



Town of
North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, JANUARY 3, 2019 7:00 P.M.

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

MINUTES APPROVED ~ JANUARY 10, 2019

1. CALL MEETING TO ORDER: Chairman Lou Steinbrecher called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, January 3, 2019 at 7:00 p.m. at the New Town Hall, Conference Room.

COMMISSIONERS PRESENT: Lou Steinbrecher, Chairman, Ann Brown, Vice-Chair (left at 8:55 p.m.), Joseph Siner, Secretary, Wayne Wilkinson, Lisa Wood and Alternate Members Pat Lewis and Connie Berardi (left at 8:30 p.m.)

COMMISSIONERS ABSENT: Alternate Member Rod Porter

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

2. ADDITIONS TO THE AGENDA:

**MOTION by A. Brown, SECOND by W. Wilkinson to amend the agenda to add 2019 budget under New Business.
MOTION CARRIED UNANIMOUSLY**

3. PUBLIC COMMENT:

William Learned asked where the Commission was on their progress with updating the classifications of the roads on the Town Road List. J. Hodge stated she has asked the Highway Foreman to check over the road list she has given him and provide her with what level of maintenance is provided on that road.

4. PUBLIC HEARING:

SPP #18-091 (*Special Permit*) Application of Ellyn Schlageter/Christadelphian Care Network, Inc., 399 Bradford Rd. #8, Bradford, RI 02808 for property owned by Lawrence H. & Susan V. Southwick, at 200 Wyassup Road, N. Stonington CT 06359 to convert an existing structure into a micro-assisted living facility in an R80 Zone. Tax Map #87, Lot #3933

Chairman Steinbrecher read the application into the record.

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

Ellyn Schlageter went over the revised plan for the proposed micro-assisted living facility in the existing home located at 200 Wyassup Rd. The proposed facility would have 8 bedrooms and house up to 12 residents. Ms. Schlageter went over the corrections on the revised plan. The plan now includes the location of the proposed generator with a 250-gallon propane tank located on the front left corner of the home. These will be hidden from view with appropriate landscaping that will be in compliance with the zoning regulations. The proposed generator is a Generac 7043 which runs at 67 decibels, the generator also has a quiet test mode so when self-testing it will be at a lower noise level and will run for 5 minutes. The applicant submitted a lighting plan as requested by staff. The plan demonstrates compliance with the regulations.

The driveway will be widened from 10 feet to 14 feet wide so that emergency vehicles can better access the facility, and the parking lot is anticipated to be sufficient in size to allow an emergency vehicle to turn around if necessary. A memo was submitted by Charles A. Steinhart, Fire Chief pertaining to this application.

The applicant clarified that the property would be owned by the Christadelphian Care Network which is a not-for-profit organization with the intention of running a faith based home for elders.

Vilma Gregoropoulos, Landscape Designer submitted (Exhibit A) a landscape plan for the property and went over the plan. She stated that the raised bed and shed are optional for installation in the future. Ms. Gregoropoulos stated there are existing deciduous trees along the south and east property lines that will be maintained for privacy and that other existing deciduous trees will be kept where viable and compatible with the rest of the landscape. The existing invasive brush and overgrowth will require a multi-year approach to bring them under control. For the first four years after installation, the applicant shall walk the property monthly during the growing season and weed whack, clip, pull and/or treat invasives, as needed. Ms. Gregoropoulos stated that after the initial clearing of the meadow, it will be seeded with a mix of meadow grass and Vermont Wildflower Farm New England seed mix.

The Commission asked questions pertaining to the landscaping.

Ms. Schlageter gave an overview of how she became involved in this project and her overall vision for the property.

J. Hodge reviewed the process by which this application came before the Commission, reminding the public and Commission members that the decision to consider Micro-assisted living facilities began as a goal in the Comprehensive Plan and Housing Plan for North Stonington. The use was added to the regulations earlier this year via a Text Amendment Application and public hearing where several issues were discussed and edits made to the MALF regulations in an effort to address concerns. The regulation change was approved by the Commission. In May 2018, J. Hodge stated that she had done some research on the effect of MALFs on property values and did not find any report that indicated that the effect would be negative. She stated that it was more likely that neighboring property values would be negatively affected if the house remained vacant-a distinct possibility given its unusual size and layout like a church. Having a church or daycare or using the house as a rental property or half-way house would have a more negative impact. She stated that having a well maintained, landscaped facility for elderly residents, in her opinion would be better with respect to preserving property values.

