



Town of
North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, NOVEMBER 3, 2022 - 7:00pm

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

MINUTES

1. CALL MEETING TO ORDER: Vice-Chair Wayne Wilkinson called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, November 3, 2022 at 7:05 p.m.

COMMISSIONERS PRESENT: Wayne Wilkinson, Vice-Chair, Pat Lewis, Secretary, Ed Learned, Mark Leonard, Robert Mazzella (Alternate) & Robert Kappes (Alternate) left at 8:20 p.m.

COMMISSIONERS ABSENT: Louis Steinbrecher, Chairman

STAFF PRESENT: Administrative Assistant Cheryl Konsavitch & Commission Attorney Robert Avena

2. ADDITIONS TO THE AGENDA: Amend the agenda to go to pending applications after Commission Review A then back to Commission Review B

Vilma Gregoropoulos asked for a point of order asking if public comment will be allowed during the Commission Review for the 8-24. Atty. Avena read the statute pertaining to the 8-24.

3. PUBLIC COMMENT: None

4. COMMISSION REVIEW:

A. GS 8-24 #22-094 (CT General Statute 8-24 Review), On behalf of the Board of Selectmen, Selectman Robert Carlson requesting Planning & Zoning Commission review, in accordance with CGS 8-24, on the following item: The original land owner's descendants are looking to purchase the land to bring it back to the family to be used for a future residence. The property is located at Wintechog Hill Rd. in an R-80 Zone with the total acreage of 105.91 and the parcels affected are: Tax Map #92, Lot #0001, Tax Map #93, Lot #2332, Tax Map #93, Lot #6737, Tax Map #100, Lot #0002, Tax Map #100, Lot #0003

Vice-Chair Wilkinson read the application into the record.

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

R. Carlson, 1st Selectman was present for this application and stated the reason for the GS 8-24 was because he was approached by Vickie & Tom LaFrance whose descendants were the original landowners of the property about the possibility of purchasing parcels of land off Wintechog Hill Road for future development of residences. The land was gifted to the Town with a letter indicating its use for open space and affordable housing.

The following people spoke who had questions or comments pertaining to this application:

Vilma Gregoropoulos
Steve Colgan
Brian Rathbun
Chuck Nelson
Bob Degoursey
Ron Ochs
Linda Smith

William Ricker
MaryAnn Ricker
Madeline Jeffery
Anne Nalwalk
Arnold Bliss
Vickie LaFrance

The Commission had questions pertaining to this application and Atty. Avena answered them and stated the Commission just needs to decide if they want the Selectmen to move forward with the selling of the land or to recommend the Town keep the land.

MOTION by M. Leonard, SECOND by E. Learned to recommend the Town hold onto the land. MOTION CARRIED

In Favor – W. Wilkinson, P. Lewis, E. Learned, M. Leonard

Against – R. Mazzella

5. PENDING APPLICATIONS:

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
Seated: W. Wilkinson, P. Lewis, E. Learned, M. Leonard

Atty. Avena went over the history of the application stating they had several hearings on this application and extensive testimony from both engineers, and Ledge Light Health District report. Atty. Avena explained the 8-30g process and stated that Nathan Reichert, Interim Planning, Development and Zoning Official had drafted a Commission motion in which Atty. Avena then read the memo and the conditions into the record.

The Planning and Zoning Commission finds that the application by STPR Realty Development Group, LLC for an 8-Lot Affordable Housing Re-Subdivision pursuant to Connecticut General Statutes 8-30g (set-aside development) at 38 and 44 Lake of Isles Road meets the requirements necessary for approval.

Based upon the testimony and evidence presented during the public hearing the Planning and Zoning Commission finds that the following conditions are necessary to protect substantial public interests in health and safety, that these conditions are reasonable changes necessary to protect the development and the need for affordable housing and that the need for these conditions clearly outweighs the need for affordable housing as each condition will protect substantial public interests in health and safety. Therefore, the application is approved with the following conditions:

1. The Affordability Plan for Golf View Estates Re subdivision(s) Properties of STPR Realty Development Group, LLC an Expandable Resubdivision, pages 1-30, as revised on September 8th 2022 by Heller, Heller and McCoy shall govern this 8-lot subdivision.

