



Town of
North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, DECEMBER 12, 2019 - 7:00

**NEW TOWN HALL
CONFERENCE ROOM
40 MAIN STREET
NORTH STONINGTON, CT 06359**

MINUTES APPROVED ~ JANUARY 2, 2020

1. CALL MEETING TO ORDER: Wayne Wilkinson called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, December 12, 2019 at 7:00p.m. at the New Town Hall, Conference Room.

COMMISSIONERS PRESENT: Wayne Wilkinson, Ed Learned, Mark Leonard & Alternate Members Pat Lewis & Robert Kappes

COMMISSIONERS ABSENT: Louis Steinbrecher, Chairman, and Ann Brown, Vice-Chair

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

2. ADDITIONS TO THE AGENDA: None

3. PUBLIC COMMENT: None

4. COMMISSION REVIEW:

A. MOD SPL/LLA #19-090 (*Site-Plan Modification/Lot Line Adjustment*) Application of A&J Landscaping LLC, 217 Providence-New London Tpke., N. Stonington, CT 06359 to modify existing Site Plan to resolve enforcement & provide parking areas for employees, fleet vehicles & equipment on property located at 217 Providence-New London Tpke. in a EDD zone. Tax Map #117, Lot #4165

B. MOD SPL/LLA #19-091 (*Site-Plan Modification/Lot Line Adjustment*) Application of Christie Landscaping LLC, 223 Providence-New London Tpke., N. Stonington, CT 06359 to modify existing Site Plan to resolve enforcement & provide parking areas for employees, fleet vehicles & equipment on property located at 223 Providence-New London Tpke. in a EDD zone. Tax Map #117, Lot #7247

W. Wilkinson read applications A & B into the record as they were heard simultaneously.

Seated: W. Wilkinson, E. Learned, M. Leonard, P. Lewis, R. Kappes

J. Hodge gave a background of history of the properties pertaining to the applications. Hodge explained that Mr. Christie had acquired a 9 acre parcel adjacent to his existing parcel at 223 Providence New London Tpke. and was using for his landscaping business without having merged the two properties and modified the Site Plan on file. A&J Landscaping's business is next door to Mystic Pizza. J. Hodge stated that over the years, the location of

commercial activity, parking and equipment storage have changed a little on both of their parcels. The parcel that A&J Landscaping is on is restricted due to a large area of pure ledge and an access road that actually crosses the Mystic Pizza Parcel. The parcels are further constrained by a 60 ft. right of way that belonged to Mystic Pizza that went right thru A&J's parcel, then behind Christie's original lot and out to Route 184. This ROW was never used as an access way. J. Hodge stated that Mr. Christie bought the parcel behind his property, but could not merge them because of the right of way in the middle. He was also storing material and equipment on the ROW which is not permitted - thus the enforcement issue.

J. Hodge stated that the applications before the Commission were a result of discussions and efforts to eliminate all of the issues associated with both parcels. J. Hodge stated that normally she would do the lot line adjustment at the same time as the Site Plan modification, but she wanted to save time effort and do everything at once.

J. Hodge stated the lot line adjustment on A&J's property is to square it up so the entire access to the rear material storage area is on his parcel, and to create an area for fleet parking. Mr. Christie exchanged land with Mystic Pizza so that the ROW could be eliminated and he could merge his two parcels into one. Mystic Pizza needed the portion of Christie's land in order to maintain the 5 acre lot size required in the Zone. J. Hodge stated A&J Landscaping's parcel was never five acres to begin with but that with the adjustment, is a little more conforming to the minimum lot size required in the Zone.

The Commission members asked questions pertaining to the applications and J. Hodge went over the details of the changes to the site plan showing including the lot line adjustments and the new areas for parking and equipment storage that will correct the enforcement issues and bring the two landscaping sites into compliance.

J. Hodge suggested three conditions of approval and stated she would do a final inspection of both Christie and A&J Landscaping to make sure they are in compliance with the rest of the regulations before the mylars are filed.

MOTION by R. Kappes, SECOND M. Leonard to Approve BOTH MOD SPL and LLA #19-090 (*Site-Plan Modification/Lot Line Adjustment*) Application of A&J Landscaping LLC, 217 Providence-New London Tpke., N. Stonington, CT 06359 to modify existing Site Plan to resolve enforcement & provide parking areas for employees, fleet vehicles & equipment on property located at 217 Providence-New London Tpke. in a EDD zone. Tax Map #117, Lot #4165

AND

MOD SPL/LLA #19-091 (*Site-Plan Modification/Lot Line Adjustment*) Application of Christie Landscaping LLC, 223 Providence-New London Tpke., N. Stonington, CT 06359 to modify existing Site Plan to resolve enforcement & provide parking areas for employees, fleet vehicles & equipment on property located at 223 Providence-New London Tpke. in a EDD zone. Tax Map #117, Lot #7247 with the following conditions:

