

Regular Meeting

The 1610th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, March 20, 2018, 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, Ben Philbrick, and Gardner Young; Alternates Fred Deichmann and Robert Hannon, Town Planner Keith A. Brynes, and Director of Planning Jason A. Vincent. Commissioner Curtis Lynch and Alternate Lynn Conway were absent.

Seated for the meeting were David Rathbun, Shaun Mastroianni, Ben Philbrick, Fred Deichmann, and Robert Hannon.

Minutes:

Mr. Philbrick moved to approve the minutes of the February 20, 2018 meeting, seconded by Mr. Hannon, motion approved, 4-0-1.

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

Administrative Review:

16-285ZON Clavdy, LLC – Zoning Permit application for a 6' x 12' walk-in cooler. Property located at 20 Old Stonington Rd., Stonington. Assessor's Map 153 Block 2 Lot 4. Zone GC-60.

The applicant is proposing to change an approved shed to a walk-in cooler. The application meets the flood hazard requirements.

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

Mr. Young arrived and was seated for Mr. Deichmann. Mr. Deichmann left the meeting.

18-016ZON Z&B Properties – Zoning Permit application for conversion of a single-family dwelling to a two-family dwelling (duplex). Property located at 138 Liberty St., Pawcatuck. Assessors Map 15 Block 2 Lot 8A. Zone LS-5.

The house was recently built and they are now asking to convert the property to a duplex.

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

18-028ZON Jared Whewell – Zoning Permit application for construction of a ±2,184SF office/storage building. Proposed size is a reduction of the previously approved structure. Property located at 620 Taugwonk Rd., Stonington. Assessors Map 67 Block 2 Lot 2. Zones GC-60 & RR-80.

The applicant is proposing to reduce the size of a previously approved structure that was approved in 2016. They are ready to move forward but would like a slightly smaller building. It was reviewed by the Architectural Design Review Board, who had requested to remove the two-tone building color, but the applicant has requested it remain. It was previously approved by the commission with the two colors.

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

The meeting recessed at 7:11pm and reconvened at 7:30pm.

Public Hearings 7:30 pm:

PZ1804SUP Nazprzy, LLC (R. Przybysz) – Special Use Permit application for conversion of a two-family dwelling to a three-family dwelling. Property located at 27 Greenmanville Ave., Mystic. Assessor's Map 173 Block 14 Lot 9. Zone RH-10.

Todd Przybysz, applicant, presented the application. The building is currently a four unit building with two residential units and two commercial units. The applicant is proposing to convert the commercial units on the ground floor into one residential unit. This will lessen traffic in the residential neighborhood and reduce parking requirements.

No Public Comment.

Mr. Brynes stated the application received a variance from the Zoning Board of Appeals and is in compliance with the zoning regulations. There is sufficient parking with the change. Mr. Young asked for clarification on the location of the units.

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

Mr. Hannon moved to approve the waiver requests and the application, seconded by Mr. Young, all in favor 5-0, motion approved.

PZ1805ZUP HMD Holdings, LLC (H. Macris) – Special Use Permit application for a change of non-conforming use to convert former State Armory site to a technology, business, and light manufacturing center. Property located at 8 Summit St., Mystic. Assessors Map 174 Block 10 Lot 1. Zone RH-10.

Harrison Macris presented the application, noting that the property was purchased from the State of Connecticut in 2017 through auction. The site has been looked at in the past for affordable housing, but this was met with opposition. The applicant has been trying to preserve the facility and convert the space to house his technology and manufacturing business as well as other tenants. He has already made a significant investment to rehabilitate the property, removing trash, and updating the structure. There is no plan to change the footprint of the building or make any additions, as the goal is preservation of the structure. Mr. Philbrick asked if there are any chemicals used in the proposed manufacturing. Mr. Macris stated the chemicals they use are not harsh and fairly inert. That level of chemical use is outsourced, the finishing assembly is performed on-site.

