

Special Meeting

The 1650th meeting of the Town of Stonington's Planning and Zoning Commission was held Tuesday, January 7, 2020, at the Stonington Middle School, 204 Mistuxet Avenue, Mystic, CT. The meeting was called to order by Vice Chair Gardner Young at 7:00pm. Also present for the meeting were Commissioners Ben Philbrick, Fred Deichmann, Lynn Conway; Alternates Peter Chomowicz, Charles Sheehan, and Ryan Deasy; and Acting Director of Planning/Town Planner Keith Brynes. Chairman David Rathbun was not in attendance.

Seated for the meeting were Gardner Young, Fred Deichmann, Lynn Conway, Ben Philbrick, and Ryan Deasy.

Minutes:

Mr. Deichmann moved to approve the minutes of the December 17, 2019 meeting, seconded by Ms. Conway, the vote was taken 4-0-1, motion approved.

Roll Call: Young – approve, Deichmann - approve, Conway – approve, Deasy – approve, Philbrick - abstain

Correspondence:

Town of Groton proposed regulation Amendment to modify the minimum lot area per dwelling unit in the Mystic Downtown District (MDD).

Mr. Brynes reviewed the proposal for a regulation amendment to modify the minimum lot area per dwelling from 2,000SF to 1,000SF. The commission had no comment on the correspondence.

Public Hearings:

Seated for the following public hearing were Gardner Young, Fred Deichmann, Lynn Conway, and Chuck Sheehan.

PZ1929SUP & CAM D. W. Kasper & ERH Group, LLC (Coastal Wealth Mngmnt) – Special Use Permit & Coastal Area Management Review applications to permit the demolition of 2 existing buildings and construction of a 9900± SF, 2-story mixed-use building with associated site improvements. Property located at 1 Allen St. & 54-56 Williams Ave., Mystic. Assessor's Map 161 Block 18 Lots 9 & 10 Zone LS-5. *PH continued from 12/17/19.*

Public Comment:

Carlene Donnarummo, a resident of Pawcatuck, was concerned with the applicant's request to not be required to install sidewalks as part of their proposal. She feels that they can overcome the reasons given at the last meeting and should be required to install sidewalks.

Paul Sartor, a resident of Mystic, expressed his desire to see sidewalks installed for the benefit of the community and enhancement of the development. He is in favor of the project overall.

Mr. Brynes read written comment from Ben Tamsky into the record.

Rebuttal:

Kyle Haubert, project engineer, reviewed the site plan and engineer comments that were addressed. He stated there is currently no connectivity to potential sidewalks on site but they will be installing a concrete pad to the crosswalk.

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Jason Cerniglia, applicant, discussed the reasoning for not installing sidewalks on this development. This section of town on this side of the road has several places throughout that he feels would be impossible to construct sidewalks, preventing connectivity into the future. He presented supporting documentation and photos of the obstacles along the path that would prevent future development of sidewalk connectivity. There are sidewalks on the other side of the street. He feels that their development will not cause increased traffic nor pedestrian traffic. There have been no fatal accidents in that area, either pedestrian or bicycle. Mr. Deichmann asked about the cost to install sidewalks and its percentage to the overall cost of the development.

Mr. Brynes reviewed the Regulations, noting that sidewalks are requested but are not required. By stipulating that sidewalks are required, installation would involve acquiring easements and takings of properties. These actions need a significant increase in traffic or density to require them. Mr. Sheehan asked about an easement for future sidewalks should it become feasible in the future. The area is within the setbacks.

Kyle Haubert stated that the applicant would be agreeable to a two-foot easement for future construction of a sidewalk. The future expense of sidewalks would then be the town's responsibility.

Mr. Sheehan asked that the boundaries be staked out in advance of the project to make it very clear and protect the neighbors from encroachment and submit an as built plan. Ms. Conway asked about the signage plan. The applicant reviewed the proposed standalone and building sign.

Public Comment:

Carlene Donnarummo discussed the proposed sign and the need for it to be shown on the application. The signage is shown on the plan.

