



**Town of Stonington
Planning and Zoning Commission**

RECEIVED FOR RECORD
STONINGTON, CT.

23 SEP 29 PH 3: 33

SALLY DUPLICE
TOWN CLERK

COMMISSIONERS

Charles Sheehan
Chairman

Ryan Deasy
Vice Chairman

Lynn Conway
Secretary

Gary Belke
Member

Andy Meek
Member

Bennett Brissette
Alternate

Ben Philbrick
Alternate

Vacant
Alternate

Agenda items are on file for public review in the Stonington Department of Planning
152 Elm Street
Stonington
860.535.5095
dop@stonington-ct.gov

Stonington Board of Education District Office is wheelchair accessible. If you plan to attend this public meeting and you have a disability which requires special arrangements, please call 860.535.5095 at least 24 hours in advance. Reasonable accommodations will be made to assist your needs.

AGENDA

Special Meeting

**Tuesday, October 3, 2023 - 7:00pm
Stonington Board of Education District Office
40 Field Street, Pawcatuck, CT 06379**

1. Call to order: 7:00 p.m.
2. Appoint Alternates:
 - Ben Philbrick (seated 9/5/23)
 - Bennett Brissette (seated 9/19/23)
3. Minutes:
 - #1736, September 19, 2023
4. Correspondence:
 - A. Expansion of St. Edmund's Retreat: 9/8/23 letter from Masons Island property owners.
5. Reports:
 - A. Staff
 - B. Commission
 - C. Zoning Enforcement & Violations
 - D. Administrative Review
 1. **23-242ZON Brookside Associates Ltd. Partnership** - Zoning permit application for a minor driveway modification at The Glennon 100-unit affordable housing project as per Connecticut OSTA requirements. Property located at 111 South Broad St., Pawcatuck. Assessor's Map 37 Block 1 Lot 1B. Zone GC-60.
6. Old Business:
 - A. **PZ2314SUP Jannat, LLC (J. Casey)** - Special Use Permit application to permit construction of 1-story, 3,300 SF convenience store with 3 fuel filling stations with a canopy. Proposal includes parking, repaving, stormwater drainage, and associated site work. Property located at 54 South Broad St., Pawcatuck. Assessor's Map 14, Block 2, Lot 6. Zone LS-5. *PH closed 9/5/23.*
 - B. **PZ2323BR Spruce Meadows, LLC** - Bond Reduction/Release application for work performed under PZ1203SUP & GPP TFB3 LLC, applications for construction of two multi-unit residential structures and associated improvements. Property located at 100 South Broad St., Pawcatuck. Assessor's Map 25 Block 1 Lot 5. Zones LS-5 & RR-80.

MEETING PROCEDURES

PUBLIC HEARINGS

Public hearings are an opportunity for public participation during the review of a development proposal.

Applicants will make an initial presentation. The public can then speak "in favor," "in opposition," or under "general comments." A signup sheet is located at the main entrance. Participants are not required to sign up, however, the list will be used to organize the order of interested speakers.

Any questions will be addressed as part of the applicant's rebuttal. Once a public hearing has been closed, neither the applicant nor the public can participate in the proceedings.

NEW SUBMITTALS

No action will be taken on these items. New submittals require routing to other town agencies, and in some instances will be scheduled for a public hearing at a later date.

7. Public Hearing(s):
 - A. **PZ2321ZC & CAM Pawcatuck Riverview. LLC (M. Kepple, Esq.)** – Zoning Map Amendment to IHRD-5 & Coastal Area Management Review applications for the rehabilitation of an historic mill building for 58 residential units and one detached residential unit. Property located at 21 Pawcatuck Ave., Pawcatuck. Assessor's Map 5, Block 5, Lot 2. Zone MC-80.
8. Future Public Hearing(s):
 - A. **Town of Stonington Planning & Zoning Commission** - Adoption of Phase 1 of the Zoning Regulations Comprehensive Rewrite.
PH continued to 10/17/23 from 9/19/23.
 - B. **PZ2318RA Paul & Sharyne Cerullo** – Zoning Regulation Text Amendment to clarify Agricultural Heritage District (AHD) ZR §7.24.3.2 definition of contiguous parcels of land in common ownership divided by a street.
PH Scheduled for 10/17/23.
 - C. **PZ2322SPA & GPP Fair Housing of Connecticut, LLC (M. Ranelli)** - Site Plan Approval and Groundwater Protection Permit applications for an Affordable Housing Project submitted pursuant to CGS 8-30G. Proposal consists of 113 single-family housing units and associated site improvements. Properties located at 207, 215 & an unaddressed parcel on Liberty St., Pawcatuck. Assessor's Map 16, Block 4, Lots 12, 12A & 13. Zone LS-5.
PH Scheduled for 11/6/23

Meeting Summary Report

OCTOBER 3, 2023 | SPECIAL MEETING

Town of Stonington
Planning and Zoning Commission



Town of Stonington Planning and Zoning Commission

COMMISSIONERS

Charles Sheehan
Chairman

Ryan Deasy
Vice Chairman

Lynn Conway
Secretary

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Regular Meeting

The 1736th meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street, Pawcatuck, on September 19, 2023. The meeting was called to order at 7:00 PM by Chairman Charles Sheehan. Also present for the meeting were Commissioners Ryan Deasy, Gary Belke, Lynn Conway, and Andy Meek; Alternates Ben Philbrick and Bennett Brissette; and Town Planner Clifton Iler.

Seated for this meeting were Ryan Deasy, Andy Meek, Charles Sheehan, Gary Belke, and Alternate Bennett Brissette (Lynn Conway was seated for Mr. Brissette after the first vote, as mentioned below).

Minutes:

Mr. Deasy made a motion to approve the minutes of September 5, 2023, as written, seconded by Mr. Belke, all were in favor, 5-0.

Lynn Conway was seated for Mr. Brissette.

Administrative Review:

23-217ZON Riverwalk Condominium Association (J. Rosen) - Zoning permit application for removal of a cantilevered concrete deck. Property located off 4 Coggswell St. / 5 West Broad St., Pawcatuck. Assessor's Map 1 Block 5 Lot 5. Zone PV-5.

Mr. Rosen spoke about the removal of the deck structure and the approval received from DEEP. The goal is to complete the project by October 12th. The applicant understood that reconstructing the concrete deck would require an entirely new permitting process.

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

Stipulations:

1. Modifications to the site development plans shall be reviewed and approved by Town staff and the Commission, as necessary.
2. The applicant shall apply for a new Zoning Permit for the reconstruction of the walkway or any alterations to the proposed project description.

23-216ZON Enko Realty, LLC (Earthlight Technologies) - Zoning permit application for ground mount solar system. Property located 62 Maritime Dr., Mystic. Assessor's Map 161 Block 1 Lot 28E. Zone M-1.

Alex Smith, Earthlight Technologies, discussed the project and its timeline. They have connection plans in place with Eversource.

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

Stipulation:

1. Final site plans shall be reviewed to the satisfaction of the Town Engineer.

Regular Meeting

Old Business:

PZ2314SUP Jannat, LLC (J. Casey) - Special Use Permit application to permit construction of 1-story, 3,300 SF convenience store with 3 fuel filling stations with a canopy. Proposal includes parking, repaving, stormwater drainage, and associated site work. Property located at 54 South Broad St., Pawcatuck. Assessor's Map 14, Block 2, Lot 6. Zone LS-5. *PH closed 9/5/23.*

Mr. Iler noted that the last meeting ended with a request from the Commission that an opinion from the Town Attorney be attained. As an opinion letter was received the morning of the meeting, Mr. Iler recommended tabling this decision for the next meeting.

Mr. Deasy made a motion to table this decision until the next meeting, seconded by Mr. Belke, all were in favor, 5-0.

Public Hearing(s):

PZ2319SUP Sea Research Foundation, Inc. (W. Sweeney, Esq.) – Special Use Permit application for Special Wall Signs pursuant to ZR §7.12.7.1.5 to permit four wall signs totaling 346.71 SF. Property located at 55 Coogan Blvd., Mystic. Assessor's Map 164, Block 3, Lot 2. Zone TC-80. Attorney Bill Sweeney - According to Atty Sweeney, this is part of an effort to bring the aquarium entrance signage into zoning compliance. The progression of the signage history on this lot was discussed. Atty Sweeney discussed the signage square footage rule that is based on the amount of street frontage. The permit is for a revolving exhibit sign, a membership and information sign, and a primary (illuminated) identification sign. The illuminated sign will comply with the percentage requirements for the amount of a sign that may be lit, and it will be turned off at night, according to Atty Sweeney.

The Commission confirmed that the revolving sign will be physically changed and not backlit.

Atty Sweeney confirmed for the Commission that the distance from the road to the illuminated sign is 287 feet.

Per Mr. Iler, there have been no negative comments from the Police Commission or ZEO.

Keith Sorenson, Senior Vice President, Facilities and Capital Projects, discussed the operating hours of the aquarium. The illuminated sign will turn on at 'dusk' with a sensor.

Atty Sweeney stated that it is not clear from town records if there were permits for every sign in place at the aquarium, thus it is not clear if the current signage is legally non-conforming or non-conforming. This Special Use Permit acts as an abundance of caution. Per Atty Sweeney, this is affirmative proof of the intent to abandon the non-conforming use, regardless of legality.

Mr. Deasy made a motion to close the public hearing at 7:32 PM, seconded by Mr. Belke, all were in favor, 5-0.

Regular Meeting

Mr. Deasy made a motion to approve the waivers and the special use permit, seconded by Mr. Belke.

Ms. Conway discussed the signage square footage and street frontage rule as it pertains to a corner lot. The overall size of the illuminated sign was discussed regarding what is permitted by the regulations; as well as the necessity for the sign illumination.

The vote was taken, motion approved, 4-1.

Roll Call: Deasy - approve, Meek - approve, Sheehan - approve, Belke – approve, Conway - deny.

Town of Stonington Planning & Zoning Commission - Adoption of Phase 1 of the Zoning Regulations Comprehensive Rewrite.

Clifton Iler, own Planner, gave a brief presentation for Phase 1, including the reading of a memorandum into record.

Francisco Gomes, FHI Studios - Mr. Gomes commended the current and former Commission members' diligence, commitment, and willingness to work late hours in this pursuit. Mr. Gomes reviewed and discussed the purpose of the update. Corrections, additions, and consolidation will all occur. Mr. Gomes discussed that phase 2 will engage the public to a further extent using public workshops and things of that nature.

