

# Meeting Summary Report

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DECEMBER 19, 2023 | REGULAR MEETING

Town of Stonington  
Planning and Zoning Commission



# Town of Stonington Planning and Zoning Commission

AGENDA  
REGULAR MEETING  
TUESDAY, DECEMBER 19, 2023 – 7:00 PM  
STONINGTON BOARD OF EDUCATION DISTRICT OFFICE  
40 FIELD STREET, PAWCATUCK, CT 06379

## COMMISSIONERS

**Charles Sheehan**  
Chairman

**Ryan Deasy**  
Vice Chairman

**Lynn Conway**  
Secretary

**Gary Belke**  
Member

**Andy Meek**  
Member

**Bennett Brissette**  
Alternate

**Ben Philbrick**  
Alternate

**MaryEllen Mateleska**  
Alternate

Agenda items are on file for public review at the Town of Stonington Department of Planning:

152 Elm Street  
Stonington, CT 06378  
P: 860.535.5095  
E: [dop@stonington-ct.gov](mailto: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 of the meeting date. Reasonable accommodations will be made to assist your needs.

1. Call To Order – 7:00 PM
2. Appoint Alternates:
  - a. Ben Philbrick (Seated 9/5/23)
  - b. Bennett Brissette (Seated 10/3/23)
3. Minutes:
  - a. #1741 – November 15, 2023
  - b. #1742 – November 21, 2023
  - c. #1743 – November 28, 2023
4. Public Comment:
5. Correspondence:
  - a. Connecticut Department of Transportation – Stonington Overpass
6. Reports:
  - a. Staff
  - b. Commission
  - c. Zoning Enforcement and Violations
    1. Zoning Enforcement Officer Report – Nov. 2023
  - d. Administrative Review
    1. **PZ2314SUP Jannat, LLC (J. Casey)** – Certificate of Approval request pursuant to C.G.S. 14-321 for the sale of gasoline at 54 South Broad Street, Pawcatuck; M/B/L: 14-2-6. Property is located in the LS-5 Zone.  
  
*Special Use Permit approved on October 3, 2023.*
7. Old Business:
  - a. **PZ2325SPA Unicorn Project, LLC (B. Middleton)** – Site Plan Approval application to modernize and update an existing motel. Project includes new exterior materials, bringing railings and stairs up to code, new covered entry, replacement pool, rooftop solar panels, and two additions (416 SF and 648 SF). Property located at 247-251 Greenmanville Avenue, Mystic; M/B/L 171-1-1. Property is located in the TC-80 Zone.



# Town of Stonington Planning and Zoning Commission

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**40 FIELD STREET, PAWCATUCK, CT 06379**

## MEETING PROCEDURES

### PUBLIC COMMENTS

Public comments are an opportunity for public participation on items not on the evening's agenda.

### 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, may be scheduled for a public hearing at a later date.

- b. **PZ2330BR Garden Homes Management (S. Delaporta)** – Bond Release/Reduction application for work performed under application **PZ2023SPA & CAM**. Property is located at 39 Whitehall Avenue, Mystic; M/B/L: 164-1-9-48. This property is located in the GC-60 Zone.
8. Public Hearing(s):
  - a. **PZ2326SUP Whaler's Inn RE, LLC (W. Sweeney, Esq.)** – Special Use Permit application for a revision to a previously approved Special Use Permit. Proposal reconfigures approved layout of hotel and retail space and includes a 399 SF addition. Properties are located at 9 & 11 Cottrell Street, Mystic; M/B/L: 182-4-3; 182-4-4. Properties are located in the DB-5 and RH-10 Zones.
  - b. **PZ2327ZC RCP Waterford II, LLC & Readco Stonington III, LLC (J. Browning)** – Zoning Map Amendment application for a Neighborhood Design District (NDD) Zone. Proposal consists of 124 multi-family residential apartments, 10,000 square feet of commercial space, and 30,000 square feet of commercial recreation space. Properties are located at 85 Voluntown Road and 455 Liberty Street, Pawcatuck; M/B/L: 18-1-36; 18-1-33-A. Properties are located in the HI-60 Zone.
9. Future Public Hearing(s):
  - a. **PZ2322SPA & GPP Fair Housing of Connecticut, LLC (M. Ranelli)** – Site Plan Application and Groundwater Protection Permit applications for an Affordable Housing Project submitted pursuant to C.G.S. 8-30g. Proposal consists of 113 single-family housing units and associated site improvements. Properties located at 207, 215, and an unaddressed parcel on Liberty Street, Pawcatuck; M/B/L: 16-4-12; 16-4-12A; 16-4-13. Properties are located in the LS-5 Zone.  
*Public Hearing extended to January 16, 2024.*
  - b. **PZ2328SUP Phoenix Pawcatuck, LLC (Northeast Sign Co.)** – Special Use Permit application for Special Wall Signs pursuant to ZR §14.7.1 to permit a building mounted sign totaling 37.5 SF. Property is located at 100 Mechanic Street, Pawcatuck; M/B/L: 4-7-16. Property is located in the Heritage Mill Zone.  
*Public Hearing rescheduled for January 2, 2024.*
  - c. **PZ2329ZC Maple Lawn Farm, LLC (Paul & Sharyne Cerullo)** – Zoning Map Amendment application for an Agricultural Heritage District (AHD) Zone. Proposal consists of a Master Plan to create a campus for food, education, and events. Properties are located at 343 Wheeler Road and another unaddressed parcel on Wheeler Road, Stonington; M/B/L: 94-1-4; 86-1-4. Properties are located in the RR-80 Zone and GBR-130 Zone.  
*Public Hearing scheduled for January 2, 2024.*



## Town of Stonington Planning and Zoning Commission

### AGENDA

#### REGULAR MEETING

TUESDAY, DECEMBER 19, 2023 – 7:00 PM

STONINGTON BOARD OF EDUCATION DISTRICT OFFICE

40 FIELD STREET, PAWCATUCK, CT 06379

#### MEETING PROCEDURES

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##### NEW SUBMITTALS

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

#### 10. New Submittal(s):

- a. **PZ2333CAM St. Edmunds Retreat (K. Nielson)** – Coastal Area Management application for the repair and restoration of the existing shoreline structures and landward seawall at St. Edmunds Retreat on Enders Island. Property located at Enders Island, Mystic; M/B/L 178-1-1. Property is located in the RC120 Zone.
- b. **PZ2334CAM Norwest Marine (K. Nielson)** – Coastal Area Management application for the restoration of existing marine support facilities. Properties are located at 1 River Road and 7 River Road, Pawcatuck; M/B/L: 5-6-20 & 5-6-21. Properties are located in the RC-120 Zone and MC-80 Zone.

#### 11. Adjournment

## Special Meeting

The 1741<sup>st</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held virtually via Microsoft Team Meeting on Wednesday, November 15, 2023. The meeting was called to order at 7:00 pm by Chairman Chuck Sheehan. Also present for the meeting were Commissioners Ryan Deasy, Gary Belke, Lynn Conway, Andy Meek, Francisco Gomes, Project Lead from FHI Studio, and Alternate Bennett Brissette. Alternate Ben Philbrick and Town Planner Clifton Iler were absent.

Chairman Sheehan started the meeting by stating there would be no discussion on land use applications for this meeting. The agenda for this evening's meeting would be devoted towards discussion of the Phase Two schedule and the format for the November 28, 2023 workshop.

Francisco Gomes, FHI Studio, shared a presentation on Phase Two discussion topics and asked for the Commission's insight on the schedule, format, and findings related to the first workshop on Environmental Resource Protection, Sustainability, and Resiliency schedule for November 28, 2023. Members of the public in attendance also shared their interested subject areas.

The conversation then focused on how best to engage the public during the process and where and how the public engagement process would be done. Mr. Gomes stated he will continue to work with Town Planner Clifton Iler on the process.

Mr. Deasy motioned to adjourn, seconded by Mr. Sheehan, all in favor, 5-0. Meeting adjourned at 9:16pm.

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Lynn Conway, Secretary

The 1742nd meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education Office, 40 Field Street, Pawcatuck, November 21, 2023. The meeting was called to order at 7:00 PM by Vice Chairman (Acting Chairman) Ryan Deasy. Also present for the meeting were MaryEllen Mateleska, Ben Philbrick, Gary Belke, Bennett Brissette, and Town Planner Clifton Iler. Absent from the meeting was Chairman Charles Sheehan, Lynn Conway, and Andy Meek.

Seated for this meeting were Ryan Deasy, MaryEllen Mateleska, Ben Philbrick, Gary Belke, and Bennett Brissette.

### **Minutes:**

Mr. Belke made a motion to approve the minutes of October 17, 2023, as written, seconded by Mr. Philbrick, all were in favor, 5-0.

Mr. Belke made a motion to approve the minutes of October 25, 2023, as written, seconded by Mr. Brissette. The vote was taken as 4-0-1; Deasy - approve, Mateleska - approve, Belke - approve, Brissette - approve, Philbrick - abstain (was not present).

### **Correspondence**

#### ***Expansion of St. Edmund's Retreat (Received 11/8/23)***

Per Mr. Iler, this is currently being worked on with the ZEO. All comments should be forwarded to him.

### **Reports**

#### ***Zoning Enforcement and Violations***

Zoning Official Report - October 2023 - This report has been included in the Commission's packets and no action is recommended from Mr. Iler.

### **Old Business**

**PZ2325SPA Unicorn Project, LLC (B. Middleton)** - Site Plan Approval application to modernize and update an existing motel. Project includes new exterior materials, bringing railings and stairs up to code, new covered entry, replacement pool, rooftop solar panels, and two additions (416 SF and 648 SF). Property located at 247-251 Greenmanville Avenue, Mystic; M/B/L 171-1-1. Property is located in the TC-80 Zone.

Bill Middleton, 251 Greenmanville Ave, explained that his plans consist of cleaning up the site and making minor modifications, filling in the old pool and building a more accessible one, cleaning up landscaping, updating railing heights to code, etc. Mr. Middleton confirmed for the Commission that the lounge area consists of a bar and lobby.

Mr. Brissette has recused himself from this discussion and vote due to conflicts of interest.

Mr. Iler recommended tabling this discussion until the next meeting to provide time to receive comments from the Town Engineer.

Mr. Philbrick made a motion to table this discussion, seconded by Mr. Belke, all were in favor, 4-0.

### **Public Hearing(s):**

Seated for both public meeting were Mr. Deasy, Ms. Mateleska, Mr. Philbrick, Mr. Deasy, and Mr. Brissette.

