

**ZONING BOARD OF APPEALS
REGULAR MEETING
Final Minutes
October 12, 2021**

Stonington Police Station, 173 South Broad St., Pawcatuck, CT

Present for the meeting were James Kading, Mark Mitsko, Nat Trumbull, and James Stanton. Zoning Enforcement Officer Candace Palmer was also present. Absent Raymond Dussault, Jeff Walker and Diana Lurie-Boersma.

Seated for the meeting were James Kading, Mark Mitsko, Nat Trumbull, and James Stanton seated for Jeff Walker.

The meeting was called to order at 7:00 p.m. on October 12, 2021 at the Stonington Police Station.

ZBA #21-11 & CAM Old Stonington Road, LLC (Russell E. Sergeant, AIA-Agent) – Seeking a variance from ZR 5.2.1 to reduce Front Yard setback on Old Stonington Road from 40' to 20' to construct a building. Property located on 38 Old Stonington Road, Mystic. Assessor's Map 153 Block 2 Lot 2; Zone GC-60. **Withdrawn per applicant's request.**

Public Hearing:

ZBA #21-10 & CAM Mark Densmore Living Trust (Russell E. Sergeant, AIA-Agent) – Seeking a variance from ZR 5.2.1 to reduce Front Yard setback on Old Stonington Road from 40' to 20' for construction of a mixed-use structure. Property located on 26 Old Stonington Road, Mystic. Assessor's Map 153 Block 2 Lot 3; Zone GC-60.

Russell Sergeant presented the variance application and passed out a map and aerial photography of the site (Exhibit #2). The variance is proposed for the smaller lot at 26 Old Stonington Road where the building will now be constructed rather than bridging 38 Old Stonington Road due to issues with a trust. Mr. Sergeant reviewed the Route 1 land taking lines and how Old Stonington Road was created as well as the hardship associated due to those lot lines. The entire building will now be located on 26 Old Stonington Road and will be smaller than originally proposed. They are able to comply with all other setbacks, but would be unable to fit the required parking without a variance. Mr. Sergeant spoke to the unique shape and size of the lot for the zone and the neighboring building setbacks. The lots are very small for the GC-60 zone. Mr. Sergeant discussed the comments in opposition from Mr. Gardner and their attempts to accommodate his concerns. Mr. Sergeant stated that they are unable to plant the landscaping in October due to the approvals that still need be completed and requested that they be conditioned that the plantings be done in April/May rather than October. Mr. Gardner is still requesting that the plantings be done by November 1st. The commission discussed the potential stipulation with Mr. Sergeant.

No Public Comment.

Mr. Kading closed the public hearing.

Mr. Trumbull moved to approve the application with stipulation, seconded by Mr. Mitsko, all in favor 4-0. Motion approved.

1. The applicant will install (8) ten-foot-tall deer resistant arborvitae (specifically, Thuja x. "Green Giant" Arborvitae) on the Gardner Property at a location that is mutually agreed upon by both

parties. Such installation shall take place between October 1 and November 1 or April to May during optimal planting season, and shall only include that amount of fill that is customarily used for the planting of such species. Applicant is under no obligation to install the shrubs should the project not be constructed.

Discussion:

Approval of 2022 Meeting Calendar.

Mr. Trumbull moved to approve the calendar, seconded by Mr. Stanton, all in favor 4-0. Motion approved.

Minutes:

Mr. Mitsko moved to approve the minutes of the August 10, 2021 meeting, seconded by Mr. Stanton. The vote was taken, 3-0-1, motion approved. Mr. Trumbull abstained.

Mr. Mitsko moved to adjourn, seconded by Mr. Trumbull, all in favor 4-0. The meeting adjourned at 7:48 p.m.

A handwritten signature in black ink, appearing to read "Nat Trumbull", written over a horizontal line.

Nat Trumbull, Secretary