



Town of
North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, JANUARY 12, 2023 - 7:00pm

**Old Middle High School – Media Center
298 Norwich-Westerly Road
North Stonington, CT 06359**

MINUTES

1. **CALL MEETING TO ORDER:** Chairman Ed Learned called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, January 12, 2023 at 7:01 p.m.

COMMISSIONERS PRESENT: Ed Learned, Chairman, Pat Lewis, Vice-Chair, Wayne Wilkinson, and Robert Mazzella

COMMISSIONERS ABSENT: Mark Leonard, Secretary & Robert Kappes (Alternate)

STAFF PRESENT: Administrative Assistant Cheryl Konsavitch and SCOOG Planner Nicole Haggerty

2. **ADDITIONS TO THE AGENDA:** None

3. **PUBLIC COMMENT:** None

4. **PUBLIC HEARING:**

SPP #22-093 (Excavation) Application of Gregg Fedus, Fedus Engineering LLC, 70 Essex Street, Unit 2C, Mystic, CT 06355 for an excavation operation with processing, 4 phases with restoration as required on property located at 251 Clarks Falls Rd. in an R-80 Zone. Tax Map #105, Lot #1078

Chairman Learned read the application into the record.

Seated: E. Learned, P. Lewis, W. Wilkinson, R. Mazzella

Gregg Fedus of Fedus Engineering, LLC was present for this continued application and submitted revised plans regarding the Commission comments from the 12/01/22 hearing.

G. Fedus showed access and routes of trucks through the truck plaza, provided documentation for the structural integrity of the bridge by a licensed structural engineer for 200 trucks per day, and inspected the culvert regarding the crossing. The narrative and notes on the plan include the hours, depth of excavation and timeline of phasing, and have added the soil scientist's signature to the plans. G. Fedus stated they have addressed the slope near the existing driveway on the property and the Green Falls River has been named on all the maps.

G. Fedus submitted a bond estimate of \$43,890 for the Restoration Surety for all four phases with contingency and an inflation factor which the Commission found agreeable.

The Commission asked questions of the applicant pertaining to this application.

Chairman Learned asked if there were any questions or comments from the public pertaining to this application. The following people spoke:

Madeline Jeffery
Maurice Price

Chairman Learned asked if there was anyone from the public speaking against this application. The following people spoke:

Madeline Jeffery
Maurice Price

Chairman Learned asked if there was anyone from the public speaking in favor of this application. There were none.

N. Haggerty stated all of her comments have been addressed.

MOTION by W. Wilkinson, SECOND by P. Lewis to close the Public Hearing on SPP #22-093. MOTION CARRIED UNANIMOUSLY

5. COMMISSION REVIEW:

SUB #22-107 (*Keeping New Stonington Affordable*) Application of Peter Gardner, PO Box 335, Gales Ferry, CT 06335 for an Affordable Housing Plan 8-30g for a 2-Lot Subdivision of land on property located at 26E Main Street in an R-40 Zone. Tax Map #109 Parcel #2225 (*Commission to receive on 01/12/23 & must act on or by 03/18/23*)

E. Learned read the application into the record.

Seated: E. Learned, P. Lewis, W. Wilkinson, R. Mazzella

Peter Gardner, Land Surveyor, Atty. Timothy Bleasdale and Mary Ann Ricker, KNSA President, were present for this application.

P. Gardner went over the site plan with the Commission and stated this is an 8-30g 2-lot subdivision with a shared driveway. The total area being subdivided is 1.20 acres, with Lot #1 having .59 acres and Lot #2 having .61 acres. P. Gardner stated that Ledge Light Health District reviewed the plan and stated both lots are suitable for well and septic.

Atty. Bleasdale went over the 8-30g statute and the affordability plan.

The Commission asked questions pertaining to well and septic, driveway grade, and the shared driveway.

The Commission will have their attorney review the application submitted and continued the application until their February 9th meeting.

6. PENDING APPLICATIONS:

SPP #22-093 (*Excavation*) Application of Gregg Fedus, Fedus Engineering LLC, 70 Essex Street, Unit 2C, Mystic, CT 06355 for an excavation operation with processing, 4 phases with restoration as required on property located at 251 Clarks Falls Rd. in an R-80 Zone. Tax Map #105, Lot #1078

Chairman Learned read the application into the record.

