



Town of  
**North Stonington, CT**

PLANNING & ZONING COMMISSION

**REGULAR MEETING**

**THURSDAY, DECEMBER 9, 2021 - 7:00pm**

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

**MINUTES APPROVED ~ JANUARY 6, 2022**

1. **CALL MEETING TO ORDER:** Chairman Louis Steinbrecher called the Regular Meeting of the North Stonington Planning & Zoning Commission to order on Thursday, December 9, 2021 at 7:00 p.m.

**COMMISSIONERS PRESENT:** Louis Steinbrecher, Chairman, Wayne Wilkinson, Vice-Chair, Pat Lewis, Secretary, Ed Learned and Robert Mazzella (Alternate)

**COMMISSIONERS ABSENT:** Mark Leonard, 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:**

Gary Annino, 91 Main Street, asked if abutters are notified in reference to the Silicon Ranch Solar project being proposed on Providence-New London Turnpike. P. Lewis stated that 1<sup>st</sup> Selectman Bob Carlson had notified the abutters about the meeting. G. Annino stated that he would like to see something in place to notify abutters of projects that affect the Townspeople and he understood that it was not the Planning & Zoning Commission's job to do that. L. Steinbrecher stated that large solar projects do not even come to the Commission, the applicant applies directly to the Siting Council

Anne Nalwalk, Northwest Corner Road also commented on having a procedure in place to inform the residents of the Town.

4. **PUBLIC HEARING:**

**SPP #21-088 (Excavation)** Application of Ledyard Lewis, 273 Boombridge Road, N. Stonington, CT 06359, c/o CMG Engineering Services, 67 Hall Rd., Sturbridge, MA 01560 for the continued excavation & re-grading of existing agricultural land in order to expand & increase productivity of cropland & to create manageable farming areas. This is the continued operations associated with previously approved & since expired Special Permits #10-050 & #18-042 on property located on Anthony Road in an R60 Zone. Tax Map #124, Parcel #5167 (*PH opened on 11/04/21 & continued to 12/09/21; Commission received on 10/07/21 & Commission must act on or by 12/09/21*) Extension granted for 1 day from 12/08/21

L. Steinbrecher read the application into the record.

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

James Bernardino, CMG Engineering & Ben Dunning of Dunning Sand & Gravel was present for this continued application and stated there were several items that needed to be submitted for the record and have all been addressed with staff. J. Bernardino stated they received wetlands approval at the Commission's December 8<sup>th</sup> meeting with two conditions that General Note #5, pertaining to rock crushing shall be removed from the final plan and; WEO to inspect Erosion & Sediment controls prior to construction.

J. Bernardino stated that they are unable to get in touch with the engineer who did the previous surveys to get a wet signature, N. Reichert stated he had also reached out but has not heard back. J. Bernardino stated he would like the Commission to accept all the materials that were submitted historically and to rest on the record of the full A2-T2 survey that was submitted and recorded in both 2010 and 2018. The Commission was receptive t

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

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

Anne Nalwalk, Northwest Corner Road

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

**MOTION by E. Learned, SECOND by W. Wilkinson to close the public hearing on SPP #21-088. MOTION CARRIED UNANIMOUSLY**

**MOTION by P. Lewis, SECOND by W. Wilkinson to amend the agenda to add pending applications. MOTION CARRIED UNANIMOUSLY**

#### **5. PENDING APPLICATIONS:**

**SPP #21-088 (*Excavation*)** Application of Ledyard Lewis, 273 Boombridge Rd., N. Stonington, CT 06359 for the continued excavation & re-grading of existing agricultural land in order to expand & increase productivity of cropland & to create manageable farming areas. This is the continued operations associated with previously approved & since expired Special Permits #10-050 & #18-042 on property located on Anthony Road in an R60 Zone. Tax Map #124, Parcel #5167

Seated: L. Steinbrecher, P. Lewis, W. Wilkinson, Ed Learned

#### **MOTION/FINDINGS**

**SPP #21-088 (*Excavation*)** Application of Ledyard Lewis, 273 Boombridge Rd., N. Stonington, CT 06359 for the continued excavation & re-grading of existing agricultural land in order to expand & increase productivity of cropland & to create manageable farming areas. This is the continued operations associated with previously approved & since expired Special Permits #10-050 & #18-042 on property located on Anthony Road in an R60 Zone. Tax Map #124, Parcel #5167 was approved with the following conditions:

- 1. Groundwater shall be monitored at least every two (2) weeks during the high water season and monthly thereafter for the first year (per phase). Reports shall be sent to the Land Use Office and will be forwarded to the Town Engineer.**
- 2. All fees for ongoing site monitoring (estimates may be submitted per phase) shall be paid by the applicant.**

The Commission, in reviewing the application for the Special Permit and arriving at its decision, considered the relevant criteria outlined in Section 1303 of the regulations and thereby based its approval on the following findings:

**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 application has been approved by the Inland Wetlands Commission.*

**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 has been approved in 2010 and 2018, the proposed hours of operation and proposed truck route will help minimize potential adverse effects on the local public and there have not been any complaints since the operation has been in effect since 2010.*

**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;**

*There is no rocking crushing on site, and measures will be taken to control dust, the hours of operation respect the surrounding residential use, the truck route is proposed to minimize impact on surrounding residences and vehicles and equipment will be stored in such a way as to not become a visual nuisance to surrounding homes.*

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

*The Lewis farm is a long established active dairy farm and considered vital with respect to the goal of preserving existing agricultural operations in Town and the results of this excavation will lead to more farmland.*

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

*The total acreage of tillable fields will increase, the character of the immediate neighborhood in terms of scale, density, intensity of use shall be preserved. Agricultural use in this neighborhood has existed for many generations.*

**F. 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**

*No significant impact on environmental resources will result. Best management practices will be implemented and monitored to control soil erosion and erosion and sediment control will be inspected regularly.*

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

**MOTION CARRIED UNANIMOUSLY**

**6. PLANNING ISSUES & DISCUSSION:**

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

The Commission briefly discussed the new zoning changes pertaining to the State Law Changes.

**8. NEW APPLICATIONS: None**

**9. OLD BUSINESS: None**

**10. NEW BUSINESS: None**

**11. REVIEW MINUTES:**

Review minutes of Regular Meeting of 12/02/21. The minutes of 12/02/21 were accepted as submitted.

**12. ADJOURNMENT:**

**MOTION by W. Wilkinson, SECOND by P. Lewis to adjourn the meeting at 8:25 p.m. MOTION CARRIED UNANIMOUSLY.**

Respectfully Submitted,

*Cheryl Konsavitch*

Cheryl Konsavitch, Administrative Assistant  
Land Use Office