Mr. Iler discussed the exhibits and documents that are part of this application's record and are available to the public if desired.

The Commission confirmed that the ZEO had made comments but no other Commission had. Mr. Iler, along with the Commission, thanked Mr. Gomes for his team's work thus far in the project.

Public Comments:

Ben Tamsky, 5 Edgemont Street, Mystic, thanked Mr. Gomes and the Commission for their work. Mr. Tamsky discussed two concerns regarding the off-street parking limitations for requiring a special use permit, as well the jurisdiction of fee waivers and where that should fall.

Mr. Tamsky also read a letter that he submitted to the Commission in May.

Rick Newton, Chair of the Climate Change Taskforce, discussed the language around sea-level rise, and provided comments regarding generator soundproofing, height of solar canopies, developments in flood plains, regulations regarding heat, amongst other items.

Jim Lathrop, 4 Mechanic Street, Pawcatuck, was concerned about the updated language regarding the limitation of mixed-use buildings to require commercial use on the first floor that

Regular Meeting

faces the street. Mr. Lathrop discussed that this is a regulatory change and that is not consistent with the intent of phase 1.

Carlene Donnarummo, 22 Oakwood Ave., Pawcatuck, offered many edits and changes to the current update to help with grammar, spelling, clarity, etc. Her list of recommendations was submitted to the Commission. The Commission confirmed that these types of changes will be discussed between the Town Planner and consultant; syntax errors do not need to come to a public hearing.

Kevin Bowdler, Chair of Economic Development Commission, praised the goals and objectives of Phase 1. Mr. Bowdler was supportive of increasing housing density - more housing, including affordable housing. Signage size rules were discussed; these can be compared to other towns. Mr. Bowdler discussed the idea of eliminating parking minimums in certain areas.

Rebuttal: Mr. Gomes discussed the requirements of mixed-use properties that were mentioned by Mr. Lathrop. This was an effort to provide more clarity and to fall in line with the original intent. Mr. Gomes expressed appreciation for Mrs. Donnarummo's comments. Mr. Gomes clarified that 'motels' and 'hotels' were combined as one, therefore the use of the word 'hotel' refers to both.

Rebuttal from Mr. Lathrop: According to Mr. Lathrop, the change in language is more restrictive as it has gone from ambiguous to specific.

Mr. Deasy made a motion to continue the public hearing to a later meeting, seconded by Mr. Belke, all were in favor, 5-0.

Mr. Deasy made a motion to adjourn the meeting, seconded by Mr. Belke, all were in favor, 5-0. The meeting was adjourned at 8:53PM.

September 8, 2023

Charles Sheehan, Chairman
Planning & Zoning Commission
Town of Stonington
152 Elm Street
Stonington, CT 06378

RE: Expansion of St Edmund's Retreat

Dear Mr Sheehan,

Thank you for your prompt and courteous attention to the issues raised in our letter of August 24, 2023. We appreciate the fact that the Planning Department has already started to research the issues and has filed at least one complaint against St Edmund's Retreat on our behalf.

As a courtesy, we would like to receive copies of the complaints. We expect that at least two complaints will be filed.

- First, a complaint regarding the new parking area next to the maintenance building.
- Second, a complaint regarding the expansion of the main parking lot from 27 cars to over 75 cars. This issue was not addressed in the Enders Island Zoning Compliance Report of 2018.

Copies of the complaints can be sent to Frank Marco at the mailing address and/or email address listed below.

In the past, we feel that there has been little or no communication between the Planning Department and the complainants regarding the complaints filed against St Edmund's Retreat. The Planning Department has simply issued its decisions without giving the complainants the opportunity to state their case, ask questions, or comment on those decisions. In one case, the Planning Department ended its decision by saying "Staff has determined that the proposed activity is not outside of the uses enjoyed by Enders Island and will not be pursuing an enforcement action at this time. If you feel otherwise, the law allows you to commence your own private zoning enforcement action in superior court." – cutting off all further dialog at the town level, such as a review by the Zoning Board of Appeals.

We hope that the process will be different this time. We would like to have the opportunity to discuss the complaints with the Planning Department, to ask and respond to relevant questions,

and to comment on any decisions before they are released. We hope that an equal opportunity is also given to St Edmund's Retreat and the Planning & Zoning Commission.

For further information, please contact Frank Marco (fjmarco1@gmail.com).

Sincerely,

Marj Adler
44 Nauyaug Point Road
Mystic, CT 06355

Jean Anderson
2 Catbriar Lane
Mystic, CT 06355

Anne Budding
3 Skiff Lane
Mystic, CT 06355

Fred Deichmann
4 Ice Pond Road
Mystic, CT 06355

Susan H. Johnson
7 Nauyaug North
Mystic, CT 06355

Alex Klemmer
7 Andrews Road
Mystic, CT 06355

Gregory Klemmer
7 Andrews Road
Mystic, CT 06355

Cathy Marco
23 Skiff Lane
Mystic, CT 06355

Frank Marco
23 Skiff Lane
Mystic, CT 06355

Barry McGuire
3 Sandpiper Lane
Mystic, CT 06355

Phyllis McGuire
3 Sandpiper Lane
Mystic, CT 06355

April Michas
1 Bayberry Lane
Mystic, CT 06355

John Orzech
3 Skiff Lane
Mystic, CT 06355

John Pryor
29 Money Point Road
Mystic, CT 06355

Thalia Pryor
29 Money Point Road
Mystic, CT 06355

Patricia Reardon, MD
PO Box 156
Mystic, CT 06355

Trent Repko
7 Nauyaug North
Mystic, CT 06355

Kimberly Ross
16 Money Point Road
Mystic, CT 06355

Carol Steiner
3 Cove Road
Mystic, CT 06355

Solomon Steiner
3 Cove Road
Mystic, CT 06355

William Taylor
2 Catbriar Lane
Mystic, CT 06355

Ethan Tower
2 Yacht Club Road
Mystic, CT 06355

Jeffrey Walker
40 Nauyaug Point Road
Mystic, CT 06355

Waller Walker
40 Nauyaug Point Road
Mystic, CT 06355

Linda Watkins
45 Nauyaug Point Road
Mystic, CT 06355

Thomas W. Watkins III
45 Nauyaug Point Road
Mystic, CT 06355

Eugene Winchester, MD
PO Box 156
Mystic, CT 06355

CC:

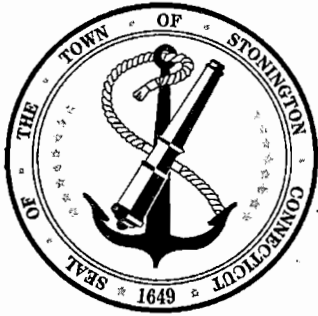
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Planning & Zoning Commission
Town of Stonington
152 Elm Street
Stonington, CT 06378

Danielle Chesebrough, First Selectman
Selectmen's Office
Town of Stonington
152 Elm Street
Stonington, CT 06378

Clifton Iler, Town Planner
Planning Department
Town of Stonington
152 Elm Street
Stonington, CT 06378

Candace Palmer, Zoning Enforcement Officer
Planning Department
Town of Stonington
152 Elm Street
Stonington, CT 06378

William Tong, Attorney General
State of Connecticut
Office of the Attorney General
165 Capitol Avenue
Hartford, CT 06106



Town of Stonington | Department of Planning
Planning and Zoning Commission Meeting
October 3, 2023
Summary of Administrative Review Items

Per Section 8.3.2.2 of the Zoning Regulations, Administrative Review proposals are required to receive Commission approval. Section 8.3.6 of the Zoning Regulations gives the Commission guidance on reviewing modifications to approved plans.

Report Prepared By: Clifton J. Iler, AICP – Town Planner

1. 23-242ZON Brookside Associates Ltd. Partnership (W. Sweeney)

This application is for a Zoning Permit for a minor driveway modification at The Glennon 100-unit affordable housing project as per Connecticut OSTA requirements. The property is located at 111 South Broad Street, Pawcatuck; M/B/L 37-1-1B. This property is in the GC-60 Zone.

Discussion

“The Glennon” affordable housing project was approved by the Commission on May 17, 2022 under **PZ2206SUP & GPP Brookside Associates Ltd. Partnership**. This project was subject to review and approval from the Connecticut Office of State Traffic Administration (OSTA) due to its shared access with Brookside Village Apartments. Through OSTA review it was determined that a modification to the secondary ingress/egress along South Broad Street was required. The secondary ingress/egress was recommended to be modified to a right-turn ingress only, which is represented on the proposed site plan.

The requested change has been reviewed and approved by the Pawcatuck Fire District, Police Department, and the Board of Police Commissioners.

Recommended Stipulations

1. Prior to the issuance of a Zoning Permit, final plans shall be signed by the Commission and recorded in the Town’s Land Evidence Records.
2. All previous stipulations from PZ2206SUP & GPP Brookside Associates Ltd. Partnership shall be met in addition to this approval.

Site Plans

See attached application set for proposed site plan.

¹ Summary reports are intended to be summaries of application information and issues by staff for the Commission. This report is not considered part of an applicant’s submittal, nor can it be considered an approval or denial of an application.