Seated: E. Learned, P. Lewis, W. Wilkinson, R. Mazzella

MOTION by R. Mazzella, SECOND by W. Wilkinson to Approve SPP #22-093 (*Excavation*) Application of Gregg Fedus, Fedus Engineering LLC, 70 Essex Street, Unit 2C, Mystic, CT 06355 for an excavation operation with processing, 4 phases with restoration as required on property located at 251 Clarks Falls Rd. in an R-80 Zone. Tax Map #105, Lot #1078 with the following conditions:

- a. All fees for any required site monitoring shall be paid by the applicant.**
- b. The hours of operation shall be between 8:00 a.m. and 5:00 p.m. and shall not be permitted on legal holidays or Sundays in accordance with North Stonington Regulations.**
- c. Review by town engineer may be required for future permit renewals based on staff review and level of activity.**
- d. Embankment on the south side of the site to remain.**
- e. Any dilapidated fences to be replaced at the end of full site restoration.**
- f. Cash bond for the amount of \$43,890.**

In addition to the conditions of approval, the following Findings for Approval are required based on the evidence submitted in the record:

A. that the application is materially in conformance with all applicable provisions of these Regulations, including but not limited to, the Site Design Requirements in Chapter 11, and that the standards for approval any accompanying Site Plan application have been met;

The Special Permit Application and associated Site Development Plan are materially in conformance with all applicable sections of the North Stonington Zoning Regulations, and the standards of approval of the accompanying Site Development Plan have been met.

B. that transportation services would be adequate and that the uses would not cause traffic congestion or undue traffic generation that would have a deleterious effect on the welfare or the safety of the motoring public;

The Excavation operation has demonstrated that approximately 200 trucks per day would be generated per day when excavating the estimated 80,000 cubic yard per phase. The Commission has previously found that this estimate will not cause undue harm or safety to the motoring public.

C. that the proposed uses and structures would be in harmony with the appropriate and orderly development of the Zoning District in which they are proposed to be situated, and that the use(s) would not be noxious, offensive, or detrimental to the area by reason of odors, fumes, dust, noise, vibrations, appearance, or other similar reasons;

Dust control measures have been evaluated and deemed sufficient, the hours of operation will be monitored and maintained and are respectful of the residential zone, the size of the parcel is adequate for excavation purposes and existing slope will aid in blocking visual and audial nuisances to the public.

D. that no adverse effect would result to the character of the district, property values, or historic features of the immediate neighborhood;

All disturbed areas will be restored for agricultural use, which is in harmony with the Town's desire to preserve existing agriculture operations.

E. that the character of the immediate neighborhood would be preserved in terms of scale, density, intensity of use and architectural design;

The total acreage of tillable fields will increase, the character of the immediate neighborhood in terms of scale, density, intensity of use shall be preserved.

F. that the proposed uses would not cause any unreasonable pollution, impairment or destruction of the air, water and other natural resources of the state; and

No significant impact on environmental resources will result. Best management practices will be implemented and monitored to control soil erosion and erosion and sediment control will be inspected regularly.

G. that all proposed uses and structures would be consistent with future development as identified and envisioned in these Regulations and the North Stonington Plan of Conservation and Development.

The Excavation project is a use allowed in the R-80 District with a Special Permit per the Zoning Regulations.

MOTION CARRIED UNANIMOUSLY

7. PLANNING ISSUES & DISCUSSION:

Budget FY 23/24

MOTION by R. Mazzella, SECOND by W. Wilkinson to keep the budget for FY 23/24 the same as last fiscal year. MOTION CARRIED UNANIMOUSLY

8. SENIOR PLANNER & ZONING OFFICIAL'S REPORTS/ISSUES: None

9. NEW APPLICATIONS: None

10. OLD BUSINESS: None

11. NEW BUSINESS:

E. Learned read the request into the record.

Seated: E. Learned, P. Lewis, W. Wilkinson, R. Mazzella

A letter submitted by Atty. Heller requesting the 90-day extension stated this extension should provide sufficient time to obtain endorsement of the mylars for filing in the North Stonington Land Records.

MOTION BY W. Wilkinson, SECOND by R. Mazzella to approve the Request for a 90-day filing extension from 02/23/23 for approved RE-SUB #22-032 (Golf View Estates Re-Subdivision) Application of STPR Realty Development Group, LLC, 1501 Broadway, Suite 1700, New York, NY 10036 for an Affordable

Housing Application per CT Gen. Stats. 8-30g (set-aside development) for an 8-Lot Re-Subdivision of land on property located at 38 & 44 Lake of Isles Road in an R-80 Zone. Tax Map #54, Parcel #0294/4128

MOTION CARRIED UNANIMOUSLY

12. REVIEW MINUTES: Review minutes of Regular Meeting of 12/01/22 – The minutes of 12/01/22 were accepted.

1st Selectman Robert Carlson invited the Commission to join the Selectmen's meeting on Tuesday, January 24th for a presentation for Louis Steinbrecher.

13. ADJOURNMENT:

MOTION by P. Lewis, SECOND by W. Wilkinson to adjourn the meeting at 8:26 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch,
Administrative Assistant, Land Use Office