



Town of  
**North Stonington, CT**

PLANNING & ZONING COMMISSION

**REGULAR MEETING**

**THURSDAY, JULY 5, 2018 7:00 P.M.**

**New Town Hall  
Conference Room  
40 Main Street  
North Stonington, CT 06359**

**MINUTES APPROVED ~ August 2, 2018**

**1. CALL MEETING TO ORDER:** Secretary Siner called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, July 5, 2018 at 7:07 p.m. at the New Town Hall, Conference Room.

**COMMISSIONERS PRESENT:** Joseph Siner, Secretary, Wayne Wilkinson and Alternate Members Pat Lewis

**COMMISSIONERS ABSENT:** Lou Steinbrecher, Chairman, Ann Brown, Vice-Chair, Lisa Wood and Alternate Members Connie Berardi and Rod Porter

**STAFF PRESENT:** Planning, Development & Zoning Official Juliet Hodge and Administrative Assistant Cheryl Konsavitch

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

**3. PUBLIC COMMENT:**

DJ Noyes came before the Commission to discuss his property being included in the historic overlay.

J. Hodge showed the Commission a map identifying the historic properties in the village corresponding to the National Register of Historic Places Inventory on file in the Land Use Office. J. Hodge stated that Mr. Noyes house is identified on the map, which includes to the grange, which directly borders Noyes' property to the north. J. Hodge stated that the Town's Village Preservation Overlay Area designation on the Zoning map does not correspond to the outline of the Village District on the Historic Places Map presented. Mr. Noyes would like to see if his property and the grange can be included in the VPOA as they were originally on the National Register of Historic Places map. Mr. Noyes stated that the current zoning classification is R-80 and he has a postage stamp sized lot, which makes his house non-conforming with respect to setbacks and lot coverage. J. Hodge stated that if his house were included in the Village Preservation Overlay area he would actually be required to maintain his existing setbacks. Mr. Noyes stated the grange would be eligible for grant funding in the Village Preservation Overlay Zone. J. Hodge stated she would make up the map for the Commission's August meeting so they could better visualize the proposed change to the Village Preservation Overlay area.

#### **4. PUBLIC HEARING:**

**SPP #18-042 (Excavation)** Application of Ledyard Lewis, 273 Boombridge Road, North Stonington, CT 06359 to excavate & re-grade existing agricultural land in order to expand and increase productivity of cropland & to create manageable farming areas at property located on Anthony Road, Tax Map #124, Parcel #5167 **(PH scheduled to open on 07/05/18; Commission received on 06/07/18 & PH must close on or by 08/08/18)**

Secretary Siner read the application into the record.

Seated: J. Siner, W. Wilkinson, P. Lewis

Tony Nenna of On-Site Engineering and Ledyard Lewis were present for this application.

Mr. Nenna presented the site-plan stating that the subject property contains approximately 55 acres and consists of existing crop fields to support farming operations for the Lewis Farm. Mr. Nenna stated the proposed excavation work consists of re-grading approximately 20.5 acres of existing crop fields and wooded area to support farming activities. Approximately 5 acres will be cleared, with the remaining 15.5 acres being existing crop fields and proposed slope-grading areas. All of the gravel excavated from the subject property will be hauled off-site. The construction activities will be divided into two (2) phases to be completed over a three-year period. Mr. Nenna stated that the owner/applicant obtained approval to remove gravel from the property in VI phases. The first four phases have been completed to date. This proposal involves completing the last two phases, Phase V and V1.

Mr. Nenna stated Phase V will include re-grading approximately 5 acres of existing crop fields and wooden areas with approximately 99,255 CY to be removed and Phase VI will include re-grading approximately 4 acres of existing crop fields and wooded areas with approximately 70,085 CY to be removed.

Mr. Nenna went over the proposed truck route, hours of operation, soil erosion, sediment and dust control, equipment maintenance and fueling, debris disposal, final stabilization and groundwater monitoring.

Mr. Nenna stated this project involves the re-grading and gravel removal from property that is utilized by the Lewis Farm for cornfields to support the applicant's dairy business. Mr. Nenna stated that wetlands exist to the south and east of the project area and that all proposed work is outside of the regulated 100-foot wetland buffer.

Mr. Nenna stated that in an effort to control erosion, the proposal specifies staked haybales around the limits of disturbance at each construction phase and around any proposed stockpile areas. Straw waddles and wood chips could also be utilized to control erosion. In general, the proposed project is not expected to adversely impact the surrounding area or the traffic along Anthony Road. In fact, it will maintain the unique character of the farmstead that has been in existence for generations.

The Commission asked questions pertaining to the application.

ZEO Hodge went over her review of this application and stated the original plan for this excavation work was submitted and approved in 2010 for the removal of approximately 470,000 CY in six phases. Phases 1-3 were completed and an as-built submitted on 05/25/18. Phase 4 will not be completed. This application is for Phases 5 and 6 of the original 2010 excavation plan and a \$35,000 bond is still in place.

Secretary Siner asked if there were any questions or comments from the public pertaining to this application. There were none.

Secretary Siner asked if there was anyone from the public wishing to speak in favor of this application. There were none.

Secretary Siner asked if there was anyone from the public wishing to speak against this application. There were none.

