be securely fenced to the satisfaction of the Building Official for the duration of the renewal.

Old Business:
PZ1417SD Woods Road Development, LLC - Subdivision application for a 2-lot subdivision of a 10.8 acre parcel. Property located on the southerly side of Pequot Trail., Stonington. Assessor's Map 96 Block 3 Lot 4. Zone GBR-130.

Mr. Brynes recommended tabling the application.

Mr. Prue motioned to table the application to the 12/15/14 meeting. Mr. Mercer seconded. Motion approved, 5-0.

The meeting was recessed at 7:40pm and reconvened at 7:45pm.

Public Hearing(s): 7:30 p.m.:
The Public Hearing was continued from the 10/21/14 meeting at 7:45pm.
PZ1414ZC, SPA & CAM Mystic Seaport Museum, Inc. (Kent & Frost, LLC) - Applications for Zone Change (Master Plan), Site Plan Approval, & Coastal Area Management Review for changes to current MHD properties/structures, including construction of a 14,000 SF exhibition building, demolition of three structures, and associated landscaping. Properties located off Greenmanville Ave., Williams St., & Bruggeman Pl., Mystic.

The applicant's representative, Attorney Ted Ladwig, addressed the commission, briefly reviewing the presentation at the previous meeting, noting that the hearing was to resume with applicant rebuttal. Chairman Tamsky agreed, stating that those who wished to speak to new information may do so after rebuttal.

Brian Kent, project Landscape Architect, reviewed the revised engineering drawings and submitted a letter from Town Engineer Scot Deledda stating that previous issues have been addressed. He described the changes to the stormwater drainage system, replacing the drive surface with permeable asphalt, and the DOT permitting/utility easement. Mr. Kent explained that, due to additional CT DOT requirements not yet met, the passenger drop-off area on Greenmanville Ave. is not proposed in this application. The applicant wishes to defer implementation until after the building is completed in order to assess the actual needs and concerns. Mr. Kent responded to Mr. Prue's concerns about truck idling, explaining that materials will be transferred to box trucks for delivery across the street to the Museum, noting that exhibits won't change all that often. Attorney Ladwig said stipulations regarding limitations on truck idling would be acceptable.

Commissioners discussed the passenger drop-off concerns along Greenmanville Ave., agreeing that the issue needs substantial study to completely identify problems and propose solutions. Mr. Tamsky asked about Mr. Brynes' comment regarding a detached sign for Latitude 41. Mr. Brynes explained the sign size discrepancy and that the issue has been resolved.

Public Comment in Favor: Chris Freeman stated he was pleased to see the drainage issues had satisfied and the increase in permeable surfaces. Betsy Beach, a Seaport employee, spoke in favor of the project.

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Public Comment in Opposition: None

General Comments: Carlene Donnarummo was pleased to see the Town Engineer's comments had been addressed and hopes a drop-off solution will be implemented.

Ms. Hoffman motioned to close the public hearing. Mr. Lynch seconded. All in favor, 5-0.

Ms. Hoffman motioned to approve the waiver for a Municipal Fiscal Impact Statement. Mr. Prue seconded. All in favor, 5-0.

Ms. Hoffman motioned to approve the application's consistency with the POCD and Comprehensive Plan. Mr. Prue seconded. All in favor, 5-0.

Ms. Hoffman motioned to approve the CAM Review application. Mr. Prue seconded. All in favor, 5-0.

Ms. Hoffman motioned to approve the Zone Change (Master Plan) application with one stipulation. Mr. Prue seconded. All in favor, 5-0.
Stipulation:

1. Within a reasonable amount of time after completion of the building, the applicant agrees to commission a traffic study to define problems and propose resolutions for the safety of pedestrians, vehicular movement and residents, relative to the use of the North Entrance of Mystic Seaport Museum.

Ms. Hoffman motioned to approve the Site Plan application with 5 stipulations. Mr. Prue seconded. All in favor, 5-0.
Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Town Engineer and Mystic Fire Marshal.
2. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits per Section 8.6.3 of the Zoning Regulations. The bond amount shall be established by the Town Engineer after an estimate of the construction cost is provided by the applicant and approved by the Town Engineer.
3. Vehicle pull-off on Greenmanville Ave. shall be subject to Site Plan Review by the Commission prior to implementation.
4. Within a reasonable amount of time after completion of the building, the applicant agrees to commission a traffic study to define problems and propose resolutions for the safety of pedestrians, vehicular movement, and residents, relative to the use of the North Entrance of Mystic Seaport Museum.
5. There shall be no idling of trucks or busses on site for more than 15 minutes.

Mr. Prue motioned to adjourn. Mr. Mercer seconded. The meeting adjourned at 9:02pm.

Frances Hoffman, Secretary