

Town of Stonington
Economic Development Committee
April 20, 2016 7:00pm
Meeting Minutes

Present: Blunt White, David Hammond, Danielle Chesebrough, Suzanne Lane, Kevin Bowdler

Regrets: Rick Balestracci, Joel Valenti, Edward Planeta, Virginia Abernathy

Guests: Students; Susanne Moore; Jason Vincent, Ward Smith (agriculture sub-committee)

Meeting Called to Order: 7:04

Approval of Prior Minutes

Motion: Dave Hammond

Second: Suzanne Lane

All in favor

Old Business

EDC Program Matrix

- **Discussion:** EDC Matrix is not a “comprehensive economic development plan” (ref: POCD task 10.4.2), but is intended as a high-level starting point. Use the Matrix as an ‘outline’ and set up folders in the EDC Google Drive for each segment leader to begin to collect data and research materials in support of a economic development plan (Action: Dave to set up folders). Upload POCD status report (Action: Dave to create POCD folder and upload documents – complete). Segment discussions: for Senior Care, permitting or Perkins Farm property (housing and health/medical) is expect to be submitted soon; for Retail, discussed development and use of survey to gauge retail climate and needs, ‘leakage analysis’ to assess what people are buying and where do they go to buy, approach Selectman for funds for a fall breakfast meeting to solicit ideas from retailers (and potential for other sectors) coordinate with Chambers.

Business Outreach

- **Discussion:** Kevin Bowdler and Danielle Chesebrough met with the property manager of the Velvet Mill. Primary concerns are need for anchor business(es) to assure economic sustainability, effective signage to draw visitors, and community relations with neighbors. Suggestion for meeting with neighbors to promote importance of the Velvet Mill, identify concerns, and improve community relations.
- **Motion:** allocate \$500 EDC budget for a neighborhood meeting (printing, food and beverage) to discuss the future of the Velvet Mill.

Motion: Kevin Bowdler

Second: Blunt White

All in favor

Grand List Growth: the Grand List has only grown 0.15% in the past fiscal year, the smallest amount in the past ten years.

New Business

Southeastern CT Enterprise Region (seCTer) Request for SWOT meeting

funding: seCTer held a business community meeting in Mystic on April 11 to gather input for the Comprehensive Economic Development Strategy (CEDS) update to be submitted to the state and federal government this year. A request for funding to offset venue rental and food costs was considered.

- **Motion:** contribute \$300 for seCTer meeting

Motion: Blunt White

Second: Dave Hammond

All in favor

Buffer Requirements in LS-5 Zone:

- **Discussion:** Susanne Moore and Jason Vincent led continued discussion on the business impacts from buffer requirements. Moore owns commercial real estate at 40-44 Washington Street, (LS-5 commercial zone). Current zoning requires hard buffers of between 10' and 20' when commercial *uses* abut a residential *use* in LS-5; a direct result of that buffer language is that Moore's building is now over 50% vacant. Potential tenants recently turned away include a microbrewery (leased space in Factory Square, Groton) and soup/sandwich food takeout restaurant, both uses are allowed by special use permit at Moore's property. Those potential tenants were turned away because the abutting property next door (zoned LS-5 commercial) is in residential use. Structures on Moore's property are approximately 5' from the property line of that abutter (Moore can't meet the 10' to 20' buffer requirement without demolishing one of her buildings). Moore will be applying (paying the \$500 fee) submitting a text Amendment to Stonington Zoning Regulations to fix the problematic buffer language of commercial *use* abutting a residential *use* within the LS-5 commercial zone. Moore's application will leave unchanged the hard buffers between LS-5 commercial *zones* and residential *zones*. Discussed EDC hosting a forum in late May or early June at the Mystic Hoxie Firehouse meeting room to explain this issue and gather feedback from property owners in advance of PZC's public hearing on Moore's text change application (PZC public hearing has been scheduled for June 21).
- **Motion:** write a Letter of Support for Moore's Text Amendment to be read at the PZC meeting (June)

Motion: Blunt White

Second: Danielle Chesebrough

All in favor

Regulation Amendment to ZR Section 7.2 Groundwater Overlay Protection District:

