

## **ZONING BOARD OF APPEALS**

### **REGULAR MEETING**

#### **Final Minutes**

**August 10, 2021**

Stonington Police Station, 173 South Broad St., Pawcatuck, CT

Present for the meeting were James Kading, Mark Mitsko, Jeff Walker, James Stanton, and Diana Lurie Boersma. Absent Nat Trumbull and Raymond Dussault. Zoning Enforcement Officer, Candace Palmer was also present.

Seated for the meeting were James Kading, Mark Mitsko, Jeff Walker, Diana Lurie Boersma seated for Nat Trumbull and James Stanton seated for Raymond Dussault.

The meeting was called to order at 7:00 p.m. on August 10, 2021 at the Stonington Police Station.

Public Hearing:

**ZBA#21-07 Tesla-Applicant/RoxRiv Realty Associates, LLC-Owner (Ed Noseworthy-Agent)** – Seeking a variance from ZR 5.1.1 to reduce Front Yard setback from 50' to 22'7" on Village Farm Rd and from 50' to 23'2" along Coogan Blvd. to install electric vehicle charging posts and equipment in existing parking lot. Property located on 12 Coogan Blvd., Mystic. Assessor's Map 164 Block 4 Lot 1; Zone TC-80.

Joty Allison, agent for Tesla, stated Tesla is requesting a variance of the setbacks on Village Farm Road and Coogan Boulevard for an electric charging station for Tesla supercharging. It allows Tesla's to charge from 0 to 80% in 30 minutes. They would be installing cabinets, posts, bollards and signs associated with the charging station. Installing this more central to the property would cause more disruption for regular patrons so they are attempting to locate in an underutilized area. Drivers can utilize nearby stores while their vehicle is charging. Mr. Kading asked how much is seen from the road. The applicant stated the cabinets take up about 300 SF of space for the three cabinets. The supercharging poles are behind the curb line and have a minimal impact on views. Mr. Walker asked for the dimensions of the equipment. The posts are about half of the parking space. The charging station is outside of the parking space preserving the parking space. Tesla hopes to open up the network to non-Tesla vehicles in the future. They will have signage in between the bollard to indicate the supercharging station is available. The station will be wired underground. No landscaping will need to be changed to accommodate the station. They can provide screening around the transformer equipment. The equipment is all locked for safety concerns. Mr. Kading noted there are a couple charging stations across the street at the Aquarium. Mr. Walker asked if the applicant would agree to planting around the transformer equipment which the applicant has stated they have done this for other areas. The commission discussed how charging works with the applicant.

Public Comment:

None.

Mr. Kading closed the public hearing.

Mr. Walker moved to approve the application with one stipulation:

1. Transformer and supercharger area is to be shielded with vegetation.

Motion seconded by Ms. Boersma, all in favor 5-0. Motion approved.

**ZBA #21-08 Kyle & Shabnam Richards (Demian A. Sorrentino, AICP, CSS-Agent)** – Seeking a variance from ZR 3.1.4.1 to reduce the non-infringement area from 100' to 30' for new septic system and 100' to 50' to construct an attached Accessory Dwelling Unit. Property located on 28 Benjamin Stanton Pentway, Mystic. Assessor's Map 164 Block 2 Lot 4; Zone GBR-130.

Demian Sorrentino presented the site plan and variance request. The applicant is planning to construct an Accessory Dwelling Unit for their mother-in-law and discovered that the current septic system is failing and needs to be replaced. The unit cannot be built detached due to the frontage of the two roads. Due to the GBR-130 zone they have a 100' non-infringement area which covers a significant amount of the property. They have received a wetland's permit for the septic system upgrade and ADU. The entirety of the home is within the 100' upland review for wetlands and the 100' non-infringement area which is rare and unique to the property. They cannot make any improvements to their home without a variance and a wetlands permit. They propose to demolish the existing septic system and install a new code compliant septic system that will service the entire property with two outputs from the home. They will be filling around the central system for proper soils to be maintained. They will install necessary erosion and sedimentation controls for construction. Mr. Sorrentino reviewed the stated hardship from their application. Ms. Boersma asked if they would still need to do the septic system if they did not build the ADU. Mr. Sorrentino clarified this would be necessary either way and the placement must be in this area due to the well radius, the leeching field would just be slightly smaller. Mr. Sorrentino reviewed the erosion and sedimentation controls for the fill.

Public Comment:  
None.

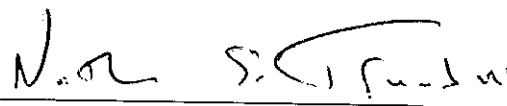
Mr. Kading closed the public hearing.

Mr. Walker moved to approve the application, seconded by Mr. Mitsko, all in favor 5-0. Motion approved.

Minutes:

Mr. Walker moved to approve the minutes of the June 8, 2021 meetings, seconded by Ms. Boersma, all in favor 5-0. Motion approved.

Ms. Boersma moved to adjourn, seconded by Mr. Mitsko, all in favor 5-0. The meeting adjourned at 7:48 p.m.

  
Nathaniel Trumbull, Secretary