Public Comment in Favor:

Peggy Roberts, President of the Greater Mystic Chamber of Commerce, spoke in support of the application and its benefit to community. She felt this is a great light manufacturing use that can bring more to the area creating jobs without a large impact on the neighborhood.

Tim Murray, spoke in support of the application and its benefit to the area.

Dave Hammond, Chair of the Economic Development Commission spoke in support of the application. A letter of support was provided in the staff report.

Edmond Kelly, spoke in support of the applicant and the application and this development's impact on the community.

Bob Peterson, a resident of Summit Street, spoke about the history of the lot and the accomplishment made so far by the applicant.

Public Comment Against:

Penny Sutter, 26 Borodell Avenue, an adjacent property owner, raised concern over the work done prior to receiving permits. She has had some concerns with some things left on their property. She also asked how they can be sure the harsher chemicals are not being used in the future.

General Comment:

Carlene Donnarummo, stated that she is happy that the applicant has found a use for the property, but is concerned with the barren landscape of the project. The applicant has requested a waiver for a landscape plan. Ms. Donnarummo cautioned about this and recommended additional landscaping on the site.

Edie Mauser, 10 Borodell Avenue, an abutting parcel, is concerned with the removal of the trees and has lost her screening to the property. She would also like to know about the plan for lighting of the property and hours of operation.

Rebuttal:

Mr. Macris stated that the building is not finished and they plan to invest more if a viable use is approved. They are planning to remove the heavy overgrowth and put in proper landscaping this spring.

Mr. Mastroianni questioned the staff on the recommended stipulations. Mr. Brynes explained the buffer requirements. Mr. Mastroianni questioned whether trees in the buffer had been removed. Mr. Macris explained that only trees that were, in their opinion, deemed dangerous to the building had been removed. Mr. Philbrick asked about the proposed types of plants and lights. Mr. Macris explained that they plan to plant Cyprus trees and have removed most of the large flood lights and will be redoing the lighting on site with LEDs. Mr. Hannon questioned what the timeframe is for moving their business in and how much needs to be done. Mr. Macris stated they will be working to get a CO as soon as they can after approval of the special use permit. They have started work on much of the infrastructure. Mr. Hannon questioned the current and future number of employees. Mr. Macris stated they currently have five, and do not plan to have more than 10-15 in the future. Mr. Mastroianni asked how much of the building will be used by their business and how much will be leased. They plan to use at least 60% of the building.

Mr. Vincent stated the previous use did not have a buffer requirement, therefore, until the change of use is approved, there is no buffer required. Mr. Vincent stated there were no enforcement actions taken on the property and the applicant worked with the town all along the way to require the necessary permits.

Mr. Brynes reviewed the recommended stipulations in the staff report. Mr. Brynes stated that a non-conforming use may be changed but not expanded. A landscape plan has not been submitted but one may be requested by the commission. Mr. Rathbun questioned requiring either a landscaping bond or plan. Mr. Hannon asked Mr. Vincent whether the applicant has made it look better so far. Mr. Vincent

Regular Meeting

stated there was testimony from neighbors that land has been cleared. Mr. Macris stated that a landscape plan wasn't submitted, but he will provide one.

Public Comment:

Moira Deasy, 6 Borodell Ave., abutter, spoke in support of the applicant and his responsiveness and work done so far, stating that she has faith that he will come through and do what he is proposing.

Edie Mauser, stated that they need to see a plan in writing and would like to clearly see the plan for future landscaping.

Cathleen Murphy, 51 Church Street owners, stated that they were never contacted about their input on the property and would like to see a landscaping and lighting plan.

Mr. Mastroianni recommended keeping the public hearing open to receive the landscaping and lighting plan. Mr. Young stated that he did not feel that was necessary.

Mr. Young moved to close the public hearing, seconded by Mr. Hannon, the vote was taken 4-1.