2. The Declaration of Joint Driveway Easement and Maintenance Agreement Lots 4,5,6,7 and 8 Golf View Estates Resubdivision by Heller, Heller and McCoy submitted 8 September 2022 shall be recorded as a part of the deeds for Lots 4,5,6,7 and 8.
3. The Plan Showing Golf View Estates Resubdivision Property of STPR Realty Development Group, LLC 38 and 44 Lake of Isles Road North Stonington, Connecticut, revised August 24th 2022, stamped by Land Surveyor CT. No 14208, John R. Martucci, P.E. #19494 sheets 1-5 shall be constructed as presented.
4. Pursuant to the Letter presented by CLA Engineering, Inc. dated 6 September 2022 and signed by Kyle Haubert, PE. That prior to the sale of individual lots the applicant shall:
 - a. Clear, grub regrade and remove ledge necessary to achieve a 250' site line to ensure safe passage of traffic pursuant to comment 1 of the Engineer's letter.
 - b. Construct the riprap swale along Lake of Isles Road.
 - c. That any change to the proposed underground chambers to store the stormwater quality volume for individual houses shall be reviewed by a Registered Professional Engineer.
5. That all statements and expectations as described in the Letter from Heller, Heller & McCoy dated 31 August 2022 shall be a part of the approval.
6. That all statements and expectations as described in the Engineering Report for Land Use Commissions Submittals Golf View Estates Resubdivision, 38 and 44 Lake of Isela Road North Stonington Connecticut and attachments by LBM Engineering, LLC signed and stamped by John R. Martucci, PE 19494 dated August 22, 2022 shall be a part of this approval.
7. That the conditions included in the July 21st 2022 letter from Cheryl Haase – Environmental Technician II, Ledge Light Health District shall be met.
8. Pursuant to the July 28th 2022 memo by Bill Warzecha, North Stonington WPCA-Sewer and Water Analyst, potential pollutants that may be present on the site shall be identified and mitigated. A test water well shall be drilled onsite, and the water tested for volatile organic compounds using EPA test method 524.2 at the expense of STPR Realty Development Group, LLC prior to the sale of individual lots within the subdivision. Each well within the subdivision shall, in addition to the standard body of potable water tests required by Ledge Light Health District, also include testing for volatile organic chemicals, if required by order of the Health District.

MOTION by M. Leonard, SECOND by P. Lewis to approve 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 based on the memo of conditions read into the record by Atty. Avena. MOTION CARRIED UNANIMOUSLY

6. COMMISSION REVIEW:

B. SUB #22-091 (Banker Subdivision) Application of Milton P. Banker, 151 N W Corner Road, North Stonington, CT 06359 for a proposed 5-lot residential subdivision of land on property located northwest of Ryder & Wyassup Road in an R80 Zone. Tax Map #94, Lot #2173 (*Application received 10/13/22; Commission must act on or by 12/17/22*)

P. Lewis read the application into the record.

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

Marcus Puttock, PE, LS was present for the application representing the applicant and went over the site plan. A copy of Ledge Light Health District's review was in the record with their recommendations for the suitability of the lots. Lots 1, 3, 4 and 5 are recommended suitable in their current condition and Lot 2 is recommended potentially suitable when the plan issues are addressed. SCCOG Planner Nicole Haggerty's review comments were also part of the record.

Atty. Avena and the Commission asked questions pertaining to this application.

The Commission Review was continued to December 1, 2022.

7. **PLANNING ISSUES & DISCUSSION:** None

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

9. **NEW 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 (*Commission to receive on 11/03/22 & set for PH on or by 01/07/23*)

The Commission set the Public Hearing on SPP #22-093 for December 1, 2022.

10. **OLD BUSINESS:** None

11. **NEW BUSINESS:**

2023 Schedule of Meetings (Planning & Zoning & Aquifer Protection Agency)

12. **REVIEW MINUTES:** Review minutes of Regular Meeting of 09/08/22 – The minutes of 09/08/22 were accepted.

13. **ADJOURNMENT:**

MOTION by M. Leonard, SECOND by E. Learned to adjourn the meeting at 9:00 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch, Administrative Assistant, Land Use Office