



Town of  
**North Stonington, CT**

PLANNING & ZONING COMMISSION

**REGULAR MEETING**

**THURSDAY, AUGUST 11, 2022 - 7:00pm**

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

**MINUTES**

- 1. CALL MEETING TO ORDER:** Chairman Lou Steinbrecher called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, August 11, 2022 at 7:02 p.m.

**COMMISSIONERS PRESENT:** Louis Steinbrecher, Chairman, Wayne Wilkinson, Vice-Chair, Pat Lewis, Secretary, Ed Learned, Mark Leonard (arrived at 7:05 p.m.) & Robert Mazzella (Alternate)

**COMMISSIONERS ABSENT:** Jennifer Pensa (Alternate) and Robert Kappes (Alternate)

**STAFF PRESENT:** Planning, Development & Zoning Official Nathan Reichert Administrative Assistant Cheryl Konsavitch

- 2. ADDITIONS TO THE AGENDA:** None

- 3. PUBLIC COMMENT:** None

- 4. PUBLIC HEARINGS:**

**A. TX/AM #22-051 (*Text Amendment*)** Application of Bruce Kelley, 1744 Ellington Road, South Windsor, CT 06074 for a regulation text amendment to create an Economic Development Frontage Overlay Zone (EDFO) including the use of self-storage units along Frontage Road to include the following properties: 24 Norwich Westerly Road, Tax Map #122, Lot #3397, 25 Frontage Road, Tax Map #122, Lot #6105, 30 Frontage Road, Tax Map #122, Lot #2850, 45 Frontage Road, Tax Map #122, Lot #3196, 75 Frontage Road, Tax Map #122, Lot #7634. **(PH scheduled to open on 08/11/22; Commission received on 07/07/22: & PH must close on or by 09/15/22)**

L. Steinbrecher read the application into the record.

Seated: L. Steinbrecher, W. Wilkinson, P. Lewis, E. Learned, R. Mazzella

Atty. Ted Ladwig and Bruce Kelley were present for the application.

Atty. Ladwig went over the application and stated the applicant would like to create the Economic Development Frontage Overlay Zone (EDFO) and permit the Self-Storage use within the overlay. The EDFO will only include parcels which abut Frontage Road.

The Commission had no questions as B. Kelley & Atty. Ladwig had come before the Commission twice for workshops.

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

Chairman Steinbrecher asked if there was anyone from the public speaking for this application. There were none.

Chairman Steinbrecher asked if there was anyone from the public speaking against this application. There were none.

N. Reichert went over his memo and stated that the application is straight forward and allows for a self-storage unit use to be within the overlay district and the application process would be a site plan application. N. Reichert stated a minor amendment to the amendment is proposed to update the use chart in Chapter 602.3 to make it clear that the overlay district has additional use privileges within the chart.

**MOTION by W. Wilkinson, SECOND by E. Learned to close the Public Hearing on TX AM #22-051.  
MOTION CARRIED UNANIMOUSLY**

**B. 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 ***(NO ACTION NEEDED; PH opened on 06/02/22; & continued to 07/07/22; & 08/04/22; Commission received on 05/05/22 & PH must close on or by 08/11/22 with 35 day extension received at 07/07/22 meeting.***

**5. NEW APPLICATIONS:** None

**6. PENDING APPLICATIONS:**

**A. TX/AM #22-051 (*Text Amendment*)** Application of Bruce Kelley, 1744 Ellington Road, South Windsor, CT 06074 for a regulation text amendment to create an Economic Development Frontage Overlay Zone (EDFO) including the use of self-storage units along Frontage Road to include the following properties: 24 Norwich Westerly Road, Tax Map #122, Lot #3397, 25 Frontage Road, Tax Map #122, Lot #6105, 30 Frontage Road, Tax Map #122, Lot #2850, 45 Frontage Road, Tax Map #122, Lot #3196, 75 Frontage Road, Tax Map #122, Lot #7634.

L. Steinbrecher read the application into the record.

Seated: L. Steinbrecher, W. Wilkinson, P. Lewis, E. Learned, R. Mazzella

The Planning and Zoning Commission finds that the application by Bruce Kelly for a text amendment pursuant to section 1304 Text Amendment Application of the zoning regulations is complete and meets the requirements necessary for approval. Further, the Commission finds that the application is consistent with the Plan of Conservation and Development.