Roll Call: Rathbun – approve, Philbrick – approve, Young – approve, Hannon – approve, Mastroianni – oppose

Mr. Hannon moved to approve the waiver requests and the application with recommended stipulations by staff, seconded by Mr. Young. The commission added a stipulation for a landscape and lighting plan to be reviewed by the commission as a part of the administrative review proceeding. The vote was taken 5-0, motion approved.

Stipulations:

1. Grass area to the west and north of the building shall be considered "Phased Parking" under Section 7.10.2.2 of the regulations. Overflow parking area shall be properly graded, cleared and able to support cars prior to issuance of a Certificate of Zoning Compliance. The Commission may require this area to be expanded and/or paved in the future should negative impacts occur due to parking and/or loading.
2. Paved parking area shall be striped and handicap parking shall be provided as per Section 7.10.4.6 and the State Building Code.
3. Any dumpsters shall be located outside of building setbacks and screened with fencing or evergreen trees or shrubs at least 6 feet high per Section 2.16.2.3.
4. Any detached sign shall be a maximum of 8 SF in area and 6' high per Section 7.12.6.2.
5. Any new site lighting must utilize full cut off fixtures and be a maximum of 20' tall to the light source per Section 2.16.2.6.
6. Per Section 3.3.4.3.3, a 25' wide buffer along all property lines is required to be maintained with the exception of areas that are legally non-conforming.
7. The applicant shall submit landscape and lighting plans to be reviewed by the Commission through an administrative review proceeding.

The meeting recessed at 8:30pm and reconvened at 8:38pm.

PZ1732POCD Town of Stonington Planning & Zoning Commission – Amendment for the adoption of the Stonington Coastal Resilience Plan as an appendix to the POCD. The plan was recently completed through the Connecticut Department of Housing's Development Block Grant Disaster Relief Program.

Regular Meeting

This plan was funded through a grant from the Department of Housing after Hurricane Sandy and fulfills a number of tasks in the POCD. The plan was developed with three public workshops and a large amount of public input. The focus was the risk to local assets and town infrastructure. The plan looked at local and regional objectives for flood resilience. Recommendations were made for zoning regulations to be adapted to accommodate those risks. Mr. Brynes stated that decision is whether to adopt the plan as part of the POCD giving it further weight, and the possibility it may help with securing additional grants. Many of the recommendations in the plan require additional funding and study. DEEP provided positive comments and made some recommendations. Mr. Vincent stated thanks for the Climate Change Task Force and their work on this plan. He recommended adopting the document as a plan in order to verify its importance to the Town and community.

Mr. Philbrick questioned how it can be edited after being adopted as a plan. Mr. Vincent stated that any policy changes go through the Planning & Zoning Commission, whereas tasks are handled by the POCD Implementation Committee.

Public Comment in Favor:

Rick Newton, Chairman of the Climate Change Task Force, spoke in support of the application and its adoption as a plan to give it more weight and be a more intricate part of commission goals and initiatives.

Max Wojtas spoke in support of the plan being adopted and its importance for future generations in Stonington.

Julia Parry stated that the plan is thorough and should be adopted as a plan to give further weight and focus on ways to mitigate flooding and protect marshes.

Susan Hibbard spoke in support of the application and its adoption.

Mark Hibbard member of the board for the Avalonia Land Trust, spoke in support of the application.

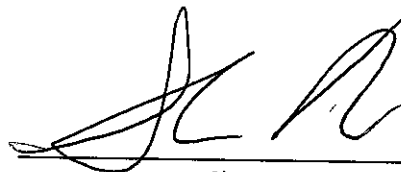
No Public Comment Against.

No General Comment.

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

Mr. Hannon moved to approve the application, seconded by Mr. Young, all in favor 5-0, motion approved. The Effective Date is 4/9/18.

Mr. Philbrick moved to adjourn, seconded by Mr. Mastroianni, all in favor, the meeting adjourned at 9:00pm.

A handwritten signature in black ink, appearing to read 'Shaun Mastroianni', written over a horizontal line.

Shaun Mastroianni, Secretary