RECEIVED

2023 SEP 26 P 2: 33



TOWN OF STONINGTON

Zoning Permit Application

OFFICE USE ONLY		# FL. <u>110⁰⁰</u>
APPLICATION NUMBER: <u>23-242 ZON</u>	AMOUNT: <u>110⁰⁰</u>	
_____ APPROVED	_____ DISAPPROVED	
Zoning Official: _____	Date: _____	
Comments: _____		

THIS APPLICATION CANNOT BE APPROVED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

PROPOSED PROJECT DESCRIPTION: OSTA Driveway Modification

PROPERTY OWNER: Brookside Associates Limited Partnership PHONE: (401) 456-5605

APPLICANT / AGENT: William R. Sweeney, Esq. PHONE: (860) 447-0335

MAILING ADDRESS: P.O. Box 58, New London, CT 06320

LOCATION OF SITE: 111 South Broad Street

ASSESSOR'S MAP: 37 BLOCK: 1 LOT: 1B ZONE: GC-60

TYPE OF OCCUPANCY: Residential _____ Commercial _____ Industrial

TYPE OF CONSTRUCTION: _____ New Alteration _____ Addition _____ Repair

LOT INFORMATION: Frontage of Lot: 474' Width of Lot: 474' Depth of Lot: 264' Area of Lot: 104,544 SF

EXISTING SETBACKS: Front: N/A Rear: N/A Sides: N/A

PROPOSED SETBACKS: Front: N/A Rear: N/A Sides: N/A

SIZE OF (Existing) STRUCTURE: Footprint: N/A x N/A Height: N/A

EXISTING (sq. ft.): 1st floor: N/A 2nd floor: N/A Attic: N/A Basement: N/A Accessory Bldgs: N/A

PROPOSED ADDITIONAL STRUCTURE: Footprint: N/A x N/A Height: N/A

PROPOSED (sq. ft.): 1st floor: N/A 2nd floor: N/A Attic: N/A Basement: N/A Accessory Bldgs: N/A

EXISTING FLOOR AREA: N/A Additional Floor Area: N/A Total Floor Area: N/A Floor Area Ratio: N/A

FLOOD HAZARD ZONE DESIGNATION: N/A ESTIMATED COST OF WORK: \$ N/A

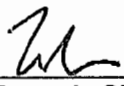
OTHER APPROVALS REQUIRED:	Application #	Approved	Date	Volume	Page
_____ P & Z (Site Plan)					
_____ P & Z (Special Use Permit)	<u>PZ2206 SUP & GPP</u>	<u>5/17/22</u>	<u>841/272</u>		
_____ Inland Wetlands					
_____ CAM Review (PZC)					
_____ Varlance (ZBA)					
_____ Driveway Permit (Highway Dept.)					

OTHER ITEMS REQUIRED TO BE SUBMITTED WITH THIS APPLICATION:

- N/A All plans that will be submitted to the Building Official in connection with this project.
- A site plan showing the dimensions of the property, the location and dimensions of all structures on the property, and the distances from all existing and proposed structures to the property lines.
- N/A An attached copy of the tax assessor's street card for the site. If new construction, house number must be indicated.
- N/A Dimensioned elevation renderings depicting the height of all proposed structures above the proposed finished grade.
- N/A An Elevation Certificate if proposal is within 250 feet of FEMA designated flood zone (only applies to New Construction or Substantial Improvements).
- N/A Photographs of existing conditions (unless new building).
- Fees: As per fee schedule in the current zoning regulations.

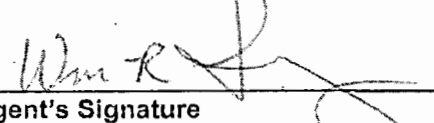
I, the undersigned, attest that the statements made in this application are to the best of my knowledge true and accurate representations of the existing site and proposed site improvements.

Brookside Associates Limited Partnership
Owner's Printed Name


Owner's Signature

9/12/23
Date

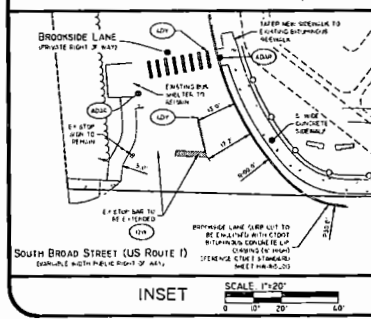
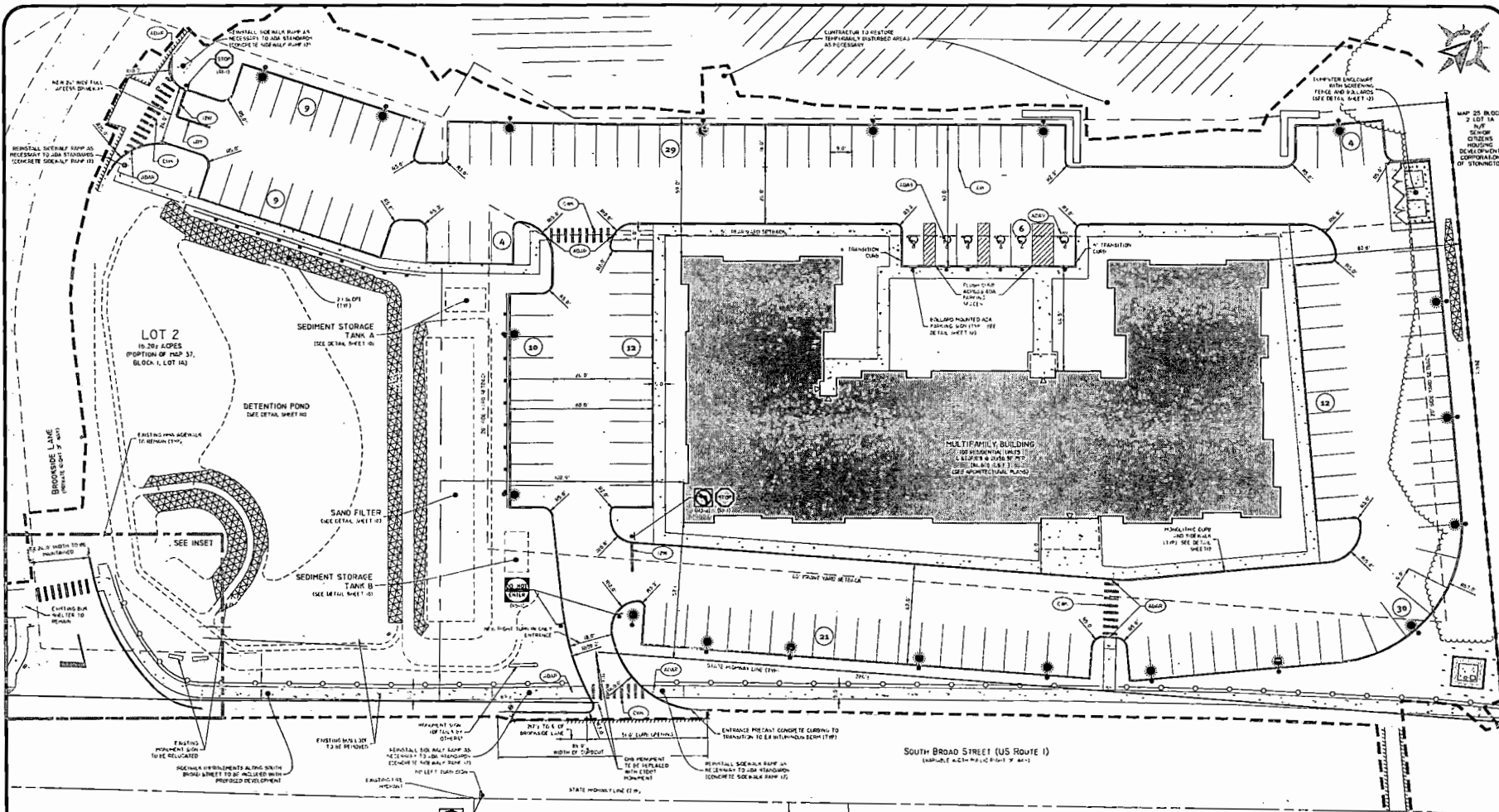
William R. Sweeney, Esq.
Agent's Printed Name


Agent's Signature

9/18/23
Date

Narrative

The subject administrative zoning permit application, which was submitted at the request of staff, entails a minor driveway modification to "The Glennon" a 100-unit affordable housing project proposed for 111 South Broad Street. The project, which the Commission approved on May 17, 2022 pursuant to C.G.S. 8-30(g), was subject to review and approval from the Connecticut Office of State Traffic Administration (OSTA) due to its shared access with Brookside Village Apartments. The original plans for the project included a secondary full access curbcut on South Broad Street as was initially requested by the Pawcatuck Fire District Chief. During the OSTA review of the project, the state requested that this additional full access curbcut be modified to a right-turn ingress only to avoid left turns in and out of the project site at this location. This requested change was reviewed and approved by both Pawcatuck Fire District Chief, Police Chief, and Chairman of the Police Commission and deemed to be an overall safety improvement to the project. On August 31, 2023, OSTA issued Administrative Decision No. 905 approving the project with the modified curbcut design. As the Commission is aware, under state law, OSTA has exclusive jurisdiction over the traffic permitting of this project. The modified curbcut does not constitute a substantial or material change to the approved site plan for the project and there are no other changes proposed to project plans in terms of sidewalks, landscaping, parking areas, building design or other approved amenities.

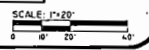


PROPOSED SITE CALLOUTS LEGEND

- (S) PROPOSED 8' PAINTED WHITE SIGNAGE
- (EA) PROPOSED 8' WHITE LEDGEMARK SIGN PAINTMENT MARKINGS
- (EA) PROPOSED 8' STOP LINE REFERENCE PAINT MARKINGS
- (EA) PROPOSED ADA COMPLIANT PAINTMENT MARKINGS (PAVEMENT COPIES WITH ALL ADA AND RELATED MARKINGS AND REQUIREMENTS)
- (EA) PROPOSED ADA COMPLIANT PAINTMENT MARKINGS (PAVEMENT COPIES WITH ALL ADA AND RELATED MARKINGS AND REQUIREMENTS)
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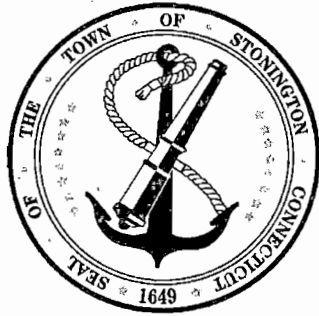
SIGNAGE SCHEDULE							
SIGN TYPE	DETAIL	SIGN REFERENCE NO.	PLACED REFERENCE	COLOR (BACKGROUND/COPY)	DIMENSION (WIDTH x HEIGHT)	MOUNTING HEIGHT (CLEAR HEIGHT TO BOTTOM OF SIGN)	# OF SIGNS
STOP	(STOP)	31-052	R1-1	RED/WHITE	30" x 30"	7'-0"	2
DO NOT ENTER	(DO NOT ENTER)	31-018	R5-1	RED/WHITE	30" x 30"	7'-0"	2
NO LEFT TURN	(NO LEFT TURN)	31-063	R3-2	WHITE/BLACK/BLACK SYMBOL, RED	24" x 24"	7'-0"	2

Submitted Plan
Approved by OSTA
08/31/2023
Final Construction Plan to be
Reviewed and Approved by
DOT District Office



Diprete Engineering
 1000 W. 10th Street, Suite 100
 Jackson, Mississippi 39201
 TEL: 601-353-8853
 FAX: 601-353-8854
 WWW.DIPRETE.COM

SITE LAYOUT PLAN
THE GLENNON
 PORTION OF PARCELS MAP 25, BLOCK 1, LOT 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



Town of Stonington | Department of Planning
 Planning and Zoning Commission Meeting
 September 5, 2023
 PZ2314SUP Jannat, LLC (J. Casey)

Special Use Permit application to permit construction of 1-story, 3,300 SF convenience store with 3 fuel filling stations with a canopy. Proposal includes parking, repaving, stormwater drainage, and associated site work. Property located at 54 S Broad St., Pawcatuck; M/B/L: 14-2-6. Zone LS-5.

