



Town of
North Stonington, CT

PLANNING & ZONING COMMISSION

REGULAR MEETING

THURSDAY, JANUARY 2, 2020 - 7:00

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

MINUTES APPROVED ~ FEBRUARY 6, 2020

1. CALL MEETING TO ORDER: Chairman Steinbrecher called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, January 2, 2020 at 7:00p.m. at the New Town Hall, Conference Room.

COMMISSIONERS PRESENT: Louis Steinbrecher, Chairman, Wayne Wilkinson, Ed Learned, Mark Leonard & Alternate Members Pat Lewis

COMMISSIONERS ABSENT: Ann Brown, Vice-Chair & Alternate Member Robert Kappes

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

2. ADDITIONS TO THE AGENDA: Text Amendment to be added under New Applications

3. PUBLIC COMMENT: None

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*)

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

The Commission deliberated and discussed the application and findings submitted by the applicant.

MOTION by M. Leonard, SECOND by W. Wilkinson to approve 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 for discussion purposes. MOTION CARRIED UNANIMOUSLY

Commission members deliberated. Several conditions of approval were considered. Motion modified to include these conditions, and to review the findings.

MODIFIED MOTION by M. Leonard, SECOND by W. Wilkinson to approve 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 with the following findings & conditions:

FINDINGS

The Commission finds that the applicant has demonstrated that the application satisfies the following Special Permit criteria in Section 1303.4 of these Regulations:

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 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.

The applicants provided extensive testimony about the number of cars coming to and from the property for a wedding, and the Commission feels the number of cars will not be a nuisance. Plans provide for bus parking. Applicants will encourage guests to travel by bus from area hotels, etc. whenever possible. Property owners will provide necessary tables and chairs on site to lessen number of delivery vehicles.

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 would be 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.

Width of existing access road proposed to be widened pending further review and approval by BOS and PZC. The existing farm will remain active. There are no major modifications to the property proposed. Events will occur in

the barn and under a tent near the barn. The property is at the end of a dead-end dirt road and not visible from the main road. The property is surrounded by State Forest and only one other residence. Applicants discussed the interior layout of the event space and described where the band/DJ would be located in front of the interior office and walk-in cooler as a means to better absorb sound. Applicants had a 100-person family wedding on the property with amplified music and received no complaints from neighbors-some of whom were present for the public hearings expressing concerns about noise.

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.

Proposed additions to barn are keeping with the design style of the property and area. The size of the barn is proportional to the property size and similar to other barns in town with respect to size and style. Commission approved this use for the R-80 zone after considering the possible effect on property values. Because of the location of this event barn and State Forest natural buffer, the use is not expected to result in lower property values in the neighborhood. The primary uses will remain residential and agricultural.

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.

Parking area to remain gravel with landscaping used to minimize any negative visual impact.

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.

NDDB application submitted to DEEP for review and comment. Applicants incorporated the recommendations into the plan to protect the species identified.

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 user 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. The Special Permit Application and corresponding Site Development Plan are also consistent with the following Goals, Objectives and Strategies of the 2013 North Stonington Plan of Conservation & Development (POCD):

Goal & Objectives II: Diversify & Grow the local Economy

Strategy B.1.b: Promote agricultural businesses and supportive industries that are vital to the local and regional economy.

Strategy B.4: Pursue place-based economic development

Goals & Objectives III: Promote, protect and enhance the natural resources, historical, architectural, and agricultural heritage of North Stonington as a fundamental part of the Town's identity, tradition, quality of life, and prosperity.

Strategy 0.5: Promote North Stonington as an active agricultural community and protect existing farms and encourage/support new farming operations.

Additionally, the following aspects of the 2013 North Stonington Plan of Conservation & Development (POCD) are also relevant to this proposal:

The subject property is currently identified as "Mixed Use Rural" on the POCD's Current Land Use Map (Pg 13); The subject property is currently identified as a "Farm Location" on the POCD's Character Resource Map (Pg 29);

The subject property is currently identified as a "Farm" on the POCD's Farm and Forest Land Use with Farm Soils Overlay Map (Page 40);

The subject property is currently identified as a location of commercial activity on the POCD's Economic Activity Map (Page 52);

The subject property is intended to maintain its R-80 designation on the POCD's Future Land Use Map (Page 81).

The PZC adopted the large-scale event barn regulation after several public hearings and discussion and that the Commission members determined that such a use would be appropriate in residential areas PROVIDED the Special Permit criteria and all other regulatory requirements were met.

CONDITIONS:

The following conditions shall be added to the plans (in a note on the plan):

- 1. The following reviews and approvals are required prior to the filing of the mylars.**
 - a. BOS must review plans and vote whether to accept the portion of land to be deeded to the Town to widen the narrow portion of Fowler Rd. as shown on the Plan.**
 - b. BOS must submit 8-24 Review request to PZC to consider the land transfer to the town as described in a) above.**
 - c. Town Meeting must be held and a vote taken to accept the land as shown on approved plans.**
 - d. Per the Scenic Road Ordinance, a Public Hearing must be scheduled and held by the PZC to consider alterations to the stone wall and widening of the Scenic Road as shown on approved plans.**
 - e. Applicants must submit a Lot Line Adjustment Plan for approval by ZEO.**
- 2. Events held shall be limited to weddings only.**
- 3. Any future expansion of buildings and uses associated with this event barn are not permitted without additional Planning & Zoning Commission review and approval. Note: Festivals, retreats, classes, and other agro-tourism events are allowed in the zone as accessory to agriculture but require separate zoning permits.**
- 4. Current or subsequent property owners associated with the event barn at 125 Fowler Rd. shall not be permitted to apply for a Liquor License at any time in the future without Commission Approval.**
- 5. Days of events shall be limited to Friday, Saturday & Sunday but only a maximum of 2 events per weekend shall be permitted.**
- 6. The total number of guests at any one event shall not exceed 150 people (excluding catering and entertainment staff). Maximum occupancy may be further limited by Fire Marshall.**
- 7. The total number of events shall not exceed 30 during the approved season (May 1-October 31).**

8. Owners shall notify the Land Use Department at least 1 week in advance of the number and times of proposed events.
9. All caterers must be licensed and insured and tips certified. Proof of license and insurance shall be required.
10. Property Owners shall provide necessary tables and chairs on site to lessen number of delivery vehicles arriving before and after event.
11. Guests shall be instructed to access the venue via Rte. 49 and/or by shuttle bus whenever possible.

MOTION CARRIED

In Favor: L. Steinbrecher, W. Wilkinson, M. Leonard, E. Learned. **Opposed:** P. Lewis

7. PLANNING ISSUES & DISCUSSION:

FY20/21 Budget

J. Hodge discussed the budget and stated her mileage line item could be reduced by \$100 and Training & Seminars could be reduced by \$500.

**MOTION by W. Wilkinson, SECOND by M. Leonard to approve the FY20/21 budget as discussed.
MOTION CARRIED UNANIMOUSLY.**

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

ZEO Activity Report/December

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

9. NEW APPLICATIONS:

The text amendment application will be submitted for the Commission's January 9th meeting.

10. OLD BUSINESS: None

11. NEW BUSINESS: None

12. REVIEW MINUTES:

Review minutes of Regular Meeting of 12/12/19

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

13. ADJOURNMENT:

MOTION by W. Wilkinson, SECOND by E. Learned to adjourn the meeting at 10:15 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch, Administrative Assistant
Land Use Office