- Discussion:** Andrew Halsey has signed a lease for a building he owns at 35 Campground Road (Old Mystic) to a company that does historic wooden boat repair, restoration and fabrication. The lease is contingent on a zoning text change. Halsey has filed the application and paid the Town fee of \$500 (the PZC public hearing has been scheduled for June 7). The tenant's proposed uses are considered "assembly" and are allowed, permitted/special permit uses at 35 Campground which is zoned GC-60 (35 Campground Road is 5.4 acres improved with a 9,800 sf one story, steel manufacturing building served by well and on-site septic). The tenant will be a local company (Taylor and Snediker) that owns property at 22 Mechanic Street, Pawcatuck used for the same purpose. Taylor and Snediker has been in business for over 10 years, is well managed and has an excellent trade reputation. Halsey's property is currently 100% vacant and was previously used to manufacture sails under the name Halsey Sails (a local brand that had an excellent worldwide reputation). Campground Road is in the Groundwater Protection Overlay District (GPOD). All commercial uses within the GPOD require special approval by PZC. Current zoning regulations have very broad restrictions and specifically prohibit certain uses. The prohibited uses include boat repair and woodworking, unless the property is connected to a municipal sewer. Halsey's text change will improve the GPOD regulations and will allow PZC to determine reasonable safeguards to the water supply for Taylor and Snediker's proposed use of 35 Campground Road.
- Motion:** write a Letter of Support for the application to add Conditional Use "Assembly Woodworking" to be read at the PZC public hearing in June.

Motion: Blunt White

Second: Suzanne Lane

All in favor

Adjourn 10:14

Motion: Dave Hammond

Second: Suzanne Lane

All in favor

Attachments:

Moore Text Amendment Application PZ1611RA 4/19/2016

Halsey Text Amendment Application PZ1609RA 4/19/2016

Approved 5/25/2016
Blunt White, chair

Mark E. Block
Eric M. Janney

Matthew J. Curtiss
Amanda P. Sisley

BLOCK, JANNEY & ASSOCIATES LLC
Attorneys at Law

APR 14 2016
Respond to:
12 Roosevelt Avenue
Mystic, CT 06355

April 14, 2016

Stonington Planning & Zoning Commission
Mr. John Prue, Chairman
152 Elm Street
Stonington, CT 06378

Re: Application for Zoning Text Amendment

Dear Chairman Prue and Members of the Commission:

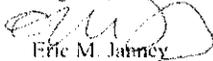
Our firm represents Andrew Halsey who is the owner of commercial property located at 35 Campground Road, Mystic, CT regarding a proposed zoning text amendment to the provisions of the Groundwater Protection Overlay District. For years Mr. Halsey's company operated a commercial sail loft at the aforementioned premises manufacturing sails and other affiliated items for the marine industry.

Mr. Halsey's operations ceased at the premises in 2009. However, he has entered into an agreement with David Snediker of Snediker Yacht Restoration, LLC to utilize said premises for his company's business which has been a Stonington business for over 15 years and which desires to grow.

The 35 Campground Road premises, while in the GC-60 Commercial Zone which allows for Assembly of products, is also within the Groundwater Protection Overlay District (GPOD). The property does not have available public sewer connection. Mr. Snediker's business has previously been analyzed by the commission to be an "assembly woodworking" use/activity.

Therefore, the attached application and narrative seek a limited revision to allowable uses and activities for properties with on-site sewage disposal within the GPOD while still maintaining all of the safeguards that the GPOD regulations impose on uses and still providing the Commission with strict review that the proposed use complies with said safeguards in granting or denying a permit. We look forward to an opportunity to discuss this application further with the Commission.

Regards,



Eric M. Janney

BLOCK, JANNEY & ASSOCIATES LLC

Town of Stonington
Planning and Zoning Commission



ZONING TEXT & MAP AMENDMENT APPLICATION FORM

2014 FEB 15 A

Please submit original and 15 copies of this application and relevant plans

FOR OFFICE USE ONLY

Application Number:

17100001

Receipt Date:

2/10/14

Application is for:

TEXT AMENDMENT

MAP AMENDMENT

Name of Applicant:

Andrew Halsey

Mailing Address:

c/o Block, Janney & Associates, LLC
12 Roosevelt Avenue, Mystic, CT 06355

Telephone Number:

860-536-9100

Email Address:

ejanney@bjplawyers.com

Any property owner or resident in the Town may apply to amend the Zoning Regulations or Zoning Map. All required application materials must be submitted not less than 15 days prior to the scheduled public hearing.

AMENDMENT TO ZONING REGULATIONS. Proposals must indicate text to be added and/or deleted, and provide a statement as to why the amendment is being pursued, its consistency to the Plan of Conservation and Development and the Comprehensive Plan (ZR 8.8.3), and a statement regarding conformance to general purposes of the Zoning Regulations (ZR 1.0.1).