Report Prepared By: Clifton J. Iler, AICP – Town Planner

Application Status

This application for a Special Use Permit (SUP) is subject to a public hearing per ZR 8.9.1.1 and C.G.S. Section 8-3(b). The Commission has 65 days to open the public hearing and 35 days to conduct the public hearing once opened, as established in C.G.S. Section 8-7d(a). The applicant may request one or more extensions provided the total of any such extension or extensions shall not exceed 65 days.

- Official Date of Receipt for this application was 6/8/23.
- The public hearing was opened on 8/1/23.
- The public hearing, without extension, must be closed by **tonight**.
- A decision, without extension, must be made by 11/9/23.

Purpose

The applicant is seeking a Special Use Permit for the demolition of an existing building and construction of a new 3,300 SF gas station and convenience store with gasoline filling pumps, canopy, parking, stormwater management features, and associated site work.

Zoning and Context

This parcel is located in the LS-5 Zone. As described in ZR 4.3, the LS-5 Zone is “a small lot business zone for built-up areas to provide a full range of services to residences in the area.” Gas/auto service stations are allowed by Special Permit. The property has been used as a gas station and auto repair business since the 1950’s but has been vacant for the last 5+ years.

The application conforms to the bulk and use requirements of the Zoning Regulations for the LS-5 Zone.

LS-5 Zone Bulk and Use Requirements

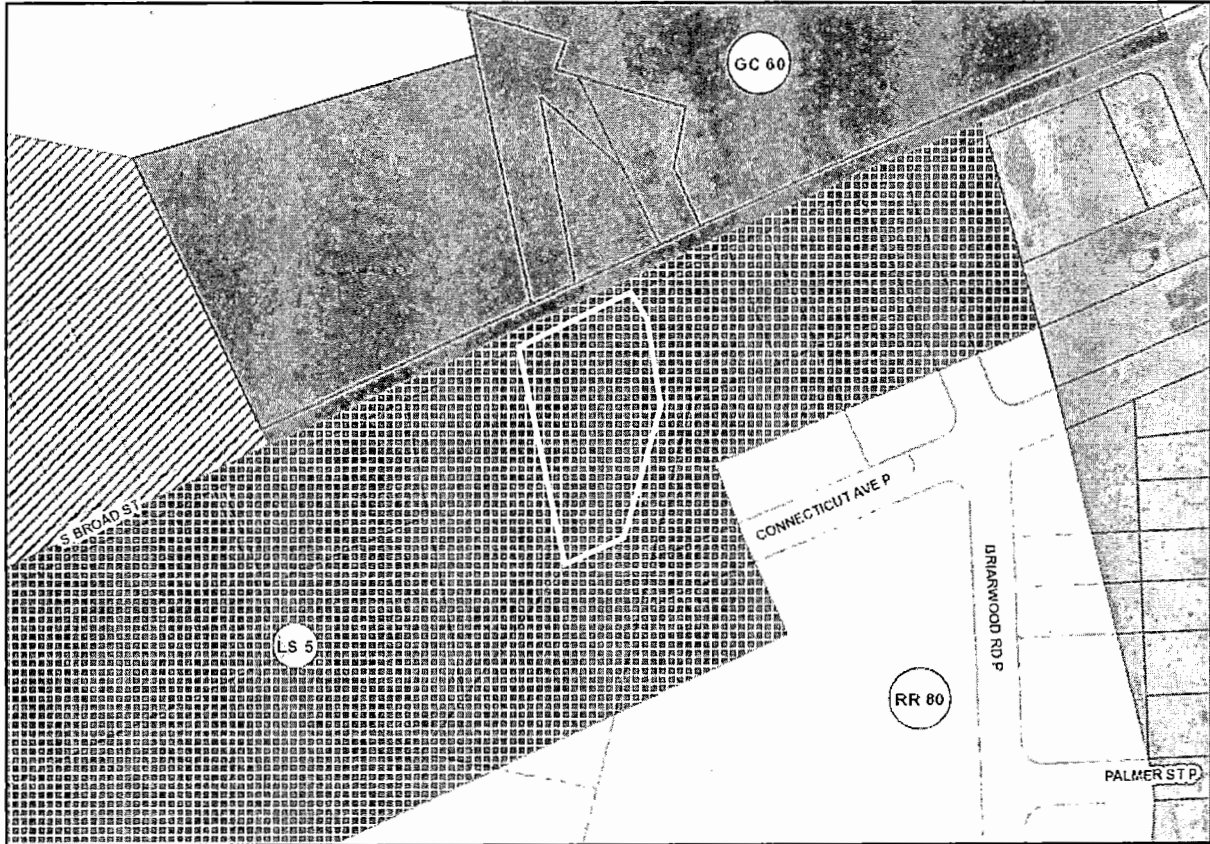
	<u>Required</u>	<u>Provided</u>		<u>Required</u>	<u>Provided</u>
Lot Size	5,000 SF	34,819 SF	Building Height	40’	25.3’
Frontage	50’	150.7’	Floor Area Ratio	0.5	0.14
Setbacks (F/S/R)	10’/5’ ¹ /10% ²	34’/15.5’/98’	Parking ³	16.5	17
Res. Buffer	N/A	N/A	Non-Infring. Area	N/A	N/A

¹ See Section 5.2.1 of the Zoning Regulations.

² See Section 5.2.1 of the Zoning Regulations.

³ See Section 7.10.4 of the Zoning Regulations.

ZONING MAP



North: GC-60 Zone [Use: Residential/Comm.]

East: LS-5 Zone [Use: Residential]

South: LS-5 Zone [Use: None]; RR-80 Zone [Use: None]

West: LS-5 Zone [Use: Commercial]

Site Access and Traffic

The site is accessed from South Broad Street (Route 1) and has two existing curb cuts which are to be modified. The western curb cut is to provide ingress-only traffic traveling eastbound on Route 1. The eastern curb cut is to provide egress-only traffic traveling eastbound on Route 1. "No Left Turn" and "Do Not Enter" signs are to be placed to prevent westbound traffic entering or exiting the site.

Proposed traffic movement and vehicle maneuvering for the site is shown on Sheet 4 of the plan set.

Environmental Elements

The site is directly north of a significant inland wetland. No direct wetland disturbance is proposed; however, a portion of the site development is within the 100 FT Upland Review Area (URA). This application was approved by the Inland Wetlands and Watercourses Commission (IWCC) on May 23, 2023 (#IW23-02MOD) with the following stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment and erosion control measurements.
2. Existing well is to be properly abandoned by a licensed professional.

The previous approval by the IWWC (#IW21-07) was appealed and dismissed by the Superior Court. The current approval by the IWWC (#IW23-02MOD) has also been appealed to the Superior Court on the grounds that the approval would offer too great of a risk to the wetlands. No decision on the appeal has been reached. The Town Attorney has verified that the applicant has the right to apply to PZC despite the appeal. However, an approval by PZC would be at applicant's own risk since both the Wetlands and PZC approvals could be voided by the court if the Wetlands approval is overturned.

Previous soil contamination was found when underground tanks were removed in 2016. Petroleum impacted soils were excavated in coordination with DEEP. An area of remaining soils was found to still contain compounds below DEEP thresholds. During construction the extent of remaining contamination will be assessed and mitigated if necessary. The application includes a Spill Contingency Plan and Safety Protocols.

Stormwater management will include a catch basin with an oil-water separator leading to a rain garden which ultimately outlets next to the rear wetlands. According to the submitted Stormwater Management Report, plans will reduce the peak runoff rates off site and will not have adverse impacts on adjacent wetlands, downstream properties, or the storm drains in Route 1. The Town Engineer's comments are captured later in the report.

The site is not within the Groundwater Protection, Coastal Area Management, or Flood Hazard Overlay Districts.

Utilities

The site is served by public water and public sewer and is subject to review by the Water Pollution Control Authority (WPCA) and Westerly Water Co. Comments are captured later in the report.

Waivers Requested

The following waivers are requested by the applicant:

Item	Provided	Waiver Requested
Impact Statement in Accordance with Section 8.8. (ZR 6.1.2.1)	X	
Site Plan in Accordance with Section 8.3 (ZR 6.1.2.2)	X	
Architectural Elevation Drawings and Landscape Plan Per Section 2.6 (ZR 6.1.2.3)	X	
Water Impact Study (ZR 6.1.2.4.1)	X	
Sanitary Sewer Impact Study (ZR 6.1.2.4.2)	X	
Site Drainage Analysis (ZR 6.1.2.4.3)	X	
Erosion Control Report (ZR 6.1.2.4.4)	X	
Traffic Impact Study (ZR 6.1.2.4.5)	X	
Archaeological Study (ZR 6.1.2.4.6)		W
Soils Report, Test Pit Data and Mapping (ZR 6.1.2.4.8)	X	
Shadow Plan (ZR 6.1.2.5 & ZR 7.14.2)	X	
3-D Model for Projects Which Fall Under Criteria of Section 6.2 (ZR 6.1.2.6.1)		W
Flood Hazard Reports (ZR 6.1.2.6.2)		N/A
School Impact Evaluation Report (ZR 6.12.6.3)		N/A
Application Fee Per Section 8.7 (ZR 6.1.2.7)	X	
Legal Description of Property/Site (ZR 6.1.2.8)	X	
Phasing Requirements for Projects Over 24 Dwelling Units (ZR 6.1.2.9)		N/A
Written Waiver Request(s) at the Time of Application Submission (ZR 6.1.2.10)	X	

Response Summary

The application was routed to the following agencies/agents of the Town. Responses are shown below:

BUILDING OFFICIAL – No comment.