**MOTION by W. Wilkinson, SECOND by P. Lewis to close the Public Hearing on Special Permit #18-042. MOTION CARRIED UNANIMOUSLY.**

## **5. PENDING APPLICATIONS:**

**SPP #18-042 (Excavation)** Application of Ledyard Lewis, 273 Boombridge Road, North Stonington, CT 06359 to excavate & re-grade existing agricultural land in order to expand and increase productivity of cropland & to create manageable farming areas at property located on Anthony Road, Tax Map #124, Parcel #5167

Secretary Siner read the application into the record.

Seated: J. Siner, W. Wilkinson, P. Lewis

### **MOTION/FINDINGS**

**MOTION by W. Wilkinson, SECOND by P. Lewis to approve Special Permit #18-042, Application of Ledyard Lewis, 273 Boombridge Road, North Stonington, CT 06359 to excavate & re-grade existing agricultural land in order to expand and increase productivity of cropland & to create manageable farming areas at property located on Anthony Road, Tax Map #124, Parcel #5167 with the following conditions:**

- 1. Groundwater shall be monitored at least every two (2) weeks during the high water season and monthly thereafter for the first year (per phase). Reports shall be sent to the Land Use Office and will be forwarded to the Town Engineer.**
- 2. All fees for ongoing site monitoring (estimates may be submitted per phase) shall be paid by the applicant.**

The Commission, in reviewing the application for the Special Permit and arriving at its decision, considered the relevant criteria outlined in Section 1303 of the regulations and thereby based its approval on the following findings:

- 1. The excavation operation shall be operated in a manner that protects the health, safety and welfare of the citizens of North Stonington. The 2010 application has been approved by the Inland Wetlands Commission. Additional test holes and borings will be installed prior to the start of each phase and plans will be adjusted accordingly.**
- 2. No traffic congestion or undue traffic generation will result that would cause a deleterious effect on the local welfare or the safety of the motoring public. Though there will be a significant increase in truck traffic, the proposed hours of operation and proposed truck route will help minimize potential adverse effects on the local public.**
- 3. The use will be in harmony with the appropriate and orderly development of the zoning district in which it is proposed to be situated, and that it will not be noxious, offensive, or detrimental to the area by reason of odors, fumes, dust, noise, vibrations, appearance, or other similar reasons. Measures will be taken to control dust, the hours of operation respect the surrounding residential use, the truck route is proposed to minimize impact on the surrounding residences, and vehicles and equipment will be stored in such a way as to not become a visual nuisance to surrounding homes.**
- 4. No adverse effect will result to the character of the district, property values, historic features, or prosperity of the immediate neighborhood. The Lewis farm is a long established active dairy farm and considered vital with respect to the goal of preserving existing agricultural operations in Town.**
- 5. Though 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. Agricultural use in this neighborhood has existed for many generations.**
- 6. No significant impact on environmental resources will result. Best management practices will be implemented and monitored to control soil erosion. Plans were revised in 2010 to incorporate temporary sediment containment areas in addition to the existing containment areas. Additional test holes may be provided as needed and the water table within the detention area shall be monitored throughout all phases of the operation.**
- 7. The proposed use is consistent with future development as identified and envisioned in these regulations and the North Stonington Plan of Conservation and Development.**

**The Commission finds that:**

1. the Special Permit Application is in conformance with the applicable provisions of these Regulations;
2. the applicant has demonstrated, in the sole discretion of the Commission, that the application as proposed satisfies the applicable Special Permit criteria in Section 1303 of these Regulations; and
3. the Special Permit Application is in harmony with the purposes and intent of these Regulations.

**MOTION CARRIED UNANIMOUSLY**

**6. PLANNING ISSUES & DISCUSSION:**

**A. Wintechog Hill Road Project/Affordable Housing**

J. Hodge stated Julie Savin from ECHO will be doing the pro-forma and will analyze 4 or 5 scenarios for the project.

**7. SENIOR PLANNER & ZONING OFFICIAL'S REPORT/ISSUES:**

ZEO Activity Report/June

J. Hodge went over her activity report for June, Hodge updated the Commission on the status of the demolition permit for the former Gary's Restaurant and former 95 House; status of the Tillinghast and Gumbiner enforcement, cases; status of the enforcement appeals of Ward and Broccolo, and gave an update on a Land Use Seminar that she and A. Brown attended. J. Hodge stated that C. Berardi would be the alternate for the Regional Planning Commission. Shawn Murphy asked questions pertaining possible code violations at the Old Firehouse being that no Change of Use Application was ever filed.

J. Hodge also updated the Commission on a proposed development being considered at the Fox Trail Run property.

**8. NEW APPLICATIONS: None**

**9. OLD BUSINESS: None**

**10. NEW BUSINESS: None**

**11. REVIEW MINUTES:**

Review minutes of Regular Meeting of 06/07/18

The Commission accepted the minutes of 06/07/18 as submitted.

**12. ADJOURNMENT:**

**MOTION by W. Wilkinson, SECOND by P. Lewis to adjourn the meeting at 8:20 p.m. MOTION CARRIED UNANIMOUSLY.**

Respectfully Submitted,

*Cheryl Konsavitch*

Cheryl Konsavitch, Administrative Assistant  
Planning & Zoning Office