AMENDMENT TO ZONING MAP. Pursuant to ZR 9.4.4.2, proposals must include a Class A-2 Survey depicting proposed zoning district boundaries, a legal description of the property, list of abutting owners and their addresses, and an Impact Statement in accordance with ZR 8.8.2.

COMPLETE FOR ZONING MAP AMENDMENTS ONLY:

Property Address(es)

Assessor's information:

Map

Block

Lot

Present Zoning District:

Proposed Zoning District:

Previous Petitions: List all previous zoning amendment petitions that have been made with respect to the above listed property(ies):

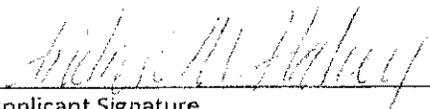
COMPLETE FOR ZONING REGULATION OR MAP AMENDMENTS:

Reason for requesting Regulation or Map Amendment: (ATTACH SHEET IF NECESSARY)

see attached

The undersigned applicant hereby consents to necessary and proper inspections of the above-mentioned property by agents of the Commission at reasonable times both before and after a permit is granted by the Commission.

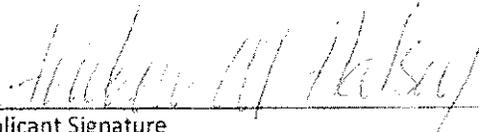
The undersigned declares all information supplied is accurate to the best of his/her knowledge and belief. If such information subsequently proves to be false, deceptive, incomplete, or inaccurate, any approvals may be modified, suspended, or revoked by the Commission or its agents.

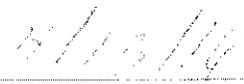

Applicant Signature


Date

Acknowledgement of financial responsibility for required studies, information and/or third party review

The undersigned acknowledges that per Section 3.9.3 of the Town of Stonington Planning and Zoning Fee Ordinance the Town will collect payment for direct costs of materials and services performed by professionals, other than Town employees, including but not limited to specialized inspection, third party professional certifications, legal, stenographic and transcription services associated with an application, or require an applicant to provide certifications, inspections, and/or professional consultant reports at the applicant's expense. The payment of additional costs shall not prohibit the Town of Stonington from requiring performance or forfeiture bonds to ensure the successful completion of all work as may be prescribed in the respective land use regulations.


Applicant Signature


Date

ZONING TEXT AMENDMENT

**Stonington Zoning Regulations
Amended through July 1, 2015**

Section 7.2 GROUNDWATER PROTECTION OVERLAY DISTRICT (GPOD)

Add new subsection 7.2.5.3 as follows:

7.2.5.3 Conditional Uses in GC-60 Zone. These activities present a risk of contamination of groundwater because of the use or storage of materials but may be permitted in cases where the premises are served by on-site sewage disposal systems if the use is in the GC-60 (General Commercial) zone and if the use is demonstrated to comply with the performance standards in these regulations.

.1 Assembly Woodworking, in which hazardous materials are used in quantities associated with normal household use

ZONING TEXT AMENDMENT

Statement regarding consistency with the Plan of Conservation and Development, Comprehensive Plan and General Zoning Purposes

The application before the Commission seeks limited revisions to allowable uses for properties in the GC-60 zone which are also subject to the Groundwater Protection Overlay District but which are not connected to public sewers.

The existing zoning map for areas of GC-60 Commercial uses are comprised of several small sections of the Town which house long standing commercial uses of various types including auto sales, gas/service stations, assembly facilities, as well as outdoor boat sales. "Assembly" of products is a permitted use under the existing text of the GC-60 Zone and in the Comprehensive Plan.

Further, the Groundwater Protection Overlay District (GPOD), subject to the performance standards stated therein, allows for woodworking if a property is connected to the public sewer. This proposal is a fine tuning of the existing regulations relating to the GPOD to allow assembly woodworking to be a conditional use within the GPOD when use of hazardous materials are strictly limited.

One of the general purposes of the zoning regulations is to protect the environment. It is consistent with that zoning purpose, provided the mechanisms and protections are in place using best management practices, to allow for the woodworking use to exist in a commercial zone subject to the GPOD performance standards. Those performance standards include, but are not limited to, a prohibition on non-domestic wastewater being connected to drains into an on-site sewage disposal system. No revisions are sought in the requirements and safeguards required to obtain a Groundwater Protection permit.

