



Town of  
**North Stonington, CT**

PLANNING & ZONING COMMISSION

**REGULAR MEETING**

**THURSDAY, NOVEMBER 1, 2018 7:00 P.M.**

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

**MINUTES APPROVED ~ DECEMBER 1, 2018**

**1. CALL MEETING TO ORDER:** Chairman Lou Steinbrecher called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, November 1, 2018 at 7:00 p.m. at the New Town Hall, Conference Room.

**COMMISSIONERS PRESENT:** Lou Steinbrecher, Chairman, Ann Brown, Vice-Chair, Joseph Siner, Secretary, Wayne Wilkinson, Lisa Wood and Alternate Members Pat Lewis and Connie Berardi

**COMMISSIONERS ABSENT:** Alternate Member Rod Porter

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

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

**3. PUBLIC COMMENT:** None

**4. COMMISSION REVIEW:**

Joe Rubino, Tree Warden discussed tree removal on scenic roads Grindstone Hill and Fowler Road

Joe Rubino, Assistant Highway Foreman/Tree Warden came before the Commission per a Town Ordinance which requires the majority vote of the Commission for the Town to cut trees on a scenic road. Mr. Rubino stated there are 2 trees on Grindstone Hill Road and 19 on Fowler which need to be addressed due to the safety hazard posed by these trees being in a right of way with overhanging dead branches or limbs. Mr. Rubino stated the Town Crew will cut what they can with their bucket truck, and then a tree company will do the rest, the majority of which are oak trees.

Mr. Noyes, Wyassup Road stated there is a dead tree on Wyassup Road across from the Town Garage that is leaning well into the road.

**MOTION by W. Wilkinson, SECOND by A. Brown to approve the request of the Tree Warden to remove the dead trees on Grindstone Hill Road and Fowler Road for the following reasons: To prevent power outages, property damage, and injury caused by falling limb. MOTION CARRIED UNANIMOUSLY**

## **5. PUBLIC HEARING:**

**TX/AM #18-083 (Text Amendment)** Application of the North Stonington Planning & Zoning Commission, 40 Main Street, North Stonington, CT 06359 to (1) Revise Section 1004 (Country Inn) specifically Sections 1004.1 (Intent) and 1004.2(G) and (L) (General Provisions) to eliminate the requirement that a Country Inn be located on a parcel accessed by a "Primary Road" (per Town Road List); reduce the minimum acreage from 6 acres to 4 acres; and require Special Permit modification if events are considered after initial approval. (2) Revise Section 502 (Permitted Uses) to require a Special Permit for a Country Inn in the R80 Zone. (3) Revise Definition of Farm Winery to indicate minimum acreage is ten acres not 25

Secretary Siner read the application into the record.

Seated: L. Steinbrecher, A. Brown, J. Siner, L. Wood, W. Wilkinson

J. Hodge stated the proposed change primarily affects Country Inns located in the R80 Zone which are currently allowed in the R40 and R60 Zone by Special Permit provided they have 3 times the minimum lot size required for the underlying zone. Country Inns were allowed by Site-Plan in the R80 Zone with the same 3 times the underlying Zone lot size and only if located off of a primary road (as defined by the list in Appendix of Zoning Regulations only).

J. Hodge stated the proposal is to remove the primary road restriction for an Inn in the R80 zone (that restriction does not apply to properties in the R40 or R60 Zone), but to add the requirement for a Special Permit as the Commission recognizes that not all parcels may be suitable. J. Hodge stated by adding the Special Permit provision, the Commission has greater discretion in determining site suitability, including good access from an appropriate road.

J. Hodge stated that going back to the Zoning Regulations effective 11/16/2000, Country Inns were allowed by Special Permit. There were no requirements to be located off of a Primary Road, but Special Permit criteria would have applied and therefore would have addressed traffic concerns and site suitability. The breakdown of road types did not occur until the 2010 revisions after the moratorium.

J. Hodge went over the criteria of the Country Inns from the 2000 regulation and stated that when the Commission entered into a moratorium in 2008 and rewrote the regulations which were adopted in May, 2010, the Commission was very cautious at that time. There had been some potential developments proposed that could have potentially changed the character of the Town significantly. J. Hodge went over the criteria of the Country Inns with respect to the 2010 regulations.