**PZ2324SUP Hero Holdings, LLC (C. Burkhalter)**

Clay Burkhalter, Co-owner of Hero Holdings, LLC, DBA Hounds Events Center, applied for a permit for amplified and live music under the town zoning regulations. The main type of events will be weddings, anniversaries, birthday parties, etc. Occasionally they would like to have live afternoon music which will be held indoors. Mr. Burkhalter mentioned that a sound study had been completed, determining that the proposed noise is within state guidelines. The music would not go past 10 PM, per Mr. Burkhalter.

The Commission confirmed with Mr. Burkhalter that no music will be outside. The windows and doors may be open; however, the sound test was done under either circumstance and both passed state guidelines.

Mr. Iler recommended a stipulation that all music will occur indoors and between the hours of 9 AM and 10 PM.

Mr. Philbrick made a motion to close the public hearing, seconded by Mr. Belke, all were in favor, 5-0. The public hearing closed at 7:11 PM.

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

**PZ2322SPA & GPP Fair Housing of Connecticut, LLC (M. Ranelli)** - Site Plan Application and Groundwater Protection Permit applications for an Affordable Housing Project submitted pursuant to C.G.S. 8-30g. Proposal consists of 113 single-family housing units and associated site improvements. Properties located at 207, 215, and an unaddressed parcel on Liberty Street, Pawcatuck; M/B/L: 16-4-12; 16-4-12A; 16-4-13. Properties are located in the LS-5 Zone.

Attorney Matthew Ranelli introduced the associates that would assist in the explanation of this application. Attorney Ranelli summarized the project and its unique nature as it is pursuant to CGS 8-30g. Attorney Ranelli discussed a general history and intent of CGS 8-30g, specifically the way that it may go against local zoning. However, 30% of the units must be deed restricted. Attorney Ranelli discussed that danger to public safety can be a reason for denial, however it must be clear and very difficult to remedy. Stonington's need for affordable housing was discussed. According to Attorney Ranelli, the Affordability Plan that was submitted explains the style of the units, the associating pricing with state and federal guidelines, and models of deed restrictions. Per Attorney Ranelli, the Stonington Plan of Conservation and Development mentions the need for housing diversity. The project will have public water and sewer, no wetlands within 100 feet, and it is not in a flood hazard zone.

Sergio Cherenzia, Cherenzia & Associates, 99 Mechanic St, displayed the lots on GIS, discussed the prior uses for this building (bar, nightclubs, etc.), and discussed the abutting properties and the current zoning that exists here. Mr. Cherenzia located the stormwater catch basins which he explained are not adequate for the site and often water pools and sits on the site for periods of time. Per Mr. Cherenzia, the site is 1,000 feet from the river, it is accessed by two curb cuts, both with two-way traffic, and it is serviced by Westerly water and sewer.

Mr. Cherenzia discussed the entire site layout, including the two different types of units. All units will have 3 bedrooms; some will have 2 full bathrooms; others will have 2.5. 'Type A' will have a

garage on the first floor while 'Type B' will not, with parking spaces in front of the units. The units will be approximately 36 feet from door to door and 10 feet of grass space behind each. Mr. Cherenzia discussed the storm water management system which will be bolstered according to the Town Engineer's comments. The system will be very congested underground according to Mr. Cherenzia. Mr. Cherenzia discussed the ability for a fire truck to maneuver through the site, as well as pathways that will increase the walkability of the site to accommodate comments from the Police Commission. According to Mr. Cherenzia, any snow fall that is more than a 'dusting' will have to be moved off-site. There will be standard trash pickup, no dumpster, and indoor or outdoor trash bins depending on the unit style. Lighting will be placed at the front and rear doors with flood lights over the garage. There will be no storage of toxic or hazardous materials. The intent is to use a centralized mailbox for the site. The Commission questioned the ability to maintain the groundwater system as well as the effect of increasing the amount of pavement and impervious land.

Paul Azzinaro, Principal Architect, Azzinaro Architects, Westerly, RI, discussed some history to Section 8 housing and his personal experience working with these projects. Mr. Azzinaro discussed how carrying 30% of the units as affordable affects the cost analysis of the project. Per Mr. Azzinaro, there are enough recognizable features to act as 'identifiers' for the units. Mr. Azzinaro displayed and discussed the 3D renderings of the project. The interior walls will have two-hour fire/sound protection. The Commission commented that the front has a better appearance than the rear. Per Mr. Azzinaro, the lack of decks reflects the need for open space, and privacy screenings would affect the safety and reduce the flexibility of that space.

Attorney Ranelli commented that there is an area on the lot designated for open space that will be discussed. The Commission acknowledged the lack of delineation between each units' open space. Per Attorney Ranelli, these types of projects exist in other towns, however the applicant is willing to accommodate these issues via an HOA or other means.

Josh Wheeler, Landscape Architect, 355 Research Parkway, Meriden, discussed the common space area in one corner of the lot. A rough estimate of 30 feet by 70 feet was given for this area. Mr. Wheeler discussed the trees that will be planted along the DOT right of way against Liberty St. Trees will be planted throughout the project in areas that will not compromise the congested underground infrastructure. Lighting is being considered for the common space area.

Per Attorney Ranelli, it is not financially feasible to remove a row of units. There are also plans for a school bus shelter.

Michael Dion, Principal Traffic Engineer, 355 Research Parkway, focused on the commuting traffic and the neighborhood within the property. Traffic counts were taken from three local intersections. Mr. Dion discussed the number of trips that would occur during peak morning and afternoon commute hours, as well as peak hours on Saturdays. The location of the curb cuts allows for plenty of 'sight distance' for those turning out or breaking for people that are turning in, according to Mr. Dion. Mr. Dion confirmed for the Commission that a left turn only lane does not appear to be necessary, however it can be done if the state determines it to be. Mr. Dion discussed that speed bumps do not appear to be necessary within the lot due to the road design.

Attorney Ranelli discussed the price points of these units; half of the affordable units must meet the 80% AMI requirement, and the others at 60%. Respectively, these will be priced around



\$281,000 and \$191,000 (subject to change). These units will be deed restricted for 40 years. The rest of the pricing information can be found in the affordability report.

Mr. Iler deferred his comments to until after the public had a chance to speak.

Public Comments in Favor: None

Public Comments Against:

Harry Clarke, 11 Antoinette St, licensed professional civil engineer, discussed how many busses could be needed depending on the number of school children that would live here (estimated two per unit). Mr. Clarke discussed the lack of 'play space' and the negative effect that this may have on childhood development. Mr. Clarke was also concerned with the wooded area behind the lot being used by children, the request to waive a school impact study, and if more than one emergency vehicle can navigate this lot at once.

Kerry Clarke, 11 Antionette St, discussed that safety was a common concern at every meeting that has occurred for this project. According to Mrs. Clarke, the cost of a potential lawsuit due to damaging the aquifer, or other personal damage, outweighs the benefit of this project.

Deborah Downie, 5 Back Acres Way, read an abbreviated version of a letter that she had sent to the Town Planner. Mrs. Downie spoke as a groundwater scientist and resident of Stonington, not as Selectwoman. Mrs. Downie discussed that the maximum density approach is a threat to safety. If the aquifer were to become contaminated, there is no other source of drinking water. This has real potential to impact the local water supply according to Mrs. Downie.

Bryan Keilty, 20 Oak Hill Gardens, discussed the amount of revenue that will be brought in by selling all of these units. Mr. Keilty was concerned that the traffic studies presented did not use the summer 'beach traffic' as part of their analysis. There are already other projects ongoing on this road, only making the traffic situation worse. Mr. Keilty was concerned about the safety of children and recommended using a fence around the project.

Linda Luzzi, 27 Manor St, expressed concern for the property's drainage, any blasting that may occur to construct this project, the lack of green space, and the proximity to the property's lines of the buildings in the proposal.

Julie McNeil, 21 Faulise Ave, was not in disagreement with the affordable housing aspect of this project, however the size is too large and a fence should be required for children safety.

Ali Geroulo, 23 Russell Ave, mentioned that the traffic study did not include the sideroads around her property (Russell, Glasgo, etc.). Mrs. Geroulo expressed concern about the fire truck accessibility for this lot as well as the potential impact on the aquifer.

Thomas Geroulo, 23 Russell Ave, Attorney, explained and read that case law has indicated that water protection outweighs the need for affordable housing and was the reason for denial in another case. Per Attorney Geroulo, a class action lawsuit is a liability that would come from multiple towns and states as the aquifer crosses state lines. Attorney Geroulo insisted that Mrs. Downie is an 'expert witness' in the field and her comments should be treated as such.

John Charest, 13 Marie Ave, 3rd generation resident of Stonington, was concerned about the walkability of the site, the number of units, the overall architecture, the lack of traffic study during summer months, and the overall risk of water pollution.

Amy Mish, 195 Liberty St, expressed concern regarding the traffic congestion and the possibility of children playing in the woods which is heightened by the lack of access to the W Vine school playground.

Nicholas Verzillo, Manor St, resident of Pawcatuck for 55 years, believed this project has no common sense and is run by a developer with a lack of town interest. Mr. Verzillo claimed to have not been notified of this meeting and was unable to prepare. Mr. Verzillo was concerned with traffic, snow removal, and fire safety.

Joel Borden, 11 Manor St, expressed concern that the traffic between 3 and 5 PM is already dangerous.

John Fischetti, 47 Russell Ave, expressed concern about the aquifer and who will be held accountable if there is an issue of water contamination. Mr. Fischetti believes that parking for this project will be further affected by people using their garages for storage instead of parking.

Helen Jankoski, 430 River Rd, expressed concern regarding the water wells and the potential impact to the aquifer.

Michael Murphy, 1 Glasgo Rd, expressed concern regarding the number of issues that the applicants claimed would be resolved by an HOA. Mr. Murphy believes that there should be more research done regarding the aquifer.

Seth McAdams, 28 Russell Ave, had concerns regarding a lack of fire suppression, aquifer pollution, safety to adjacent property owners, lack of sidewalks, light pollution, school bus accessibility, and snow removal.

Eileen MacGregor, 13 Faulise, expressed confusion towards the size of this property and why it cannot be reduced. There was also concern regarding the traffic, the potential to pollute the aquifer, and who is truly profiting from this project.

Michelle Wheeler discussed and questioned the interest of the developing party in this project and in this town as a whole. Ms. Wheeler discussed a recent history of selling prices for this property. According to Ms. Wheeler, the business was closed due to condemnation, not taxes. Safety is another concern. Ms. Wheeler would've liked to have been notified earlier of these meetings.

