

Special Meeting

The 1537th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, March 3, 2015 at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Chairman Ben Tamsky at 7:06pm. Present for the meeting were Commissioners Ben Tamsky, Bob Mercer, Curtis Lynch, John Prue, and Frances Hoffman; Alternates Shaun Savoie and Gardner Young, and Town Planner Keith Brynes.

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

Minutes:

Ms. Hoffman motioned to approve the minutes of January 20, 2015, seconded by Mr. Lynch. Motion approved 4-0-1.

Roll Call: Tamsky – approve, Mercer – approve, Lynch – approve, Prue – approve, Hoffman – abstain

Commission Initiatives:

Discussion of POCD – Mr. Brynes reported that the Board of Selectmen will hold a public hearing for the POCD on March 25, 2015, and their responsibility to provide any disapprovals or comments to the PZC for review. It was agreed that BOS comments should be forwarded to the PZC as soon as possible.

Reports - Commission:

Discussion with the Town Attorney regarding the procedure for proposed modification of drainage design for Toll Brothers' Old Mystic Estates Subdivision (PZ0360SD, SUP & GPP Meehan). Discussion is related to the Toll Brothers proposed settlement of their CT Superior Court Appeal against the Planning and Zoning Commission.

Town Attorney Tom Londregan was unable to attend the meeting due to inclement weather.

Toll Bros. Attorney, Joe Williams, explained the process for acceptance of the proposed settlement, noting that an application has been submitted to the Wetlands Commission and to DEEP. Commissioners discussed their concerns regarding lack of a formal application to the PZC, DEEP's concerns/acceptance, correction of the McGlinchey's drainage issues, and the PZC's wish for a full presentation of the proposed settlement plan. Attorney Williams explained that pre-application meetings with DEEP have been held and should they not approve their application, the settlement can't go forward. Gary Julian of 50 Riverbend Dr. asked how the process would proceed. Mr. Brynes explained that plans and engineering report have been received but not the draft settlement. He also noted that the Court must also approve the settlement, holding a public hearing to allow anyone to speak. The McGlinchey's attorney, Bill Sweeney, stated that Atty. Londregan had been keeping his clients up-to-date and that they had seen the IWWC application for the proposed drainage improvements. Ms. Hoffman wished to have the plans and engineering report submitted to DEEP and the Mystic Harbor Management Commission. Commission agreed to hold the Public Hearing for the proposed settlement on April 7, 2015.

Public Hearing(s): 7:30 p.m.

Ms. Hoffman read the call for the Public Hearing at 7:45pm.

PZ1503SUP Stonington Vineyards, Inc. - Special Use Permit application requesting extension of the 9:00PM limitation of amplified music to 10:00PM (revised to 9:30PM), in accordance with the Town of Stonington Noise Ordinance. Amend PZ9742SUP stipulation of approval #1 to reflect extension to 10:00PM (revised to 9:30PM). Property located at 523 Taugwonk Rd., Stonington. Assessor's Map 68 Block 1 Lot 1. Zone GBR-130.

Stonington Vineyard owner Happy Smith presented her application requesting an extension of amplified music hours to 9:30 pm, explaining that it is necessary in order to hold a few more evening weddings or special events

RECEIVED FOR RECORD
STONINGTON, CT.

Page 1 of 4

15 MAR 10 PM 4:13

CYNTHIA LADWIG
TOWN CLERK

Special Meeting

during the season. She explained that they only have two festivals a year, both of which end at 6:00pm, and in the previous season, had only 2 weddings. She submitted letters of support from her immediate neighbors and others. Ebbie Elmer, Vineyard Event Coordinator, explained that they are not looking to be a "wedding factory," the average number of wedding guests is 120-150, and they have sufficient parking for all events.

Mr. Brynes reviewed the proposal and the existing special use permit for the site, noting that the Police Commission has okayed the current application.

Public Comment in Favor:

Jim Kelley, 439 Taugwonk Rd., read a letter from he and his wife stating that in 18 years they have never been disturbed by events at the Vineyard and state they are considerate neighbors

Dan Booker, 456 Taugwonk Rd., In favor of the request and consider them to be model neighbors – considerate and supportive

Wes Maxwell, 369 Taugwonk Rd., considers them a great neighbor and enjoy the music.

Public Comment in Opposition: None

Public Comment:

Karen Cashman, 539 Taugwonk Rd.

