

Special Meeting

The 1626th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, December 4, 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 Gardner Young, Shaun Mastroianni, Ben Philbrick, and Curtis Lynch; Alternates Lynn Conway, Fred Deichmann, and Peter Chomowicz; Town Planner Keith Brynes, and Director of Planning Jason Vincent.

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

Minutes:

Mr. Mastroianni moved to approve the minutes of the November 20, 2018 meeting, seconded by Mr. Young, all in favor 5-0, motion approved.

Old Business:

PZ1832SPA & CAM John & Jessica Kam (R. Avena) – Site Plan and Coastal Area Management Review applications for the creation of a rear lot through a lot line revision of two parcels. Properties located at 30 & 36 Island Rd. Stonington. Assessors Map 79 Block 8 Lots 2 & 3.

Attorney Rob Avena presented the application. The applicant is proposing a lot line revision to create a rear lot with shared access drive. The two front lots and the proposed rear lot will be zoning compliant.

Peter Gardner, land surveyor, presented the site plan showing the proposed lot line revisions.

Mr. Lynch asked for clarification on the shed that is located in the setback on Lot #2. Mr. Gardner stated that the shed's location is a legal non-conformity which can remain.

Mr. Lynch moved to approve the application with the stipulations recommended by staff, 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. Final plans shall be recorded in the Town's Land Evidence Records prior to the issuance of any Zoning Permits.

Public Hearings:

PZ1829RA Town of Stonington PZC – Zoning Regulation Amendment to modify the regulations regarding Accessory Dwelling Units (ADU's).

Mr. Brynes presented the application for a regulation amendment to expand the availability of accessory dwelling units, a recommendation made by the Plan of Conservation and Development. The amendment would remove some of the current restrictions in order to allow additional opportunities for ADUs, but add some restrictions such as owner occupancy for new units. The amendment was recommended to better match the demographics of the town and its aging population. The SCCOG and Southeastern Housing Alliance recently completed a study that states the region is currently below where it needs to be for inventory and affordability. The current regulations are very limiting with only 8% of single-family houses being able to use them. With this regulation change, up to 52% of homes may be eligible. Stonington is the only town in the region that requires public utilities and has a requirement that the

Special Meeting

existing home be greater than 60 years old. These changes will better match neighboring towns. They will also still have to meet building, fire, and health codes. The amendment was supported by several local organizations. Mr. Lynch asked whether there will be additional town resources used, Mr. Brynes stated this is beneficial to the town to avoid adding large buildings which require more town resources. Mr. Chomowicz asked about the provision requiring that the design match the home. Mr. Brynes stated the provision is there as a way to prevent a design that did not fit the current structure. Ms. Conway asked which neighboring towns' regulations were looked at for comparison. Reading from the Staff Report, Mr. Brynes listed many of the towns in New London County. Ms. Conway is concerned with the addition of short-term rental stock, and questioned how the percentage would change if they did not allow properties without public utilities. Mr. Brynes did not have the figure. Ms. Conway would like to see the discretionary items better defined. Ms. Conway asked for clarification on the calculations and suggested changes to the proposal on size, public utility access, access to the unit, parking, and owner occupancy proof. Mr. Mastroianni asked for clarification on the owner occupancy requirement when an owner passes away. Ms. Conway continued with her recommended changes regarding screening, maximum building height. Mr. Lynch stated that the intent fits the Plan of Conservation and Development. Mr. Lynch recommended requiring a special use permit.

Public Comment in Favor:

Rich Cody, 34 Church Street, Mystic, WPCA Chairman and an attorney with the Suisman Shapiro law firm, spoke about his home and the fire code requirements for three-family homes. He is supportive of the intent of the regulation amendment. Mr. Cody asked for clarification about relocating an existing accessory unit to an auxiliary building. Mr. Cody submitted recommended modifications that address this issue. Mr. Lynch asked for Mr. Cody's opinion on the proposed regulations. Mr. Cody stated that he is in favor of the intent and says it follows the direction of housing law.

Fiona LaFountain, resident on Stonington Road spoke in favor of the changes to allow additional homes to take advantage for expanding families.

Rick LaFountain, spoke in support of the application and stated it requires Ledge Light approval which has high standards. He would like to see the town match neighboring communities to give flexibility to families.

Bill Sternberg, 153 Elm Street, spoke in favor of the application and addressed concerns regarding garage size and unit size. He is concerned with recommendations to require public utilities for the property.

Dave Hammond, chair of the Economic Development Commission spoke in support of the application and emphasized alignment with the POCD and provision of additional housing stock.

Public Comment Against:

Gail Shea, resident of Stonington stated concerns with the regulation amendment specifically affecting the parcels in front of rear lots. Although the current proposal would not affect her property, she is concerned for others with rear lots behind them. She recommended not allowing accessory dwelling units in lots with shared access. She submitted written testimony.

Carlene Donnarummo, reviewed her concerns with the proposal. Ms. Donnarummo recommended removing the ability for addition of new structures for ADU's, addressing the DEEP comments, including

Special Meeting

measures to avoid ADU's becoming short-term rentals (Airbnb's), and prohibiting ADU's in the single-family only zones of RA-15 and RA-20.

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

Mr. Lynch moved to continue discussion next meeting, seconded by Mr. Young, all in favor 5-0, motion approved.

PZ1830RA Town of Stonington PZC – Zoning Regulation Amendment to modify the Flood Hazard Overlay District Regulations to regulate Coastal AE Zones similar to Coastal High Hazard VE Zones as per recent changes to the State Building Code.

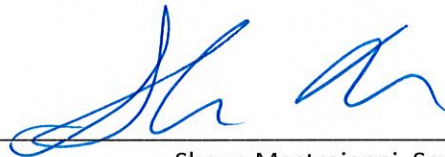
Mr. Brynes presented the application. The regulation amendment is necessary to conform to recent changes in the State Building Code which took effect on 10/1/18. Proposed changes are made to mirror DEEP's model language for consistency in order to prevent conflicts between Zoning, Building and Zoning Requirements.

No Public Comment

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

Mr. Lynch moved to approve the application and its conformance with the POCD, seconded by Mr. Young, all in favor 5-0, motion approved. Effective date, 12/24/18.

Mr. Mastroianni moved to adjourn, seconded by Mr. Young, all in favor 5-0, the meeting adjourned at 8:40pm.



Shaun Mastroianni, Secretary