Paul Sartor stated that though he would like to see the sidewalk, he understands there is a sidewalk on the other side of the street and is happy with the crosswalk connectivity.

Kyle Haubert stated there is a pad that will be installed for the connectivity to the crosswalk.

Mr. Deichmann moved to close the public hearing, seconded by Ms. Conway, all in favor 4-0, motion approved.

Mr. Deichmann moved to approve the application, seconded by Mr. Sheehan. Mr. Sheehan recommended including stipulations one through six from the staff report, adding that the property be field staked prior to construction and there be a two-foot easement for future sidewalk construction. The motion would also include the waivers. Mr. Deichmann raised concern with the POCD compliance to improve walkability and connectivity and would see it as a missed opportunity to have the sidewalks built. Ms. Conway expressed that they are trying to promote connectivity and walkability in a well trafficked area. Mr. Sheehan stated that his stipulation is a compromise when there is not currently connectivity or plans to construct additional sidewalks in the near future. Mr. Deichmann moved to amend the motion as stated by Mr. Sheehan, seconded by Ms. Conway, the vote was taken all in favor 4-0, motion approved.

Stipulations:

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1. Architectural plans shall be certified in accordance with Section 7.7.4.6 of the Zoning Regulations. General flood hazard notes should include mention of proper minimum height of all utilities, flood resistant construction below the design flood elevation and related requirements.
2. The applicant's design engineer of record shall provide inspection services and certify to the construction of all underground stormwater management systems to ensure compliance with design specifications. Certifications shall include, but not be limited to: system bottom inspection, material specifications and testing, system installation prior to back fill, outlet structure construction, and final cover inspection. In addition to inspection services, as-built conditions of the drainage system shall also be provided to the Department of Planning prior to the issuance of a Certificate of Zoning Compliance.
3. The property owner is responsible for yearly required maintenance of stormwater infrastructure as specified on the plans and maintenance checklist. The stormwater maintenance checklist shall be recorded along with the final plans.
4. The applicant shall post an Erosion and Sedimentation Control Bond prior to the issuance of any Zoning Permits per the requirements of Section 8.6.3 of the Zoning Regulations. The bond amount shall be established by the Town Engineer after an estimate of the costs of installing and maintaining appropriate erosion and sedimentation control measures is provided by the applicant and approved by the Town Engineer. Work shall remain bonded for a minimum of one year from the date of completion.
5. Final plans shall include a concrete walkway from the building entrance to the existing crosswalk, subject to CTDOT approval.
6. Prior to the issuance of any Zoning Permits, final plans shall be signed by the Commission and recorded and lots shall be formally combined.
7. Site boundaries shall be staked out prior to construction.
8. The applicant shall grant a 2' wide public sidewalk easement to the Town along the length of the property's Rt. 1 frontage for the purpose of future sidewalk construction.

Seated for the following public hearing were Ben Philbrick, Gardner Young, Fred Deichmann, Lynn Conway, and Ryan Deasy.

PZ1928ZC & SPA J&H Hospitality (CME Assoc.) - Zone Change Map 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. Assessor's Map 164 Block 4 Lot 4 & Map 171 Block 2 Lot 1. Zone TC-80.

Pete Parent, project engineer, presented the site plan for two new hotels proposed at the rear of the existing Holiday Inn Express. The project would be phased to construct a Hilton Homewood Suites, followed at a later date by a second one. The applicants would need to return to the commission for approval of the second hotel. They would have shared parking across the properties and sidewalks installed for connectivity. The applicant reviewed the stormwater management plan. Mr. Sheehan asked about the traffic study and the s curve of Clara Drive and intersection with the property. Mr. Sheehan raised concern with the geometrics not accommodating increased traffic. Mr. Deichmann asked about the need for a zone change to NDD and how it would qualify. The applicant stated that the setbacks and the density requirements of NDD would be a better fit and would provide connectivity in the area. Mr. Deichmann stated that the project does not meet the intentions of the NDD and feels it is a way for

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them to get the bulk requirements they want. The applicants need to present to the Architectural Design Review Board. The WPCA stated that the project would be able to tie into the existing line once the Mystic sewer moratorium was lifted. Mr. Sheehan asked about the comments on fire suppression and water pressure. An updated test would need to be done and additional measures taken if needed. Ledge removal would be needed for the subsurface storm water storage.

