

## Regular Meeting

The 1599<sup>th</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, September 19, 2017, 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 Curtis Lynch and Gardner Young; Alternates Harry Boardsen and Lynn Conway; Town Planner Keith A. Brynes, and Director of Planning Jason Vincent. Commissioners Shaun Mastroianni and Ben Philbrick were absent.

Seated for the meeting were David Rathbun, Curtis Lynch, Gardner Young, Harry Boardsen, and Lynn Conway.

**Election of Officers:**

Mr. Lynch nominated David Rathbun for Chair, seconded by Mr. Young, all in favor 3-0, motion approved.

Mr. Rathbun nominated Curtis Lynch for Vice Chair, seconded by Mr. Young, all in favor 3-0, motion approved.

Mr. Lynch nominated Shaun Mastroianni for Secretary, seconded by Mr. Young, all in favor 3-0, motion approved.

**Minutes:**

Mr. Lynch moved to approve the minutes of the September 5, 2017 meeting, seconded by Mr. Young, all in favor 3-0, motion approved.

**Administrative Review:**

Discussion of alternatives to stone wall modifications as per stipulation of approval #7 for **PZ1717SPA & CAM Stone Acres Farm** – Approved Site Plan and Coastal Area Management Site Plan Review applications for Phase One development, including roadways & paths, locations of utilities & new septic system, & the proposed repurposing of the carriage barn. Property located at 381 North Main St., Stonington. Assessor's Map 81 Block 1 Lot 2. Zone AHD.

The commission approved the site plan in August, however, there was a stipulation that the applicant work with staff to explore alternatives to the stone wall being lowered for sightline view. The applicant has worked with a landscape architect to present the two options, a lowered wall or a curved wall at the entrance. The applicant and staff were in agreement that the lowered wall preserves the character of the wall and that a curved entrance is less true to history as is the purpose of the scenic road ordinance. The commission was in agreement with this option.

**17-2122ON Whitehall Homeowners Association, Inc. (Docko)** – Zoning permit request for wharf rehabilitation & placement of 2 kayak racks with some activities in the NIA. Property located between 34 & 36 Riverbend Dr., Mystic. Assessor's Map 165 Block 3 Lot 19. Zone RA-40 & GBR-130.

Keith Nielsen, project engineer, presented the site plan. The applicant is proposing to restore and modify the stone wharf and include a kayak launch area. Over time the wharf has become unstable and deteriorated and the applicant would like to repair the wall and stabilize it. Mr. Lynch asked the applicant to state the purpose of the non-infringement area in this setting. Mr. Nielsen explained that activity may be permitted in the non-infringement area and they are improving the safety of the existing wharf. Ms. Conway questioned whether anything will be stored there other than kayaks. Mr. Nielsen

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explained that other small water activity vessels such as paddleboards may be on the racks as well. Mr. Nielsen explained the turbidity curtain as erosion and sedimentation control as recommended by DEEP. The application was previously approved by DEEP.

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

The meeting recessed at 7:19pm and reconvened at 7:30pm.

**Public Hearing 7:30pm**

**PZ1722SUP Robert & Deborah Valenti** – Special Use Permit application for an architectural Height Exception (ZR 6.6.20), in order to roof over and enclose recessed roof deck on a single-family residence. Property located at 258 Palmer Neck Rd., Pawcatuck, CT. Assessor's Map 56 Block 1 Lot 5. Zone RC-120.

John Patrick Walsh, project architect, presented the plans on behalf of the applicant. The property was designed with an open air roof deck on the top of the building. Over the years it has become a maintenance issue with snow and other weather. The applicant would like to enclose the space to with roofing and windows to keep out the weather. It does not currently have electric or heat and the applicant is not going to be adding it, and it will not be living space. The applicant is applying for a height exception to enclose this space, and if granted they will be under the guidelines for the additional space. Mr. Rathbun asked if there are any neighbors that would be able to view it. Mr. Valenti explained that there is no one in direct view.

No Public Comment

Mr. Brynes stated that it meets the provisions of the section and is eligible, should the commission grant the exception.

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

Mr. Lynch moved to approve the application and special use permit waivers, seconded by Mr. Young, all in favor 5-0, motion approved.

**PZ1718RA & ZC Town of Stonington PZC (PV-5)** – Zoning Regulations Text Amendment to create a new Zoning District (PV-5), and Zoning Map amendment to rezone downtown Pawcatuck from DB-5 and LS-5 to PV-5. Zone change includes some properties on Jameson Ct., Mechanic St., Blanchard La., Palmer St., West Broad St., Liberty St., Noyes Ave., Cogswell St., Chase St., Lincoln Ave., Stanton St., Prospect St., and Lester Ave. *PH continued from 8/15/17.*

Mr. Brynes reviewed the updated options for the commission on the proposed PV-5 zone. Mr. Brynes reviewed the items which can be changed, but they cannot go larger than the current scope. The purpose of the zone was also updated to further come in line with the intent behind the zone. Mr. Lynch questioned those who have stated that the zoning is fine the way it is. Mr. Vincent stated that through workshops they have discovered this is the initial reaction, but as they learn more about the code, they get closer to agreement that it needs to change. Mr. Brynes stated that this will benefit Pawcatuck and meet goals in the POCD. Mr. Brynes stated that the Pawcatuck Parking Overlay District has already shown the solving an issue specific to the area can work.

General Comment:

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Carlene Donnarummo asked that the commission review the comments submitted and recommended removing the LS-5 portions recommended to be rezoned to PV-5. Ms. Donnarummo recommended removal of hens and horses in the uses section, fixing the parcels that have split zones, and raised concern with the increase to maximum building height.

Ms. Bryant had attended the workshop and stated that the room was packed and that the neighborhood is excited for change.

Kevin Bowdler, an Economic Development commissioner, discussed the economic impact and potential benefit for the area. He recommended moving forward with the proposed zoning map changes and letting Pawcatuck develop. Mr. Lynch questioned his opinion on the building height. Mr. Bowdler responded that he felt it will make Pawcatuck more dynamic and attractive.

Downtown Pawcatuck property owner, Jim Lathrop, stated that the height of 70 feet is only through special use permit and the commission will have the ability to only allow it for the right proposal. The current landscape works well for this type of development. He also recommended including the LS-5 properties as proposed.

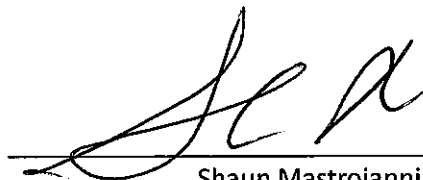
Mr. Vincent stated there is no current maximum height in the DB-5 and the term "core" is a person-made construct.

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

Mr. Lynch moved to approve the zoning amendment and zone change with the updated purpose language, and an effective date of 10/9/2017, and seconded by Mr. Young. Mr. Rathbun stated that this can really advance Pawcatuck, and this application is a great effort. There are also flood zone issues in areas and there needs to be flexibility on height. Mr. Young stated that this effort will benefit Pawcatuck and move it forward and if issues arise they will be addressed. Mr. Boardsen stated he is very happy with the proposal and although there are slight imperfections there are many fail safes. Ms. Conway stated she has issue with additional uses being regulated by staff and its subsequent removal of public input. She also raised concern with the height maximum, parking, and buffer requirements. The vote was taken 4-1, the motion was approved.

Roll Call: Rathbun – approve, Lynch – approve, Young – approve, Boardsen – approve, Conway – deny.

Mr. Lynch moved to adjourn the meeting, seconded by Mr. Young, all in favor 5-0, the meeting adjourned at 8:19pm.



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Shaun Mastroianni, Secretary