**MOTION by P. Lewis, SECOND by W. Wilkinson to approve TX/AM #22-051 (*Text Amendment*)**  
**Application of Bruce Kelley, 1744 Ellington Road, South Windsor, CT 06074 for a regulation text amendment to create an Economic Development Frontage Overlay Zone (EDFO) including the use of self-storage units along Frontage Road to include the following properties: 24 Norwich Westerly Road, Tax Map #122, Lot #3397, 25 Frontage Road, Tax Map #122, Lot #6105, 30 Frontage Road, Tax Map #122, Lot #2850, 45 Frontage Road, Tax Map #122, Lot #3196, 75 Frontage Road, Tax Map #122, Lot #7634. TX/AM #22-051 (*Text Amendment*) Application of Bruce Kelley, 1744 Ellington Road, South Windsor, CT 06074 Frontage Road to include the following properties: 24 Norwich Westerly Road, Tax Map #122, Lot #3397,**

25 Frontage Road, Tax Map #122, Lot #6105, 30 Frontage Road, Tax Map #122, Lot #2850, 45 Frontage Road, Tax Map #122, Lot #3196, 75 Frontage Road, Tax Map #122, Lot #7634.

Text as Amended:

Add section 706

**706 ECONOMIC DEVELOPMENT FRONTAGE OVERLAY (EDFO)**

This overlay area provides for a use allowed in Lots located in the Economic Development District which have frontage on Frontage Road (Route 617).

**706.1** Any new use permitted in the Economic Development Frontage Overlay Area is limited solely to those listed in the Economic Development District except for the following additional use may be permitted:

Self-Storage units. Subject to site plan approval by the Planning and Zoning Commission.

**706.2** Site design requirements are to be consistent with Chapter 11 of these Regulations. Applicants are encouraged to maintain and enhance the character of North Stonington.

Amend 602.3 to allow the Self-Storage Use Code to read as follows:

602.3 COMMERCIAL (CONT.)	C	HC	VC	ED	RC	I
Self-Storage* (§ 706 Economic Development Frontage Overlay (EDFO))	-	SPL	-	-*	-	SPL

**MOTION CARRIED UNANIMOUSLY**

**B. SPP #22-040 (*Special Permit*)** Application of Caleb Bisset, 3 Forest Drive, North Stonington, CT 06359 for an aircraft landing area with a (50' x 1800') grass air strip as an accessory use on property located at 31A Clarks Falls Road in an R-80 Zone. Tax Map #97, Parcel #4470

Chairman Steinbrecher read the application into the record.

Seated: L. Steinbrecher, W. Wilkinson, E. Learned, M. Leonard

**MOTION by M. Leonard, SECOND by W. Wilkinson to reopen discussion on SPP #22-040. MOTION CARRIED UNANIMOUSLY.**

The Planning and Zoning Commission finds that the application by Caleb and Amanda Bisset as Trustees for the Clarks Falls Land Trust for an Aircraft Landing Area Special Permit pursuant to section 302 of the zoning regulations is complete and meets the requirements necessary for approval. Further, the Commission finds that the application meets the requirements of section 1303.4 Special Permit Criteria.

**MOTION by M. Leonard, SECOND by W. Wilkinson to approve SPP #22-040 (*Special Permit*) Application of Caleb Bisset, 3 Forest Drive, North Stonington, CT 06359 for an aircraft landing area with a (50' x 1800') grass air strip as an accessory use on property located at 31A Clarks Falls Road in an R-80 Zone. Tax Map #97, Parcel #4470 with the following conditions as amended.**

**Conditions:**

1. That a primary residential use shall be established on the property prior to the use of the Aircraft Landing Area. Establishing the property's primary residential use requires obtaining a Certificate

of Occupancy for the completed residence. Further, a Certificate of Zoning Compliance is required prior to the use of the Aircraft Landing Area.

