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Planning & Zoning Commission
Special Meeting
May 7, 2024
Draft Minutes

The 1757th meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street, May 7, 2024. The meeting was called to order at 7:00 PM by Chairman Charles Sheehan. Also present for the meeting were MaryEllen Mateleska, Ben Philbrick, Ryan Deasy, Gary Belke, Bennett Brissette and Town Planner Clifton Iler. Seated for the meeting were Chairman Charles Sheehan, Ryan Deasy, Gary Belke, Alternate Bennett Brissette, and Alternate Ben Philbrick. Chairman Sheehan announced that Commission member Andy Meek has submitted his resignation. Minutes

Minutes:

Mr. Deasy made a motion to approve the minutes from meeting #1753, seconded by Mr. Belke, all were in favor, 5-0.

Mr. Deasy made a motion to approve the minutes from meeting #1754, seconded by Mr. Belke, all were in favor, 5-0.

Mr. Deasy made a motion to approve the minutes from meeting #1755, seconded by Mr. Belke, the vote was taken as 4-0-1; Sheehan - approve, Deasy - abstain (absent), Belke - approve, Brissette - approve, Philbrick - approve.

Mr. Deasy made a motion to approve the minutes from meeting #1756 with a correction that Mr. Deasy was not present for that meeting. The motion was seconded by Mr. Belke and the vote was taken as 4-0-1; Sheehan - approve, Deasy - abstain (absent), Belke - approve, Brissette - approve, Philbrick - approve.

Public Comment: None

Reports: None

Administrative Review:

- a. **24-043ZON Volta Charging, LLC** - Administrative Review for the installation of two (2) electric vehicle charging stations in the parking lot located at 91 Voluntown Road; M/B/L: 18-1-33. This property is located in the HI-60 Zone

Neil Alexander, Attorney, discussed that two parking spaces will be converted to Electric Vehicle charging stations and an island within the parking lot will be removed to add back those two spaces. The pre-existing voltage supply was also discussed.

There were no staff comments.

Mr. Deasy made a motion to approve the application, seconded by Mr. Belke, all were in favor, 5-0.

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- b. **24-075ZON EG Home, LLC** - Administrative Review for the modification of existing grading on approved detention basin located at 47 Mary Hall Road; M/B/L: 7-1-44B. This property is located in the RA-20 Zone.

Bill Fries, BL Companies, discussed the minor modifications to the proposals which resulted from ground water levels being higher than expected, resulting grading changes, etc. They received comments earlier in the day from the Town Engineer and have addressed all concerns via email. Final drawings will be submitted. Discharge levels, locations of 'check dams', and stormwater calculations were also discussed.

Mr. Deasy made a motion to approve the application as submitted with the existing stipulation, seconded by Mr. Belke, all were in favor, 5-0.

- c. **24-076ZON Town of Stonington** - Administrative Review for the installation of an 8'x8' storage shed at Spellman Park located at S. Broad Street, Pawcatuck; M/B/L: 25-1-19-3. This property is located in the RR-80 Zone.

Richard Ward, Recreation Administrator for the Town of Stonington, briefly discussed the shed's use which is to house recreational equipment. The intended color of the shed was also acknowledged.

Mr. Iler confirmed that this application has come before the Commission due to the size and location. There were no further staff comments.

Mr. Deasy made a motion to approve the application, seconded by Mr. Belke, all were in favor, 5-0.

Old Business:

- a. **PZ2405CAM K. McGrath (J. Bernardo)** - Coastal Area Management review for demolition and construction of new single-family residence. Property is located at 29 Roseleah Drive, Mystic; M/B/L: 175-1-8. Property is located in the RC-120 Zone.

Jim Bernardo, Land Surveyor, presented the revised plan and discussed that the previous owner received variances and CAM approval however the CAM application expired. They received Ledge Light approval earlier in the day. The building elevation and FEMA compliance were discussed. There are no required waivers per Mr. Bernardo.

Mr. Iler acknowledged that the ZEO confirmed that the current variances are adequate for this project. The Commission discussed the idea of adding a stipulation that the FEMA height requirements for the foundation be confirmed before further construction can continue.

Per Mr. Iler there are no comments from the Fire Marshall.

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Mr. Deasy made a motion to approve the application with the existing stipulations and the additional stipulation that the height requirements of the foundation be met before work can continue. This was seconded by Mr. Belke, all were in favor, 5-0.

- b. PZ2406CAM H. Spanos (H+H Engineering Associates, LLC % Seamus Moran, PE) -**
Coastal Area Management review for construction of a single-family residence, detached garage, and associated site improvements. Property is located at 68 Masons Island Road, Mystic; M/B/L: 160-6-9. Property is located in the MC-80 Zone.

Seamus Moran, PE, discussed the approval from Ledge Light, the prior ZBA approval on this lot in 2020, and the differing plans that the new owner now has. Per Mr. Moran, the new residence fits within the ZBA approval and variances and further discussed the CAM application. The conditions of the site were acknowledged by Mr. Moran, including elevation requirements, the plan to replace the paved driveway with a crushed stone driveway, and the proposal of a three-bay garage. The septic system will be relocated to the front of the building. According to Mr. Moran, the setback distances and Floor Area Ratio are being reduced.

The Commission discussed adding the same stipulation as the prior application that all foundation height requirements are confirmed before work can continue past that stage.