Rebuttal:

Attorney Ranelli mentioned that changes have and will be made based on comments from the Town Engineer, fire department, etc. Attorney Ranelli offered tabling this discussion to work through the comments mentioned this evening, however the Commission requested a rebuttal.

Per Attorney Ranelli, they do not expect to house two children for each living unit, there will be additional 'play' space, and the fire truck analysis was done using the largest vehicle from the fire department. According to Attorney Ranelli, many concerns are 'what-if' scenarios; a contaminated aquifer would be very bad, however the source and likelihood of this contamination should be considered, and the Commission is tasked with determining if these risks are 'real'. Attorney Ranelli reiterated that a drainage study has been supplied, the buildings meet all current life safety codes, and the traffic study was done using a manual that is used by the DOT.

Mr. Cherenzia confirmed that blasting may not be required. Ledge removal can be done mechanically, however if blasting were needed there would be a thorough plan for pre and post blast.

Attorney Ranelli mentioned that the applicant has been responsive to police and fire department comments. There is no requirement for a sprinkler system and fire walls are commonly used. They have already been told that the town will not take responsibility for snow removal. Per Attorney Ranelli, the public comments are being heard, however they must be weighed against the safety regulations and current science regarding the aquifer.

Mr. Philbrick questioned why the applicant had requested a waiver for a school impact report. According to Attorney Ranelli, the impact on schools is typically not a factor in approving or denying an application such as this, however they will try to offer an estimate of the number of children that would live here and attend public schools.

Mr. Belke asked for an estimate of market value for the 'non-affordable' units, however no number was given and the affordability plan was referenced. Mr. Philbrick confirmed with Attorney Ranelli that there will be no sidewalk along Liberty St. There is also currently no fencing however they will look into that.

Staff Comment:

Mr. Iler recommended to continue the public hearing on December 19th, not December 5th, as this project will come again before the ADRB and Police Commission. Mr. Iler clarified that the applicant has been working very diligently with town staff and they have compromised and made improvements to implement the Town's concerns. Mr. Iler reiterated that the applicant has stated there is little financial flexibility in the viability of this project. Mr. Iler highlighted that state statutes makes a project like this feasible despite significant opposition and recommended concerned citizens find alternate routes through their legislative representatives to have their voice heard on this matter.

Mr. Philbrick made a motion to continue this public hearing at the December 19 meeting, seconded by Mr. Belke, all were in favor, 5-0.

Mr. Philbrick made a motion to adjourn the meeting, seconded by Mr. Belke, all were in favor, 5-0. The meeting was adjourned at 10:30 PM.

## SPECIAL MEETING – WORKSHOP

The 1743rd 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 Tuesday, November 28, 2023. The meeting was called to order at 6:00 PM by Chairman Charles Sheehan. Also present for the meeting were Regular Members Lynn Conway, Gary Belke, Andy Meek, and Alternate Members Bennett Brissette, Ben Philbrick, and MaryEllen Mateleska. Also present was Francisco Gomes, Project Lead from FHI Studio, Town Planner Clifton Iler, and members of the public. Vice Chairman Ryan Deasy was absent.

Chairman Sheehan opened the meeting and stated the purpose of this meeting was to hold a public workshop dedicated to Phase Two of the Zoning Regulations Rewrite and no land use applications will be discussed at this meeting. Chairman Sheehan ceded the floor to Mr. Gomes.

Mr. Gomes conducted a brief presentation and survey around the evening’s topic: Environmental Resource Protection, Sustainability, and Resiliency.

Mr. Gomes, and members of his project team from FHI Studio, led various breakout groups on the subject topic. Breakout groups continued throughout the remainder of the evening and each group ended the workshop session by presenting their findings and discussions to the larger group.

Mr. Gomes shared the draft schedule moving forward in the Phase Two process and outlines when the general public should expect to see draft amendments to the Zoning Regulations.

Chairman Sheehan adjourned the meeting at 8:15 PM.

Respectfully Submitted By:

X

Clifton J. Iler, AICP  
Town Planner



# STATE OF CONNECTICUT

## DEPARTMENT OF TRANSPORTATION

DISTRICT II

171 Salem Turnpike

Norwich, Connecticut 06360

Phone:



RECEIVED

2023 NOV 31 P 12:13  
November 29, 2023

TOWN OF STONINGTON  
PLANNING & ZONING

Ms. Stephanie Reinhard  
Crown Castle Fiber, LLC  
4545 East River Road, Suite 320  
Rochester, CT 14586

Dear Ms. Reinhard:

Subject: Stonington Overpass  
Greenmanville Road / Route 27  
Town of Stonington

This office has completed our review of the submitted plans entitled, "Stonington Overpass – Greenmanville Road – Stonington, Connecticut" last revised October 13, 2023. We find the proposal acceptable with two further comments at this time. However, your submittal/application to work within the State right of way or perform work that may affect State property is denied based on the following:

1. Proof of PURA approval must be submitted prior to the issuance of an encroachment permit.

Comments:

1. The proposed conduit trench in the roadway must be a minimum of 5' from the face of the bridge's concrete pier faces.
2. Excavations within the roadway will not be allowed until spring 2024 when asphalt plants reopen.

As regulated by Connecticut General Statute 13b-17, no work is to commence within the State right of way without first obtaining a DOT encroachment permit. In order to obtain the required encroachment permit, the following documents must be provided:

- Proof of PURA approval.
- Two complete sets of the latest approved plans (40 scale or larger).
- A completed encroachment permit application (State Form PMT-1 Rev. 5/91).
- A Bond on State Form CLA-5 in the amount of \$10,000 in the owner or developer's name.
- Proof of minimum insurance requirements (General Liability of \$1,000,000 and Aggregate of \$2,000,000). Insurance may be carried by the contractor.
- A check or money order in the amount of \$25 payable to "Treasurer – State of Connecticut."

These forms, along with additional information, may be obtained at [www.ct.gov/dot](http://www.ct.gov/dot).

This approval is valid for 3 years from the issue date of this letter.

If you have any questions in regard to this matter, please contact Mr. Gary Brigham of this office at (860) 823-3114, or by email at [gary.brigham@ct.gov](mailto:gary.brigham@ct.gov).

Sincerely,

George C. Santos  
Special Services Section Manager  
Bureau of Highway Operations

cc: Stonington Planning and Zoning



# Zoning Enforcement Officers' Report

## Stonington Department of Planning

**November 2023**

### ZONING PERMIT SUMMARY

APPLICATION STATUS	November 2023	YEAR TO DATE
Received	12	286
Approved	18	288
Pending	0	1
Denied	1	2
Withdrawn	1	1

### PENDING PERMITS

PERMIT ADDRESS	OWNER	RECEIVED	REQUEST	WAITING
29 W. Broad St.	Jim Lathrop	8/17/2023	2 (1-bedroom apts)	SUP required

### CERTIFICATES OF ZONING COMPLIANCE

	November 2023	YEAR TO DATE
SFR CZC	5	30
Total CZCs issued	21	135

## COMPLAINT SUMMARY

	November 2023	YEAR TO DATE
Received	6	63
Notice of Complaint	0	0
NOVs Issued	1	23
Citations Issued	0	0
Cease and Desist	0	3
Resolved	4	42

## 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
23-024	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.

			<p>6/4/2023 Requested extension to end of month</p> <p>8/11/2023 C/D</p> <p>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.</p> <p>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.</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	7/18/2023	9 Williams Ave	<p>Paving without site plan approval</p> <p>7/19/2023 Area appears to be extended from pre-existing paved area converted to gravel. Gravel placed within the last year.</p> <p>9/12/2023 additional pavement appears to be creating water issues downgradient.</p> <p>9/12/2023 NOV issued.</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>
23-048	9/8/2023	33 Pellegrino Rd.	<p>"Two cars apparently abandoned. One is on the front lawn; a jeep wrangler is in the driveway. They've been there for years. The concern is that fluids will leak and gravitate towards wells.</p> <p>9/11/2023 Three cars on site not registered.</p> <p>9/18/2023 NOV issued.</p> <p>10/6/2023 Christina Lopez called office. Explained jeep (dead battery), BMW (overheating) and last car was 2016 which was been abandoned on property. She was given 3 weeks to start addressing disposable of at least two cars or registering them. Check back November 1, 2023</p>
23-049	9/11/2023	977 Pequot Trai	<p>"Outhouses and several campers living on the property. Dogs, feral cats, ducks, and a rooster on the property. Child living on property with no running water"</p> <p>9/12/2023 Multiple unregistered motor vehicles, household debris, ducks &amp; rooster.</p> <p>9/12/2023 NOV issued.</p>
23-054	10/23/2023	OMFD Old Mystic	<p>"Last night 10-19-23 from approx. 7:30pm to 10pm the mobile training facilities were being used by firefighters training. From what I understood they were not from the Old Mystic Dept but described themselves "from the area". One of the firetrucks had Pawcatuck on the side. Also, they mentioned, when asked, that the training was approved by the Chief (Ken R.) to do so. I'm wondering what is going on here, it was my understanding that they were not to be used under any</p>



			<p>circumstance and that they were to be moved once another site had been found? I should also mention they were planning to do this well in advance since when I was picking up my kids from the bus stop at 3:30pm on the same day there were two or three trucks moving items in and out of the units during that time.”</p> <p><i>Candace, as you are aware the OMFSD has retained my firm to look at the issue of its use of the trailers.. I believe they have a legal pre-existing non-conforming use for the trailers. I will be putting together my analysis and backup which I will send to you once completed. As for the recent training that was only for rescue purposes and no material was burned during this training. We will also provide to you an outline of steps we would be willing to take in order to address concerns raised by the neighbors at the prior hearing despite the fact that as a legal pre-existing use the OMFSD would not be required to make any changes. Feel free to reach out with any questions. Regards Paul.</i></p> <p><i>11/15/2023 Waiting for report.</i></p>
23-055	10/25/2023	Yellow Fin / EG Homes	Failed E/S <i>10/30/2023 NOV issued</i>
23-058	11/1/2023	830 Stonington Rd.	Sign advertising boat slips <i>Site is allowed 1- 24 SF detached sign [multiple businesses]. Zoning does not regulate content.</i>
23-059	11/13/2023	29 Griswold St	<ol style="list-style-type: none"> <li>1. “Filth, piles of trash we have seen rats &amp; racoon run into trash in their yard. Seagull there often too. Fire Hazard – gas cans in yard. Interferes with use and enjoyment in the neighborhood. They never mow their lawn, everything is overgrown, dead trees and trash. We maintain our yard and home, do not get to enjoy our yard due to the sight &amp; dangerous, unsafe house behind us.”</li> <li>2. Not only is it an eyesore the drug dealing is bringing all sorts of scary characters and creating an unsafe environment for neighbors. Pile of trash in yard ends up in street and our yards when windy.</li> </ol> <p><i>11/20/2023 Inspected site / NOV issued</i></p>
23-060D	11/15/2023	3 Vars Ave.	Grounds are overgrown, building appears to be abandoned and inhabitable, porta potty outside. Eyesore for the community. <i>11/20/2023 Does not trigger enforcement action</i>
23-061	11/15/2023	17 Stewart Rd	Large collection of outdoor debris and rotting exterior. Eyesore for the community. <i>11/20/2023 Does not trigger any enforcement action</i>
23-062	11/20/2023	63 Main St.	11/20/2023 Backhoes, trucks, lawn equipment parked in the front of the property on the corner.