The requested Text Amendment complies with the principles and recommendations of the Plan of Conservation and Development (POCD) in a number of aspects. One of the overarching principles of the POCD is to promote low impact commercial approaches. This text amendment would allow a limited expansion of woodworking uses, solely within the GC-60 zone, for properties within that zone that are within the GPOD but have on-site sewage systems.

The POCD also encourages economic development to increase Stonington's commercial tax base to provide for the "support of local services, facilities and education" and further to provide, retain and create jobs for Stonington and the region. It is hoped that a narrow extension of uses allowed in the GPOD in the GC-60 zone will help achieve those goals.

Section 10.2 of the POCD indicates that the community is very supportive of "filling existing commercial vacancies with small businesses to enhance the villages and highway interchanges areas." Although not all GC-60 zoned parcels are within those two sub-areas of the Town, allowing for an assembly woodworking use to exist within the GPOD would enhance businesses that are within the maritime sector which is both a historical industry (Boat building) in Stonington and one of the regional clusters identified as a economic driver by the 2004 Comprehensive Economic Development Strategy for Southeastern Connecticut (CEDS). It would further encourage re-use of underutilized commercial sites in Stonington.

The POCD also states in Section 10.3 thereof that the "Town should include planning for retention of existing businesses as part of its economic development efforts. Maintaining and supporting the businesses that are already here is as important as attracting new businesses." Furthermore, the POCD references "marine services" as an economic driver that is "critical to the Town's vitality and prosperity." The POCD also encourages a review of text of the current zoning regulations to modernize "language, objectives, uses and purpose of commercial zones." Allowing a limited expansion of uses within the GC-60 zone that are subject to the GPOD overlay would be a sensitive, measured and important step to achieving these goals of the POCD.

Town of Stonington
Planning and Zoning Commission



ZONING TEXT & MAP AMENDMENT APPLICATION FORM

SEP 23 15 P 3:58

Please submit original and 15 copies of this application and relevant plans.

Application Number: P210118H Application Date: 4/19/16

Application is for: TEXT AMENDMENT MAP AMENDMENT

Name of Applicant: SUZANNE R MOORE

Mailing Address: 167 COVE RD. STONINGTON, CT 06482

Telephone Number: 860 572-7115

Email Address: suzanne.moore@msd.com

Any property owner or resident in the Town may apply to amend the Zoning Regulations or Zoning Map. All required application materials must be submitted not less than 15 days prior to the scheduled public hearing.

AMENDMENT TO ZONING REGULATIONS. Proposals must indicate text to be added and/or deleted, and provide a statement as to why the amendment is being pursued, its consistency to the Plan of Conservation and Development and the Comprehensive Plan (ZR 8.8.3), and a statement regarding conformance to general purposes of the Zoning Regulations (ZR 1.0.1).

AMENDMENT TO ZONING MAP. Pursuant to ZR 9.4.4.2, proposals must include a Class A-2 Survey depicting proposed zoning district boundaries, a legal description of the property, list of abutting owners and their addresses, and an Impact Statement in accordance with ZR 8.8.2.

COMPLETE FOR ZONING MAP AMENDMENTS ONLY:

Property Address(es)

Assessor's information: Map Block Lot

Present Zoning District: Proposed Zoning District:

Previous Petitions: List all previous zoning amendment petitions that have been made with respect to the above listed property(ies):

COMPLETE FOR ZONING REGULATION OR MAP AMENDMENTS:

Reason for requesting Regulation or Map Amendment: (ATTACH SHEET IF NECESSARY)

The present language of buffer requirements in LS-5 zone are conflicting and ambiguous. Most lots in this zone are 5,000 sf, 50 ft frontage with buildings 30 ft or more wide. Presently commercial and residential co-exist. Because any change of use (even so-called "permitted" uses) or change of sign triggers compliance with the buffer. In most cases this is impossible unless a property owner can obtain a variance. My request is to simplify the language and make it possible for most lots in LS-5 zone to comply with the regulations. The buffer of 15 ft would apply to commercial use adjacent

The undersigned applicant hereby consents to necessary and proper inspections of the above-mentioned property by agents of the Commission at reasonable times both before and after a permit is granted by the Commission. residential zone (see next page)

The undersigned declares all information supplied is accurate to the best of his/her knowledge and belief. If such information subsequently proves to be false, deceptive, incomplete, or inaccurate, any approvals may be modified, suspended, or revoked by the Commission or its agents.

