

Special Meeting

The 1669th meeting of the Town of Stonington's Planning and Zoning Commission was held virtually via WebEx on Tuesday, December 15, 2020. 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 Chuck Sheehan and Ryan Deasy, and Town Planner Keith Brynes.

Seated for the meeting David Rathbun, Ben Philbrick, Gardner Young, Lynn Conway, and Charles Sheehan.

Minutes:

Mr. Philbrick moved to approve the minutes of the November 17, 2020 meeting, seconded by Mr. Young, all in favor 5-0, motion approved.

Administrative Review:

Consideration of Extension of Temporary Policy Regarding Zoning Enforcement and Permitting During the COVID-19 Pandemic to March 1, 2021

Keith Brynes presented the proposal to extend the policy. Mr. Philbrick recommended extended the policy until May 1, 2021. Mr. Philbrick moved to extend the policy to May 1, 2021, seconded by Mr. Sheehan, all in favor 5-0, motion approved.

Old Business:

PZ2023SPA & CAM Garden Homes Derby Co, LP - Site Plan & Coastal Area Management Review applications for ten (10) additional manufactured homes with sheds in the Fair Acres Park per CGS Section 8-30g. Property located at 39 Whitehall Ave., Mystic. Assessors Map 164, Block 1, Lot 9. Zone GC-60.

Attorney Mark Branse presented the application. The mobile home park is a legal non-conformity and therefore not allowed to expand so they are applying for the expansion under CGS 8-30g to provide affordable housing. Steve Trinkaus, project engineer, presented the site plan. The homes will go on an existing grassy area and the necessary utility connections will be added. Mr. Trinkaus reviewed the site drainage plan, noting that the town engineer's comments have been addressed. Mr. Trinkaus also reviewed the landscaping plan for the new construction. Mr. Sheehan asked whether fire suppression was required. The fire marshal stated he was happy with the access and from the driveway and asked for parking signs. Richard Freedman stated that sprinklers are not required in manufactured homes. The ADRB has approved the plans for the homes and landscaping plan. Mr. Branse showed photos of the proposed homes and referenced the DEEP letter, stating that there was no dock on site when they purchased the property in 2019. They have found a letter stating their removal in 2018 and Mr. Branse presented photos of the property with no dock. Google Earth has a 2018 photo which indicates a dock which may have caused the confusion. The applicant is not adding units near the water and they are not changing the current use of the property. The driveways are not suitable for public access to the waterfront.

Mr. Brynes reviewed the decisions to be made, recommended stipulations, and staff comments. The project is subject to the WPCA's moratorium. Mr. Philbrick asked if a dock was added in the future if the applicant would consider public access. Mr. Branse explained that the common drives are not suitable for boat access and they would not want to put that traffic on the homeowners. Mr. Sheehan reiterated

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that he would like to have the building official review whether sprinklers would be required due to the homes' proximity to each other.

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

Stipulations:

1. Prior to the issuance of any Zoning Permits, final plans shall be signed by the Commission and recorded.
2. Final plans shall be revised to the satisfaction of the Town Engineer.
3. Final plans shall include Assessor's Map, Block and Lot # and zoning district boundary between GC-60 and GBR-130.
4. Construction is subject to the WPCA's moratorium on increasing sewer flows to the Mystic plant.
5. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits. The bond shall be either in the form of a certified check or irrevocable letter of credit meeting the requirements of Section 8.6.3 of the Zoning Regulations. 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 completion.
6. Fair Acres Circle shall remain fully accessible and "No Parking" signs shall be added to both sides of the road extension.

Public Hearing:

PZ2009SUP & CAM Masons Island Co. & Masons Island Property Owners Assoc. (P. Biscuti) – Special Use Permit and Coastal Area Management Site Plan Review applications to accompany future zoning permit application for construction of a single-family residence with on-site septic system, driveway, retaining walls and related site improvements. Property located at Great Marsh Rd., Mystic. Assessors Map 180, Block 2, Lot 36F & Great Marsh Rd. private right-of-way. Zones RA-20 & RC-120. *Public Hearing opened on 11/17/20 and immediately continued.*

Paul Biscuti, project engineer, presented the application. The lot is an approved building lot from a 1982 subdivision. The lot is on an unimproved road on Mason's Island off of Money Point Road. The lot is shallow and steep and the owner is proposing a generic house to market the lot for sale. The applicant reviewed their special use permit waiver requests. They will not be constructing a home, but are trying to ensure future owners that it can be done on the lot. The site is challenging due to the topography of the lot and the access. The septic on site will only be able to support a two-bedroom home. The applicant has addressed staff comments. The site cannot support infiltration of the first inch of rainfall due to the lack of soil on site and ledge. Mr. Philbrick asked about the retaining wall and run off to the tidal flats. He expressed concern of a negative impact to the land. Mr. Biscuti addressed potential impacts and mitigation. Mr. Sheehan asked about flooding on the access road and flood zone. Mr. Biscuti addressed the flood zone delineation.

General Comment:

Ben Tamsky stated his concern with approving a conceptual plan to market the property.

Rebuttal:

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Mr. Biscuti said that the only thing that would likely change would be the look of the house and the type of retaining wall. All other structural features are required due to the nature of the site.

Mr. Brynes discussed reviewer comments and the recommended stipulations from the staff report.

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

Mr. Philbrick moved to approve the CAM application, seconded by Mr. Young, 4-1, motion approved.
Roll Call: Rathbun – approve, Young – approve, Philbrick – deny, Conway – approve, Sheehan – approve.

Mr. Philbrick moved to approve the waivers, seconded by Mr. Sheehan, 4-1, motion approved.
Roll Call: Rathbun – approve, Young – approve, Philbrick – deny, Conway – approve, Sheehan – approve.

Mr. Philbrick moved to approve the application with the recommended stipulations, seconded by Mr. Sheehan, 4-1, motion approved.
Roll Call: Rathbun – approve, Young – approve, Philbrick – deny, Conway – approve, Sheehan – approve.

Stipulations:

1. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits. The bond shall be either in the form of a certified check or irrevocable letter of credit meeting the requirements of Section 8.6.3 of the Zoning Regulations. 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 completion.
2. Prior to the issuance of any Zoning Permits, final plans shall be signed by the Commission and recorded.

Chairman Rathbun noted that there would be no meeting on January 5, 2021. The next meeting is scheduled for January 19, 2021.

Mr. Rathbun moved to adjourn, seconded by Mr. Philbrick, all in favor 5-0, the meeting adjourned at 8:04pm.



Ben Philbrick, Secretary