Town of Stonington | Department of Planning  
Planning and Zoning Commission Meeting  
December 19, 2023  
Summary of Administrative Review Items<sup>1</sup>

*Per Section 15.3.2 of the Zoning Regulations, Administrative Review proposals are required to receive Commission approval. Section 15.3.3 of the Zoning Regulations gives the Commission guidance on reviewing modifications to approved plans.*

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

## Applications

1. **PZ2314SUP Jannat, LLC (J. Casey)** – Certificate of Approval request pursuant to C.G.S. 14-321 for the sale of gasoline at 54 South Broad Street, Pawcatuck; M/B/L: 14-2-6. Property is located in the LS-5 Zone. *Special Use Permit approved on October 3, 2023.*

This Administrative Review item is for a Certificate of Approval pursuant to C.G.S. 14-321 for the sale of gasoline at 54 South Broad Street, Pawcatuck; M/B/L: 14-2-6. Property is located in the LS-5 Zone. The Special Use Permit for the subject application was approved by the Commission on October 3, 2023. This application is for a supplemental certificate to accompany the Special Use Permit.

The applicant has provided a memorandum describing the request and cited the statutory provisions necessary for receiving such a certificate. Please see the attached memorandum.

In addition, Town staff has attached the signed Certificate of Special Use Permit with stipulations for the Commission's review.

Town staff has no questions or concerns with the requested Certificate of Approval.

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<sup>1</sup> 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.

***Via Electronic Mail Only*** ([ciler@stonington-ct.gov](mailto:ciler@stonington-ct.gov))

November 29, 2023

Town of Stonington  
Planning and Zoning Commission  
c/o Clifton Iler, Town Planner  
152 Elm Street  
Stonington, CT 06378

**Re: Certificate of Approval Request Pursuant to CT General Statutes § 14-321 for the Sale of Gasoline at 54 South Broad Street (Route 1) (MBL 14-2-6)**

Dear Chairman Sheehan and Members of the Commission:

As you know, this firm represents Jannat, LLC, in connection with its pursuit of land use approvals for a proposed convenience store and gasoline service station at 54 South Broad Street in Pawcatuck. On May 4, 2023, the Inland Wetlands and Watercourses Commission approved a modification (IW #23-02MOD) to a prior approval from 2022 for the project. On October 3, 2023, this Commission approved a special permit and site plan that allows the development to occur. However, separate from and in addition to those approvals, Jannat requires a certificate from this Commission pursuant to General Statutes § 14-321.

Section 14-321 requires any person who wants a license for the sale of gasoline from the State of Connecticut Department of Consumer Protection (“DCP”) to first obtain and present to the DCP Commissioner a “certificate of approval of the location for which such license is desired.” The statute provides that “[t]he certificate of approval shall be obtained from the zoning commission, planning and zoning commission or local authority of the town, city or borough where the station or pump is located or is proposed to be located.” Connecticut courts have determined that planning and zoning commissions, like this Commission, have the authority to grant this approval. *See Drake Petroleum Co., Inc. v. Planning and Zoning Com’n Town of Plainville*, 2007 WL 805825, \*1 (Conn. Supr. Ct. 2007). There are no requirements or standards set forth in the statutes for this Commission to consider in granting this approval. *Id.* Furthermore, this

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Planning and Zoning Commission  
Town of Stonington  
November 29, 2023  
Page 2

Commission is not required to hold a hearing to grant an approval under § 14-321. A statutory provision, § 14-322, that required such a hearing and contained standards for such approvals, was repealed by the Legislature in 2003.

Because this location has been used for the sale of gasoline since the 1950's, and because this Commission has already approved a special permit and site plan for this project, we believe the question of whether this is an appropriate location for the sale of gasoline has been definitively answered in the affirmative. Nonetheless, we are required by statute to obtain a separate approval from this Commission under § 14-321. Given that the Commission held a public hearing that was continued over two meetings, and that you received a great deal of information about the site, and ultimately granted approvals under the Town's Zoning Regulations, we feel that you can grant this approval without a further public hearing – especially since one is not required by statute – and that you can rely on the knowledge you already have regarding this location to consider and act on this request.

As such, we ask that you place this request on the agenda of your next meeting for consideration and action. Thank you for your attention to this matter. Please contact me with any questions or if you require any further information.

Respectfully,

A handwritten signature in blue ink that reads "John P Casey". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

John P. Casey

Copy to:  
Jeffrey Londregan, Esq. (via electronic mail)

**TOWN OF STONINGTON  
CERTIFICATE OF SPECIAL USE PERMIT**

This is to certify that at the Town of Stonington Planning and Zoning Commission's special meeting on **October 3, 2023**, the following application for a Special Use Permit was **Approved with Stipulations**.

**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.

**Stipulations:**

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 11:00PM. Fuel deliveries shall be limited to between 12:00AM and 6:00AM.

Pursuant to the Zoning Regulations of the Town of Stonington, Connecticut and the Connecticut General Statutes the following Special Use Permits were granted:  
Section 6.1.

Pursuant to Connecticut General Statutes Section 8-26e said permit shall become effective upon the filing of a copy thereof (1) in the office of the Town Clerk and (2) in the land records of the Town in which the effected premises are located.

Dated at Stonington this 5<sup>th</sup> day of October, 2023.

Stonington Planning and Zoning Commission



Charles Sheehan, Chairman

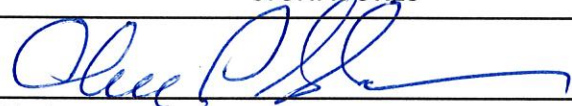
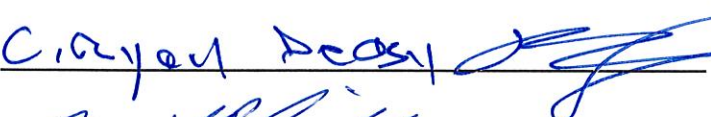



THE TOWN OF STONINGTON  
Planning and Zoning Commission  
152 Elm Street  
Stonington, Connecticut 06378

RECORD OF DECISION  
SPECIAL USE PERMIT

APPLICATION:

**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.

MEETING DATE: October 3, 2023

SIGNATURES	APPROVED/DENIED
 Chairman	Approved
	Approved
	APPROVED
	Approved
	APPROVED
THIS APPLICATION WAS APPROVED/DENIED ON THIS DATE	<u>10/3/23</u>

Stipulations/Reasons (if any), on following page.

**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.

**STIPULATIONS/REASONS:**

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 11:00PM. Fuel deliveries shall be limited to between 12:00AM and 6:00AM.



**Town of Stonington | Department of Planning  
Planning and Zoning Commission Meeting  
December 19, 2023  
PZ232SPA Unicorn Project, LLC (B. Middleton)**

*Site Plan Approval application to modernize and update an existing motel. Project includes new exterior materials, bringing railings and stairs up to code, new covered entry, replacement pool, rooftop solar panels, and two additions (416 SF and 648 SF). Property located at 247-251 Greenmanville Avenue, Mystic; M/B/L 171-1-1. Property is located in the TC-80 Zone.*

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

### Application Status

This application is for Site Plan Application (SPA) and a Groundwater Protection Permit (GPP). This application was submitted in accordance with [C.G.S. Section 8-30g](#). [C.G.S. Section 8-3\(g\)](#) establishes the criteria and requirements for a Site Plan Application. The Commission can elect to conduct a public hearing within 65 days of receipt of the application and has 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 10/17/23.
- There is no public hearing on this application.
- A decision, without extension, must be made by 12/21/23.

### Purpose

This application is for the renovation and modernization of an existing motel. The project proposes to update exterior materials, bringing exterior railings and stairs up to current codes, add photovoltaic panels to the roof, and update the existing site circulation. The project also consists of additions totaling 1,064 SF – the current building is 13,333 SF in size.

### Zoning and Context

The site is located in the TC-80 Zone and is subject to the bulk and use requirements for the TC-80 Zone.

***TC-80 Zone Bulk and Use Requirements***

	<i>Required</i>	<i>Provided</i>		<i>Required</i>	<i>Provided</i>
Lot Size	80,000 SF	180,193 SF	Building Height	50' <sup>1</sup>	TBD
Frontage	200'	240'	Floor Area Ratio	0.75	TBD
Setbacks (F/S/R)	50'/25'/50'	76' <sup>2</sup> /41'/~370'	Parking <sup>3</sup>	TBD	TBD
Res. Buffer	N/A	N/A	Non-Infring. Area	N/A	N/A

<sup>1</sup> See Section 8.1 of the Zoning Regulations.  
<sup>2</sup> Distance to Andiamo building; lots merged: V816 P707.  
<sup>3</sup> See Section 13.1 of the Zoning Regulations.



## ZONING MAP



North: TC-80 Zone [Use: Commercial]

East: TC-80 Zone [Use: Commercial]

South: GB-130 Zone [Use: Cemetery]

West: TC-80 Zone [Use: Interstate]

## Site Access and Traffic

The site is accessed from Greenmanville Avenue (State Route 27). Ingress/egress shall remain unchanged, but may change in the future due to proposed changes to the intersection by DOT. The project is subject to review by the Board of Police Commissioners.

Comments on traffic flow, circulation, and other site access items are included in the Response Summary.

## Environmental Elements

The site is located in the Coastal Area Management Overlay District (CAMOD). Town staff determined the subject project was exempt from CAM review under ZR §7.3.8. The project does not propose significant site development that would adversely impact the CAMOD.

## Utilities

The site is serviced by public water and sewer. Adequate service capacity has been verified and is included in the Response Summary.