J. Hodge stated that this application is complicated by the fact that the applicant does not own the property and the sale is contingent upon whether the Special Permit for the proposed use is approved. She explained that the use would be subject to a B100a review by LLHD and a Building Permit. The Fire Marshall would also review the building plans to ensure compliance with the appropriate fire codes.

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

Todd Krysiewicz, 182 Wyassup Road
Mary Ann Ricker, Affordable Housing Committee
Joe Cassata, 215 Wyassup Road
Nita Kincaid, Selectwoman
Brian Rathbun, 263 Grindstone Hill Road
Andrew Carroll, 199 Wyassup Road

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

Steve MacCormack, Commercial Appraiser
Mary Ann Ricker, Affordable Housing Committee
Kristen Comstock, Pinewoods Road

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

After a resident expressed concerns about his property values, the Commission began discussing this issue. The resident offered to provide reports about how this use would lower property values in contradiction to reports read by staff and the Chairman. The issue of property values was addressed during the public hearing when the use was being considered – as was appropriate. J. Hodge asked if the Commission felt this application would lower property values. The consensus of the Commission was that it would not lower property values and Steve MacCormack a Commercial appraiser who was in attendance, stated that in his professional opinion, he felt this type of use would not decrease property values and that there would be no negative effects to the neighborhood.

MOTION by J. Siner, SECOND by L. Wood to close the Public Hearing on SPP #18-091. MOTION CARRIED

Opposed: A. Brown

5. PENDING APPLICATION:

SPP #18-091 (*Special Permit*) Application of Ellyn Schlageter/Christadelphian Care Network, Inc., 399 Bradford Rd. #8, Bradford, RI 02808 for property owned by Lawrence H. & Susan V. Southwick, at 200 Wyassup Road, N. Stonington CT 06359 to convert an existing structure into a micro-assisted living facility in an R80 Zone. Tax Map #87, Lot #3933

Chairman Steinbrecher read the application into the record.

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

MOTION by L. Wood, SECOND by J. Siner to approve SPP #18-091 (*Special Permit*) Application of Ellyn Schlageter/Christadelphian Care Network, Inc., 399 Bradford Rd. #8, Bradford, RI 02808 for property owned by Lawrence H. & Susan V. Southwick, at 200 Wyassup Road, N. Stonington CT 06359 to convert an existing structure into a micro-assisted living facility in an R80 Zone. Tax Map #87, Lot #3933

The Commission has considered the following criteria in reviewing the application:

A. 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.

Staff have determined that the Special Permit application submitted conforms to all applicable regulations for a Micro-Assisted Living Facility and includes all information necessary to determine compliance with Site Plan and Special Permit requirements.

B. Transportation services are adequate and the uses will not cause traffic congestion or undue traffic generation that would have a deleterious effect on the welfare or the safety of the motoring public.

There will be no undue traffic generation that would have a negative effect on the welfare or safety of the motoring public. A similar micro assisted living facility in Warwick, RI with 10 residents has an average of 2 ambulance calls a month with 3 staff member vehicles at the most during the day. There will be occasional visitors' vehicles of those visiting the residents. The facility in Warwick, RI, Commonwealth House, has no residents with their own vehicles although this may not be the case in this facility. Residents could have a car if the resident is still driving, but historically, a facility of this size is not considered to be a traffic generator. The home was formerly used as a gathering place designed for 40 cars arriving weekly. This use would have far less impact on the neighborhood with respect to volume of traffic.

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

The proposed use is allowed in the zone. There are no proposed changes to the exterior of the existing building except additional lighting around the entrances. The property will still be used as a residence, just for an increased number of residents. The adequacy of the existing septic system has been reviewed by Ledge Light Health District and was deemed to be appropriately sized for the number of residents proposed. The well and a formal review of the proposal will be performed as part of a required B100a review required before a Building Permit can be issued.

