

Regular Meeting

The 1630th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, February 19, 2019, at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Chairman David Rathbun at 7:00pm. Also present for the meeting were Commissioners Shaun Mastroianni and Ben Philbrick; Alternates Fred Deichmann, Lynn Conway, and Peter Chomowicz; Town Planner Keith Brynes, and Director of Planning Jason Vincent. Commissioners Curtis Lynch and Gardner Young were not present.

Seated for the meeting David Rathbun, Shaun Mastroianni, Ben Philbrick, Lynn Conway, and Fred Deichmann.

Minutes:

Mr. Philbrick moved to approve the minutes of February 5, 2019 meeting, seconded by Mr. Mastroianni, all in favor 4-0-1, motion approved.

Roll Call: Mastroianni – approve, Philbrick – approve, Conway – approve, Deichmann – approve, Rathbun - abstain

Commission Initiatives:

POCD Update Committee - Mr. Philbrick reported that there are some tasks that will be looked at by the Commission in the future.

Administrative Review:

PZ1833ZC& SPA Lattizori Development– Request approval of revised site plans for previously approved applications for construction of a 47,625 square foot medical office building. Property located at 100 Perkins Farm Dr. (off Jerry Browne Rd.), Mystic. Assessors Map 134 Block 3 Lot 2; Map 150 Block 2 Lots 1, 4, 5, 6, & 7. Zone GDD.

Clint Brown, project engineer, presented the revised site plans. The applicant is proposing changes to the stormwater basin to accommodate only the healthcare building. The design will be maintained and can be expanded in the future. They have modified the sidewalk and curb materials in an effort to be consistent with the apartment complex. There is no longer a need to adjust the utilities, since they now fall in the approved right-of-way. Mr. Deichmann asked the reason for the change in sidewalk material. Mr. Brown responded that they are attempting to have a consistent look and feel throughout the development. The sidewalks along the access road and in the parking lot would be bituminous and the sidewalks around the buildings will remain concrete. The drainage basin is being phased but will be able to accommodate the proposed future development. Mr. Brynes reviewed the proposed stipulations.

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

Public Hearings:

PZ1838SD Linehan Custom Homes, Inc. - Subdivision application for a 3-lot residential subdivision. Property located on Johnson Street, Pawcatuck. Assessors Map 13 Block 1 Lot 9. Zone RA-15. Continued from 2/5/19.

Attorney Nick Kepple presented the application. The applicant is proposing a 3-lot subdivision for the property to accommodate 3 single-family homes. The applicant will grant a drainage easement to the town. Mr. Kepple submitted their soil scientist's credentials and soil survey results to further confirm

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that there are no wetlands and/or watercourses on site. No Inland Wetlands and Watercourses Commission approvals were required.

Ed Wenke, project engineer, presented the site plan. The properties will front Johnson Street and have access to public sewer and water. There will be no new roads and will not require a stormwater drainage system. Mr. Wenke presented the potential building sites, with most of the property remaining undisturbed. The town would like to see the natural drainage patterns maintained as it is important that they remain that way. Mr. Wenke overviewed the change in drainage based on design and it ends in a net zero change. The drainage easement will protect the area and the town must be notified if there are any proposed changes.

No Public Comment in Favor or Against

General Comments:

Carlene Donnarummo stated her familiarity with the property and discussed the historic drainage system, providing a map from the town GIS. Ms. Donnarummo asked that the Town Engineer's comments be addressed individually and included as stipulations to protect the drainage from future development.

Mr. Kepple responded by stating his client is not proposing anything that will affect this but is happy to memorialize the current drainage by granting an easement. The property owner has gone above and beyond to grant this to the town. They feel the easement is appropriate and will not permit structures, but thinks it is excessive to make it a conservation area. Mr. Vincent explained the difference between a drainage easement and a conservation easement.

Mr. Brynes reviewed the staff recommended stipulations and an additional one to address Ms. Donnarummo's concerns.

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

Mr. Deichmann moved to approve with the stipulations, seconded by Mr. Philbrick. The drain will be added to the town's municipal stormwater management map. The vote was taken all in favor 5-0, motion approved.

Stipulations:

1. Final plans shall include new street address and Assessor's lot numbers as assigned by the Town.
2. Final plans shall be reviewed to the satisfaction of the Town Engineer.
3. AutoCAD (or approved equivalent) drawing of the approved subdivision shall be submitted to the Town prior to recording.
4. A fee in lieu of open space equal to 10% of the value of the land shall be applied to all lots in the subdivision. The Final Plans must include the following statement: "A Fee-In-Lieu of Open Space of \$10,000 was approved by the Planning & Zoning Commission, each new lot shall be assessed \$3,333.33."
5. Drainage easement to the Town shall be filed over existing drainage course, shown on final plans and referenced in individual deeds.