## Waivers Requested

The following requirements and waivers are requested:

Item	Provided	Waiver Requested
Impact Statement (ZR 2.16.1.1)	X	
Architectural Plans (ZR 2.16.1.2)	X	
Landscaping Plans (ZR 2.16.1.3)		W
Site Plans (ZR 2.16.1.4)	X	
Signage Plans (ZR 2.16.1.5)		W

## Response Summary

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

**BUILDING OFFICIAL** – Awaiting comment.

**POLICE COMMISSION** – Police Commission sees no issue with parking, traffic, or safety based on the presentation. [Dated: 10/12/23]

**TOWN ENGINEER** – Comments below [Dated: 11/17/23]:

I have reviewed the plans entitled “*Site Plan of 247 & 251 Greenmanville Ave, AKA Conn. Route 27 Mystic Connecticut, Prepared for Unicorn Project, LLC. October 4, 2023, scale 1” = 40”* by Fedus Engineering, LLC.” and offer the following comments:

1. The site plan should include illustration\annotation denoting any easements per Section 8.4.1.7 **ADDRESSED**
2. Provide driveway apron detail and radii improvements to facilitate horizontal geometry for ingress\egress. Additionally, provide note on plan indicating the need for a D.O.T. encroachment permit required for improvements within CT. Highway R.O.W. **NOT ADDRESSED**
3. The DOT (Traffic Department) should be contacted to coordinate proposed site activities with DOT Project 0172-0513 Traffic improvements at adjacent intersection 137-210.
4. Provide existing\proposed utility information per section, 8.4.1.19 **NOT ADDRESSED**
5. Provide plant list (for buffer area) per section 7.10.6.6 **ADDRESSED**
6. Provide Erosion & Sedimentation Controls per section 8.4.1.21 **NOT ADDRESSED**
7. Provide stormwater drainage and site grading plan at minimum contour intervals of two feet in accordance with section 8.1.4.17. Plan to include a bench mark and drainage provisions to mitigate stormwater run-off with regard to “zero” increase. **NOT ADDRESSED**
8. Stormwater plan should include provisions to mitigate water Quality Run-off in accordance with 2004 CT Stormwater Quality Manual. **NOT ADDRESSED**
9. Provide existing conditions plans complete with buildings, topography, pavement, etc. **NOT ADDRESSED**

**TOWN SANITARIAN (LEDGE LIGHT HEALTH DISTRICT)** – Comments below [Dated 10/23/23]:

- Hotel will need to register with LLHD.
- Pool will need to contact DPH – Sean Merrigan for pool approval.

- A pool application fee of \$400 will need to be submitted to LLHD.

**WATER POLLUTION CONTROL AUTHORITY** – Comments below [Dated: 11/6/23]:

The WPCA has no objections to the application as submitted. Any proposed sewer work will have to be reviewed and approved prior to a sewer permit being issued.

**ZONING ENFORCEMENT OFFICER** – No comments at this time. [Dated 10/23/23]

**FIRE DISTRICT MARSHAL (OLD MYSTIC)** – Comments below [Dated 11/7/23]:

The Old Mystic Fire District recommends approval under the following conditions:

- The low height of the proposed canopy will not allow for fire apparatus to move under the canopy which will prohibit access to the front of the building. A minimum of 12' clearance will be needed to allow our apparatus to safely pass under. **NOT ADDRESSED**
- Provide the departure angle for the proposed access between Andiamo parking lot and the motel. Access must accommodate an 8.1-degree departure angle. **NOT ADDRESSED**
- Provide landscaping plans to show the height of any trees or shrubs that may affect fire apparatus turning radius. **NOT ADDRESSED**
- Provide traffic signage details to determine if the proposed signs height will affect the turning radius of the apparatus. **NOT ADDRESSED**
- Detailed construction plans shall be submitted to, reviewed, and approved by the Old Mystic Fire Marshal's Office prior to the start of the next phase of construction. Below is a list of concerns and requests by the Engineers of the Pawcatuck Fire District. **PENDING APPROVAL**

**TOWN OF GROTON** – Awaiting comment.

## Town Planner Comments

This application was exempt from review by the Architectural Design Review Board (ADRB) under ZR §2.15.3.2. Town staff also determined the subject project was exempt from CAM review under ZR §7.3.8.

The Town Planner provides the following comments and opinions on the application:

- The applicant should provide site details on the Site Plan to confirm the project meets the TC-80 Zone Bulk and Use Requirements. **NOT ADDRESSED**
- The applicant should clarify whether or not the revised site circulation will result in an increase or decrease of impervious area. If there is exterior site work proposed, the applicant may be forced to file a CAM application and provide drainage plans to the Town Engineer. **ADDRESSED**

The applicant has not fully addressed the concerns of Town staff or agents of the Town at the time of writing this report.

## Recommended Stipulations

Should the Commission decide to approve this application, the Town Planner recommends the following stipulations of approval:

1. The applicant shall address the outstanding comments to the satisfaction of the Town Engineer, Town Planner, and Old Mystic Fire Department.
2. Final plans shall be reviewed to the satisfaction of the Town Engineer.
3. Final plans shall be recorded in the Town's Land Evidence Records.
4. Prior to the issuance of a Zoning Permit, the final plans shall be signed by the Commission and recorded.

## Commission Action Required

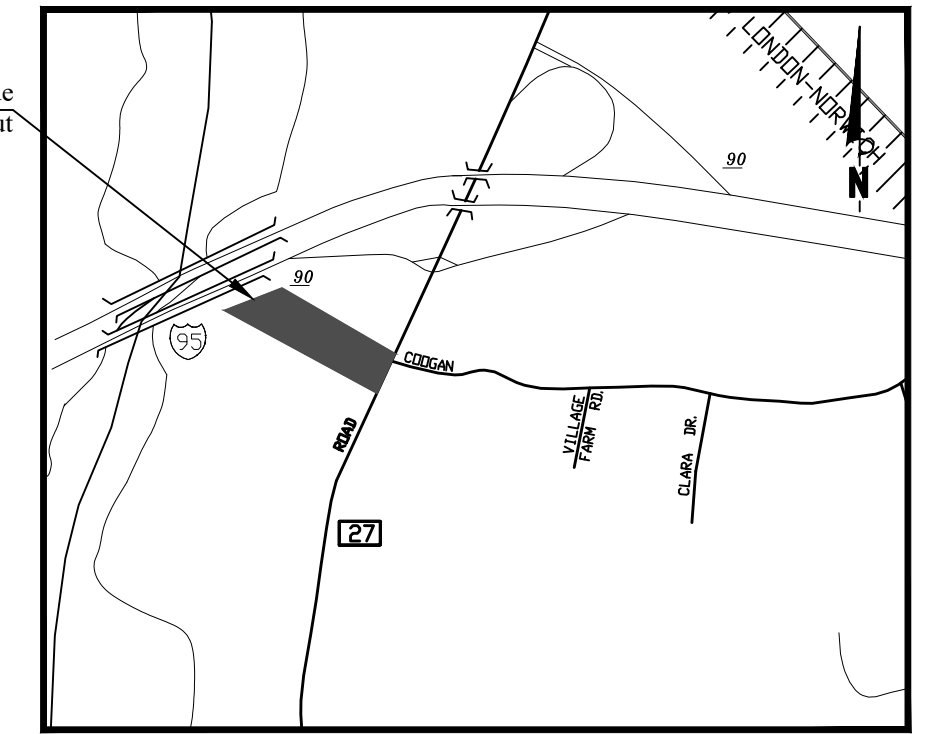
The Commission is required to make a determination on the following items:

- A decision concerning the waivers requested
- A decision concerning the Site Plan Application (SPA)

**Reference Map:**

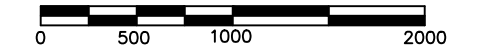
1. "PROPERTY SURVEY MAP DEPICTING EXISTING CONDITIONS OF 247 & 251 GREENMANVILLE AVE. AKA CONN. ROUTE 27, MYSTIC, CONNECTICUT, PREPARED FOR UNICORN PROJECT, LLC" DATED: SEPTEMBER 12, 2022, SCALE: 1"=40', BY: FEDUS ENGINEERING, LLC, ANTHONY HENDRIKS, LS #10834.

247 & 251 Greenmanville Avenue  
Stonington, Connecticut



**Location Map**

Scale: 1"=1000'

