



Town of
North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, MARCH 7, 2019 7:00 P.M.

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

MINUTES APPROVED ~ MARCH 14, 2019 & AMENDED ON APRIL 4, 2019

1. CALL MEETING TO ORDER: Chairman Lou Steinbrecher called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, March 7, 2019 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, Connie Berardi & Alternate Member Pat Lewis

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. PUBLIC HEARING:

A. SPP #19-013 (*Special Permit*) Application of Matilda Properties, LLC, c/o Frederick Rauch, 183 Reutemann Road, North Stonington, CT 06359 for the construction of a heavy manufacturing & repair shop with associated septic, utilities, driveway, etc. on property located at 157 Pendleton Hill Road in an EDD Zone. Tax Map #117, Lot #0065

Chairman Steinbrecher read the application into the record.

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

Mr. Sergio Cherenzia, PE of Cherenzia & Associates, Ltd. and Mr. Frederick Rauch were present for this application.

Mr. Cherenzia went over the site-plan and stated that the property is currently developed as a single-family residence. The proposed use is heavy machinery and repair shop which will be located on the northeast portion of the property and shall consist of a one story 4,500 square foot building with associated driveway, septic, stormwater and utilities. Mr. Cherenzia stated the existing barn and single-family residence including all associated driveway and utilities shall remain undisturbed unless otherwise noted. The remainder of the property

consists of fields and wooded areas and the western portion of the property contains wetlands which are over 200 feet away from the proposed development. One area of wetlands extends across the property south of the existing residence and is approximately 125 feet from the proposed limit of disturbance.

The Commission asked questions pertaining to the site.

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

Chairman Steinbrecher read a letter of support into the record from Gareth Annino of 91 Main Street.

J. Hodge went over her review and stated the project is a mixed use Residential/Commercial/Industrial Use. Only the Manufacturing Use requires a Special Permit approval. The Repair Shop and Residential Mixed Use portion would only require a Site Plan Approval. J. Hodge stated the project exemplifies the towns desire for low-impact development by involving very little land disturbance, and utilizing existing vegetation, topography and structures to buffer any visual impacts the project may have. The vast majority of the property will remain farmland. J. Hodge stated she disagrees with CLA's comment about the driveway being widened, because access seems quite adequate. If at some point the business expands in such a way that a wider access way is deemed appropriate, application can be made to DOT at that time. The current business plan does not warrant the wider driveway and additional site disturbance. J. Hodge also went over the parking requirements and stated that although 9 spaces are required the applicant would never need that many and 3 spaces would be adequate. The plan is in substantial conformance with the regulations.

J. Hodge stated that the applicant has received a conditional approval from Ledge Light Health District pertaining to this application.

Mr. Rauch went over hazardous material storage, parts washing system and control of liquids and emergency spill supplies. Mr. Rauch stated that to call the work proposed under this application "heavy manufacturing" is an overstatement and an exaggeration of what will be done. Mr. Rauch stated all work will be done by only one person with the possible exception of a helper becoming involved at some point. The actual work to be performed will include machining/fabrication of small metal parts to replace, reinforce, or augment broken and worn equipment, that has been presented for repair. Mr. Rauch stated there will be occasional fabrication of larger structures such as a truck or trailer bed, or any other custom machined part or weldment. Mr. Rauch stated no mass production manufacturing will take place.

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

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

Nita Kincaid, Babcock Road

Bob Carlson, Northwest Corner Road

Chairman Steinbrecher asked if there was anyone from the public speaking against this application. No one spoke.

MOTION by J. Siner, SECOND by C. Berardi to close the Public Hearing on SPP #19-013. MOTION CARRIED UNANIMOUSLY

B. SPP #18-106 (*Special Permit*) Application of Peter C. Gardner, P.O. Box 335, Gales Ferry, CT 06335 for property owned by Steven E. MacCormack, for property located at 76 Norwich-Westerly Road, N. Stonington CT 06359 to construct a Convenience Store/Gas Station in an EDD/WSPO Zone. Tax Map #122, Lot #4863 (***PH opened on 02/07/19 & continued to 03/07/19; Commission received on 01/03/19; & PH must close on or by 03/13/19 unless an extension is granted; Commission meets 03/07 & 03/14***)

Chairman Steinbrecher read the application into the record.

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

Mr. Peter Gardner, LS was present for this application representing the applicant.

Mr. Gardner presented the site-plan for the 2-acre parcel along with the building design and floor layout to the Commission. The application is for the construction of a 4,960 sq. ft. gas station/convenience store with an additional 2,640 sq. ft. canopy and a drive thru window. Mr. Gardner stated they have received wetlands approval and a conditional approval from Ledge Light Health District for the septic design. Mr. Gardner went over signage and landscaping.

J. Hodge stated that most of her comments have been addressed but CLA Engineer's comments still needed to be addressed pertaining to the entry sign, spot grades and providing a bond estimate for the E&S Control measures.

The Commission asked questions pertaining to the site.

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

Chairman Steinbrecher asked if there was anyone from the public speaking in favor of this application. The following person spoke:

Steven MacCormack, 265 Norwich New-London Turnpike

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

Atty. Jon Chase representing PMG COOP, LLC, aka Shell Station in Stonington stated his client opposes the special permit application for the approval of the Convenience Store/Gas Station on the currently unused land. Atty. Chase submitted (Exhibit A) Map 851 which indicates a resubdivision approval by the North Stonington Planning & Zoning Commission, (Exhibit's B-D) copies of deeds pertaining to the property. Atty. Chase submitted his presentation for the record stating that all the reasons he set forth in his packet, the special permit application must be denied.

