

## Special Meeting

The 1672<sup>nd</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held virtually via WebEx on Tuesday March 23, 2021. The meeting was called to order by Chairman David Rathbun at 7:01pm. Also present for the meeting were Commissioners Gardner Young, Ben Philbrick, Lynn Conway, and Fred Deichmann; Alternates Ryan Deasy and Peter Chomowicz; and Town Planner Keith Brynes. Alternate Chuck Sheehan was absent.

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

**Minutes:**

Mr. Deichmann moved to approve the minutes of the February 16, 2021 meeting, seconded by Mr. Philbrick, all in favor 5-0, motion approved.

**Administrative Review:**

Request a 5-year extension of previously approved site plan **PZ1610SPA New Prospect, LLC (Dan Barber, now Urbane)**, for the development of a 38-unit attached housing project (Prospect Place). Properties located on Mechanic and Prospect Streets, Pawcatuck, CT. Assessor's Map 4, Block 18, Lot 3B & Map 4, Block 16, Lot 7. Zone NDD-1.

Mr. Brynes presented the request which would extend the 2016 site plan approval to complete the development of units on the west side of Prospect Street. Mr. Deichmann asked about the reason for the extension. Mr. Brynes explained the property changed hands in 2016 after the recession stalled construction and units are mostly complete.

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

**PZ2013SD & GPP Jane L. Howard, Trustee (JP Mereen)** - Request 180-day extension to file final plans for previously approved Subdivision. Property located at 152 South Anguilla Rd., Pawcatuck. Assessors Map 37, Block 1, Lot 8. Zones RR-80 & GBR-130.

The applicant is requesting additional time to file final plans. Time is needed to address items required such as legal review of documents and municipal acceptance of the conservation easement needed.

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

**Old Business:**

**PZ2102SPA Ocean Breeze Land Co., LLC (A. Farrah)** - Site Plan application for the expansion and roofing-over of existing deck. Only existing deck area to be roofed-over. Property located at 7 Williams Ave., Mystic. Assessor's Map 174 Block 12 Lot 10. Zone LS-5.

Stephan Nousiopoulos, project architect presented the application. The 2014 Site Plan approval for the second phase of their previously approved application has expired. They are also proposing to expand the building roof over the existing deck with no walls. They are also modifying the connection to the existing parking lot to be for emergency/service only rather than a means of egress so they are proposing a different access. They will be installing rain gardens that were recommended in a 2014 consultant's report but were not constructed after the original approval. Mr. Philbrick asked about

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handicap access. They will maintain the service entrance for handicap access. Mr. Rathbun stated they had several complaints about noise from the property and recommended a stipulation on amplified music. Mr. Rathbun stated if the chairs on the hill remain, food or alcohol cannot be served there. Mr. Nousiopoulos stated that the chairs on the lawn will be eliminated. Mr. Deichmann asked why the 2014 stormwater consultant's recommendations were not implemented. Mr. Nousiopoulos explained there is new ownership and they are happy to put in the rain gardens and implement all of the recommendations. Since 2014 there have been no stormwater or erosion issues on the site. Ms. Conway raised concern with the size of the decks and staircase. Mr. Nousiopoulos stated there is 2000SF of deck space which can seat 75 people, but there are currently spacing requirements due to the pandemic. Mr. Philbrick asked about night time lighting. They are proposing indirect lighting under the expanded roof to provide indirect lighting, as well as minimal safety lighting on the stairs and candles on tables.

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

**Stipulations:**

1. Previous stipulations of approval from Special Use Permit PZ1403SUP&CAM still apply. No live and/or amplified outdoor music is allowed, including on the roofed deck area.
2. The restaurant is approved for a total of 195 seats (120 indoor and 75 outdoor).
3. A plan for implementation of specific stormwater mitigation measures recommended in the 5/30/14 report by Michael Nadeau shall be prepared by the applicant and reviewed to the satisfaction of the Town Engineer prior to issuance of a Zoning Permit for the deck extension. (Roof expansion may be separately permitted without this item). Implementation of stormwater mitigation measures shall be completed prior to issuance of a Certificate of Zoning Compliance on the deck expansion.
4. Construction of the deck expansion may be subject to the WPCA's moratorium on increasing sewer flows to the Mystic plant.
5. Food and/or alcohol service shall not be permitted on the lawn south of the building; chairs shall be removed from the lawn.
6. Deck shall have no lighting other than candles on tables, safety lighting on stairs and indirect lighting under the new roof.

**Public Hearing:**

**PZ2103SUP Patriot Group Holdings, LLC (Anthem Sports)** – Special Use Permit application to permit Cross Fit Health Club in existing building #2. Property located at 2(A) Extrusion Dr., Pawcatuck. Assessor's Map 36, Block 4, Lot 2B. Zone M-1.

Mr. Brynes summarized the application to convert a building in the M-1 zone to a Cross Fit Health Club which is allowed by Special Use Permit in existing buildings of this size. The building was previously used for offices. There is no construction proposed to the site or the building exterior.

Mark Ferrara, property owner and owner of Anthem Sports, presented the plans for the site. They average 7-10 people training at one time and there are no plans to change the building structure. There is adequate parking on site. Health club owner, Al Furtado, stated they will install a sign per the regulations. They also own the Cross-fit gym on Mechanic Street and have had positive feedback.

**Public Comment:**

None

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Mr. Deichmann moved to close the public hearing, seconded by Mr. Philbrick, all in favor 5-0, motion approved.

Mr. Deichmann moved to approve the Special Use Permit application and waivers, seconded by Ms. Conway, all in favor 5-0, motion approved.

The Commission discussed the advertisement of public hearings in the newspaper and requested that, although not mandated currently for virtual meetings, advertisements in newspapers should resume.

Mr. Deichmann moved to adjourn, seconded by Mr. Philbrick, all in favor 5-0, the meeting adjourned at 7:47pm.



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Ben Philbrick, Secretary