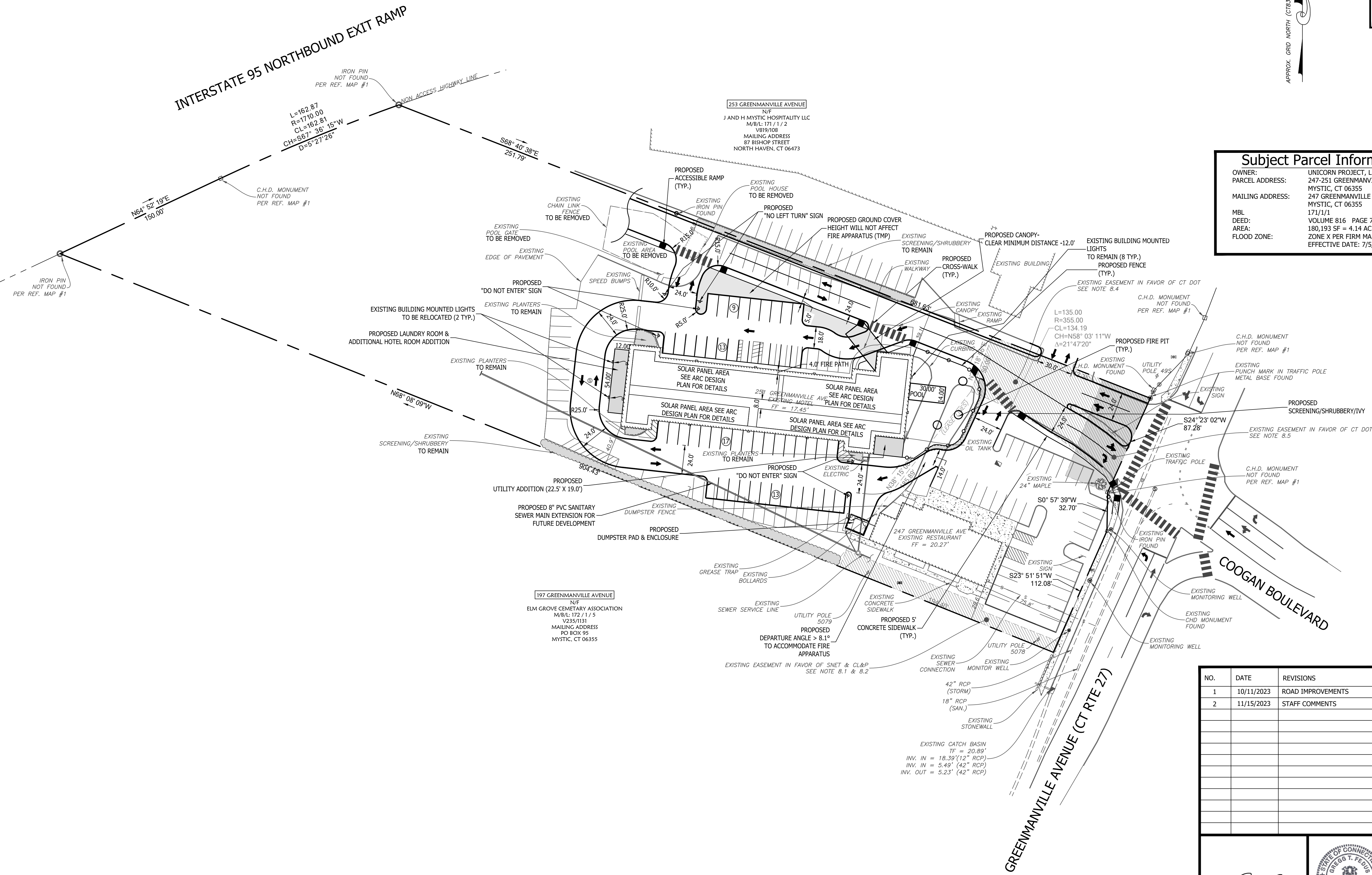


**Subject Parcel Information**

**OWNER:** UNICORN PROJECT, LLC  
**PARCEL ADDRESS:** 247-251 GREENMANVILLE AVE. MYSTIC, CT 06355  
**MALLING ADDRESS:** 247 GREENMANVILLE AVE. MYSTIC, CT 06355  
**MBL:** 171/1/1  
**DEED:** VOLUME 816 PAGE 707  
**AREA:** 180,193 SF = 4.14 AC  
**FLOOD ZONE:** ZONE X PER FIRM MAP # 09011C0228G  
 EFFECTIVE DATE: 7/5/14

**Legend**

EXISTING	
[Symbol]	MONUMENT
[Symbol]	EX. IP / REBAR
[Symbol]	DRILL HOLE
[Symbol]	UTILITY POLE W/ LIGHT
[Symbol]	STONEWALL
[Symbol]	FENCE LINE
[Symbol]	WATER VALVE
[Symbol]	OVERHEAD WIRES
[Symbol]	PROPERTY LINE
[Symbol]	ADJACENT PROPERTY LINE
[Symbol]	INDEX CONTOUR
[Symbol]	CONTOUR
[Symbol]	WETLANDS BOUNDARY/FLAG
[Symbol]	MEAN LOW WATER LINE
[Symbol]	MEAN HIGH WATER LINE
[Symbol]	HIGH TIDE LINE
[Symbol]	COASTAL JURISDICTIONAL LINE
[Symbol]	ZONE LINE
[Symbol]	EASEMENT LINE
[Symbol]	BUILDING SETBACK LINE
[Symbol]	EXISTING WATER LINE
[Symbol]	EXISTING SEWER LINE
[Symbol]	NOW OR FORMERLY CATCH BASIN
[Symbol]	TYPICAL
[Symbol]	SPOT ELEVATION
[Symbol]	DRILL HOLE
[Symbol]	POINT OF BEGINNING
[Symbol]	TEST PIT
[Symbol]	PERCOLATION TEST
[Symbol]	UTILITY POLE
[Symbol]	DRAINAGE MANHOLE
[Symbol]	SEWER MANHOLE
[Symbol]	HYDRANT
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PROPOSED	
[Symbol]	IRON PIN TO BE SET



253 GREENMANVILLE AVENUE  
 N/F  
 J AND H MYSTIC HOSPITALITY LLC  
 M/B/L: 171/1/2  
 V819/108  
 MAILING ADDRESS  
 87 BISHOP STREET  
 NORTH HAVEN, CT 06473

197 GREENMANVILLE AVENUE  
 N/F  
 ELM GROVE CEMETARY ASSOCIATION  
 M/B/L: 172/1/5  
 V235/131  
 MAILING ADDRESS  
 PO BOX 95  
 MYSTIC, CT 06355

NO.	DATE	REVISIONS
1	10/11/2023	ROAD IMPROVEMENTS
2	11/15/2023	STAFF COMMENTS

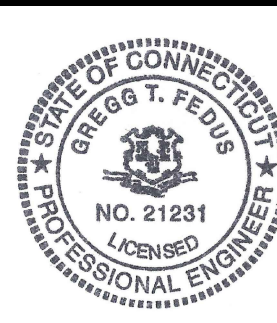
**Site Plan**

of  
 247 & 251 Greenmanville Ave  
 AKA Conn. Route 27  
 Mystic, Connecticut  
 Prepared For:  
**UNICORN PROJECT, LLC**  
 October 4, 2023

DRAWING SCALE: 1"=40'

**FEDUS ENGINEERING, LLC**  
 CIVIL ENGINEERS  
 Mailing Address: 70 Essex Street Mystic, Connecticut 06355  
 Office: (860) 536-7390 Fax: (860) 536-1644

Gregg T. Fedus P.E.  
 CT. License No. 21231





Town of Stonington | Department of Planning  
Planning and Zoning Commission Meeting  
December 19, 2023

PZ2330BR Garden Homes Management (S. Delaporta)

*Bond Release/Reduction application for work performed under application PZ2023SPA & CAM. Property is located at 39 Whitehall Avenue, Mystic; M/B/L: 164-1-9-48. This property is located in the GC-60 Zone.*

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

## Application Status

This application is for the full release of the \$7,300.00 Erosion and Sedimentation Control Bond under application **PZ2023SPA & CAM Garden Homes Derby Co.** 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 11/21/23.
- Tonight's meeting is **Day 28** of 65 total days to decide on the application.
- A decision must be made by 1/25/24.

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:

**TOWN ENGINEER** – Comments below [Dated: 12/11/23]:

Per your request, we have reviewed Application PZ2330BR and provided filed inspection in support an E&S Bond Release for Garden Homes at 29 Whitehall Ave., Mystic-Stonington, CT. as referenced for plan entitled "*Site Development Map Sheet 2 of 4 Project #037-2019 Scale 1" = 20' Dated: Rev. 12/19/20 Prepared for Garden Homes Management, 39 Whitehall Ave., Stonington, Connecticut, by Trinkaus Engineering LLC*" and recommend the full release of bond amount \$7,300 with one condition (below).

1. Remove and dispose of the silt fence along Michelle Lane **ADDRESSED**

**ZONING ENFORCEMENT OFFICER** – Comments below [Dated: 11/22/23]:

No objections should the Commission choose to release the bond.

## **Town Planner Comments**

The Town Planner has no comment on the bond release.

## **Recommended Stipulations**

There are no recommended stipulations for this application.

## **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  
 December 19, 2023  
 PZ2326SUP Whaler's Inn RE, LLC (W. Sweeney, Esq.)**

*Special Use Permit application for a revision to a previously approved Special Use Permit. Proposal reconfigures approved layout of hotel and retail space and includes a 399 SF addition. Properties are located at 9 & 11 Cottrell Street, Mystic; M/B/L: 182-4-3; 182-4-4. Properties are located in the DB-5 and RH-10 Zones.*  
**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 11/21/23.
- Tonight's meeting is **Day 28** of 65 Days to open the public hearing.
- The public hearing, without extension, must be closed by 1/23/24.
- A decision, without extension, must be made by 3/28/24.

### Purpose

This application for a Special Use Permit is for a revision to the previously approved Special Use Permit (PZ2212SUP). The application proposes a reconfiguration of the fourth floor to add one additional hotel suite, remove and redesignate first floor retail space, and an addition of 399 SF for enclosed trash storage.

### Zoning and Context

This parcel is located in the DB-5 and RH-10 Zones. This application does not conform to the bulk and use requirements of the Zoning Regulations for the RH-10 Zone due to legal existing non-conforming conditions.

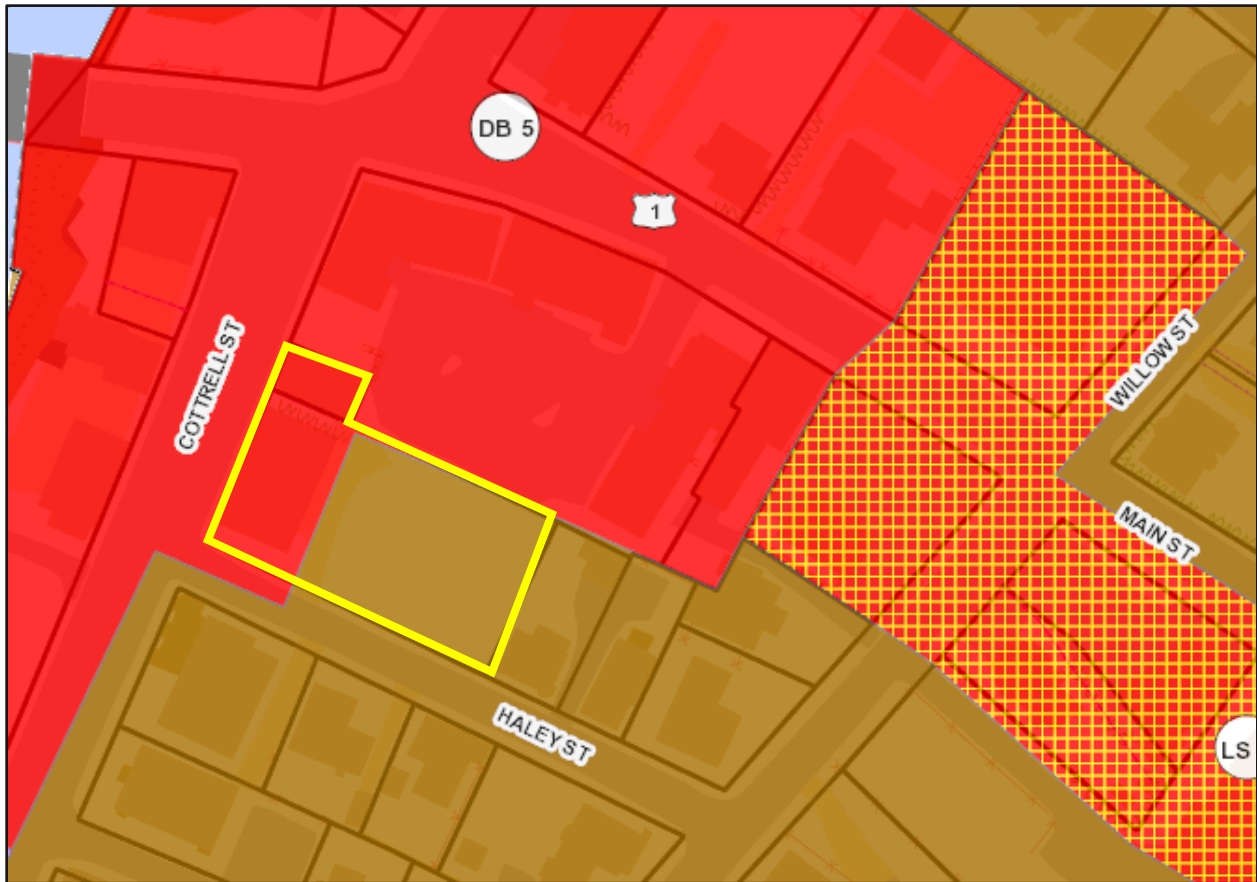
***RH-10 Zone Bulk and Use Requirements<sup>1</sup>***

