

## Special Meeting

The 1660<sup>th</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held virtually via WebEx on Tuesday June 30, 2020. The meeting was called to order by Chairman David Rathbun at 7:03pm. Also present for the meeting were Commissioners Gardner Young, Ben Philbrick, and Lynn Conway; Alternate Charles Sheehan, and Town Planner Keith Brynes. Commissioner Fred Deichmann and Alternates Peter Chomowicz and Ryan Deasy were not present.

Seated for the meeting were David Rathbun, Gardner Young, Ben Philbrick, Lynn Conway, and Charles Sheehan.

**Minutes:**

Mr. Sheehan moved to approve the minutes of the June 16, 2020 meeting, seconded by Mr. Young, all in favor 5-0, motion approved.

**Correspondence:**

**6/5/20 Correspondence from CT Siting Council** re: Petition #1410 for construction of a 3-megawatt AC solar photovoltaic electric generating facility and associated electrical interconnection on two parcels at the Elm Ridge Golf Course located to the east and west of North Anguilla Rd. at the intersection with Elm Ridge Rd. Property located at 223 Elm Ridge Rd. & N. Anguilla Rd. Pawcatuck. Assessors Map 22, Block 2, Lot 1 & Map 39, Block 1, Lot 9. Zones RR-80 & GBR-130.

Mr. Brynes summarized the correspondence and gave background on the approval process for these applications that are handled by the State Siting Council. The commission and members of the public can submit comment to the Siting Council by July 4<sup>th</sup>. Gina Wolfman from Green Skies presented the application. The proposed project has two areas, one 10 acres and one 5 acres. Nine of the 27 golf holes on site will be decommissioned and become a solar facility. Both areas are managed open space, but are not restricted for use. The proposal is in conformance with the Plan of Conservation and Development. Ms. Wolfman explained that they are in the Groundwater Protection Permit area but not in a protected aquifer area.

Mike Gagnon, Milone and MacBroom, presented the site plan depicting the two array areas. Mr. Gagnon presented existing conditions and photos of the arrays superimposed over the site to visualize the project. The westerly site will be accessed from North Anguilla Road. Additional arborvitae will be planted to screen the project. Mr. Gagnon reviewed the storm water management for the array. The easterly parcel will be larger and adjacent to the clubhouse and parking area with access off Elm Ridge Road. The existing golf course will be operational and the layout was designed around it. Mr. Gagnon reviewed the southerly portion of this site and the screening provided for neighbors and golfers. Ms. Wolfman reviewed their maintenance procedures and decommissioning process. Ms. Wolfman reviewed the visualization study and addressed the screening being provided to address concerns with views. Ms. Wolfman addressed safety concerns with the project for neighbors. They will be seeding for pollinators as well. Ms. Wolfman reviewed environmental improvements and impacts. Mr. Rathbun questioned the choice of arborvitae for screening.

Mr. Sheehan asked for clarification on discharge from solar arrays. Ms. Wolfman stated the PFAS are not in the panel but can look into whether they are used in manufacturing. Mr. Sheehan is

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concerned with the run off being collected in the basins. Mr. Philbrick asked about mowing between rows. There is limited mowing due to it being pollinator habitat. Ms. Conway asked about the fencing height and how much will they obstruct the view. Mr. Sheehan asked about the closest proximity to private wells. Mr. Gagnon reviewed the closest residents to the site on the map and the ground water management. Mr. Gagnon reviewed the visibility study which provided simulated views for impacted neighbors. Mr. Sheehan asked about planting more mature species to screen the fence. Mr. Gagnon explained they will vary and won't be all saplings. Mr. Rathbun recommended screening along the fence facing Elm Ridge Road. Mr. Gagnon reviewed the planting schedule. Mr. Philbrick asked about fire suppression in the facilities.

## Public Comment:

Brian Wade, 18 High Ridge Drive, asked about the juxtaposition to a golf course and wayward balls impacting the array. Ms. Wolfman responded that they have analyzed the directionality and do not expect there will be an impact. They do not have plans to raise the fence height as they would have to go through this review process again. Mr. Wade further asked about the placement and why they have chosen these locations. Ms. Wolfman explained that the landowner has chosen this area and Mr. Gagnon added that there are wetlands close to I-95. Ryan Linares stated they looked at the area and there are significant wetlands in the area that would prevent development. He also addressed damage concerns.

George Rezendes, 5 Fairway Court, asked about being able to see the panels over the fence. Mr. Gagnon explained that it varies and closer up you may see the tips of the panels, but most neighbors are at a distance. Mr. Rezendes asked about plantings on the east side of the easterly parcel. Mr. Gagnon reviewed the proposed and existing vegetation in that area. Mary Ann McComiskey asked about the panels and if they had been chosen. Ms. Wolfman explained that it depends on what is available and will still have to comply with standards. Ms. McComiskey stated she is still concerned with groundwater impact, visual impact and timeline.

