

## Special Meeting

The 1580<sup>th</sup> meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, December 6, 2016, at the Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Chairman David Rathbun at 7:00pm. Present for the meeting were Commissioners David Rathbun, Curtis Lynch, Frances Hoffman, Gardner Young, and Shaun Mastroianni; Alternates Lynn Conway and Harry Boardsen, Town Planner Keith Brynes, and Director of Planning Jason Vincent.

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

**Minutes:**

Ms. Hoffman moved to approve the November 1, 2016, seconded by Mr. Lynch, Ms. Hoffman recommended amendments. The vote was taken all in favor 5-0, motion approved.

**Administrative Review:**

**PZ1625SPA Martin Olson Irrevocable Trust** – Site Plan Application for a 1,900 square foot addition and interior reconfiguration to Go Fish restaurant structure. Proposal includes interior partitioning to reduce overall square footage of existing restaurant to create space for an undesignated future tenant. Property located at 27 Coogan Blvd., Mystic. Assessor's Map 164 Block 3 Lot 1. Zone TC-80.

Attorney William Sweeney presented on behalf of the applicant for a modification to one of the buildings at the Olde Mistick Village. The applicant is proposing altering the space to allow Go Fish's space to reduce it to a smaller size and allow another tenant in the building at a future date. The existing restaurant will close while renovations are completed. The applicant proposes a 1600 square foot addition to this building as well. The seating of the restaurant will be reduced by about 100 seats and reduction in employees from 30 to 15 at peak hours. This will also reduce the parking demand.

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

The meeting recessed at 7:18pm

**Public Hearing 7:30pm:**

**PZ1619SUP & GPP TOS West Vine Street School** – Special Use and Groundwater Protection Permit applications for additions and renovations to Pre-K through 5<sup>th</sup> grades school. Property located at 17 West Vine St., Pawcatuck. Assessor's Map 2 Block 1 Lot 3. Zone GBR-130.  
Public Hearing continued from 11/15/16.

Seated for the hearing were David Rathbun, Shaun Mastroianni, Frances Hoffman, Curtis Lynch, and Harry Boardsen.

**Rebuttal:**

Kate Rotella, Vice Chair of the K-12 building committee apologized, for not being present at the last meeting.

Rob Marseglia, Chair of the K-12 building committee, opened and stated that the committee worked diligently with the School Safety Infrastructure Council to create a safe site layout for students and teachers. Mr. Marseglia reviewed the major points from the council's report that reference parking to explain why the committee has chosen this parking site as the safest and most secure area for the

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school. Mr. Mastroianni questioned the height of the berm for the parking lot, and Mr. Chimelewski responded that it is 2-3 feet high from the parking area and 4-5 feet high from the neighboring property. Mr. Rathbun recommended a stone wall to prevent students from cutting through neighboring properties to access the school. Mr. Marseglia reviewed the process of selecting the parking layout chosen and that other sites were considered but did not follow safety guidelines. They also invited owners of neighboring properties to have input on screening to the parking area. Mr. Vincent proposed a stipulation for staff to work with the applicant on final screening to the parking lot.

## Public Comment:

Tom Fiore, neighbor to the property, presented a letter which had been submitted to the K-12 Building Committee in July regarding the West Hartford and Windsor school projects and their number of parking spaces. Mr. Fiore stated that he did not observe in the report a recommendation that play areas be in the rear of the building and believes that this presents greater concerns.

Jean Fiore, neighbor to the property spoke about the history of the property that she grew up next to. She also recommended that the play areas are more dangerous in the rear of the building and encouraged maintaining the historic view of the community. Ms. Fiore stated that they were able to find funds to move the sensory garden, and questioned how that was done.

Christie Watkins, spoke and requested that the memorial tree and plaque on the site for the student that passed in 2004 be maintained.

## Rebuttal:

Mr. Marseglia responded that 62% of the site is open space and that there are only 154 striped spaces on the site. Mr. Marseglia stated that this supports the day to day activities of the school. Mr. Marseglia also explained that the parking in the rear would be costly due to the extensive rock ledge in the rear of the property that would make creating flat parking spaces difficult. Mr. Marseglia said they toured several schools in the process and heard that lack of parking is a great concern for many schools so they wanted to provide sufficient parking. Mr. Marseglia stated that the move of the sensory garden was added as something they would complete if there were contingency funds, and if not it will need to be fundraised. Mr. Marseglia explained that they evaluated splitting the parking and that due to the sizes of these areas it did not work well. He also noted that the plan was consistent with the other schools in Stonington that all have play areas in the rear.

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

The meeting recessed at 8:39pm and reconvened at 8:46pm.

Mr. Brynes reviewed the stipulations recommended by staff.

Mr. Lynch moved to approve the application with the stipulations recommended by staff and the additional stipulation to have the play area reviewed by the police commission; seconded by Ms. Hoffman. Mr. Lynch amended his motion to include the groundwater protection permit and the waivers; seconded by Mr. Mastroianni, all in favor 5-0, motion approved.

