



Town of  
**North Stonington, CT**

PLANNING & ZONING COMMISSION

**REGULAR MEETING**

**THURSDAY, DECEMBER 14, 2023 - 7:00pm**

**North Stonington Education 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, December 14, 2023, at 7:02 p.m.

**COMMISSIONERS PRESENT:** Ed Learned, Chairman, Pat Lewis, Vice Chair, Wayne Wilkinson, John Gaccione and Alternate Members Mark Perkins, Joseph Cherenzia and Ben Buehler

**COMMISSIONERS ABSENT:** Mark Leonard

**STAFF PRESENT:** Administrative Assistant Cheryl Konsavitch, SCOOG Interim Planner Nicole Haggerty and Atty. Jeffrey Londregan

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

**3. PUBLIC COMMENT:** None

**4. COMMISSION APPOINTMENTS:**

Mark Leonard to fill regular member vacancy until 11/18/25.

William Ben Buehler to fill alternate member vacancy until 11/18/25.

**MOTION by P. Lewis, SECOND by J. Gaccione to nominate Mark Leonard to fill the regular member vacancy seat. MOTION CARRIED UNANIMOUSLY**

**MOTION by P. Lewis, SECOND by J. Gaccione to nominate William Benjamin Buehler to fill the alternate member vacancy seat. MOTION CARRIED UNANIMOUSLY**

**5. COMMISSION REVIEW:**

**A. SUB #23-054 (*Subdivision*)** Application of Shane J. Pollock, 101 Mackin Drive, Griswold, CT 06351 for a 3-Lot Subdivision of land located at 51 Anna Farm Road West in an R-80 Zone. Tax Map #25, Lot #7807

The application has been withdrawn.

**B. SPL #23-078 (*Site Plan*)** Application of Garden Homes Management Corporation, 29 Knapp Street, PO Box 4401, Stamford, CT 06907 to remove 3 RVs and replace with (3) 1-bedroom mobile homes & add one (1) bedroom mobile home & one (2) bedroom mobile homes per CGS 8-30g Affordable Housing Act in an R-40

Zone. Tax Map #120, Lot #8227. *(Commission review scheduled for 12/14/23; Commission received on 11/09/23 & must act on or by 01/13/24)*

J. Gaccione read the application into record.

Seated: E. Learned, P. Lewis, W. Wilkinson, J. Gaccione

Atty. Mark Branse was present representing the applicant.

Atty. Branse went over the application and stated that the site currently has 29 manufactured home sites, 3 RV sites and 1 stick built house on 6.10 acres. The applicant proposes to replace the 3 RV sites with one-bedroom manufactured homes and add one-bedroom home and a two-bedroom home. The site will then have 34 manufactured homes, one stick built and no RV sites with two of the rental units being affordable.

The existing impervious area on the site is 84,202 square feet and the proposal will increase the impervious area by 3,141 square feet. The slight increase of impervious does not change the Runoff Curve Number (RCN) for the site, thus there are no increases in the peak rate of runoff from the site so there is no need for any stormwater management system.

N. Haggerty had concerns about utilities in the DOT right away and fire access which Atty. Branse addressed.

The Commission questioned if these would be rental units and Atty. Branse stated they would.

**MOTION BY J. Gaccione, SECOND by W. Wilkinson to approve SPL #23-078 (*Site Plan*) Application of Garden Homes Management Corporation, 29 Knapp Street, PO Box 4401, Stamford, CT 06907 to remove 3 RVs and replace with (3) 1-bedroom mobile homes & add one (1) bedroom mobile home & one (2) bedroom mobile homes per CGS 8-30g Affordable Housing Act in an R-40 Zone. Tax Map #120, Lot #8227**

**The following conditions are necessary to protect substantial public interests in health and safety; 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.**