Karl Kehrle, 6 Fairway Court, spoke about his concerns with the placement of the arrays in a residential area. He is concerned about toxic chemicals and their impact. He is also concerned with visual impact and property values.

Rhandi Lee, 1 Fairway Court, stated she agrees with her neighbors' comments and spoke about the vernal pools and stream wildlife in the area. She would like to see an extension granted to allow for further review.

Karl Kehrle asked whether Green Skies will put in writing that they will not expand on the site. Mr. Linares explained that there are no plans to expand and the owner plans to operate an 18-hole golf course and cannot state that an expansion would never be considered.

Mr. Wade asked about any further plans to develop in Pawcatuck/Stonington and Mr. Linares commented they currently have no plans.

Kevin Torres, 52 High Ridge Drive, stated he is in agreement with his neighbors' comments.

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Ms. Lee stated they have a petition that has been circulated.

Albert Chrisbacher, 17 High Ridge Drive, asked who will bear the cost of removal. Ms. Wolfman explained that Green Skies bears the cost of removal. Mr. Linares stated there is surety language in the contract.

John Pistolese, 5 Arbor Court, stated concern with Green Skies language about toxic materials and how the panels will affect the groundwater. John asked about where the panels are manufactured and their specifications. Ms. Wolfman and Mr. Linares responded to his questions.

The commission discussed writing a letter to the Siting Council requesting an extension. Mr. Sheehan and Mr. Brynes will draft the letter to be sent to the Siting Council and posted on the Town website.

Administrative Review:

**20-107ZON Horses Healing Humans (Jeremy Ostrout)** – Zoning Permit application for construction of 22' x 48' greenhouse structure. Property located at 340 New London Turnpike. Assessors Map 138, Block 3, Lot 1. Zone GBR-130.

Mr. Brynes summarized the application. The applicant is requesting construction of a greenhouse for their programming in partnership with The Lighthouse Voc Ed Center. It conforms to the bulk requirements and has been reviewed by the fire marshal.

Mr. Philbrick moved to approve the application, seconded by Ms. Conway, all in favor 5-0, motion approved.

**20-118ZON AAA Trust, LLC (Cherenzia & Associates, Ltd.)** – Zoning Permit Application for site modifications and renovation of existing mixed-use building including addition of upper story dormers and rear deck. Property located at 44 Williams Ave., Mystic. Assessor's Map 161, Block 17, Lot 9. Zone LS-5.

Mr. Brynes summarized the application. The site was formerly the Windjammer Wine and Spirits shop and the new owners are looking to expand the residential apartment on the upper floor. The changes will not trigger FEMA substantial improvement. Ms. Conway asked to look at the rendering again which Mark Comeau presented.

Mr. Sheehan moved to approve the application, seconded by Mr. Philbrick, all in favor 5-0, motion approved.

Old Business:

**PZ2006SD & GPP D6 Realty, LLC (A. Hayward)** - Subdivision and Groundwater Protection Permit applications for a free split and subdivision of a 1.13-acre lot. Property located 3 Country Lane, Pawcatuck. Assessor's Map 21 Block 1 Lot 3. Zone RA-20.

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Mr. Hayward presented the application. The applicant is proposing a free split which is allowed by right and will create additional rear lots behind the existing home. They have received approval from the Inland Wetlands and Watercourses Commission. There will be an easement for the driveway access. Mr. Brynes reviewed the comments and decisions to be made. Mr. Brynes reviewed the recommended stipulations.

Mr. Sheehan moved to approve the application with stipulations and waivers, seconded by Mr. Philbrick, all in favor 5-0, motion approved.

## Stipulations:

1. Final plans shall include new street address and Assessor's lot numbers as assigned by the Town.
2. AutoCAD (or approved equivalent) drawing of the approved subdivision shall be submitted to the Town prior to recording. A fee in lieu of this drawing, a fee to cover the Town's cost to create such a digital file may be submitted per Section 3.9.2 of the Subdivision Regulations.
3. A fee in lieu of open space equal to 10% of the value of the land shall be applied to all lots in the subdivision (not including the Free Split parcel). The Final Plans must include the following statement: "A Fee-In-Lieu of Open Space of \$\_\_\_ was approved by the Planning & Zoning Commission, each new lot shall be assessed \$\_\_\_."
4. 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 and Section 6.1.6 of the Subdivision 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. Work shall remain bonded for a minimum of one year from the date of completion.
5. Right-of-way easements for the shared driveway shall be prior to, or along with, the final plans.
6. Proposed shrubs shall be selected and installed under the auspices of a wetland scientist.
7. Steps and stoop on the southern side of the existing house shall be modified to conform to the new side setback requirement prior to recording of final plans.