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**PZ1624RA Stone Acres Farm, LLC – Regulation Amendment** application for the creation of an Agricultural Heritage District (AHD), a floating zone intended to preserve Stonington's cultural landscape, ensure continuation of agricultural industry, and provide an alternative to less desirable development of agricultural lands.

Mr. Rathbun recused himself and departed the meeting. Seated for the hearing were Frances Hoffman, Curtis Lynch, Shaun Mastroianni, Gardner Young, and Lynn Conway.

Attorney William Sweeney explained this is an application to amend the zoning regulations to add the Agricultural Heritage District. If this was approved the applicant would need to come to the commission for a zone change and master plan and then come before the commission again for a site plan application. The purpose of this floating zone would be to encourage traditional uses on historic farms in town that will be viable for the owners. The owners have been working to create this tool for over a year working with staff and conducting an informal workshop with the commission. Mr. Sweeney reviewed the proposed regulations. Mr. Sweeney explained that master planning gives the developer more flexibility but gives the commission more discretion. Mr. Sweeney stated the proposed restrictions to applying for the master plan zoning district. The restrictions proposed are that a farm be at least 35 acres of contiguous land in one or more parcels under common ownership or other arrangement satisfactory to the commission. The commission discussed the second half of the clause concerning "or an arrangement satisfactory to the commission" and whether the commission would like to keep this or not. Additionally, Mr. Sweeney explained the reasoning for the 25 years of agricultural use restriction. He explained that the applicant wished to have this district maintain the culture of our community and not have people creating the scenario to take advantage of the district. Mr. Sweeney continued to review the proposed regulations. Mr. Lynch recommended a visual archetype for the design standards. Ms. Conway questioned lighting in relation to parking standards. Mr. Sweeney gave an overview of uses that would fall under the district and prohibited uses. Mr. Sweeney discussed the conservation aspect and its relation to the tax benefits provided by the government and the potential loss of this benefit if conservation is required rather than voluntarily given. Mr. Sweeney addressed staff comments and stated that he has no objection to the recommendations of staff, but commented that adding a deliverable of a parking management plan and noise analysis can be costly to the applicant. He recommended that these be left to the discretion of the commission rather than an automatic requirement for the master plan.

**Public Comment in Favor:**

Beth Tillman, partner of Firefly Farms, spoke in favor of the flexibility provided to farmers to be economically viable. Ms. Tillman explained that farms look different and asked that the commission consider this regarding restrictions for application for the district. Ms. Tillman gave examples of other farms that don't fit the typical farm, but provide amazing services to their communities.

Stuart Schwartzstein of the POCD Implementation Committee spoke in support of the proposed master plan and believes it is in line with the Plan of Conservation and Development.

**Public Comment Against:**

Kevin Vlacker, a resident of Noank and a farmer in Stonington, stated that he is in opposition of this floating zone because he believes these properties would become more valuable and make current farming less economically viable. Mr. Vlacker also worried about the conflicts between adjacent farms due to expanded uses. Mr. Vlacker recommended evaluating proposals on an individual basis. Mr. Vlacker submitted a copy of his comments.

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## General Comment:

Josh Welsh, asked that the commission consider affordability for the farmers when considering requirements.

## Rebuttal:

Mr. Sweeney stated that the greater concern should be failing farms converting into subdivisions. Mr. Sweeney stated that special use permits would offer less discretion than a master plan and there would be more public comment.

Mr. Brynes stated that under the current eligibility restrictions about 60 properties may be able to take advantage of this zoning district with the acreage requirement alone, barring the historical farm eligibility requirement. Mr. Brynes reviewed the comments from various organizations.

The commission discussed events on site and uses for the proposed district.

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

Ms. Hoffman moved that the application is in conformance with the Plan of Conservation and Development and Comprehensive Plan, seconded by Mr. Lynch, all in favor 5-0, motion approved.

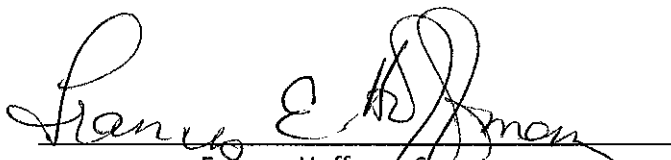
Ms. Hoffman moved to approve the regulation amendment with the proposed language by staff with the addition of a waiver provision for required reports, 3D renderings and A-2 Surveys with substantiation for the requested waivers; seconded by Mr. Lynch.

Ms. Conway moved to amend the motion to add language to require an Event Management Plan for event facilities; seconded by Mr. Lynch, the vote to amend the motion was taken 4-0-1.

Roll Call: Hoffman – abstain, Lynch – approve, Mastroianni – approve, Young – approve, Conway – approve

The vote was taken on the motion, all in favor 5-0, motion approved.

Mr. Young moved to adjourn; seconded by Mr. Lynch, all in favor 5-0, the meeting adjourned at 11:21pm.



Frances Hoffman, Secretary