POLICE COMMISSION – No comment.

TOWN ENGINEER – Comments below [Dated 7/2/23]:

General Plan Comments:

1. Provide additional “proposed” sidewalk at both entrance and exit extending to the property lines within the sidewalk easement areas. Sidewalks should include ramps and tactile warning pads where necessary. Revise location of proposed improvements (i.e. proposed “Do Not Enter Signs”) in the location of the entrance and new walks. **ADDRESSED**
2. Provide note on plan that any damaged and/or removed property corner (pins & mons) to be replaced by a Connecticut Licensed Land Surveyor. **ADDRESSED**
3. Provide note on plan that a DOT Encroachment Permit is required for any improvements proposed within State of CT. ROW. **ADDRESSED**
4. Revise “exit” turning radius to 15’ minimum. **ADDRESSED**
5. Refer to Sheet #2: Revise note #6 – “contractor required to apply and obtain sewer permit with the Town of Stonington – WPCA in advance of sewer connection. **ADDRESSED**
6. Refer to Sheet #2 – Revise note #7 – Developer required to contact Westerly Water for application and subsequent water permit connection. **ADDRESSED**
7. Provide Volume and Page of sidewalk easement as illustrated and referenced on Sheet #1. **ADDRESSED**
8. Refer Sheet #8 – Sidewalk Detail, Revise 6x6 Welded wire fabric – 1-1/2” clear from base. **ADDRESSED**

Drainage Comments:

1. Incorporate “Stormwater operation & maintenance schedule” with “Post Construction” notes located on Sheet #5. **ADDRESSED**
2. Indicate size of proposed rip rap at Water Quality Basin outlet, add concrete grade beam. **ADDRESSED**
3. Provide tabular hydrograph for WQ Basin discharge No. 4 (100 YR) report. Specifically, one standard deviation from either side of peak time (i.e. 720 minutes), therefore minimize output. **ADDRESSED**

In review of the aforementioned application and plans, I recommend action be taken by the commission with the stipulation that the comments be accomplished to the satisfaction\approval of the Town Engineer prior to construction activities

Follow-Up Comments [Dated 8/1/23]: I have reviewed the updated plans (Dated: 07/14/2023) and Applicant’s Engineer – CLA responses (Dated 07/24/2023) both Entitled: “Site Improvement Plan, Proposed Convenience Store and Gasoline Station, 54 South Broad Street (Route 1), Pawcatuck,

Connecticut, Prepared for Jannat, LLC". The collective documents satisfy the remaining T.E. Comments – all set.

TOWN SANITARIAN (LEDGE LIGHT HEALTH DISTRICT) – No comment.

WATER POLLUTION CONTROL AUTHORITY (WPCA) – Since the building is to be demolished and replaced it will be reassessed by the WPCA in accordance with the Article XII of the WPCA Rules and Regulations. Those calculations are enclosed.

Before the building is demolished the contractor shall, with the required permit, notify the WPCA office to inspect the disconnection and capping of the existing sewer. At the time of reconnection, the assessed fees are due in full or a payment plan in place. A compliant grease trap may be required depending on the menu and classification determined by the health department.

ZONING ENFORCEMENT OFFICER – Court dismissed the original appeal and motion to reargue for #IW21-07 on June 7, 2023. Aldin Associates filed a new appeal on the modification (#IW23-02MOD) on June 12, 2023.

FIRE DISTRICT MARSHAL (PAWCATUCK) – No comment.

WATER COMPANY (WESTERLY WATER CO.) – No comment.

Town Planner Comments

The Commission may be familiar with a variation of this application (PZ2211SUP) which went to public hearing but was withdrawn on July 21, 2022. One of the key questions at that time was whether the former gas station was legally abandoned by the previous owner when the fuel tanks were removed and the roofing business opened at this location. (This would exempt the applicant from complying with ZR 2.11.2 regarding distance requirements from other gas stations.) In a memorandum dated July 16, 2022, the Town Attorney advised that the case law would suggest abandonment had not occurred and the gas station use could be continued, if determined by the Commission.

The original site and architectural plans submitted to the Town were reviewed and commented on by staff and relevant agencies/agents. A revised set of plans incorporating the Town Engineer's comments were submitted to the Town on July 25, 2023. As required by ZR 8.9.1.1, the Commission continued the public hearing to tonight's meeting to provide the public with adequate time to properly review the application documents.

Recommended Stipulations

Should the Commission decide to approve this application, the Department of Planning recommends the following stipulations of approval:

1. The approval of this application is predicated upon #IW23-02MOD, which is currently under appeal in Superior Court. This Special Use Permit is at the applicant's own risk and may be considered invalid if the IWWC permit is overturned.
2. Update photometric plans and site renderings to remain consistent with the proposed lighting fixtures for the site to the satisfaction of the Town Planner.
3. Final site plans shall be reviewed to the satisfaction of the Town Engineer.

4. Prior to the issuance of a Zoning Permit, the final plans shall be signed by the Commission and recorded.
5. The sidewalk easement to the Town shall be recorded along with the final plans.
6. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of a Zoning Permit. The bond shall be either in the form of a certified check or irrevocable letter of credit meeting the requirements of ZR 8.6.3. 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 Zoning Compliance.
7. Modifications to the site development plans, if necessitated in order to receive a DOT Encroachment Permit, shall be reviewed and approved by Town staff and the Commission, as necessary.
8. Hours of operation for both the convenience store and gas pumps shall be limited to between 6:00AM and 12:00AM. Fuel deliveries shall be limited to between 12:00AM and 6:00AM.

Commission Action Required

The Commission is required to make a determination on the following items:

- A decision concerning the waivers requested
- A decision concerning the Special Use Permit (SUP) application

Section 6.5 – Commission Powers Relative to Action on a Special Use Permit – The Commission shall have the power to approve, deny, or modify any proposal and set forth special stipulations of approval or modification as follows:

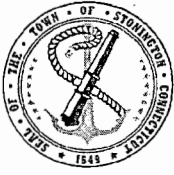
§6.5.1 – Special screening or landscaping to screen adjoining properties or mask obtrusive structural features.

§6.5.2 – Set extra buffer requirements ranging from 25 to 100 feet for fragile environmental features or residential property.

§6.5.3 – Design of buildings, structures and landscaping to ensure harmony with Stonington's architectural heritage, thus preserving and improving the appearance, beauty and character of the community, and providing a design compatible with neighborhood structures. The Commission shall consider advisory recommendations from the Architectural Design Review Board in evaluating compliance with this subsection.

§6.5.4 – Time of operation or intensity of use of a site.

§6.5.5 – Special site plan design features necessary to minimize adverse impacts on area, environment, or traffic.



**TOWN OF STONINGTON
DEPARTMENT OF PLANNING**

Memorandum

To: Planning and Zoning Commission
From: Clifton J. Iler, AICP – Town Planner
Date: October 3, 2023
Subject: PZ2314SUP Jannat, LLC (J. Casey)

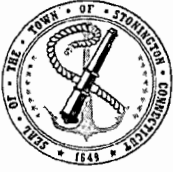
Commissioners,

This memorandum serves to provide an update on legal opinion requests made by the Commission subsequent to the public hearing held on September 5, 2023, regarding the subject application. Town staff reached out to the Town Attorney to seek clarification on several matters raised during the public hearing process. As of the date of this memorandum, we have not received an official opinion from the Town Attorney.

The Commission instructed Town staff to consult with the Town Attorney and address the following issues, presented here in no particular order:

1. **Statement of Relevancy – Reference #4600, 54 South Broad Street Gas Station:** The Commission requested a statement of relevancy regarding a previous legal opinion on abandonment, dated July 16, 2022, which was provided in relation to PZ2211SUP Jannat, LLC.
2. **Opinion on ZR §2.11.2 Exemption:** The Commission requested a legal opinion on staff's interpretation that the applicant is exempt from the requirement of ZR §2.11.2 if determined to be a legal non-conformity:
"No gasoline or diesel filling station, or automotive service or repair station shall be erected within a 1,500-foot radius of any part of any lot used for these purposes."
3. **Opinion on Proposed Parking Counts:** The Commission requested a legal opinion on whether the proposed parking counts should include parking spaces at gasoline pumps, as indicated on the site plan.
4. **Gasoline Station Definition and Special Use Permits:** Lastly, the Commission sought clarification on whether the definition of a gasoline station should encompass the use of a convenience store and whether separate Special Use Permits are required for the subject application.

Town staff did not receive an official opinion from the Town Attorney until the day of the previous Planning and Zoning Commission meeting on September 19, 2023. As a result, the Commission voted to



**TOWN OF STONINGTON
DEPARTMENT OF PLANNING**

table decision on the application to provide both the Commission and the general public opportunity to review the Town Attorney's comments. Those comments accompany this memorandum.

Additionally, the Commission requested Town staff consult with the Town Engineer regarding intersectional site distance for the subject application. Both the Town Engineer and Connecticut Department of Transportation (DOT) reviewed the application and made no comment regarding site distance. The Commission could, however, revise the recommended stipulation included in the Staff Report to further satisfy site distance concerns:

7. Modifications to the site development plans, if necessitated in order to receive a DOT Encroachment Permit, shall be reviewed and approved by Town staff and the Commission, as necessary.

All outstanding questions and concerns from the Commission have been addressed as of the date of this memorandum. Please feel free to contact me if you have any questions or require further information.

Sincerely,

Clifton J. Iler, AICP
Town Planner

Clifton Iler

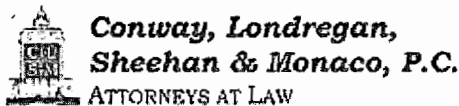
From: Jeffrey Londregan <jlondregan@clsmlaw.com>
Sent: Tuesday, September 19, 2023 9:54 AM
To: Clifton Iler
Cc: Gayle Phoenix
Subject: RE: 54 S Broad Street Application

Caution! This message was sent from outside the Town of Stonington.

Clifton,

Please see my comments in red below. Please let me know if you or the Commission have any additional questions. Please feel free to share this email with the members for convenience of providing them with this opinion.