D. No adverse effect to the character of the district, property values, or historic features of the immediate neighborhood will result.

There will be no adverse effect to the neighborhood or change in character as the exterior of the existing large home will remain the same and the property will still be used for residential purposes. The proposed landscaping has been designed by a Landscape Designer and satisfies the buffer requirements outlined in the Zoning Regulations and will minimize the impact on the neighboring property associated with additional cars parked on the site. The existing stone walls and perimeter vegetation will remain in place.

E. The character of the immediate neighborhood will be preserved in terms of scale, density, intensity of use and architectural design.

There are no proposed changes to the existing building. Proposed changes include widening the driveway to conform to current driveway width requirements, adding parking, landscaping and gardens to satisfy buffer requirements. Issues such as scale, density and design were addressed during the process of writing and approving the Micro-Assisted Living Facility Regulations. This particular property is very well suited for this use given the current existence of the oversized home set back from the road.

F. In accordance with CGS 22a-19, the proposed uses will not cause any unreasonable pollution, impairment or destruction of the air, water and other natural resources of the state.
The property will still be used as a residence. No non-residential activities are proposed. No major site work is proposed and no drainage systems required. The property has no wetlands or other bodies of

water. LLHD has determined that the existing septic system is adequate for the proposed use and appropriate for the number of residents proposed.

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

The adoption of regulations to permit Micro-Assisted Living Facilities was a goal included in the 2012 Housing Plan and in the 2013 Plan of Conservation and Development for North Stonington. The use of this property as a micro assisted living facility is therefore consistent with the future development envisioned for North Stonington that includes providing expanded housing options for residents.

The submission of any application for Special Permit approval shall be deemed to represent a certification by the applicant and the property owner that the proposed use will comply with the performance standards of 1102.3 of these Regulations, and an acknowledgment that any approval of the Special Permit by the Commission will be made in reliance on that certification and that such approval is conditioned on continuing conformance with those standards, whether or not such condition is expressly stated on the record.

The Commission also 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 1303.4 of these Regulations; and
3. the Special Permit Application is in harmony with the purposes and intent of these Regulations.

MOTION CARRIED UNANIMOUSLY

6. COMMISSION REVIEW: None

7. PLANNING ISSUES & DISCUSSION:

A. Wintechog Hill

In response to a recent action by the Board of Selectman in proposing to issue a Request for Proposals for a housing development on the town-owned 8-acre parcel off Wintechog Hill, J. Hodge suggested that this not take place and that the Commission follow the recommendations of the Affordable Housing Committee to come up with a revised design of the existing concept plan created by Milone and MacBroom that addressed the findings from the Pro-forma recently done by ECHO. J. Hodge has been trying to contact Milone & MacBroom and will continue to do so. The revised plan would then be approved by the Commission and eventually brought to a Town Meeting for a vote on how to proceed.

B. Strategic Plan

J. Hodge stated there will be a joint meeting with the Economic Development Commission and the Board of Selectmen on January 10th to discuss the Strategic Plan.

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

ZEO Activity Report/December

J. Hodge went over her activity report with the Commission for the month of December.

9. NEW APPLICATIONS:

A. 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

The Public Hearing on this application was set for 02/07/19.

B. 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.

The Public Hearing on this application was set for 02/07/19, but the applicant's attorney asked that the Public Hearing be opened on 02/14/19 because of a scheduling conflict.

10. OLD BUSINESS: None

11. NEW BUSINESS:

2019 Budget

J. Hodge went over the proposed 2019 Budget and is proposing that all Land Use Boards and Commissions share the same Attorney and Office Expenses line item.

12. REVIEW MINUTES:

Review minutes of Regular Meeting of 12/06/18

The Commission accepted the minutes of 12/06/18 with the correction on page 2 from 8 residents to 12.

13. ADJOURNMENT:

MOTION by J. Siner, SECOND by W. Wilkinson to adjourn the meeting at 9:50 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch, Administrative Assistant
Planning & Zoning Office