- 1. Individual site development plans for each lot shall be submitted prior to issuance of Zoning permits, and As-built plans for each lot shall be submitted to the Zoning Enforcement Officer prior to issuance of the final Certificate of Zoning Compliance.**
- 2. The Affordability Plan and other legal documents reasonably required by the PZC attorney shall be reviewed by and subject to the approval of the Town Attorney. Prior to the initial or subsequent resale of each affordable housing unit, the affordability plan must be reviewed and approved by the Town Attorney.**
- 3. Prior to the initial sale of any housing unit, the Affordability Plan, and other legal documents, including deed restrictions, shall be recorded on the Town of North Stonington land records.**
- 4. Fire Marshal to review and approve access for the three (3) new units replacing the existing three (3) RV units.**

**MOTION CARRIED UNANIMOUSLY**

## **6. PUBLIC HEARING:**

**TX AM #23-060 (Text Amendment)** Application of Fated Farmer, LLC, 100 Royall Street, Canton, MA 02021 for an amendment of Sections 502 & 602.2 & addition of new Section 1024 & new definitions under Chapter 16 for “farm distillery” & “distilled spirits”. ***PH opened on 10/12/23 & extension to continue to 12/14/23; Commission received on 09/14/23; & PH must close on or by 12/14/23)***

E. Learned recused himself and left the room.

J. Gaccione read the application into the record.

Seated: P. Lewis, J. Gaccione, W. Wilkinson, J. Cherenzia seated for E. Learned, B. Buehler

Atty. William Sweeney was present representing the applicant Fated Farmer, LLC along with JC Tetreault of Trillium.

Atty. Sweeney went over the proposal and stated they would like to amend the regulations to permit the establishment of farm distilleries and that his client would like to develop a distillery and rickhouse for barrel aging at their existing farm located on East Clarks Falls Road. Grains used for the distillery operation would be grown onsite or at other nearby local farms. Atty. Sweeney stated that his client’s initial intent is to develop the distillery for production, storage, and wholesale distribution uses only and without any public facing activities or direct customer interaction. Atty. Sweeney stated the North Stonington regulations provide for both breweries and wineries, distilleries are not similarly permitted under the regulations. The proposed amendments would permit farm distilleries in both residential and certain commercial/industrial zones, subject to certain eligibility requirements, including requiring their location on a farm property.

Atty. Sweeney stated that any type of onsite customer activity, while not part of his client’s initial proposal, would require a Special Permit Approval and further, special events would not be permitted as an accessory use to a farm distillery. Atty. Sweeney stated that his client believes these text amendments would modestly expand the scope of agricultural businesses allowed within North Stonington while protecting the economic viability of existing farmland and providing substantial protections to neighboring properties by required enhanced permitting for farm distilleries that include a public facing component.

The Commission asked questions pertaining to this application and N. Haggerty asked questions pertaining to traffic on the farm. Atty. Sweeney stated that there would be one box truck delivery a week with one to two employees there during the week but not on weekends.

Atty. Sweeney stated that he has acknowledged that E. Learned had recused himself from this application for personal reasons and he is an abutting property owner.

Atty. Sweeney stated that he believes Atty. Kepple is going to submit a protest petition in opposition of this text amendment and this text amendment is not for a specific property but for six zoning districts and over 90 percent of the Town is included in these six zoning districts. Atty. Sweeney stated you would need the signatures of 90 percent of the Town to have a successful petition.

Atty. Sweeney reminded the Commission that they cannot have any ex parte communication regarding this text amendment.