Mr. Brynes reviewed the staff report and zone change process. The applicant is applying for both their master plan and site plan for the property. There should still be a stipulation for the applicant to come back for the second hotel.

Public Comment Against:

Judy Reed, a resident of Mystic, read a letter of opposition into the record that was provided to the town. She added questions about the size of the building, number of parking spaces, pavement, and swimming pools. She is concerned about the addition of more buildings and pavement in Mystic.

Carlene Donnarummo, a resident of Pawcatuck, discussed the definition of the Neighborhood Development District and how this property does not fit the definition. Ms. Donnarummo asked for evidence to show that an additional 270 hotel rooms are needed in town. She recommended the applicant come back with a proposal for a single hotel that fits the current regulations.

Davnet Schaffer, resident and Executive Director of Denison Pequotsepos Nature Center and Coogan Farm, spoke about their neighboring property and their concerns with the proposed development. This proposal would eliminate the required buffer to their environmentally protected property. These will be visible to the river and have a negative impact on wildlife. Similar property developers have been careful not to breach the ridgeline and impact the view and feel of Mystic. The development would have significant negative impact on the community as proposed.

David Evans, Treasurer of the Denison Society and Homestead, spoke in opposition and affirmed comments made by Davnet Schaffer. He is very concerned about traffic and lack of benefit to the community.

Michael McQuade, owner of McQuade's Marketplace, a neighboring property, is concerned with the water in the area and water pressure. They had significant water pressure issues on their property on the second floor requiring them to move the operation down a floor. He is concerned about all of the additional items that may be needed should this additional project move forward. He stated that at the time of his development the commission intended to have Clara Drive extended to Route 27, requiring him to make significant improvements. This development would prevent any future connectivity.

Stephen Dodd, resident of Stonington and Trustee of the Nature Center, spoke against the application and echoed Ms. Schaffer's comments. The trustees expressed their concerns over the proposed development with the proposed developer and would like to be able to work with the applicant to address these issues as there would be significant impact to their property. He also does not feel the project fits with the definition of the proposed zone change or with the neighborhood. They would like more time and information about the proposal to have a better response.

Paul Sartor, stated his opposition to this the NDD regulations and zone changes. He is in favor of the proposal to add additional economic development, but does not feel this application fits.

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No Public Comment in Favor

No General Comment

The applicant stated the project would have to go before the state traffic commission for approval. The developer does have studies regarding hotel need and would not go to the expense of development if the project were not viable. The two buildings are four stories with flat roofs which would be 7-8 feet taller than the peak of the existing hotel. The developer must work with Aquarion to address water pressure concerns. Ms. Conway asked about the buffer to the Nature Center property. The applicant is proposing a 20-foot landscaped buffer at the rear of the property. Mr. Sheehan asked the applicant to support how it conforms with the definition of the NDD. The applicant stated that by providing the pedestrian circulation they would be creating a transient village that could benefit the town. Ms. Conway asks how they have addressed the environmental impacts on the neighboring properties. They have addressed all on site issues to state standards and are providing the buffer.

Mr. Brynes reviewed the agency comments from the staff report. Mr. Brynes reviewed the decisions that must be made on the application.

The applicant requested a continuance to present the water and sewer information as well as to address the Nature Center's concerns. Ms. Conway asked for additional renderings to understand views from neighboring properties and the night sky. She also feels a fiscal analysis should be required. Mr. Deichmann asked for a comprehensive explanation on how this project meets the statement of purpose of the regulation.

Mr. Deasy moved to continue the public hearing to February 4, 2020, seconded by Mr. Philbrick, Ms. Conway clarified there will be additional opportunity for public comment on new information. The vote was taken all in favor 5-0, motion approved.

Ms. Conway moved to adjourn, seconded by Mr. Deasy, all in favor 5-0, the meeting adjourned at 9:00pm.



Ben Philbrick, Secretary