**PZ2010CAM Frank & Victoria Cory (E. Wenke)** – Coastal Area Management Site Plan Review application to accompany future zoning permit application for the demolition of a single-family residence and the construction of a new SFR with on-site septic system. Property located at 18 Roseleah Dr., Mystic. Assessors Map 175, Block 1, Lot 32. Zone MC-80.

Attorney Ted Ladwig presented the application. They have received a variance for the property early this year to rebuild the home to FEMA compliance. The septic has been approved by Ledge Light Health District. There is no ability to connect to sewer currently. Mr. Brynes reviewed engineering consultant comments and the recommended stipulations. The applicant agrees with the stipulations.

Mr. Philbrick moved to approve the application with stipulations and CAM, seconded by Mr. Young, all in favor 5-0, motion approved.

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## Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Town's engineering consultant.
2. Final plans shall include reference to approved variance.
3. Final plans shall show erosion and sedimentation control measures.

**Public Hearing:**

**PZ2007SUP 30 Extrusion, LLC (S. Cherenzia)** - Special Use Permit application for the construction of two (2) mini-warehouse storage facilities (17,920± square feet & 14,400± square feet), with associated parking, landscaping, and drainage. Property located at 30 & 40 Extrusion Dr., Pawcatuck. Assessor's Map 36 Block 4 Lots 2D & 2E. Zones M-1 & RR-80.

Sergio Cherenzia presented the application. The applicant is proposing two additional storage building to the existing facility. The project has been approved by the Inland Wetlands and Watercourses Commission as well. The entire site is about 12 acres with development focused in the 2 acres near the road to avoid the wetlands. The two new buildings line up with the existing buildings with access around them. Storm water is being managed on site for water quality. Mr. Cherenzia reviewed the utilities. Julia Leeming presented the rendering of the building and existing buildings which they will match. They will be climate control units with interior access rather than exterior with many doors. Hali Beckman presented the landscape plan. There will be planting around the building to screen the facility. Mr. Philbrick asked about outside lighting. Mr. Cherenzia stated there will be lighting on the building. Ms. Conway asked about additional signage. CJ Bardy explained there will be no additional signage and explained no new pole lights will be put up and there are some existing. Mr. Cherenzia added that they cut off by the property line. They go on at dusk and off at dawn to provide security. Ms. Conway asked about the size of the plantings. Ms. Beckman reviewed the tree sizes and shrubs which are lower. Ms. Conway is concerned with the existing plantings. Mr. Bardy explained that they had difficulties with the plantings surviving and will redo the plantings with this second phase. Mr. Sheehan raised concern with tanks for sprinklers if there is insufficient water pressure. The first phase of buildings did not have sprinklers because they are smaller in size. They are waiting to hear back from Westerly on the analysis for the sprinkler system water supply. They are covered for hydrants per the fire marshal. Ms. Leeming explained the alternate plan if there is insufficient pressure.

No Public Comment

Mr. Brynes stated there are no zoning issues and reviewed comments from other authorities. Mr. Brynes reviewed the recommended stipulations.

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

Mr. Sheehan moved to approve the application with staff recommended stipulations and two additional (#s 7 & 8), seconded by Mr. Young, all in favor 5-0, motion approved.

**Stipulations:**

1. The applicant's design engineer of record shall provide inspection services and certify to the construction of all stormwater management systems to ensure compliance with design

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specifications. Certifications shall include, but not be limited to: system bottom inspection, material specifications and testing, system installation prior to back fill, and outlet structure construction. In addition to inspection services, as-built conditions of the drainage system shall also be provided to the Department of Planning prior to the issuance of a Certificate of Zoning Compliance.

2. The property owner is responsible for yearly required maintenance of stormwater infrastructure as specified on the plans and maintenance checklist. The stormwater maintenance checklist shall be recorded along with the final plans.
3. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits. The bond shall be either in the form of a certified check or irrevocable letter of credit meeting 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. Work shall remain bonded for a minimum of one year from the date of completion.
4. The stormwater management system shall be installed and established prior to the issuance of any Zoning Permits for building construction.
5. DEEP General Stormwater Permit shall be obtained prior to the issuance of any Zoning Permits.
6. Prior to the issuance of any Zoning Permits, final plans shall be signed by the Commission and recorded and lots shall be formally combined.
7. Plantings shall be reestablished at 30 Extrusion Drive according to previously approved plans.
8. Fire suppression plans shall be finalized to include either a structural option mentioned by the architect or the hydraulic model option mentioned by Mr. Cherenzia.

Mr. Philbrick moved to adjourn, seconded by Mr. Young, all in favor 5-0, the meeting adjourned at 10:17pm.



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Ben Philbrick, Secretary