Jeffrey T. Londregan
Conway, Londregan, Sheehan & Monaco, P.C.
38 Huntington Street
New London, CT 06320
Ph. 860.447.3171
Fx. 860.444.6103



This message originates from the law firm of Conway, Londregan, Sheehan & Monaco, P.C. The information contained in this e-mail and any files transmitted with it may be a confidential attorney-client communication or may otherwise be privileged and confidential. If the reader of this message, regardless of the address or routing, is not an intended recipient, you are hereby notified that you have received this transmittal in error and any review, use, distribution, dissemination or copying is strictly prohibited. If you have received this message in error, please delete this e-mail and all files transmitted with it from your system and immediately notify Conway, Londregan, Sheehan & Monaco, P.C. by sending a reply e-mail to the sender of this message.

From: Clifton Iler <ciler@stonington-ct.gov>
Sent: Tuesday, September 12, 2023 12:51 PM
To: Jeffrey Londregan <jlondregan@clsmlaw.com>
Cc: Gayle Phoenix <GPhoenix@stonington-ct.gov>
Subject: 54 S Broad Street Application

Hello Jeff,

At the last PZC meeting on 9/5, the Commission had a couple additional questions regarding the Jannat LLC application at 54 S Broad Street. Ahead of their deliberation and vote, they requested I receive additional legal opinion from your office. I've included those questions below:

1. One of the items provided as an exhibit by the applicant, and also mentioned in my staff report, is an opinion you provided the Town dated July 16, 2022 (see attached). The Commission requested confirmation that this opinion is still accurate for this project – the application is largely the same, minus refined site

improvements. Yes, that opinion is still accurate for this project. Furthermore, the PZC requested an opinion whether erection or construction of a new structure, as proposed, would still be permissible for an abandoned or non-conforming use. Construction of a new structure would be permissible. As I understand the application and facts, the use is what is important in this analysis of what is pre-existing nonconforming, not the actual building. The owner/applicant would not have to only use the old building in order to take advantage of any rights they have to pre-existing nonconforming uses.

2. ZR 2.11.2 states that no gasoline station shall be erected within a 1,500 FT radius of another lot used for this purpose. The PZC requested confirmation that staff interpretation regarding abandonment and non-conformity would exempt the applicant from meeting this requirement. This was the opinion in the previous application as well. I would agree. If the use was pre-existing and nonconforming to this distance requirement, and the pre-existing nonconforming use is found to not have been abandoned, then the distance requirement would not be applicable.
3. The PZC requested an opinion whether the parking spaces at the gas pumps can be counted towards the project's overall parking requirement. I am not aware of any prohibition in the Town's zoning regulations preventing the Commission from including spaces at the gas pumps towards parking calculations. If the Commission has historically included gas pump spaces towards required parking figures, it is appropriate to continue to do so for this application. I will state that in all other municipalities that our office represents, and in municipalities where we have represented private clients before zoning commissions, the standard custom is to include spaces at the gas pumps towards parking calculations.
4. The PZC requested an opinion whether the gasoline station use includes the convenience store element. If they are considered as separate uses on site, does the applicant require a second Special Use Permit? Similar to the parking space question above, I could not find any language in the Town's zoning regulations which indicates that gasoline stations and convenience stores are two separate and distinct uses. Customarily, gas stations sell products other than just gas. While some gas stations offer more of a variety of additional products, that does not take away from the baseline use of a gas station. If the Commission has always considered gasoline stations that sell other products as one use, it would be appropriate to do so here as well...and like the parking spaces, other municipalities that we are familiar with do not treat any convenience store element of a gas station as a separate and distinct use that requires its own permitting process. It is all considered under the umbrella of one use.

Please let me know if you'd like to discuss further. The Commission will be discussing this at their next meeting on 9/19.

Best Regards,



Clifton J. Iler, AICP
Town Planner | Town of Stonington
152 Elm Street, Stonington, CT 06378
E: ciler@stonington-ct.gov
P: 860.535.5095

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Town of Stonington | Department of Planning
Planning and Zoning Commission Meeting

October 3, 2023

PZ2323BR Spruce Meadows, LLC

Bond Reduction/Release application for work performed under PZ1203SUP & GPP TFB3 LLC – Special Use Permit & Groundwater Protection Permit applications for construction of two multi-unit residential structures and associated improvements. Property located at 100 South Broad St., Pawcatuck; M/B/L 25-1-5. This property is in the LS-5 and RR-80 Zones.

Report Prepared By: Clifton J. Iler, AICP – Town Planner

Application Status

This application is for the full release of the \$6,000.00 Erosion and Sedimentation Control Bond under application **PZ1203SUP & GPP TFB3 LLC**. Connecticut General Statutes Section 8-3g(3) gives the Town 65 days to either authorize a reduction, release, or provide a written explanation as to the additional improvements that must be completed before the bond can be reduced or released.

- Official Date of Receipt for this application was 9/19/23.
- Tonight's meeting is **Day 14** of 65 total days to decide on the application.
- A decision must be made by 11/23/23.

State Statute does not authorize extensions of time for bond release requests.

Per C.G.S. Section 8-3g(3) the Commission shall either: (A) release or authorize the release of any such financial guarantee or portion thereof, provided the commission or its agent is reasonably satisfied that the site improvements for which such financial guarantee or portion thereof was posted have been completed; or (B) provide the person posting such financial guarantee with a written explanation as to the additional site improvements that must be completed before such financial guarantee or portion thereof may be released.

Response Summary

The application was routed to the following agencies/agents of the Town. Responses are shown below:

BUILDING OFFICIAL – No comment received.

TOWN ENGINEER – No comment received.

ZONING ENFORCEMENT OFFICER – No comment received.

FIRE DISTRICT MARSHAL (PAWCATUCK, KEVIN BURNS) – No comment received.

Town Planner Comments

The Town Planner recommends tabling a decision on this application until comments are received from the appropriate agencies/agents of the Town.

Recommended Stipulations

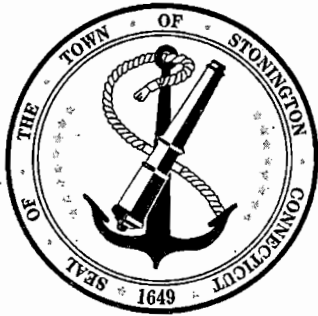
None

Commission Action Required

The Commission is required to make a determination on the following items:

- A decision on the Bond Reduction/Release application

Should the Commission deny this request the reason(s) must be stated in the denial and a response must be sent in writing per C.G.S. Section 8-3g(1).



Town of Stonington | Department of Planning
Planning and Zoning Commission Meeting
October 3, 2023
PZ2321ZC & CAM Pawcatuck Riverview, LLC (M. Kepple)

Zoning Map Amendment to IHRD-5 & Coastal Area Management Review applications for the rehabilitation of an historic mill building for 58 residential units and one detached residential unit. Property located at 21 Pawcatuck Ave., Pawcatuck; M/B/L 5-5-2. This property is located in the MC-80 Zone.

Report Prepared By: Clifton J. Iler, AICP – Town Planner

Application Status

This application is for a Zone Change and Coastal Area Management (CAM) Review. Zoning Map Amendments require a public hearing in accordance with C.G.S. Section 8-3(c). The Commission has 65 days to open the public hearing and 35 days to conduct the public hearing once opened, as established in C.G.S. Section 8-7d(a). The applicant may request one or more extensions provided the total of any such extension or extensions shall not exceed 65 days.

- Official Date of Receipt for this application was 8/15/23.
- Tonight's meeting is **Day 49** of 65 Days to open the public hearing.
- The public hearing, without extension, must be closed by 11/7/23.
- A decision, without extension, must be made by 12/23/23.

Purpose

The applicant is applying for a Zoning Map Amendment (ZC) to convert the existing site located in the MC-80 Zone to the Industrial Heritage Reuse District (IHRD-5). The purpose of this amendment is to encourage the preservation and adaptive reuse of the historic structure ("Thread Mill #2") and remediate the brownfield site conditions. The proposed end use of the property is primarily residential with secondary commercial spaces identified.

Process

The Zoning Map Amendment (ZC) application is evaluated as a **zoning** proposal, and the Commission is required to evaluate the ZC in accordance with the Stonington Zoning Regulations. In reviewing this proposal, the Commission needs to evaluate a number of elements:

- 1) Plan of Conservation and Development (POCD) Compliance
- 2) Zoning Regulation §7.19 Compliance

POCD Compliance

In the Plan of Conservation and Development (POCD), the community was forthright in its desire to preserve historic mill properties:

Policy 7.2.5 – Promote adaptive re-use of the Town’s mill buildings and other underutilized historic commercial buildings through regulatory incentives.

Policy 8.1.4 – Pursue grants for façade improvement and prioritize mill redevelopment in Pawcatuck.

Policy 9.2.2 – Encourage the re-use of mill buildings for housing where appropriate.

Policy 9.3.2 – Encourage re-use of existing buildings and mills for mixed use developments in village areas.

Policy 10.2.1 – Encourage re-use of the mills and other underutilized commercial and industrial sites.

Although the POCD is advisory in nature, the Commission is required to consult the document when reviewing zoning map and text amendment proposals.

Zoning Regulation §7.19 Compliance

7.19.2 Statement of Purpose – Industrial Heritage Re-Use Districts are intended to encourage renovation and/or adaptive re-use of Stonington’s historic mills, promote diversified housing opportunities in combination with commercial, retail or office use where such mixed-use is appropriate, and retaining historic architectural design elements while adapting obsolete or underutilized structures and appurtenances to 21st Century needs. Factors to be considered by the Commission in approving an IHRD include:

- 7.19.2.1 The location of the proposed uses of the IHRD is in conformance with the adopted POCD.
- 7.19.2.2 Preservation, to the maximum feasible extent, of buildings and building elements possessing historic or architectural significance. New buildings and building additions shall be architecturally compatible with existing historic structures, and the neighborhood (when feasible) and respect exterior attributes of such structures and neighborhood.
- 7.19.2.3 Adaptive re-use that addresses Stonington’s housing needs, and in the appropriate setting provides space for business or retail establishments. Since each historic mill is unique in terms of its location and design challenges, there shall be no mandatory area ratio of residential use versus commercial use; rather, the type and placement of each proposed use shall be indicated in the Redevelopment Master Plan.
- 7.19.2.4 Harmony between mixed-uses that are proposed for the property, compatibility with neighboring land uses, enhancement of the built, natural and human environment, promotion of pedestrian safety, provision for adequate parking, and minimized impact of motor vehicles.
- 7.19.2.5 Furtherance of goals and objectives contained in Stonington’s Plan of Conservation and Development.
- 7.19.2.6 Furthers the policies of the Coastal Management Act.