	<i>Required</i>	<i>Provided</i>		<i>Required</i>	<i>Provided</i>
Lot Size	10,000 SF	17,711 SF	Building Height	35'	>35'
Frontage	70'	264.17'	Floor Area Ratio	0.25	0.46
Setbacks (F/S/R)	20'/5'/9.5'	0.4'/27'/132'	Parking <sup>3</sup>	8	15
Res. Buffer	N/A	N/A	Non-Infring. Area	N/A	N/A

<sup>1</sup> See Section 2.7 of the Zoning Regulations.  
<sup>2</sup> See Section 7.1 of the Zoning Regulations.  
<sup>3</sup> See Section 13.3 of the Zoning Regulations.



## ZONING MAP



North: DB-5 Zone [Use: Commercial]

East: RH-10 Zone [Use: Residential]

South: RH-10 Zone [Use: Residential]

West: DB-5 Zone [Use: Commercial]

## Site Access and Traffic

The site is accessed from Cottrell Street and Haley Street. The parking area for the Whaler's Inn property is located off of Haley Street. The applicant has requested a waiver of the Traffic Impact Study.

## Environmental Elements

The site is located in the Flood Hazard Overlay District (FHOD) Zone AE, Base Flood Elevation (BFE) 11'. Due to the building's status as a Contributing Structure in a National Register Historic District, it is not subject to Substantial Improvement requirements. The exception to this relief is when building alterations "preclude the structure's continued designation as a Historic Structure." According to the applicants, this application will not be considered a "Substantial Improvement." While the building will not be floodproofed, the hotel floors are above the base flood elevation.

The site is located in the Coastal Area Management Overlay District (CAMOD) but is exempt from CAM permitting because the project is considered a minor modification to an existing building under §9.2.9 of the Zoning Regulations.

## Utilities

The site is served by public water and sewer. There is no anticipated change to utilities as part of this application.

## Waivers Requested

The following waivers are requested by the applicant:

Item	Provided	Waiver Requested
Impact Statement	X	
Site Plan		W
Architectural Elevation Drawings and Landscape Plan	X	
Water Impact Study		W
Sanitary Sewer Impact Study		W
Site Drainage Analysis		W
Erosion Control Report		W
Traffic Impact Study		W
Archaeological Study		W
Soils Report, Test Pit Data and Mapping		W
Shadow Plan		W
3-D Model		W
Flood Hazard Report		W
School Impact Evaluation Report		W
Application Fee	X	
Legal Description of Property/Site	X	
Phasing Requirements for Projects Over 24 Dwelling Units		N/A
Written Waiver Request(s) at the Time of Application Submission	X	

## Response Summary

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

**TOWN ENGINEER** – Comments below [Dated: 12/10/23]:

I have reviewed the plans entitled *“Improvement Location Survey showing proposed lot merger, Prepared for Whaler’s Inn RE, LLC., 11 Cottrell St. & Haley Street, Stonington, CT., Dated: 09/06/2023”* by Killingly Engineering Associates, Civil Engineering & Surveying, Normand Thibeault P.E., Greg A. Glaude L.S. and offer the following comments:

1. A site plan per regulation Sections: 8.3 & 8.4 should be required to address the following site concerns:
  - Drainage: Stormwater run-off (concentrated flow) from roof leaders should be intercepted to mitigate any potential adverse impacts to downgradient town sidewalks. There is no town drainage system, therefore on-site infiltration may be considered.
  - De-watering: Provisions for “de-watering” in accordance with the 2002 Erosion & Sedimentation Control Guide should be referenced. The footing excavation may be coincident with the high ground water table, test pit encouraged.
  - Grading: Show all proposed and existing contours (1 foot), spot grades, drainage, utilities within the area of the proposed development to include sidewalk on Cottrell Str.

- Sidewalk: Dependent upon “use” (vehicle for refuse removal), the sidewalk should be evaluated for replacement with an 8” slab thickness for loading. Additionally, the grade of the walk should be reviewed in accordance with code for proper slope (safety).
- Monumentation: Provide note on plan that any damaged monumentation shall be replaced by a CT. Licensed Surveyor.
- Turf Establishment: Provide note\annotation indicating the location, limits and type of seed for turf establishment.
- Safety: Site fencing should be installed as a protective barrier between the excavation and pedestrians on the adjacent sidewalk.
- Erosion & Sedimentation: Incorporate BMP’s (silt fence, wattles, dewatering, etc.) to mitigate turbidity from leaving the site and entering nearby river.

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

**ZONING ENFORCEMENT OFFICER** – No comment.

**FIRE DISTRICT MARSHAL (PAWCATUCK)** – Comments below [Dated: 10/16/23]:

Our office has reviewed the proposed plans for a minor building addition to be constructed on the northern face of the former "Oddfellows Building" located at 11 Cottrell Street, Mystic, CT. We acknowledge that the proposed building addition would obstruct the alleyway currently running along the north face of the building. Our office has no objection to the proposed building addition as designed as the current alley is too narrow and too close to the building itself for use as a fire lane or for fire protection purposes. In the event of a fire or other emergency, direct access to the building would be available from Haley Street, Cottrell Street, the paved parking lot to the east of the building and the paved parking lot to the northeast of the building. Furthermore, adequate fire access would still be maintained along each side of the modified structure for emergency purposes. As a separate matter, please clearly enhance marking of existing fire lane parallel to east side of the building with supplied "No Parking" signs and marking the parking lot with "hash marks" designating that area as a fire lane at the completion of the current building project.

**TOWN OF GROTON** – No comment.

## Town Planner Comments

This application is not subject to review by the Architectural Design Review Board (ADRB) under §17.1.3 of the Zoning Regulations.

There are no concerns with this proposal.

## Recommended Stipulations

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

1. The applicant shall address the Town Engineer's comments to the satisfaction of the Town Engineer.
2. Final site plans shall be reviewed to the satisfaction of the Town Engineer.
3. Prior to issuance of a Zoning Permit, the final plans shall be signed by the Commission and recorded in the Land Records.

## 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 15.2.8 – 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:*

- A. *Special screening or landscaping to screen adjoining properties or mask obtrusive structural features.*
- B. *Set extra buffer requirements ranging from 25 to 100 feet for fragile environmental features or residential property.*
- C. *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.*
- D. *Time of operation or intensity of use of a site.*
- E. *Special site plan design features necessary to minimize adverse impacts on area, environment, or traffic.*



Town of Stonington | Department of Planning  
Planning and Zoning Commission Meeting  
December 19, 2023  
PZ2327ZC RCP Waterford II, LLC &  
Readco Stonington III, LLC (J. Browning)

*Zoning Map Amendment to Neighborhood Design District (NDD) application for the creation of 124 multi-family residential apartments, 10,000 square feet of commercial space, and 30,000 square feet of commercial recreation space. Properties are located at 85 Voluntown Road and 455 Liberty Street, Pawcatuck; M/B/L: 18-1-36; 18-1-33-A. Properties are located in the HI-60 Zone.*

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

## Application Status

This application is for a Zoning Map Amendment (ZC) and requires 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 11/21/23.
- Tonight's meeting is **Day 28** of 65 Days to open the public hearing.
- The public hearing, without extension, must be closed by 1/23/24.
- A decision, without extension, must be made by 3/28/24.

## Purpose

The applicant is applying for a Zoning Map Amendment (ZC) to convert the existing site located in the HI-60 Zone to the Neighborhood Design District (NDD). The purpose of this zone is to encourage the reclamation of underutilized commercial parcels and permit new construction, renovation and/or adaptive reuse at these sites; promote diversified housing opportunities, including, but not limited to, mixed-use development uses; and preserve and enhance the Town's historic character, sensitive environmental resources and these neighborhoods in the village cores. (§2.4.3)

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 §10.3 Compliance

## POCD Compliance

In the Plan of Conservation and Development (POCD), the community established the following policies:

*Policy 8.1.1 – Seek to attract a mix of residential, retail and service uses to address everyday village needs and tourists.*

*Policy 8.2.1 – Strive to attract a mix of businesses that support both the tourist and local needs within the villages.*

*Policy 8.3.2 – Encourage investment in commercial properties.*

*Policy 9.1.1 – Encourage diversification of housing stock.*

*Policy 9.2.1 – Within the village areas, promote new development, infill development and redevelopment which are in keeping with the overall character of the neighborhood.*

*Policy 9.2.3 – Encourage mixed use buildings, as appropriate, on major streets in village areas.*

*Policy 10.2.4 – Guide development to Exit 92 and Village of Pawcatuck.*

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 §10.3 Compliance

*10.3.3 Considerations for Approval – Factors to be considered by the Commission in approving the NDD include:*

- A. The proposed uses and layout are in conformity with and in furtherance of the goals and objective contained in the POCD.*
- B. Harmony and compatibility with surrounding residential neighborhoods, land uses and the village cores, including adequate buffers that are consistent with the existing condition on the site, neighborhood and/or village core, promotion of pedestrian safety, provision for adequate parking, minimized impact of motor vehicles, and prevention of glare to adjacent properties from lighting onsite. To the extent practical, commercial traffic shall be directed to major thoroughfares and away from residential streets.*
- C. Furtherance of the goals, standards and policies of the Connecticut Coastal Area Management Act.*