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

Old Business:

PZ1502CAM Patrick & Sheila Herlihy (Peter Springsteel) – Coastal Area Management Review for demolition & removal of an existing one-story single family residence and construction of a new two-story SFR. Property located at 365 River Rd., Pawcatuck. Assessor's Map 8 Block 3 Lot 3. Zone RR-80.

Mr. Prue motioned to table the application, seconded by Mr. Mercer. All in favor, 5-0.

PZ1418SUP & CAM Denison Pequotsepos Nature Center, Inc. - Special Use Permit & Coastal Area Management Review applications for the creation of a nature & heritage center. Site improvements include parking, sidewalks, trails, indoor and outdoor educational areas, and event spaces. Property located at 162 Greenmanville Ave., Mystic. Assessor's Map 172 Block 2 Lot 5. Zones RM-15 & RA-40. *Public hearing closed on 2/17/15.*

Seated for this application were Ben Tamsky, Curtis Lynch, Gardner Young, and John Prue.

Mr. Prue motioned to approve the CAM application, seconded by Mr. Young. All in favor, 4-0.

Mr. Prue motioned to approve the waiver requests, seconded by Mr. Young. All in favor.

Mr. Prue noted that he was concerned with the traffic issues in the Route 27 area and Mr. Lynch agreed. Mr. Tamsky said he felt the impact from this site would be minimal and Mr. Young noted that the CT DOT approved the application. Commissioners discussed thresholds for requiring traffic studies.

Mr. Prue motioned to approve the application with the 8 stipulations recommended by Staff (#8 to be determined by PZC during deliberations), seconded by Mr. Young. All in favor (following deliberations).

Special Meeting

Mr. Lynch was concerned with the environmental impact of the 3 proposed parallel parking spaces along Clara Drive. Mr. Tamsky stated that would be addressed if/when the applicant returns to request them. Mr. Prue stated that the 3 additional spaces wouldn't adequately address Mr. McQuade's concerns regarding parking in his business' lot. Mr. Tamsky noted that the spaces on Clara Dr. were designed for those accessing the trails, not events at the farm.

Commissioners discussed wording for allowing special events (Stipulation #8), with there being concern about controlling the number and size of private events, as the application doesn't provide any figures for projected events of this nature. Commissioners were concerned that any excesses (noise, traffic) from private events would not be well-tolerated by the public, and capping the number of guests would be not be an effective measure for limiting them. The site is located in residential zones. Commissioners agreed that third party, private, for-profit events would require the applicants return to the PZC to present plans for such events.

Stipulations:

1. 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 and maintaining appropriate erosion and sedimentation control measures is provided by the applicant and approved by the Town Engineer.
2. Proposed lookout tower shall be subject to Commission review prior to construction.
3. Final plans shall be reviewed to the satisfaction of the Town Engineer and Old Mystic Fire Marshal.
4. Final plans must include written installation schedule, maintenance plan and warranties for landscaping per section 8.4.2.2.8.
5. Final plans shall indicate that the required parking for the farm house and butcher shop is 27 spaces.
6. Final plans shall indicate that the paved access between the parking lots is one way.
7. The Commission reserves the right to require the applicant's installation of the 3 proposed future parallel parking spaces along Clara Drive should they prove necessary to provide adequate parking for trail users. Any such decision by the Commission will be made after a public hearing enabling input from the applicant, neighboring property owners, the Police Commission and Town staff.
8. No third party, private, for-profit events shall be allowed until the applicant returns to the Commission with clarification of their plans for such events.

Commission returned to Old Business to deliberate on application **PZ1503SUP Stonington Vineyards, Inc.** Seated for this application were Ben Tamsky, Bob Mercer, Curtis Lynch, Frances Hoffman, and John Prue.

Commissioners discussed how to control the noise that affects those neighbors negatively. Mr. Prue motioned to approve the waiver requests, seconded by Mr. Mercer. All in favor.

Mr. Prue motioned to approve the special use permit with a stipulation , seconded by Mr. Young. All in favor.

Stipulation:

1. At the end of 12 months the applicant shall return to the Commission to review the success or failure of noise control measures.

PZ1504SPA Mechanic Street Associates (David Snediker) – Site Plan Application for construction a 3,480 SF structure to accommodate the expansion of existing Assembly use, and associated parking, drive, utilities, and landscaping site improvements. Property located at 22 Mechanic St., Pawcatuck. Assessor's Map 4 Block 7 Lot 2.

Special Meeting

Zone DB-5.

Application tabled at Staff's recommendation.

Motion to adjourn by Mr. Prue, seconded by Mr. Mercer, all in favor, 5-0. The meeting adjourned at 10:08pm.

DRAFT