

Regular Meeting

The 1614th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, May 15, 2018 at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Commissioner David Rathbun at 7:00pm. Present for the meeting were David Rathbun, Ben Philbrick, Curtis Lynch, Shaun Mastroianni, Gardner Young, Alternate Fred Deichmann; Director of Planning Jason Vincent and Town Planner Keith Brynes. Alternates Robert Hannon and Lynn Conway were absent.

Seated for the meeting were David Rathbun, Shaun Mastroianni, Ben Philbrick, Curtis Lynch and Gardner Young.

Minutes

Mr. Philbrick moved to approve the minutes of the May 1, 2018 meeting; seconded by Mr. Mastroianni. The motion was approved 5-0.

Administrative Review

PZ0360SD SUP & GPP Old Mystic Estates, fka Clairemont Cluster SD – Discussion of stipulated "Recreation Area," and DEEP Dam Safety tree removal request.

Ted Merchant representative of Toll Brothers presented the request. There are ten trees planted between the large retention basin and Whitehall Ave. that were shown as part of the approved Subdivision Plan for Old Mystic Estates. CTDEEP's Dam Safety Office is requiring that these trees be removed because of their concerns that they could fall and compromise the structure of the basin.

Toll Brothers is also looking for clarification on the stipulated "recreation area" that was required as part of the Commission's 2004 approval. This area is mostly wooded and the Homeowners' Association does not have an interest in maintaining a cleared recreation area. There are fewer children in the development than was assumed in 2004.

Mr. Rathbun raised concerns with removing the requirement of the recreation area because there would no longer be open space for recreation and the second phase of the development would add more children. Mr. Young stated he does not see the need for a recreation area since the single family homes have large backyards. Mr. Merchant explained that the backyards would likely be larger than a recreation area that they could build given the space and wetlands/grading issues. Mr. Vincent recommended reserving the space as a recreation area that could be developed by the association if they so choose.

Mr. Lynch moved to approve the request with 2 stipulations of approval; seconded by Mr. Mastroianni. All in favor 5-0, motion approved.

Stipulations:

1. The Commission authorizes the removal of trees near the basin.
2. The Commission amends Stipulation #9 of the original 2004 approval to state that the recreation area shall be reserved for the Homeowners' Association to develop if they desire.

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18-083 ZON Carl & Dominique Lassell (A. Miceli) – Zoning permit application for change of use from retail to office for Landscaper office. No landscaping materials, pesticides/fertilizers, or stationary fuel tanks will be stored on site. Property located at 320 Liberty St., Pawcatuck. Assessors Map 17 Block 1 Lot 10. Zone CS-5.

Lassell's Carpet building proposing to house a landscaper's office in part of the building. There is screening to the rear neighbor. The business will have trucks and equipment on site, but not landscaping materials, pesticides, fertilizers or fuel tanks. Applicant, Anthony Miceli, stated they do not intend to have any additional equipment beyond what has been requested. Carl Lassell, property owner, lives in the adjacent property to the north and will be monitoring the site and making sure it is screened and not overused.

Mr. Lynch moved to approve the request with one stipulation of approval; seconded by Mr. Philbrick. All in favor 5-0, motion approved.

Stipulation:

1. Fencing and screening of the equipment shall be provided.

Glibane Building – Request temporary placement of construction materials for West Vine Street School project due to overlapping of Phases I & II. The property owner has given permission to use his site, 215 Liberty St. (closed Fuji Gardens restaurant). Projected storage timeframe is May 2018 to October 2018.

Mr. Lynch moved to approve the request with one stipulation; seconded by Mr. Philbrick. All in favor 5-0, motion approved.

Stipulation:

Materials shall be stored to the rear of the building.

Old Business

PZ1812CAM M & J Wainston (Bruce Coletti) – Coastal Area Management Review for demolition of existing single-family residence and accessory structures, and construction of a new SFR, subsurface sewage disposal system, drainage, and associated landscaping and utilities. CAM to accompany future zoning permit application. Property located at 100 North Rd., Mystic. Assessors Map 181 Block 2 Lot 5. Zone RM-15.

Jeff Prechette of Cherenzia Associates represented the applicant. Mr. Brynes stated the Town Engineer has reviewed the plans and has only one minor comment remaining that will be addressed. Mr. Brynes recommended a standard stipulation that they adhere to flood standard requirements and a stipulation that the old house must be demolished before the new house is built.

Mr. Lynch moved to approve with two stipulations recommended by staff; seconded by Mr. Philbrick. All in favor 5-0, motion approved.

Stipulations:

1. The Commission authorizes continued occupation of the existing house during construction of the new house. The old house shall be demolished and property cleared of debris prior to the issuance of a Certificate of Zoning Compliance.
2. Plans shall conform to all Flood Hazard requirements.