Suzanne R Moore
Applicant Signature

April 15, 2016
Date

Acknowledgement of financial responsibility for required studies, information and/or third party review

The undersigned acknowledges that per Section 3.9.3 of the Town of Stonington Planning and Zoning Fee Ordinance the Town will collect payment for direct costs of materials and services performed by professionals, other than Town employees, including but not limited to specialized inspection, third party professional certifications, legal, stenographic and transcription services associated with an application, or require an applicant to provide certifications, inspections, and/or professional consultant reports at the applicant's expense. The payment of additional costs shall not prohibit the Town of Stonington from requiring performance or forfeiture bonds to ensure the successful completion of all work as may be prescribed in the respective land use regulations.

Suzanne R Moore
Applicant Signature

April 15, 2016
Date

- 4.3.3.32 Medical Clinics. [ADOPTED AUGUST 2, 2005]
- 4.3.3.33 Rehabilitation of Existing Buildings in accordance with Section 6.6.14. [ADOPTED AUGUST 2, 2005]
- 4.3.3.34 Height Exceptions for Roof Structures and Architectural Features in accordance with Section 6.6.20. [ADOPTED OCTOBER 18, 2005]
- 4.3.3.35 Residential Mixed Use in accordance with Section 6.6.21 [ADOPTED MAY 14, 2006]

4.3.4 Buffer Requirements.

- ~~4.3.4.1 Ten (10) feet of screening for commercial use adjoining single-family and/or attached housing.~~
- ~~4.3.4.2 20 feet of screening for commercial use and attached housing adjoining residential zone or use.~~
- ~~4.3.4.3 15 feet of screening for food take-out and liquor sales adjoining residential zone or use (multi-family, single-family).~~

Replace with:

4.3.4 Buffer Requirements

- 4.3.4.1 Fifteen (15) feet of screening for commercial use adjoining residential zone.

PLAN OF CONSERVATION AND DEVELOPMENT

Requirement: Written statement regarding consistency of the proposal with the Plan of Conservation and Development, including the goals and policy statements and the implementation program contained in said Plan per Section 8.8.3.1 of the Zoning Regulations.

Response: Modifications to these requirements appears to be consistent with the 2015 Plan of Conservation and Development, particularly those touching on underutilized commercial sites and village development.

Relevant POCD Recommendations

10.1 Increase Commercial Tax Base		
Policies	Leader	Partners
10.1.1 Encourage appropriate economic development.	EDC	COC, PZC
10.2 Guide Business Development		
Policies	Leader	Partners
10.2.1 Encourage re-use of the mills and other underutilized commercial and industrial sites.	EDC	PZC
10.2.9 Review text of the current zoning regulations to modernize language, objectives, uses and purpose of commercial zones, specifically the M-1 and TC-80 zones.	PZC	DOP, EDC
10.3 Retain, Support and Encourage Businesses Development		
Initial Tasks	Leader	Partners
10.3.7 Work with local businesses to assure their expansions take place in Town whenever possible.	EDC	BOS

Relevant POCD Recommendations

8.2 Encourage and Support Vibrant Villages		
Policies	Leader	Partners
8.2.1 Strive to attract a mix of businesses that support both the tourist and local needs within the villages.	EDC	COC
8.3 Address Village Business Needs		
Policies	Leader	Partners
8.3.1 Support and strengthen existing businesses (business retention).	EDC	COC
8.3.2 Encourage investment in commercial properties.	EDC	COC

GENERAL PURPOSES OF ZONING

Requirement: Written statement regarding conformance of the amendment to the *general zoning purposes* set forth in Section 1.0.1 per Section 8.8.3.3 of the Zoning Regulations.

Response: The proposed text amendment conforms to the general purposes of zoning as stated in Section 1.0.1 of the Zoning Regulations. The section enables the regulation of the "...erection, construction, reconstruction, alteration, or use of buildings or structures and the use of land..." The proposed change is a minor one that does not significantly alter any of these factors.

COMPREHENSIVE PLAN

Requirement: Written statement regarding consistency of the proposal with the *Comprehensive Plan*, defined as the existing zoning map and zoning text, in combination with the actual pattern of built development that has taken place on the ground per Section 8.8.3.2 of the Zoning Regulations

Response: Separate from the Plan of Conservation and Development, the "Comprehensive Plan" is not an actual document but is a legal concept generally defined as the Town's basic scheme for development as embodied in the zoning regulations and the zoning map. The proposed text amendment conforms to the Town's Comprehensive Plan in that it is a revision to an existing regulation and does not modify uses allowed or the general pattern of land use development in Town.