2. The airstrip may be used for test flights and landings necessary to test the field's integrity during its construction period. All test flights and landings shall be coordinated with the Land Use Office.
3. Prior to any blasting being permitted on site, all abutting property owners and the Town of North Stonington Land Use Office shall be given prior notice via US mail. Notice shall include the time and date of the blast, as well as, the blaster's name, license number, contact information and insurance certificate. All best practices and legal requirements be followed during any blasting activity.
4. A certified as built shall be submitted for the Residence and the Aircraft Landing Area.
  - a. The residential as-built shall follow the standard residential Certificate of Zoning Conformance as-built requirements and process.
  - b. The Aircraft Landing Area as-built drawing shall be certified by a Professional Land Surveyor and a State of Connecticut Licensed Practicing Engineer. The Engineer shall attest and certify that the Aircraft Landing Area as built conditions conform to the Planning and Zoning Commission's approved plans.
  - c. An administratively approved Zoning Certificate of Conformance shall be issued for the Aircraft Landing Area upon final approval by the Zoning Official.
5. Use of the Aircraft Landing Area shall be limited to daylight hours and when Visual Flight Rules and Weather Conditions permit flight.
6. Pursuant to section 302 the following requirements shall be met:
  - a. No compensation may be required of guests or invitees for the use of the landing area.
  - b. Tie-down and maintenance accommodations shall not be made available for more than five aircraft at one time.
  - c. No landing area or aircraft parking shall be closer than 100-feet to a property line.
    - i. The barn's interior aircraft storage area shall meet a 100-foot setback buffer between the aircraft storage area and the property line.
  - d. The landing field shall not be used for:
    - i. The carrying of products or passengers for hire;
    - ii. Student instruction;
    - iii. Rental of aircraft or storage space; or
    - iv. Air meets or exhibitions.
7. There shall be no daily flight schedule nor aircraft commuting from the Aircraft Landing Area.
8. The landing area shall not be used during adverse turf conditions including snow cover, ice or wet field conditions.

### **FINDINGS**

Special Permit Criteria as written:

- A. 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 Commission finds that the application is in conformance with and meets the provisions of Chapter 11 and a Site Plan.*

**B. that transportation services would be adequate and that the uses would not cause traffic congestion or undue traffic generation that would have a deleterious effect on the welfare or the safety of the motoring public;**

*The Application is for an accessory residential use and will only initiate typical traffic flow for a single-family residence.*

**C. that the proposed uses and structures would be in harmony with the appropriate and orderly development of the Zoning District in which they are proposed to be situated, and that the use(s) would not be noxious, offensive, or detrimental to the area by reason of odors, fumes, dust, noise, vibrations, appearance, or other similar reasons;**

*The commission finds that the evidence and testimony entered into the record indicates that that the noise of landing an airplane will be highly intermittent, will not be excessively loud. As the site will include a grass earth cover no dust will be present. The site is buffered by forest and setbacks on all sides and will appear as an open grass field.*

**D. that no adverse effect would result to the character of the district, property values, or historic features of the immediate neighborhood;**

*The neighborhood is a primarily rural mix of open space agriculture and forest with low density housing. The air landing area will not impact the nature of the neighborhood.*

**E. that the character of the immediate neighborhood would be preserved in terms of scale, density, intensity of use and architectural design;**

*The immediate neighborhood is surrounded by lots with a minimum size of 80,000 square feet and includes lots much larger. Other than the times of take off and landing the neighborhood will ne indistinguishable with an open gras grazing field which will serve as the alternate use of the aircraft landing area.*

**F. In accordance with CGS §22a-19, that the proposed uses would not cause any unreasonable pollution, impairment or destruction of the air, water and other natural resources of the state; and**

*The stormwater plan has been put in place to ensure that all stormwater runoff will be effectively managed.*

**G. that all proposed uses and structures would be consistent with future development as identified and envisioned in these Regulations and the North Stonington Plan of Conservation and Development.**

*The Plan of Conservation and Development seeks to keep the R-80 zones of Town rural and with large lots. The proposed use of the property includes residential, agricultural and the aircraft landing area. The result will be a rural open space with a home and a barn / storage area typical of the rural parts of North Stonington.*

**MOTION CARRIED UNANIMOUSLY**

**C. 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 **NO ACTION NEEDED** (*PH opened on 06/02/22; & continued to 07/07/22; & 08/04/22; Commission received on 05/05/22 & PH must close on or by 08/11/22 with 35 day extension received at 07/07/22 meeting.*

**7. PLANNING ISSUES & DISCUSSION:**

N. Reichert stated he will have a draft of regulations for the Village Overlay Zone and Seasonal Use regulations for the Commission to review.

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

**9. OLD BUSINESS:** None

**10. NEW BUSINESS:** None

**11. REVIEW MINUTES:**

Review minutes of Regular Meeting of 08/04/22. The minutes of 08/04/22 were accepted as submitted.

**12. ADJOURNMENT:**

**MOTION by M. Leonard, SECOND by W. Wilkinson to adjourn the meeting at 7:45 p.m. MOTION CARRIED UNANIMOUSLY.**

Respectfully Submitted,

*Cheryl Konsavitch*

Cheryl Konsavitch, Administrative Assistant, Land Use Office