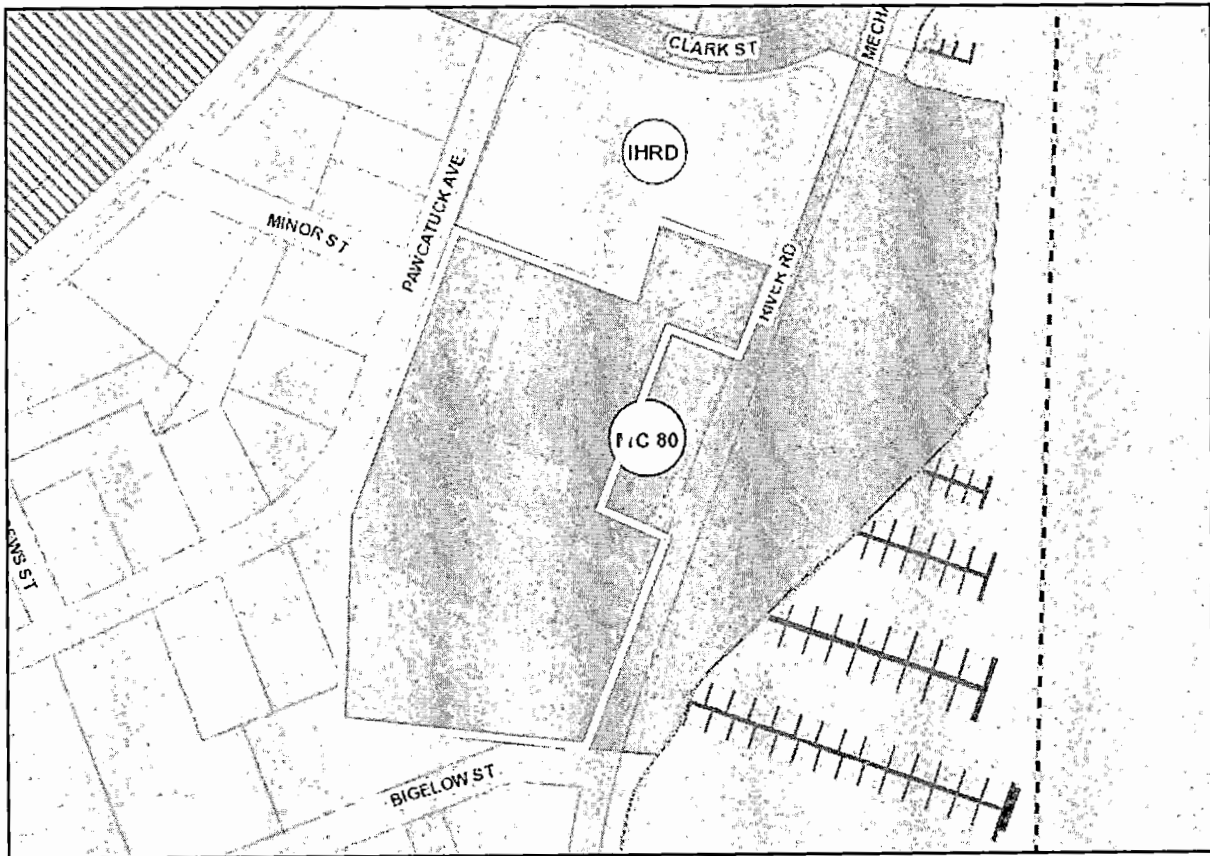
Zoning and Context

The site is located in the MC-80 Zone. As part of the Master Plan, the applicant is required to propose new bulk and use requirements for the proposed IHRD-5 Zone. Below reflects the current bulk and use requirements for the MC-80 Zone:

MC-80 Zone Bulk and Use Requirements

	<u>Required</u>	<u>Provided</u>		<u>Required</u>	<u>Provided</u>
Lot Size	80,000 SF	N/A	Building Height	50'	N/A
Frontage	150'	N/A	Floor Area Ratio	0.75	N/A
Setbacks (F/S/R)	50'/50'/50'	N/A	Parking ¹	N/A	N/A
Res. Buffer	50'	N/A	Non-Infring. Area	N/A	N/A

ZONING MAP



North: IHRD Zone [Use: Residential]

East: MC-80 Zone [Use: Commercial/Marina]

South: RA-15 Zone [Use: Residential]

West: RA-15 Zone [Use: Residential]

¹ See Section 7.10.4 of the Zoning Regulations.

Site Access and Traffic

The site is accessed from Pawcatuck Avenue and River Road. Future site plan developments would further investigate site access and traffic concerns.

Environmental Elements

The currently dilapidated historic Thread Mill #2 is located on a known brownfield site with contaminated pollutants. The contaminants are located outside of this Mill building but will be remediated throughout the construction process. The applicant proposes a dual track to remediation:

- 1) The site will be fully remediated through partnership with the Town of Stonington's application for State and Federal grant funding designated for environmental clean-up.
- 2) The Thread Mill #2 building will be extensively renovated to remove dangerous our dilapidated elements. The applicant also proposes to apply for historic preservation tax credits to fund the renovation and restoration of the Mill building.

The site is not located within 100 feet of and Inland Wetland or Watercourse, therefore no Inland Wetland and Watercourses Commission (IWWC) approval is required. However, the site is located in the Coastal Area Management (CAM) boundary (ZR §7.3.2) and will require review from the Connecticut Department of Environmental Protection (DEEP).

A critical element of concern for the site will be stormwater quality and the impact of stormwater on the Pawcatuck River. The stormwater management for the site will be addressed through the site plan application.

Utilities

Design details will be addressed through the site plan application.

Waivers Requested

The following requirements and waivers are not applicable at the ZC application stage:

Item	Provided	Waiver Requested
Impact Statement in Accordance with Section 8.8. (ZR 6.1.2.1)	X	
Site Plan in Accordance with Section 8.3 (ZR 6.1.2.2)		N/A
Architectural Elevation Drawings and Landscape Plan Per Section 2.6 (ZR 6.1.2.3)	X	
Water Impact Study (ZR 6.1.2.4.1)		N/A
Sanitary Sewer Impact Study (ZR 6.1.2.4.2)		N/A
Site Drainage Analysis (ZR 6.1.2.4.3)		N/A
Erosion Control Report (ZR 6.1.2.4.4)		N/A
Traffic Impact Study (ZR 6.1.2.4.5)		N/A
Archaeological Study (ZR 6.1.2.4.6)		N/A
Soils Report, Test Pit Data and Mapping (ZR 6.1.2.4.8)		N/A
Shadow Plan (ZR 6.1.2.5 & ZR 7.14.2)		N/A
3-D Model for Projects Which Fall Under Criteria of Section 6.2 (ZR 6.1.2.6.1)		N/A
Flood Hazard Reports (ZR 6.1.2.6.2)		N/A
School Impact Evaluation Report (ZR 6.12.6.3)		N/A
Application Fee Per Section 8.7 (ZR 6.1.2.7)	X	
Legal Description of Property/Site (ZR 6.1.2.8)	X	
Phasing Requirements for Projects Over 24 Dwelling Units (ZR 6.1.2.9)		N/A
Written Waiver Request(s) at the Time of Application Submission (ZR 6.1.2.10)		N/A

Response Summary

The application was routed to the following agencies/agents of the Town. Responses are shown below:

POLICE COMMISSION – No comment.

TOWN ENGINEER – Comments below [Dated: 9/9/23]:

I have reviewed the plan entitled: "Topographic Survey of 21 Pawcatuck Avenue Village of Pawcatuck Stonington, Connecticut prepared for Verdantas, LLC., Dated: March 23, 2023" sheets 1-2 by Gesick & Associates, LLC. and reports entitled: "Adverse Impact Statement for the Mill at the Marina Map Amendment" and Master Plan for Mill at the Marina Map Amendment" both by Attorney Mark R. Kepple and offer the following comments:

- 1) The report states that the site has capacity for both parking and stormwater drainage. Please plan to submit (with Site Plan Application) a stormwater drainage analysis in accordance with the Town of Stonington Zoning Regulations. The stormwater analysis shall be designed to meet the criteria outlined in Section 3 of the "Town of Stonington Technical Standards for Land Development & Road Construction" including Water Quality Volumes (WQV) in accordance with the State MS4 Permit. These elements of design are necessary to mitigate any adverse "run-off" impacts or impairments to adjacent\downgradient Town roadways and\or receiving waters (Pawcatuck River). Stormwater Analysis to be performed by a State of Connecticut Licensed Professional Engineer.
- 2) Consideration of a Traffic Study for comparative analysis of the Zone change and verification of site distance.
- 3) The Zone Change requested supports "residential" housing development, therefore consider future sidewalks for pedestrian walkway connectivity along the property frontage.

In review of the aforementioned application, mapping and report, I recommend action be taken by the commission as it relates to the engineering perspective.

FLOODPLAIN MANAGER (SLR INTERNATIONAL) – Comments below [Dated: 8/22/23]:

It looks like the project is entirely within the X zones, but a portion of the parcel does seem to fall within the AE Zone (barely). I'm not sure they technically need to go through a floodplain review (unless it's by parcel, in which case they should), but it might be worth double checking once they submit the full site plan application to make sure nothing has changed in the project footprint.

TOWN SANITARIAN (LEDGE LIGHT HEALTH DISTRICT) – No comment.

WATER POLLUTION CONTROL AUTHORITY – No comment.

ZONING ENFORCEMENT OFFICER – Comments below [Dated 8/29/23]:

As of today, August 29, 2023, there is a \$194,900.00 blight lien on the subject property. This is accruing at \$100.00 per day.

FIRE DISTRICT MARSHAL (PAWCATUCK) – No comment.

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS – See attached memorandum.

WATER COMPANY (WESTERLY WATER CO.) – No comment.

TOWN OF WESTERLY – No comment.