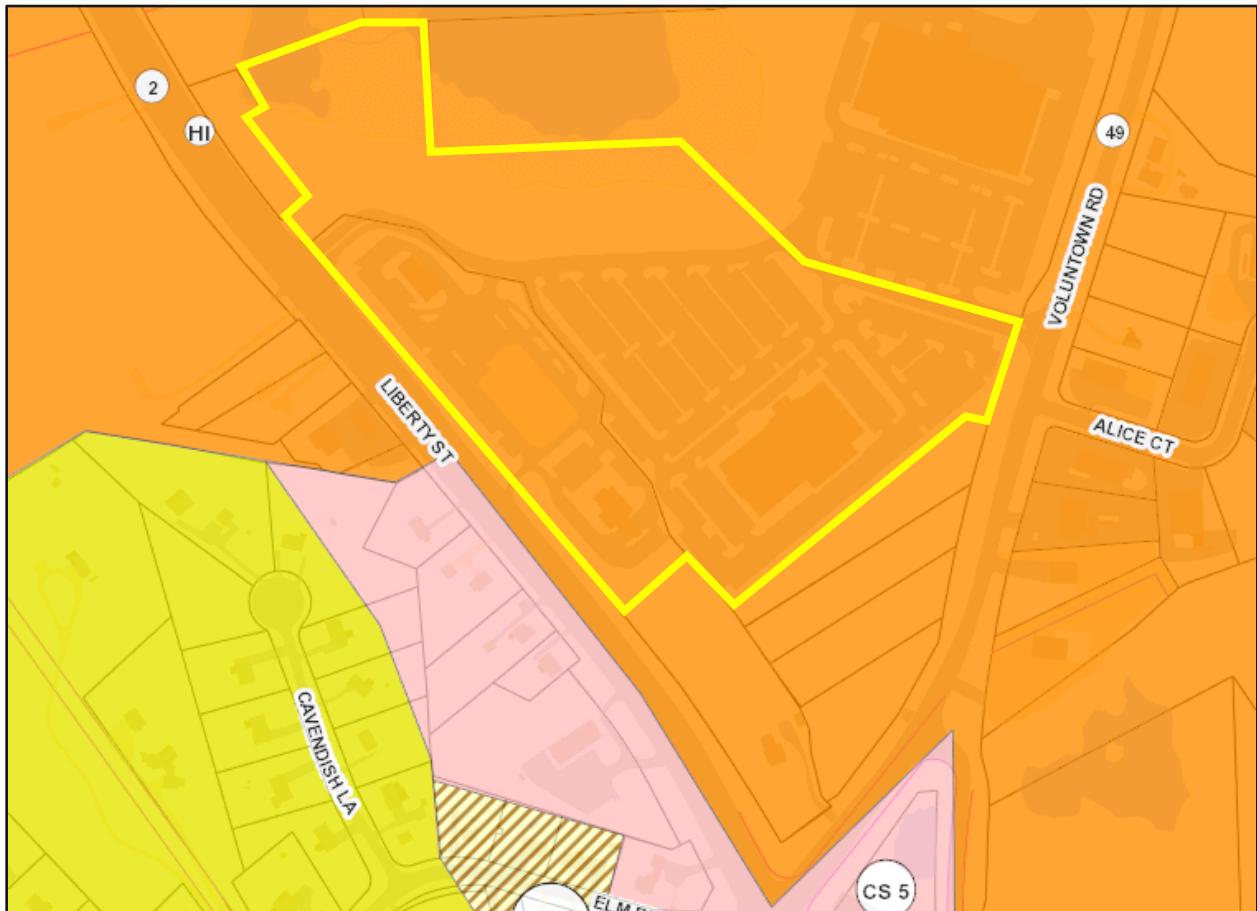
## Zoning and Context

The site is located in the HI-60 Zone. As part of the Master Plan, the applicant is required to propose new bulk and use requirements for the proposed NDD Zone. Below reflects the current bulk and use requirements for the HI-60 Zone:

### HI-60 Zone Bulk and Use Requirements<sup>1</sup>

	<u>Required</u>	<u>Provided</u>		<u>Required</u>	<u>Provided</u>
Lot Size	60,000 SF	N/A	Building Height	25'	N/A
Frontage	200'	N/A	Floor Area Ratio	N/A	N/A
Setbacks (F/S/R)	25'/25'/25'	N/A	Parking <sup>2</sup>	N/A	N/A
Res. Buffer	20'	N/A	Non-Infring. Area	N/A	N/A

### ZONING MAP



North: HI-60 Zone [Use: Commercial/Industrial]

East: HI-60 Zone [Use: Commercial/Industrial]

South: HI-60 Zone [Use: Residential]

West: CS-5 Zone [Use: Residential]

<sup>1</sup> See Section 10.3.7 of the Zoning Regulations for NDD Design Standards.

<sup>2</sup> See Section 13.3 of the Zoning Regulations.

## Site Access and Traffic

The site is accessed from Liberty Street (State Route 2) and Voluntown Road (State Route 49). The application proposes one new right-turn ingress-only in addition to existing access points along Liberty Street and Voluntown Road. A Traffic Impact Study was provided with the application set.

## Environmental Elements

This application is not subject to review from the Inland Wetland and Watercourses Commission (IWWC) and is not within the Upland Review Area. The site is located within the Groundwater Protection Overlay District (GPOD) and will require a Groundwater Protection Permit (GPP) alongside Site Plan Application (SPA) approval.

## Utilities

The site is serviced by water and sewer. Design details will be addressed through the SPA.

## Waivers Requested

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

Item	Provided	Waiver Requested
Impact Statement	X	
Site Plan	X	
Architectural Elevation Drawings and Landscape Plan	X	
Water Impact Study		N/A
Sanitary Sewer Impact Study		N/A
Site Drainage Analysis		N/A
Erosion Control Report		N/A
Traffic Impact Study	X	
Archaeological Study		N/A
Soils Report, Test Pit Data and Mapping		N/A
Shadow Plan		N/A
3-D Model		N/A
Flood Hazard Report		N/A
School Impact Evaluation Report	X	
Application Fee	X	
Legal Description of Property/Site	X	
Phasing Requirements for Projects Over 24 Dwelling Units	X	
Written Waiver Request(s) at the Time of Application Submission		N/A

## Response Summary

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

**POLICE COMMISSION** – Awaiting comment.

**TOWN ENGINEER (CLA ENGINEERS, INC.)** – Comments below [Dated: 11/22/23]:

We have reviewed the following materials submitted for the above referenced project and find that they satisfy the requirements of Section 8.8.2.2 and 8.8.2.3 of the Zoning Regulations.

1. Master Plan Site plans prepared by Bohler Engineering dated 11/6/23.



2. Master Plan Submission package prepared by Trio Properties, LLC and Readco Management dated 11/6/23.

Town Engineer's comments [Dated: 11/22/23]: The only T.E. comment is to remind them that a future site plan application will require a drainage report to include water quality calculations, bmp's, etc.

**FLOODPLAIN MANAGER (SLR INTERNATIONAL) – Comments below [Dated: 12/1/23]:**

The application is for a zoning amendment to facilitate conversion of an existing property into a mixed-use redevelopment, with three new multifamily apartment buildings and one new mixed-use building to be constructed on site.

One of the parcels on which the proposed project will take place (MBL: 18-1-33A; 85 Voluntown Road) contains an area that falls within a 0.2% Annual Chance Flood Hazard Area associated with a small pond.

The Proposed Master Plan Documents (Section F of the application) show that the proposed work will take place completely outside of the 0.2% Annual Chance Flood Hazard Area. Further, Stonington and FEMA regulations do not regulate activities within this flood zone.

Based on a review of the documents provided, I find the proposed development to be acceptable with regard to local, state, and federal floodplain regulations.

**TOWN SANITARIAN (LEDGE LIGHT HEALTH DISTRICT) – Comments below [Dated: 11/29/23]:**

1. The proposed pool will require approval by the Recreation Department of the Department of Public Health. Plans shall be submitted there for review.
2. The proposed pool shall also be approved and licensed by LLHD. Please contact Lupita Santos at [LSantos@llhd.org](mailto:LSantos@llhd.org) to discuss licensing.
3. Since apartments will be served by public sewer and water, no LLHD review is required.
4. Any establishments that fall under foodservice, cosmetology, public pool or lodging (outside of apartments) are to be licensed by LLHD.

**WATER POLLUTION CONTROL AUTHORITY – Comments below [Dated: 12/8/23]:**

The WPCA has no objection to the above referenced application as submitted. There is sufficient capacity in the Pawcatuck collection system and treatment facility to accommodate the proposed flows for this project.

Please be advised of the Rules and Regulations of the Water Pollution Control Authority, specifically Article XII, Hookups.

12.03 No sewer construction work shall begin until detailed plans and specifications have been reviewed and approved by the Director of Water Pollution Control. This shall include a plan and profile sheet. (Scale 1" = 40' horizontal, 1" = 4' vertical)

12.04 Plans, specifications, and construction shall conform to the Town's Technical Standards for Sanitary Sewers.

12.05 Construction shall be carried out only in the presence of an authorized representative of the Water Pollution Control Authority.

12.06 Within 30 days following completion of construction, applicant shall furnish record drawings as prescribed.

12.09 Prior to being issued a sewer construction permit, the owner(s) shall pay the Authority a hook-up charge.

Since this project is a change in use, there is only a charge for additional units. See attached sheet for calculation and fee.

**ZONING ENFORCEMENT OFFICER** – No comment at this time. [Dated 11/22/23]

**FIRE DISTRICT MARSHAL (PAWCATUCK)** – No comment at this time. [Dated: 11/21/23]

**SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS** – See attached memorandum.

**WATER COMPANY (WESTERLY WATER CO.)** – Comments below [Dated: 12/5/23]:

There is no available water on Voluntown Road. The shopping center has a private water main within its development. This main is tapped on Liberty Street. There is available water on Liberty Street. If a developer is requesting future water service, I will need a set of detailed plans and the fire flow demand.

## Town Planner Comments

The application proposes a Zoning Map Amendment (ZC) from the existing HI-60 Zone to the Neighborhood Design District (NDD). 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 (**Current**)
3. Development of Site Plan
4. Receive a Zoning Permit
5. Receive a Building Permit

Detailed design elements will be reviewed and discussed in greater depth in review of the Site Plan Application (SPA). There are no additional staff comments at this time.

The Architecture Design Review Board (ADRB) reviewed this application at its regular meeting on December 11, 2023, at which the ADRB approved this application with no stipulations.

## 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 §10.3
- A decision concerning the Zoning Map Amendment (ZC) application