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New Submittal

PZ1813BR Toll Brothers-Old Mystic Estates – Application for reduction of Performance & Maintenance Bond posted to satisfy requirements of proposed construction activity related to **PZ0360SD SUP & GPP Meehan Group, LLC**. Bond instrument is Letter of Credit #30002932 for \$2,935,000.00 for a 48-lot subdivision located off Pequot Trail, Mystic. Bond reduced to \$1,700,000.00 on 6/26/12. Applicants request further reduction to \$1,125,000.00.

Mr. Brynes stated the bond is related to road and public infrastructure improvements for the Old Mystic Estates Subdivision. The Town Engineer stated that he is comfortable with the release of the amount requested based on the work that has been done.

Mr. Lynch moved to approve the application to reduce the Performance and Maintenance Bond to \$1,125,000.00; seconded by Mr. Philbrick. All in favor 5-0, motion approved.

Informal Workshop for Noank Shipyard Inc. Master Plan proposal for the Seaport Marine facility located on Washington Street in Mystic. The applicant proposes mixed-use redevelopment using the NDD overlay district tool.

Attorney William Sweeney presented the overview of the plans. The site currently houses Seaport Marine, aging warehousing facilities and Red 36 restaurant. The applicant is proposing to relocate the repair and storage of boats to their Noank Shipyard and replace them with a mixed-use development using the Neighborhood Development District (NDD) designation. The NDD is only proposed on portions of the site zoned MC-80. The applicant is proposing a boutique 40 room hotel, restaurant, public boardwalk, retail, offices, townhomes, duplexes and a single-family house and some transient boat slips. All boat slips will remain. New buildings will be elevated to allow parking under the buildings and comply with Flood Hazard regulations. As part of their Master Plan submission several studies will be prepared analyzing traffic, fiscal and environmental impacts. The applicants will reach out to neighbors as part of this process.

Meg Lyons, project architect, presented a slideshow of the plans. Ms. Lyons reviewed the historic conditions of the site as well as the present conditions. The applicant proposes to remove the warehouse buildings, install bulkheads on the property, widen Willow Street within the site and extend Mystic River Park with a public boardwalk into the site.

Public Comment:

Ben Tamsky urged the Commission to be aware a project of this magnitude will change the character of Mystic and that the Commission is responsible for deciding how this development will shape the town.

Bill Sheer commented on parking problems and traffic downtown and would like to make sure there is sufficient parking in the developed plan.

Carlene Donnarummo questioned whether the docks will all be private or whether some will be public. Mr. Sweeney stated they will all be publicly accessible at this point in time.

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Mr. Mastroianni questioned what the increase in available parking spots would be. Mr. Sweeney stated they would increase parking by about 220 spaces based on initial calculations. The traffic study during the next phase will address this issue.

Jim Stanton stated that the plan looks impressive and welcomes the forward-thinking change. He likes the open space provided on the site and design plans.

Ben Tamsky recommended eye level and water-view 3D renderings be provided for review.

Chuck Stevens stated he would like the developer to consider the impact of population density on the capacity of the playground nearby.

Patrick O'Dell asked whether the parking under buildings will be public or private. Mr. Sweeney stated that there will be parking under most buildings. Some will be residential and some will be for the commercial uses.

Mr. Sweeney stated they are also aiming for the NDD's base density of 8 units per acre. The highest density possible is 84 units but the applicant is aiming for the lower end of 56. They will address educational impact in a fiscal impact study. The hotel rooms would not count towards the residential unit count.

Mr. Young stated that neighbors may be concerned with proposed building heights.

Mr. Sweeney stated that the Commission has strong discretion when considering Zoning Amendment applications and will be acting in their legislative capacity. The conceptual heights are consistent with neighboring buildings in downtown Mystic.

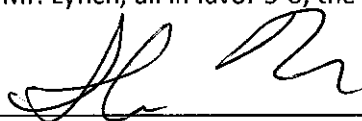
Mr. Philbrick stated that changes to traffic patterns may have to be considered. Mr. Vincent stated that changes to traffic patterns are decided by the Police Commission who are the Local Traffic Authority. Mr. Sweeney stated the development would likely increase walkability and boat access.

Mr. Young questioned whether there will still be marina facilities for customers. Harry Boardsen of Seaport Marine replied they will remain and likely expand. Mr. Young clarified that the boardwalk will connect to the Mystic River Park boardwalk.

Mr. Lynch stated it looks like a terrific development and fits well with the Plan of Conservation and Development. Mr. Lynch stated he would like to see a good dialogue with the community which will be key to the project.

Mr. Young questioned the timeline of the project. Mr. Sweeney stated the project will definitely be phased and the infrastructure components such as the bulkhead are vital.

Mr. Mastroianni moved to adjourn, seconded by Mr. Lynch, all in favor 5-0, the meeting adjourned at 8:25pm.



Shaun Mastroianni, Secretary