Town Planner Comments

The application proposes rehabilitating and renovating the historic Thread Mill #2 building following the zone change to the Industrial Heritage Reuse District (IHRD-5) Zone. The process described earlier covers the elements of review the Commission must consider when making a decision on the proposed application. In addition to those elements required to establish the Zone, the applicant must then follow the following steps:

- 1) Establishment of District (**Current**)
- 2) Development of Master Plan
- 3) Development of Site Plan
- 4) Receive a Zoning Permit
- 5) Receive a Building Permit

Prior ZC applications in Stonington have combined Step 1 and Step 2 into a singular application set. The benefit in doing so accelerates the development of a Site Plan Application (SPA) and thereby construction, pending approval. This application has not met the requirements of a developed Master Plan as described in ZR §7.19.4. If the ZC is approved, the applicant is then required to apply for a completed Master Plan in accordance with ZR §8.4.3. In doing so, the Town Planner provides the following recommendations:

- The Bulk Requirements should be appropriate to properly site the potential Phase Two development so the applicant would not have to reapply to update the Master Plan. These requirements should also be written to ensure architectural consistency across developments.
- The Use Requirements for the IHRD-5 Zone should reflect any proposed commercial uses located at Thread Mill #2 or at the potential Phase Two development site.
- The Site Plan should consider the recommendations of the ADRB (see below) and additionally explore publicly accessible east-west connections between River Road and Pawcatuck Avenue.

The Architecture Design Review Board (ADRB) reviewed this application at its regular meetings on August 14, 2023 and September 11, 2023, at which the ADRB approved this application with the following condition:

- 1) The final site plan will include a maintained and walkable surface along Pawcatuck Avenue to support future development.

Recommended Stipulations

No stipulations are recommended by Town staff at the ZC stage of this project.

Commission Action Required

The Commission is required to make a determination on the following items:

- A decision concerning consistency with the Plan of Conservation and Development (POCD)
- A decision concerning consistency with Zoning Regulation §7.19
- A decision concerning the Zoning Map Amendment (ZC) application
- A decision concerning the Coastal Area Management (CAM) application

Section 7.3.7 – The Commission may approve, deny, modify, or modify with conditions any project within the CAM boundary. In addition, the Commission may require additional erosion and sediment control measures, measures to mitigate any adverse impacts, pedestrian access easements, visual access easements, and conservation easements; and may require a design review in accordance with Section 2.15 of the Zoning Regulations if the project is proposed for an area which has been designated as a viewshed or resource area in the Plan of Conservation and Development.

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

5 Connecticut Avenue, Norwich, Connecticut 06360
(860) 889-2324/Fax: (860) 889-1222/Email: office@seccog.org

(Via electronic mail)

September 18, 2023

Clifton J. Iler, AICP
Town Planner, Town of Stonington
152 Elm Street Stonington, CT 06378

Dear Mr. Iler:

I am writing in response to an application for a zoning map amendment for the Town of Stonington. The application was received on 8/21/2023. The application was referred to this agency pursuant to Section 8-3 of the Connecticut General Statutes.

The proposed zoning map amendment would change property located at 21 Pawcatuck Avenue from the MC-80 (Commercial) zoning district to the IHRD (Industrial Heritage Reuse District) zoning district.

Based a review of the material provided, I have determined that the proposed amendments are not likely to have a negative inter-municipal impact.

If you have any questions, please contact me at 860-889-2324.

Sincerely,



Nicole Haggerty, AICP
Planner II
nhaggerty@seccog.org

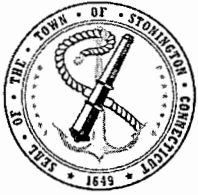
Member Municipalities:

Bozrah * Colchester * East Lyme * Franklin * Griswold * Borough of Jewett City * City of Groton * Town of Groton * Lebanon * Ledyard * Lisbon * Montville * New London * North Stonington * Norwich * Preston * Salem * Sprague * Stonington * Stonington Borough * Waterford * Windham

If language assistance is needed, please contact SCCOG at 860-889-2324, office@seccog.org.

Si necesita asistencia lingüística, por favor comuníquese a 860-889-2324, office@seccog.org.

如果您需要语言帮助, 请致电860-889-2324或发送电子邮件至 office@seccog.org.



Zoning Enforcement Officers' Report Stonington Department of Planning

August 2023

ZONING PERMIT SUMMARY

APPLICATION STATUS	August 2023	YEAR TO DATE
Received	30	214
Approved	27	206
Pending	3	7
Denied	1	1
Withdrawn	1	1

PENDING PERMITS

PERMIT ADDRESS	OWNER	RECEIVED	REQUEST	WAITING
50 Nautilus Way	EG Homes	5/26/2023	SFR	Bond Swale
42 Harbor View Ter	Mingo	6/26/2023	Pool	Variance
9 Center Dr.	Abel & Yvette Ramos	6/27/2023	Shed & Shower	Final plans to be filed
71 Cutler St.	143 Water St. LLC	7/24/2023	ZCR	Additional info from building

PERMIT ADDRESS	OWNER	RECEIVED	REQUEST	WAITING
2 No. Shore Way	Martin & Judy Daly	7/25/2023	additions	Final plans to be filed
830 Stonington Rd.	Lockwood	7/31/2023	Reconstruction of hotel	Updated plans
29 W. Broad St.	Jim Lathrop	8/17/2023	2 (1-bedroom apts)	SUP required
10 Old South Rd.	Robert Galle	8/29/2023	Demo and reconstruct SFR	Plan changes due to FEMA

CERTIFICATES OF ZONING COMPLIANCE

	August 2023	YEAR TO DATE
SFR CZC	1	14
Total CZCs issued	7	87

COMPLAINT SUMMARY

	August 2023	YEAR TO DATE
Received	4	47
Notice of Complaint	0	0
NOVs Issued	1	19
Citations Issued	0	0
Cease and Desist	2	3
Resolved	5	32

COMPLAINTS RECEIVED

*(D = Distressed Property)

COMPLAINT ID	RECEIVED	ADDRESS	COMPLAINT
23-001	1/3/2023	34 Roseleah Dr.	Construction without permits. 1/3/2023 NOV issued. 3/30/2023 Met with Attorney Mark Zemarka, he will be starting to work on a compliance avenue for his clients
23-012	2/21/2023	13 Cleveland St	Junk all of yard. Old freezer. 2/23/2023 Inspected site. Total mess, NOV to be issued. 3/8/2023 NOV issued. 3/15/2023 Spoke with Rhandi Avery aka Riske, She will be getting dumpster and should have the site in compliance by the end of April. She aske about a garage she took down, The garage shows on the 2019 flyover. She was told if she submitted an application to rebuild the garage, we would honor it. 4/11/2023 Site currently being cleaned up. More needed. See photos
23-017	3/28/2023	29 Mechanic St.	Building is deteriorated, yard is full of refuse, landscape is not maintained, unregistered cars, etc
23-023	4/18/2023	175,177,143 No. Anguilla Rd.	Multiple Landscapers using site as a base of operations 5/16/2023 NOV issued 5/19/2023 Spoke with Lydia, she will tell the landscapers of the NOV. Will try for a July 1 st for compliance. A Cease and Desist will be issued at that time
23-024	4/19/2023	42 Riverside Dr.	(5) Connex Boxes, Debris & Junk Interior and Exterior 4/20/2023 Issued NOV 5/5/2023 Yvette called office. Boxes are full of parents belongings. She is getting a dumpster and will start emptying them out. She believes by June 4, 2023. 6/4/2023 Requested extension to end of month 8/11/2023 C/D 8/29/2023 Yvette called the office, they will have the majority of the work done on Labor Day weekend. "team of People" due to help. Has one dumpster on site but was too small. 9/6/2023 Yvette called to tell us that she has emptied 1 ½ bin and hopes to have three done by the end of the week.
23-032	6/30/2023	9 Morgan St.	Constructing retaining wall in setbacks without permits and encroaching on neighboring property (13 Morgan St.) Wall exceeds 3' no permitting, D. Kmetz is working with Cherenzia and Strafach for a survey and engineering. 7/19/2023 NOV issued

			<p>8/30/2023 CD issued</p> <p>9/5/2023 received email from Sergio, zoning and building permits pending, hopefully this week.</p> <p>9/6/2023 Permit issued</p>
23-035	6/23/2023	4 Broadway Ave. Ext	<p>Removal of sod, expansion of gravel area.</p> <p>50' grass buffer removed, left to go to seed. Extended gravel area beyond site plan approval. Asphalt repaved according to approved plan.</p> <p>NOV issued 7/11/2023</p>
23-040	7/18/2023	32 Broadway Ave.	<p>Not building to plan, creating third floor on structure.</p> <p>7/25/2023 Forwarded set of signed plans to Atty. Mark Branse.</p> <p>Third floor constructed without permits. Atty Branse plans on going to PZ for approval</p>
23-041	8/1/2023	5 Edgemont St.	<p>Gravel Drive according to site plan. / No permit or driveway, the driveway is asphalt and per site plan should be gravel / Driveway needs 6" of gravel underneath per town requirement. Only 2" of gravel present.</p> <p>Driveway has been paved since at least 1999. Referred to DPW. Permit would be though DPW. They have legitimately destroyed old permits per SoS requirements. No violation.</p>
23-045	8/7/2023	Enders Island	<p>Parking lot with no permits. Pavilion constructed w/o permits</p> <p>8/22/2023 Met with Atty. Rob Avena and Andrew Woodstock. Discussed what appeared to be a nonpermitted parking lot. I was informed that they have gotten ahead of themselves, it is supposed to be a laydown area for an upcoming Site Plan application. I informed then the pavilion erected had not been approved. They stated that they will have it removed.</p> <p>Check back mid September.</p> <p>9/11/2023 Enders has contacted Kloter Farms and are trying to determine a date to have the pavilion removed.</p> <p>9/11/2023 Andrew Woodstock emailed to say Kloter Farm would be removing the pavilion this Wednesday. [9.13.2023]</p> <p>9/13/2023 Pavilion Removed.</p>
23-046	8/7/2023	OMFD	<p>Training Trailer Structures w/ No Permits.</p> <p>8/7/2023 "The Old Mystic Fire District is taking a step back and looking at all options for the training trailers. I will stay in touch with you as we progress forward. Thank you for your understanding."</p>
23-047	8/28/2023	Greenhaven/RiverRd.	<p>RV, Car, Motorcycle Parked. "People are clearly living there".</p> <p>Trailer back on site again for the Labor Day holiday.</p> <p>8/28/2023 NOV issued</p>