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PZ1837ZC Town of Stonington (MRBHP)– Zoning Map Amendment application to change the zoning designation for 123 Greenmanville Ave., Mystic, Assessor’s Map 172, Block 1, Lot 1, from RH-10 to Marine Heritage District (MHD).

Mr. Vincent presented the application. The proposal is not for master plan approval at this point. They are seeking the zoning map amendment to change the bulk requirements and then they will come back for a master plan approval. Plans are currently being assessed and it will likely require around 23 permits for the project. The current bulk requirements of the RH-10 zone prevent a site design that is suitable for the small piece of property. There is no proposed building or parking under this application, they must come back for that at the master plan phase.

Mr. Chomowicz asked what the bulk requirements that are beneficial which is the height and setbacks. Mr. Deichmann asked what would happen if the approvals were not obtained. Mr. Vincent stated that this provides parameters for development plans and could be implemented in many ways. Ms. Conway asked if they ultimately approve the design of the boathouse and Mr. Vincent stated that they do. This will allow them to design to the code of the plan. Ms. Conway asked how they feel this fits into the definition of the district. Mr. Vincent responded that they feel a boathouse park fits the definition through the cultural benefits and maritime use. Mr. Vincent explained why they are requesting the zoning map amendment first. The only potential risk would be that if the town decided to sell the land back to the private sector it would no longer support residential homes.

Public Comment in Favor:

Attorney Ted Ladwig spoke on behalf of the owners of Sea View Snackbar and Twisters in support of the application and it’s benefit to the town and surrounding area. They hope to be considering for a zone change as well in the future to better match their property. Ms. Conway questioned whether the zone change would set a precedence. Mr. Ladwig stated that it is not precedence that dictates an application, rather than what is good for the property and the town.

General Comments:

Marilyn Dalton, resident of 130 Greenmanville Avenue, stated that she is happy about the park, but had concern about what could go in if the park does not.

James Stanton, stated support for the fact that designing a building off speculation of a zone change and would like to see something that fits with the character of the neighborhood.

Steve Hobaica, neighbor to the property raised concern with increase development and traffic and the precedence it could set.

Rebuttal:

Mr. Vincent stated they are not proposing to change anything on the property at this time. The application will go through many additional review channels. Any sale of the property would have to be done through a town meeting prior to any change in ownership. The master plan process also gives more control to the commission for place restrictions on development.

Mr. Brynes reviewed the recommended stipulations and decisions to be made.

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

Mr. Mastroianni moved to approve the application waivers, conformance with POCD and zone change with stipulations, seconded by Mr. Philbrick. Ms. Conway stated she agrees it needs to be done and is concerned with the precedence set by this zone change and would like to have an opinion from the Town Attorney. The vote was taken all in favor 5-0, motion approved.

Stipulations:

1. Approval is for the following elements:
 - a. Rezoning of the property at 123 Greenmanville Ave. to the Maritime Heritage District.
 - b. Passive park use (no site development or construction), with supervised events as authorized by the Stonington Board of Selectmen.
 - c. A conceptual 8,000SF boathouse structure and boat storage.
2. MHD bulk requirements are approved as follows:
 - a. Minimum front and rear yards – 0’,
 - b. Minimum side yards – 5’,
 - c. Maximum height – 45’; Section 7.3.5 does not apply to this property.
3. This approval does not include specific design elements such as demolition of buildings, specific location of features or building design. Additional Commission Master Plan Amendment, Site Plan and Coastal Area Management Approvals will be required prior to development.

PZ1840SUP 34-38 Mechanic St., LLC (J. Lathrop) – Special Use Permit application for rehabilitation of an existing building (ZR 6.6.14) for creation of an additional residential dwelling unit from previous commercial use. Property located at 34-38 (36) Mechanic St., Pawcatuck. Assessors Map 4 Block 7 Lot 5. Zone PV-5.

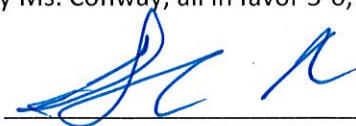
Terry Logan, an abutting property owner, presented the application on behalf of applicant Jim Lathrop. They are looking to convert a current commercial unit to a residential unit. Mr. Deichmann asked whether approval precludes it converting back to commercial, Mr. Brynes stated that it could be approved in the future to go back to commercial since it is a mixed-use zone.

No Public Comment

Mr. Mastroianni moved to close the public hearing, seconded by Ms. Conway, all in favor 5-0, motion approved.

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

Mr. Deichmann moved to adjourn, seconded by Ms. Conway, all in favor 5-0, the meeting adjourned at 8:44pm.



Shaun Mastroianni, Secretary