

## Special Meeting

The 1637<sup>th</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, June 4, 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 Ben Philbrick and Gardner Young; Alternate Peter Chomowicz, and Town Planner Keith A. Brynes. Commissioners Shaun Mastroianni and Curtis Lynch, Alternates Fred Deichmann and Lynn Conway, and Director of Planning Jason Vincent were not present.

Seated for the meeting David Rathbun, Ben Philbrick, Gardner Young, and Peter Chomowicz.

### Minutes:

Mr. Young moved to approve the meeting minutes of May 21 and May 28, 2019, seconded by Mr. Philbrick, all in favor 4-0, motion approved.

### Administrative Review:

**Request for minor modifications and 90-day extension to file final plans for PZ1834SD & GPP AJ Holdings, LLC (H. Heller)** – approved Subdivision and Groundwater Protection Permit applications for a 22-lot residential subdivision in accordance with CT Affordable Housing Act CGS 8-30g. Property located at 126 South Broad St., Pawcatuck. Assessors Map 25 Block 1 Lot 11. Zones RR-80 & GC-60.

Attorney Harry Heller presented the request for modifications. The application was approved in March, however, as the applicant was laying out the property, an iron pipe boundary marker was located and caused the surveyor to modify the lot line. The applicant has had to reconfigure the three lots at the end to accommodate that change. The town engineer has also requested the orientation of the maintenance building be flipped in order to bring the driveway away from the neighboring lot. Mr. Philbrick asked if the neighboring property, the VFW, was on board with the change, Mr. Heller stated they are.

Mr. Philbrick moved to approve the modifications and the 90-day extension to file the final plans, seconded by Mr. Young, all in favor 4-0, motion approved.

### Old Business:

**PZ1913CAM George B. Dunnington (A. Hayward)** - Coastal Area Management Review application to accompany future zoning permit application for the demolition and reconstruction of an existing single-family residence. Property located at 12 Jerome Ave., Mystic. Assessors Map 174 Block 23 Lot 16. Zone RH-10.

Art Hayward, PLS, presented the application. The site has an existing home in the VE zone, which the applicant would like to bring into compliance with flood plain standards. They are proposing to demolish the home, elevating and reconstructing to building and FEMA code, having received variances by the Zoning Board of Appeals. The proposal brings the home back slightly from the coast. The applicant has addressed all of the town engineer's comments. The commission asked for clarification on how many bedrooms are proposed, with the applicant stating that the plan reflects two bedrooms. Mr. Philbrick asked for clarification on the NDDB requirement. The applicant stated they passed and are working on their certificate of permission.

Mr. Brynes reviewed the recommended stipulations.

Mr. Philbrick moved to approve the application with stipulations, seconded by Mr. Chomowicz, all in favor 4-0, motion approved

Stipulations:

## Special Meeting

1. Final plans shall be reviewed to the satisfaction of the Town Engineer regarding Flood Hazard Overlay District requirements.
2. Final plans shall differentiate rear yard setback from V-Zone setback and clearly show compliance with 35' maximum height limit.
3. Approval is for a 2-bedroom house.

### Public Hearing:

**PZ1909SUP VIII-HII-Whitehall Ave., LLC (F. Grace)** – Special Use Permit application for expansion of existing restaurant. Property located at 56 Whitehall Ave., Mystic. Assessors Map 164 Block 2 Lot 2-2. Zones TC-80 & GC-60.

Applicant Francis Grace presented the application. The building will not change structurally on the exterior, but the applicant would like to expand the restaurant into the space previously occupied by Seaport Medical Center. The applicant does not propose any additional bathrooms. The space will not be divided by walls, but rather a large open room with tables and chairs. Mr. Grace will remove some of the seats on the existing restaurant side to accommodate egress. Mr. Grace presented a letter of support from a neighbor. Mr. Grace would like to address the exterior issues of the building with the property owner. Mr. Philbrick raised a question with the parking. The applicant currently has shared parking with the three tenants, which is technically on the same parcel with Whitehall Mansion, which offers shared parking. They also have a written agreement for overflow parking at the Quality Inn. Parking has not been an issue for customers as the restaurant has a lot of foot traffic from hotels.

Mr. Brynes discussed the moratorium by WPCA on new sewer connections in downtown Mystic, which will not affect this application. It will not be a barrier to zoning approvals, but will be an issue when they go for building permits. The 2008 approval has some items that the property owner has not followed through with which is a recommended stipulation of approval. However, the loading zones on the plan are where parking spaces are currently and not where the current loading is happening. Deliveries come in to the back entrance with space for the truck and fire equipment. Mr. Brynes recommended modifying stipulation two to address removal of the loading zone on the 2008 plan with the pre-existing non-conforming status. Mr. Grace stated that the loading zone was never created.

Mr. Young moved to close the public hearing, seconded by Mr. Philbrick, all in favor 4-0, motion approved.

Mr. Chomowicz moved to approve the application with the recommended and modified stipulations and waivers, seconded by Mr. Philbrick, all in favor 4-0, motion approved.

### Stipulations:

1. The Town's maximum seating notice must be posted in a conspicuous location inside the restaurant.
2. The site shall be in compliance with the approved 2008 site plan prior to issuance of a Certificate of Zoning Compliance regarding parking spaces, dumpster screening and bicycle rack. Loading areas on 2008 plan need not be installed and the legal non-conforming situation may be continued.

Mr. Young moved to adjourn, seconded by Mr. Chomowicz, all in favor 4-0, the meeting adjourned at 7:43pm.

  
Shaun Mastroianni, Secretary