- 1. A note to be added to the plan stating that the proposed development is subject to all applicable requirements of the Zoning Regulations pertaining to the Water Supply Protection Overlay Area.**
- 2. The property must be inspected prior to signing of the mylars to determine compliance with all applicable Zoning requirements pertaining to outdoor storage of material and equipment, outdoor storage of junk and debris and unregistered/inoperable motor vehicles, parking, access, setbacks, signage, and lighting.**
- 3. A copy of new recorded deed with updated Schedule A must be provided to the Land Use Department for the file.**

MOTION CARRIED UNANIMOUSLY

C. MOD SPL #19-093 (*Site-Plan Modification*) Application of Village General Store & Café, c/o Carl Johnston, 8B Reutemann Rd., N. Stonington, CT 06359 to modify existing Site Plan #16-046 to reconfigure interior floor plan & add a 500 +/- ft. exterior deck & outdoor grill on property located at 2 Wyassup Rd. in an R40 (VPO) zone. Tax Map #109, Lot #2795

Seated: W. Wilkinson, E. Learned, M. Leonard, R. Kappes

P. Lewis recused herself

Mr. Carl Johnson and Mr. Ron Lewis were present for this application.

J. Hodge stated she is still waiting on a formal As-built floor plan. Mr. Johnson stated he was hoping the architect would have had them ready, but he had been delayed with an emergency. Mr. Johnson went over the reconfigured plan and stated they would shrink down the retail area and expand the Brewery area to add more seating as the hardware part of the business was not successful. J. Hodge asked the capacity of the building per the fire marshal and Mr. Johnson stated it was 68.

Mr. Johnson went over the plan stating the existing deck was built to provide ADA compliant to access the building from the road. Mr. Johnson stated they would like to expand the deck to give the public an outdoor seating area and underneath the deck on the existing pad they would have a generator.

J. Hodge went over her memo pertaining to the conditions associated with this application.

Mr. Johnson went over the deck design and stated that Ledge Light Health District reviewed the application and their only request pertaining to the outdoor grill was that a fire extinguisher and a portable hand wash station be placed next to the grill. Mr. Lewis questioned why the placement and use of the grill was even being discussed as it could simply be there for use by the tenant upstairs as the building is mixed use. J. Hodge stated that it was explained to her that the grill was to be used by the Brewery to provide food for patrons.

Commission members asked questions pertaining to the deck.

J. Hodge stated that after the deck gets built, a certified A2 as built plan should be submitted since the footprint of the building will be changed. R. Lewis questioned the need for the as built plan, to which J. Hodge replied that it was clearly stated on the original Site Plan approval that one would be required. She did not feel that this was something the Commission could or should waive.

MOTION by R. Kappes, SECOND by M. Leonard to Approve MOD SPL #19-093 (*Site-Plan Modification*) Application of Village General Store & Café, c/o Carl Johnston, 8B Reutemann Rd., N. Stonington, CT 06359 to modify existing Site Plan #16-046 to reconfigure interior floor plan & add a 500 +/- ft. exterior deck & outdoor grill on property located at 2 Wyassup Rd. in an R40 (VPO) zone. Tax Map #109, Lot #2795 with the following conditions:

- 1. A final certified A-2, As-built Plan shall be submitted upon completion of the deck and**
- 2. A copy of any required approval from LLHD and the Fire Marshall as well as a final interior As-built floorplan prepared by a licensed architect shall be submitted prior to the issuance of a final CO.**

MOTION CARRIED UNANIMOUSLY

6. 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 8047 (*PH opened on 09/05/19 & continued to 10/03/19, 11/07/19 & 12/05/19; PH closed on 12/05/19; Commission received on 08/08/19; Commission must act on or by 02/08/20*) (*Applicant granted a 65-day extension to extend the PH to 12/13/19*)

The Commission did not deliberate on SPP #19-066

7. PLANNING ISSUES & DISCUSSION:

J. Hodge discussed a slight increase in the Attorney line item with the Commission, but will put together a proposed draft budget for the Commission to review and vote on at their 01/02/20 meeting.

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

9. NEW APPLICATIONS: None

10. OLD BUSINESS: None

11. NEW BUSINESS: None

12. REVIEW MINUTES:

Review minutes of Regular Meeting of 12/05/19

The minutes of 12/05/19 were accepted as submitted.

13. ADJOURNMENT:

MOTION by R. Kappes, SECOND by E. Learned to adjourn the meeting at 7:55 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch, Administrative Assistant
Land Use Office