Mr. Mark Temple of Lenard Engineering, submitted (Exhibit E) Section 1102.5 of the Zoning Regulations that pertain to Environmental Protection. (Exhibit F) Water Resources Inventory of Connecticut, Part 3 and (Exhibit G) the Southeast Connecticut Public Water Supply Management Area Final Integrated Report. Mr. Temple representing PMG COOP, LLC stated reasons on the record why a gas station should not be permitted on this parcel primarily concerning the potential pollution of the nearby aquifer he felt was inevitable.

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

Kristen Comstock, Pinewoods Road

Mac Gray, Pendleton Hill Road

Mr. Gardner submitted a letter into the record requesting an extension of this public hearing.

MOTION BY C. Berardi, SECOND by J. Siner to accept the letter of extension to 04/11/19 and continuing the Public Hearing to 04/04/19. MOTION CARRIED UNANIMOUSLY.

C. TX/AM #18-107 (Text Amendment) Application of Edward C. Learned, 79A Pinewoods Rd., North Stonington, CT 06359 to (1) Revise Chapter 10 Supplemental Regulations 1001 Agriculture. Section 1001.3 Accessory Uses (Ag-tivities, Tourism, Retail). Specifically; Section 1001.3(C) Non-Agriculturally Related Uses & Section 1001.3(D) Farm-Brewery (SPL) to require a Special Use Permit & approval by the Commission. (2) Revise Chapter 5-Residential Zoning Districts Section 502 Permitted & Special Permit Uses; Agricultural Uses, specifically Agricultural 1001, subsection Section 1001.3 Accessory Uses (Ag-tivities, Tourism, Retail) (C) & (D) Farm Brewery to require a Special Use Permit review & approval by the Commission. ***(NO ACTION NEEDED; PH opened on 02/14/19; Commission received on 01/03/19; & PH must close on or by 03/20/19 unless an extension is granted)***

5. PENDING APPLICATIONS:

A. SPP #19-013 (*Special Permit*) Application of Matilda Properties, LLC, c/o Frederick Rauch, 183 Reutemann Road, North Stonington, CT 06359 for the construction of a heavy manufacturing & repair shop with associated septic, utilities, driveway, etc. on property located at 157 Pendleton Hill Road in an EDD Zone. Tax Map #117, Lot #0065

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

MOTION by J. Siner, SECOND by W. Wilkinson to approve Special Permit SPP #19-013, and the Commission has determined 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 of any accompanying Site Plan application have been met. The narrative provided by the applicant for findings in the application package for the commission were considered. The following conditions apply:

- 1. Applicant to submit a Bond Estimate for all stormwater management and soil and erosion control measures.**
- 2. Plan shall show on the west side one paved handicap space per ADA requirements.**

MOTION CARRIED UNANIMOUSLY

B. SPP #18-106 (*Special Permit*) Application of Peter C. Gardner, P.O. Box 335, Gales Ferry, CT 06335 for property owned by Steven E. MacCormack, for property located at 76 Norwich-Westerly Road, N. Stonington CT 06359 to construct a Convenience Store/Gas Station in an EDD/WSPO Zone. Tax Map #122, Lot #4863

C. TX/AM #18-107 (*Text Amendment*) Application of Edward C. Learned, 79A Pinewoods Rd., North Stonington, CT 06359 to (1) Revise Chapter 10 Supplemental Regulations 1001 Agriculture. Section 1001.3 Accessory Uses (Ag-tivities, Tourism, Retail). Specifically; Section 1001.3(C) Non-Agriculturally Related Uses & Section 1001.3(D) Farm-Brewery (SPL) to require a Special Use Permit & approval by the Commission. (2) Revise Chapter 5-Residential Zoning Districts Section 502 Permitted & Special Permit Uses; Agricultural Uses, specifically Agricultural 1001, subsection Section 1001.3 Accessory Uses (Ag-tivities, Tourism, Retail) (C) & (D) Farm Brewery to require a Special Use Permit review & approval by the Commission. ***(NO ACTION NEEDED; PH scheduled to open on 02/14/19; Commission received on 01/03/19; & PH must close on or by 03/20/19 unless an extension is granted)***

6. PLANNING ISSUES & DISCUSSION:

Mr. Tom DelGrosso came before the Commission to express his interest in the vacant alternate position. Mr. DelGrosso stated that he was a registered Republican, and that he recently changed his party affiliation to Unaffiliated and must wait 90 days before the affiliation takes effect. The seat was vacated by C. Berardi who was a registered Democrat at that time. The Commission told him they were interested but he needs to come back when his party affiliation takes effect.

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

ZEO Activity Report/February

J. Hodge went over her activity report, and gave an update on pending enforcement and the Zoning Compliance she issued for a portion of the work recently finished associated with the renovations of the gymnasium for the new Middle/High School.

8. **NEW APPLICATIONS:** None

9. **OLD BUSINESS:** None

10. **NEW BUSINESS:** None

11. **REVIEW MINUTES:**

Review minutes of Regular Meeting of 02/14/19

The Commission accepted the minutes of 02/14/19 with the correction of adding P. Lewis to members present.

12. **ADJOURNMENT:**

MOTION by J. Siner, SECOND by C. Berardi to adjourn the meeting at 9:40 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch, Administrative Assistant
Land Use Office