There were no staff comments.

Mr. Deasy made a motion to approve the application with the existing stipulations and the additional stipulation mentioned above. This was seconded by Mr. Belke, all were in favor, 5-0.

- c. PZ2409CAM Town of Stonington (CLA Engineers, Inc. % Bob Deluca, PE) -** Coastal Area Management Review for municipal road maintenance and improvements including associated roadways, sidewalks, and drainage. Property includes the rights-of-way of Washington Street and School Street, Mystic.

Darren Hayward, CLA Engineers, discussed the rehabilitation work on roadways and sidewalks in Mystic.

Per Mr. Iler, the only comments from the Police Commission were to have Public Works coordinate with the Police Department to coordinate road closures. There were a couple comments from the Town Engineer which have already been added as stipulations to the application. The only 'new' item will be the sidewalk on Washington St. The rest of the scope is mainly just rehabilitation work.

Mr. Iler confirmed for the Commission that E&S comments and requirements have already been addressed in the Town Engineer's comments and there does not need to be an additional stipulation.

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Mr. Deasy made a motion to approve the application as submitted with the existing stipulations, seconded by Mr. Belke. It was estimated that the work will take place in 'late summer'. All were in favor of the motion, 5-0.

Public Hearings:

- a. **PZ2404SUP+CAM Currier Group, LLC % Robert Currier (Cherenzia & Associates, Ltd.)** - Special Use Permit Application and Coastal Area Management review for outdoor vendor use. Property is located at 779 Stonington Road, Stonington; M/B/L: 75-1-5. Property is located in the GC-60 Zone

Sergio Cherenzia, 99 Mechanic St, discussed and displayed prior and current surveys of this lot. The gravel driveway is part of the State's right of way however the applicant will attempt to use this space for parking with a lease agreement with the State. Per Mr. Cherenzia, the lease would be required for this project to work as well as an encroachment permit from the DOT. The applicants discussed that the plan is to have room for three food trucks, a space for picnic tables, yard games, parking, portable toilet truck, etc. DEEP comments were discussed as well as the confirmation that an evacuation and emergency plan was submitted. Per the applicants, the crushed stone parking space will alleviate the DOT's concern of dragging dirt / mud onto the road.

The Commission expressed concern over the public seeing this as a public parking space when the lot is not actively operating as the proposed use. Rolling gates were acknowledged by the applicant as a possible solution and they will be used if this becomes a problem. The applicant also mentioned that string lights can be used to alleviate the lighting issue. All vendors will be licensed and have the property safety requirements.

Music will be restricted to a Bluetooth radio and there is no intention to have live, amplified music.

There is accessible power on the lot and electric lines will be run underground where necessary.

The applicant does not have any current plans to offer alcohol at this site.

The Commission discussed adding a stipulation that the canopy over the proposed surface level deck be taken down at a certain point in the year.

The applicant confirmed that the restrooms will not be the plastic portable toilets but an actual restroom trailer that will remain on the lot.

There was a brief discussion regarding trash removal on the site. The trucks will be responsible as will the applicant.

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There was a discussion regarding the potential relationship between the operations on this lot and the Hounds site next door. A walkway may be formed between the two sites as they do foresee the sharing of events however alcohol will remain at the Hounds.

There will likely be at least two employees per food truck but none will stay overnight. The Commission also discussed the parking compliance of this project with the Town regulations.

The Commission expressed concern over the nearby marsh and the possibility of children wandering too far into it. Per the applicants, there is a natural border right now and they propose allowing it to continue to grow but they are willing to entertain other ideas.

Public Comments:

Ben Tamsky, 5 Edgemont St, is in support of some sort of barrier or fencing that will prevent trash from blowing into the marsh.

There was no rebuttal from the applicant.

Mr. Deasy made a motion to close the public hearing, seconded by Mr. Belke, all were in favor, 5-0. The public hearing was closed at 8:24PM.

Mr. Deasy made a motion to approve the application with the existing stipulations and three new stipulations including marsh fencing, walkway lighting, and a date range of when the canopy may be in place (4/15-10/31, yearly). This was seconded by Mr. Belke, all were in favor, 5-0.

- b. PZ2407RA Town of Stonington PZC - Zoning Regulation Text Amendment application for amendments to ZR §5.1, §5.3.24, §8.12.1, and §13.3.3 of the Zoning Regulations.**

Mr. Iler discussed that Phase 1 was completed in 2023 but Town staff have slowly come across items that were missed or mistakenly added. Some items are more time sensitive and should not wait until Phase 2. Mr. Iler discussed that the second amendment in tonight's proposal is not relevant as it is already addressed elsewhere in the regulations.

Public Comment: None

Mr. Deasy made a motion to close the public hearing, seconded by Mr. Belke, all were in favor, 5-0. The public hearing was closed at 8:29PM.

Mr. Deasy made a motion to approve the three recommended amendments, seconded by Mr. Belke, all were in favor, 5-0.

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New Submittals:

Per Mr. Iler, the 'New Submittal' section allows for the Commission to determine if a public hearing is necessary for a specific application.

The Commission did not feel that a public hearing is required for new submittal item PZ2408SPA 29 West Broad Street, LLC (J. Lathrop).

Adjournment:

Mr. Deasy made a motion to adjourn the meeting, all were in favor, 5-0. The meeting was adjourned at 8:32 PM.