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

Vilma Gregoropoulos, Wyassup Lake Road  
Marth Bradshaw, 59 Denison HI Road (spoke in support of TX AM)  
Peter Renehan, 51 East Clarks Falls Road (spoke in opposition TX AM)  
Tim Yakaitis, 106 Sleepy Hollow Road (spoke in support of TX AM)  
Connie Berardi, 71 Pinewoods Road (spoke in support of TX AM)  
Bob Miner, Chester Maine Road  
Paul Buehler, Cossaduck HI Road (spoke in support of TX AM)  
Mike Anderson, 83 Cedars Road (spoke in support of TX AM)  
George Palmer, Clarks Falls Road (spoke in support of TX AM)  
Kim Welch, Pinewoods Road (spoke in support of TX AM)  
Wayne Berardi, 71 Pinewoods Road (spoke in support of TX AM)  
Belinda Learned, Pinewoods & Clarks Falls Road (spoke in opposition of TX AM)  
Shawn Murphy, 23 Kingswood

Mark Kepple, representing Peter Renehan submitted (Exhibit A) Map showing farmland Development Rights purchased by the State and No Development Rights in North Stonington. (Exhibit B) Map showing properties within 500' of 66 East Clarks Falls Road, (Exhibit C) Protest Petition in opposition to the approval of the TX AM #23-060, (Exhibit D) Property Card. (spoke in opposition of TX AM)

Sarah Nelson, Denison HI Road (spoke in support of TX AM)  
DJ Noyes, 19 Wyassup Road (spoke in support of TX AM)  
Chris Anderson, 139 Miller Road (spoke in support of TX AM)  
Kim Grijalva, 222 Northwest Corner Road (spoke in support of TX AM)  
Brett Mastroianni, 115 Hangman HI Road (spoke in support of TX AM)

Atty. Seeney addressed the comments and questions asked by the public and submitted an extension to the January 11<sup>th</sup> meeting.

**MOTION BY J. Cherenzia, SECOND by J. Gaccione to continue TX AM #23-060 to January 11, 2024.**

E. Learned returned to the room at 10:12 p.m.

## **7. PENDING APPLICATIONS:**

**A. RE-SUB #23-067 (8-30g Re- Subdivision)** Application of Dieter & Gardner, Inc., PO Box 335, Gales Ferry, CT 06335 for an Affordable Housing Application per CT Gen. Stats. 8-30g for a 6-lot re-subdivision (**4 new lots, 2 existing**) of land on property located at 156 & 158 Norwich-Westerly Road in an R-40 Zone. Tax Map #116/117, Parcel #0929/9748

The Commission tabled this application until their 01/11/24 meeting as they did not have enough members to act on the application as the public hearing has closed and no new members can be seated.

**B. TX AM #23-060 (Text Amendment)** Application of Fated Farmer, LLC, 100 Royall Street, Canton, MA 02021 for an amendment of Sections 502 & 602.2 & addition of new Section 1024 & new definitions under Chapter 16 for “farm distillery” & “distilled spirits”. (**NO ACTION NEEDED**)

**8. PLANNING ISSUES & DISCUSSION:**

**A.** Proposed POCD Workshop scheduled for January 4<sup>th</sup>.

The Commission scheduled a Special Meeting Workshop to discuss the draft POCD on January 4<sup>th</sup> at the North Stonington Education Center, 298 Norwich-Westerly Road at 7:00 p.m.

**B.** 2024-2025 Budget

The Commission consensus was to keep the budget the same as last year's budget.

**9. SENIOR PLANNER & ZONING OFFICIAL'S REPORTS/ISSUES: ZEO Activity Report**

The Commission went over the ZEO Activity Report and would like to give the property owner at 232B Providence-New London Turnpike more time to clean up the property before sending it to the Town Attorney for enforcement action.

**10. NEW APPLICATIONS:** None

**11. OLD BUSINESS:** None

**12. NEW BUSINESS:** None

**13. REVIEW MINUTES:**

Review minutes of Regular Meeting of 11/09/23 – The minutes of 11/09/23 were accepted as written.

**14. ADJOURNMENT:**

**MOTION by W. Wilkinson, SECOND by J. Cherenzia to adjourn the meeting at 10:18 p.m. MOTION CARRIED UNANIMOUSLY.**

Respectfully Submitted,

*Cheryl Konsavitch*

Cheryl Konsavitch,  
Administrative Assistant, Land Use Office