



Town of
North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, OCTOBER 3, 2019 - 7:00

**Wheeler Middle/High School
Media Center
297 Norwich Westerly Rd.
North Stonington, CT 06359**

MINUTES APPROVED ~ OCTOBER 10, 2019

1. **CALL MEETING TO ORDER:** Chairman Steinbrecher called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, October 3, 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 HEARINGS:**

SPP #19-066 (*Special Permit/Site-Plan*) Application of Michael & Wanda Breidinger, 125 Fowler Road, North Stonington, CT 06359 requesting an Event Barn as accessory to an existing agricultural use on property located at 125 Fowler Road in an R-80 Zone. Tax Map #71, Lot #8047 (*PH opened on 09/05/19 & continued to 10/03/19; Commission received on 08/08/19 & PH must close on or by 10/09/19*)

Chairman Steinbrecher read the application into the record.

L. Steinbrecher, J. Siner & A. Brown stated for the record that they listened to the tape of the 09/05/19 hearing. A. Brown stated she does not want to be seated and to have P. Lewis who sat for the 09/05/19 hearing to remain seated.

Seated: L. Steinbrecher, J. Siner, W. Wilkinson, C. Berardi, P. Lewis

Demian Sorrentino, of Boundaries, LLC, Certified Planner & Soil Scientist along with Wanda & Mike Breidinger were present for this continued application.

Mr. Sorrentino went over the revisions to the plans based on staff comments. Revisions included adding map of soil types, required setbacks, proposed lot line adjustment, portion of road to be widened to accommodate the proposed/required 24' gravel driveway, addition of stop sign, grading, lighting, landscaping, size, floor plan, and rendering of the barn. Applicants submitted pictures of the property to demonstrate existing buffers and distance to

nearest neighbors. The Commission asked questions pertaining to the road and proposed lot line adjustment that is needed to be able to move a stone wall and widen the gravel portion of the road.

Mr. Sorrentino went over the Special Permit criteria for the event barn to demonstrate compliance. The Commission evaluates the merits of the application with respect to the following criteria.

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 Special Permit Application and associated Site Development Plan are materially in conformance with all applicable sections of the North Stonington Zoning Regulations, and the standards of approval of the Accompanying Site Development Plan have been met.

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;

It is anticipated that the majority of event guests will arrive via group transportation (bus or shuttle) that is provided by local overnight guest accommodations. Those that do not utilize such group transportation will arrive, likely in groups of 2 or more, in their private vehicles. The primary route to the subject property is along existing Town roads, particularly Grindstone Hill Road and Fowler Road, both of which are adequate to accommodate a maximum of 100 additional vehicle trips on event days (<50 vehicle trips to the property in advance of an event, and <50 vehicle trips from the property after an event.) If the Planning & Zoning Commission or the North Stonington Department of Public Works think it beneficial to improve directional signage from Grindstone Hill Road and along Fowler Road to aid in wayfinding, the applicants are willing to work with the Town to accomplish that end.

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 proposed structures and improvements have been designed to maintain the rural and agricultural nature of the subject property, to the greatest extent possible. The Site-Development Plan proposes improvements that serve to enhance the property and ensure that the resultant use is safe for event guests and food/beverage vendors, creates no negative impact(s) on adjacent properties, adequately protects the environment, and is accessible for emergency personnel. The proposed use will not be noxious, offensive, or detrimental to the area by reason of odors, fumes, dust, noise, vibrations, appearance, or other similar reasons.

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

The subject property is relatively isolated being located at the terminus of a dead-end road. The property is surrounded to the North, West and South by Pachaug State Forest and another residential property that is owned by the applicants and is adequately buffered from the two (2) adjacent residential properties to the East by substantial existing vegetation. All aspects of the Site Development Plan have been specified to create no negative impact(s) on adjacent properties, and the proposal will have no adverse effect(s) on the character of the district, property values, or historic features of the immediate neighborhood.

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

The proposed structures and improvements have been designed to maintain the rural and agricultural nature of the subject property, to the greatest extent possible. Proposed improvements will not be visible from adjacent properties, other than that property owned by the applicants themselves. Likewise, the proposal will have no impact on the immediate neighborhood in terms of scale, density, intensity of use or architectural design.

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 site Development Plan proposes improvements that serve to enhance the property and ensure that the resultant use is safe for event guests and food/beverage vendors, creates no negative impact(s) on adjacent properties, adequately protects the environment, and is accessible for emergency personnel. The proposed use will not cause any unreasonable pollution, impairment or destruction of the air, water or other natural resources.