After the adoption of the POCD, the Commission began a major regulation overhaul after consulting with Don Poland. J. Hodge stated the regulations were reviewed for their consistency with the POCD and with a focus on identifying provisions that were considered to be barriers to economic growth/investment. The recession was still in full swing and the Town wanted to change its somewhat negative reputation for being business unfriendly to a more positive one and thereby attract some development/investment. It was recommended that the Commission simplify the regulations and take out many of the restrictions including some associated with Country Inns. The noise restrictions were eliminated as they were not enforceable, restaurants were allowed as an accessory use and open to the public for any or all meals and there were no restrictions about access to rooms or amenities, etc. Country Inns were allowed by Site Plan only because the Commission felt all of the concerns were addressed within the language of the regulation itself, rather than being addressed by Special Permit criteria that may or may not have applied. This allowed for greater predictability and flexibility as envisioned in the Economic Development Action Plan and POCD. The provision requiring 3x the acreage of the underlying zone and access via primary roads remained.

J. Hodge went over things to consider when reviewing this text amendment and also specific POCD goals to encourage creative adaptation and reuse of historic structures, to promote North Stonington as an active

agricultural community and protect existing farms and encourage/support new farming operations and continue to prevent urban sprawl through effective zoning regulations and master planning.

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

Shawn Murphy

Ed Learned

DJ Noyes

Tim Learned

Atty. Mark Kepple submitted for the record (Exhibit A) Miles of Locally Maintained Roads List as of 12/31/17) and (Exhibit B) Case Law from the Appellate Court of CT for Mackenzie v Planning & Zoning Commission of the Town of Monroe

1<sup>st</sup> Selectman, Mike Uργο

Peter Renehan

Nita Kincaid

Chairman Steinbrecher asked if there was anyone from the public wishing to speak in favor of this application. The following people spoke:

Mike Uργο

DJ Noyes

Chairman Steinbrecher asked if there was anyone from the public wishing to speak against this application. The following people spoke.

Atty. Nick Kepple

Ed Learned

Shawn Murphy

Peter Renehan

A. Brown read the letter from SCCOG into the record stating that based on their review, staff has determined that the proposed amendments will not result in a negative inter-municipal impact.

**MOTION by A. Brown, SECOND by W. Wilkinson to continue the Public Hearing on TX/AM #18-083 to November 8, 2018. MOTION CARRIED UNANIMOUSLY**

## **6. PENDING APPLICATION:**

**TX/AM #18-083 (*Text Amendment*)** Application of the North Stonington Planning & Zoning Commission, 40 Main Street, North Stonington, CT 06359 to **(1)** Revise Section 1004 (Country Inn) specifically Sections 1004.1 (Intent) and 1004.2(G) and (L) (General Provisions) to eliminate the requirement that a Country Inn be located on a parcel accessed by a "Primary Road" (per Town Road List); reduce the minimum acreage from 6 acres to 4 acres; and require Special Permit modification if events are considered after initial approval. **(2)** Revise Section 502 (Permitted Uses) to require a Special Permit for a Country Inn in the R80 Zone. **(3)** Revise Definition of Farm Winery to indicate minimum acreage is ten acres not 25

No Action Needed

## **7. PLANNING ISSUES & DISCUSSION:**

75 Frontage Road

J. Hodge went over a Change of Use application for 75 Frontage Road and stated that there is nothing she would be reviewing on a site-plan, that the changes are more for the Building and Ledge Light Health District. The Commission agreed that the Change of Use could be done administratively by ZEO.

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

ZEO Activity Report/October

J. Hodge went over her activity report for the month of October and discussed with the Commission that Ledge Light Health District prohibits RV's to be hooked up to a septic system during construction of building a single-family residence but the zoning regulations allow it.

J. Hodge updated the Commission on the Ward Case which will be going to court and there is no word on the Brocollo case. Also property owners who have not responded to enforcement notices have been sent to the Attorney and updated the Commission on an issue a property owner is having concerning the sale price of his home in Watson Estates which was one of the affordable units.

**9. NEW APPLICATIONS:** None

**10. OLD BUSINESS:** None

**11. NEW BUSINESS:** None

**12. REVIEW MINUTES:**

Review minutes of Regular Meeting of 10/04/18

The Commission accepted the minutes of 10/04/18 as submitted.

**13. ADJOURNMENT:**

**MOTION by J. Siner, SECOND by W. Wilkinson to adjourn the meeting at 9:22 p.m. MOTION CARRIED UNANIMOUSLY.**

Respectfully Submitted,

*Cheryl Konsavitch*

Cheryl Konsavitch, Administrative Assistant  
Planning & Zoning Office