

Regular Meeting

The 1639th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, June 18, 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, Ben Philbrick, and Gardner Young; Alternates Fred Deichmann, Lynn Conway, and Peter Chomowicz, Town Planner Keith Brynes, and Director of Planning Jason Vincent.

Seated for the meeting David Rathbun, Ben Philbrick, Gardner Young, Shaun Mastroianni and Fred Deichmann.

Minutes:

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

Administrative Review:

PZ0667CNU & CAM – Request modifications to approved application for the redevelopment of a 4.2+/- acre parcel to 5 residential duplexes and 3 SFRs. Property located at 29 Dubois Drive, Mystic. Assessors Map 175 Block 4 Lot 10B. Zones RM-15 & RC-120.

Mr. Brynes summarized the request for modifications and reviewed the recommended stipulations.:

- *Not* relocating water and sewer lines as shown on previous plans.
- Modifying proposed retaining wall into a rock slope along the rear of the southern-most house and along the southwest property line. This change will enable reuse of rock excavated for this development.
- Reducing driveway width from 20' to 18' to accommodate rock slope.

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

Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Town Engineer.
2. Construction is subject to the WPCA's moratorium on increasing flows to the Mystic plant.

PZ1836SPA & GPP Lattizori Development, LLC (EG Home, LLC) – Request approval to amend stipulation #9 in order to allow buried propane tanks. Property located at 30 Perkins Farm Dr., Mystic. Assessors Map 134 Block 3 Lot 3. Zone GDD.

Mr. Brynes summarized the application. The applicant is requesting that propane tanks be located underground. The stipulation was originally required due to the Groundwater Protection Permit, but there is a clause permitting them underground if an alternative standard or protection method is clearly demonstrated to provide equivalent or better protection than that listed. Mr. Brynes noted that Aquarion Water has approved the request. Mr. Philbrick asked how many tanks would be on site. Ms. Conway is concerned that it has not been allowed in the past and there are no additional precautions. The applicant states the safety is equivalent to what is allowed by the regulations. Ms. Conway questioned why the applicant had made the change.

DJ Harris stated that they had originally planned to do a large community system outside the GPP, but the regulations apply to the whole property. Burying the lines in the ground is the same disturbance as burying the individual tanks. Burying the tanks is safer alternative for the water supply maintenance and

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fire protection. Ms. Conway asked if the size affected the safety, the applicant responded no. The applicant stated the tanks are tested every five years and have a forty plus year lifespan.

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

Public Hearing(s):

PZ1905ZC & SPA J&H Hospitality (CME Assoc.) - Zone Change Amendment and Site Plan applications for a zone change to Neighborhood Development District (NDD), and construction of two new hotels, adding a total of 217 new hotel rooms in two buildings totaling 142,170 SF. Property located at 6 Coogan Blvd. & Village Farm Rd. / Clara Drive., Mystic. Assessors Map 164 Block 4 Lot 4 & Map 171 Block 2 Lot 1. Zone TC-80. Continued from 6/4/19 & 4/2/19.

Pete Parent, representing the applicant stated that they do not have the support of the police commission and plan to withdraw. They may possibly resubmit at a later time.

PZ1914SUP & CAM Alamo, LLC (R. Schuch) - Special Use Permit & Coastal Area Management Review applications to permit conversion of the 2nd floor of commercial structure into 4 residential units, construction of an 8' x 8' overhang addition and a detached 4-car garage, stormwater management, and associated site improvements. Property located at 19 Old Stonington Rd., Stonington. Assessors Map 153 Block 1 Lot 2. Zone GC-60.

Bob Schuch presented the site plan for the conversion of the second floor of a commercial structure into four residential units. This project was approved in 2008 for expansion of the commercial use. Due to the existence of wetlands around the property, the applicant has received approval from the Inland Wetlands Commission. There is public water and sewer for the site and fire access. The applicant will be making drainage improvements on site. Mr. Philbrick asked for clarification on the loading dock. Mr. Schuch explained they are relocating it to the side-rear of the building into a corner rather than the current space in the rear. Mr. Deichmann asked about the right-of-way to the property to the north. The property is zoned GC-60 and there is an easement, but no frontage without crossing tidal wetlands. Access through their property will not be an issue should the property be developed. Mr. Chomowicz asked the number of parking spaces. The applicant stated 30 are required and 34 are provided. Mr. Young asked how the project will adhere to the substantial improvement requirements. The appraisal is based on the building and the improvements for one year must not exceed half the value. The applicant must prove this for the building permit. The apartments can be developed one a time as well. Ms. Conway questioned what would happen if they do not move forward with phase two. The applicant would like to have some income and then will make additional site improvements and then will look at the potential rear building that was approved. They would have to come back to the commission prior to phase two. Parking and stormwater improvements will be made for the residences. Rusty Sergeant stated the sign would be small to identify the apartments and would only be externally lit. The project is also within the CAM boundary and will be improving the stormwater quality through low impact techniques. Mr. Deichmann questioned whether there is a maintenance schedule for the basins, which the applicant has provided. DEEP was concerned with public access to the tidal wetlands, but the site is problematic due to slope and future development plans for a small sliver of tidal wetlands. Mr. Rathbun stated that there is access elsewhere offsite. The commission has discretion over the access.

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Mr. Brynes reviewed the public access component stating that there is a balance of property rights with public access rights. Based on the presence of tidal wetlands, DEEP considers the site waterfront but as DEEP is a technical advisor for these plans, the decision ultimately lies with the commission and their local knowledge. The proposal stays within the footprint of the building. Mr. Brynes reviewed the recommended stipulations.

Public Comment in Favor:

Jim Stanton, Masons Island Road spoke in favor of the application and its mixed-use.

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

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

Stipulations:

1. Final plans shall be reviewed to the satisfaction of the Town Engineer regarding 6/11/19 comments.
2. Two parking spaces per unit shall be reserved for residents.
3. New light poles shall not exceed 20' as measured from the ground to the light source.
4. Final plan shall label existing right-of-way easement to adjacent property.
5. Proposed detached sign shall be limited to a maximum of 4SF as a "Directional Sign" per Section 7.12.5.5.
6. Final plan shall correct status of conforming front setback in zoning table.
7. Construction of the Phase 2 building shall require Site Plan Review by the Commission.
8. This approval may be subject to the WPCA's moratorium on increasing flows to the Mystic plant.

Mr. Mastroianni moved to adjourn, seconded by Mr. Young, all in favor 5-0, the meeting adjourned at 8:02pm.



Shaun Mastroianni, Secretary