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.

As stated under Criteria A, the Special Permit Application and corresponding Site Development Plan are materially in conformance with all applicable sections of the North Stonington Zoning Regulations.

Mr. Sorrentino identified several Goals, Objectives and Strategies of the 2013 North Stonington Plan of Conservation & Development (POCD) to which the Special Permit and corresponding Site Development Plan were consistent with.

Mr. Sorrentino addressed J. Hodge's comments on the plans. Mr. Sorrentino stated he added the location of the underground trench for utilities on the revised plans and all lights proposed on the site are adequately shielded to prevent up lighting. With respect to the landscaping, he stated that the landscape plan adequately shows the location, number, species, size and container type of all landscape material proposed by the applicants. Mr. Sorrentino stated the westerly boundary of the subject property that abuts the Pachaug State Forest is approximately 700' from the westerly wall of the event barn addition and provided pictures of mature landscaping that will adequately buffer and noise and light impacts. With respect to the proposed expansion of the roadway to provide adequate access to support the proposed use, Mr. Sorrentino stated that abutter has agreed to cooperate with the applicants and do a Lot Line adjustment that will enable the applicants to widen the existing, unimproved portion of Fowler Road. Parking lot landscaping, access drive slope, and signage has been added to the revised plan. Mr. Sorrentino addressed the potential for noise issues and stated there will be no amplified music outdoors and there is ample existing vegetative buffer between the proposed improvements and the easterly residential abutters.

Mr. Sorrentino also addressed the Fire Marshal, Building Official's and the Public Hearing Comments in his memo dated 09/19/19 and received on 09/20/19.

The Commission asked questions pertaining to the farming operation currently on the property and asked for more detail to demonstrate that the event barn was secondary to the farming operation as required. Commission members asked applicants to show any outside areas that could be used by guests such as tent areas for outdoor events, and to show parking areas for caterers, DJ, any other staff.

The issue of Fowler Road being a scenic road was discussed. Any alterations to a scenic road must be approved by the Planning and Zoning Commission after holding a Public Hearing. Staff will get the Town Attorney to determine whether the approval to alter the scenic road and the approval to approve the Lot Line Adjustment and accept the portion of Fowler Rd. shown on the proposed Lot Line Adjustment can all be conditions of approval for this Special Permit application.

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

- Daniel Lowney, 56 Fowler Rd. *(submitted a copy of his questions/concerns)*
- David McCord – Northwest Corner Rd.
- Atty. Mark Kepple – Representing Peter Renehan of 51 E. Clarks Falls Rd. *(submitted a copy of his presentation)*
- Eric Kallen, 35 Mystic Rd.
- Frank Liberty, 33 Fowler Rd.
- Brian Rathbun, 263 Grindstone Hill Rd.
- Joseph Dibrino, 313 Grindstone Hill Rd.
- Van Brown, 96 Button & 118 Wintechog Hill Rd.
- Mark Grigg, 55 Fowler Rd.

J. Hodge stated there are several procedural questions that need to be addressed pertaining to Fowler Road being a scenic road, the actual farm status and agricultural activities, and whether the Special Permit transfers when sold. She advised the Commission to think about whether this location appropriate for this use and to be able to support that finding on the record.

Applicants provided a letter allowing for a 30-day extension of time to keep the Public Hearing open.

MOTION by W. Wilkinson, SECOND by C. Berardi to continue the Public Hearing on SPP #19-066 to November 7, 2019. MOTION CARRIED UNANIMOUSLY

5. PENDING APPLICATIONS:

SPP #19-066 (Special Permit/Site-Plan) Application of Michael & Wanda Breidinger, 125 Fowler Road, North Stonington, CT 06359 requesting an Event Barn as accessory to an existing agricultural use on property located at 125 Fowler Road in an R-80 Zone. Tax Map #71, Lot #8047

6. PLANNING ISSUES & DISCUSSION:

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

ZEO Activity Report/September: J. Hodge went over her activity report with the Commission.

8. NEW APPLICATIONS: None

9. OLD BUSINESS: None

10. NEW BUSINESS: None

11. REVIEW MINUTES:

Review minutes of Regular Meeting of 09/05/19. The Commission accepted the minutes of 09/05/19 as written.

12. ADJOURNMENT:

MOTION by J. Siner, SECOND by C. Berardi to adjourn the meeting at 10:00 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch, Administrative Assistant
Land Use Office