

MINUTES  
PLANNING COMMISSION  
NOVEMBER 12, 2013 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Pritchard, Kane, Munn, Steinfeld  
Alternate members present: Fitzgerald, Zod  
Absent: Sherrard  
Staff present: Murphy, Glemboski, Silsby

Acting Chairman Pritchard called the meeting to order at 7:00 p.m.  
Fitzgerald sat for Sherrard and Steinfeld sat as Secretary for Pritchard.

II. PUBLIC HEARING

1. Oat Re-Subdivision, 0 MacDonald Court, Noank (SUB13-03) (CAM)

The applicant has requested a 65-day extension. The public hearing will reconvene at the December 10, 2013 meeting. The public hearing will need to be completed by January 30, 2014.

MOTION: To continue the Oat Re-subdivision public hearing on December 10, 2013.

Motion made by Pritchard, seconded by Kane, so voted unanimously

III. APPROVAL OF THE FOLLOWING MINUTES October 22, 2013

MOTION: To approve the minutes of October 22, 2013, as amended

Motion made by Pritchard, seconded by Fitzgerald, so voted 5 in favor, 0 opposed, 1 abstention (Steinfeld). Motion carried.

IV. PUBLIC COMMUNICATIONS

Staff received a letter dated 11-7-13 from the State of Connecticut Siting Council to the Planning Commission regarding wind regulations. Copies will be distributed at a later date. Another letter regarding the same subject dated 11-5-13 was distributed tonight.

It was noted that the Planning Commission is being sued over its decision on the Mystic Glen Subdivision.

V. SUBDIVISIONS

1. Oat Re-Subdivision, 0 MacDonald Court, Noank (SUB13-03) (CAM) – Tabled as still in public hearing.

2. Mystic Weigh Re-Subdivision Modification, Flanders Road (SUB13-05)

Attorney Harry Heller, representing JSG Development, reviewed plans and maps. He explained the request for re-delineation of the phasing line of Phases I and III and a waiver request of subdivision regulations. He spoke about catch basins, the 10% lot hold back, and the current public improvement bonds.

Staff referred to town regulations and spoke about the as-built plans for the public improvements. It was noted that the town engineer has no problem with the changes and Town staff is comfortable with the current bonds and the proposal. Additional information was given about lot hold-backs, as-builts, and the detention basin.

MOTION: To approve a modification for the Mystic Weigh Re-Subdivision, Flanders Road to re-delineate the phasing lines of Phases I and III as follows:

1. Phase I includes Lots 1-5, 21, 26, and 50-76.
2. Phase II remains the same and includes Lots 27-49.
3. Phase III includes Lots 16-20 and 22-25.

Motion made by Pritchard, seconded by Steinford, so voted unanimously.

MOTION: To approve a waiver to Section 5.4(1) of the Subdivision Regulations to release all but a total of 3 building permits for Phases I and II of the Mystic Weigh Re-Subdivision, Flanders Road.

The Planning Commission understands that it is the intention of the developer to finish public improvements, including the monumentation in Phases I and II, and submit the as-built plans to the Town for acceptance of the public improvements in the Spring of 2014.

Motion made by Pritchard, seconded by Steinford, so voted unanimously

VI. SITE PLANS

1. Randall's Wharf Driveway Modifications, 17 & 31 Water Street (SIT13-07) (CAM)

Staff stated that the applicant is still working with DOT on sight line issues and is requesting a continuance to December 10, 2013.

MOTION: To continue this application till December 10, 2013

Motion made by Fitzgerald, seconded by Munn, so voted unanimously

2. Emporium Renovation, 15 & 17 Water Street (SIT13-12) (CAM)

Russell Sergeant reviewed plans and photos. He spoke about retail and apartment space, and bringing the historic building back up to code. The design has been approved by the Historic District Commission. Architectural plans have been submitted for the record.

Gregg Fedus reviewed the plans and photos and explained the proposal. He spoke about parking, the sidewalk, the ramp, building access, drainage, and easements.

Staff reviewed maps and explained the benefits of the proposal.

Members inquired about ramps on the north side, landscaping, parking/handicapped parking, dedicated residential parking spaces, square footage of residential dwelling space, storm water flow, and trash and bicycle storage.

**MOTION:** To approve a waiver to Section 6.3-4E to allow the density of new multi-family housing to be greater than one unit per 4,000 square feet based on the following findings:

1. The addition of two new dwelling units within the same footprint of a restored historic building protects the unique qualities of Mystic and adds to the residential neighborhood.
2. The development is supported by the Plan of Conservation and Development.

Motion made by Pritchard, seconded by Steinfeld, so voted unanimously.

**MOTION:** To approve a waiver to Section 7.4-3B, 10 foot wide front landscape strip and 5 foot landscape buffer along the front of the building, based on the following findings:

1. The existing building is at the street line leaving no room for landscaping.
2. The applicant will install two trees and a landscaped rain garden along the lot frontage, south of the building.

Motion made by Pritchard, seconded by Fitzgerald, so voted unanimously.

**MOTION:** To approve a waiver to Section 7.4-5B, Landscape Parking Area, based on the following findings:

1. The planting of trees is severely limited due to the presence of ledge on site.
2. The area that would be used for parking lot landscaping will be used for a sidewalk which will promote pedestrian movement between the Mystic Art Center parking lot and Water Street.

Motion made by Pritchard, seconded by Munn, so voted unanimously.

**MOTION:** To approve a waiver to Section 7.2-3 for 3 required off street parking spaces in accordance with Section 6.3-4.H and Section 7.2-5(A) of the Zoning Regulations based on the following:

1. The proposed site plan reduces the amount of required parking by one space and the applicant will construct 4 additional stalls for a total of 7 stalls.

2. The applicant will participate in a parking validation program for the commercial uses.
3. The Commission applies the 5/8<sup>th</sup> rule for parking requirements, which results in 10 required parking spaces.

Motion made by Pritchard, seconded by Kane, so voted unanimously.

MOTION: To approve SIT13-12 Emporium Renovations, 15 Water Street, subject to the following modifications:

1. The south handicapped ramp and deck stairs shall be shifted north to allow unimpeded pedestrian access to the sidewalk and the ramp.
2. A safe transition shall be provided between the north handicapped ramp and the ramp on the property immediately to the north. A detail shall be shown on the plan.
3. All staff technical items shall be addressed.

Motion made by Pritchard, seconded by Kane, so voted unanimously

MOTION: To approve the Coastal Site Plan for the Emporium Renovations because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts on coastal resources.

Motion made by Pritchard, seconded by Steinford, so voted unanimously

## VII. OLD BUSINESS

1. Subdivision Regulation Amendments – No update
2. Plan of Conservation and Development Update

Staff noted that a special community meeting will be held on November 21, 2013 at the Town Hall Annex. A block ad was published and the meeting will be televised.

## VIII. NEW BUSINESS

1. Report of Commission

An inquiry was made about maintenance of detention basins throughout town. Staff will confirm responsibility and report back about the basin along Drozdyk Drive, just south of the Ledges. Standards and requirements were discussed.

2. Referral from Town of Stonington PZC – Regulation Amendment (Hens)

Staff referred to square footage requirements for proposed regulations for keeping hens. Members had no comments.

3. New Applications

- a. Seaport Community Church Subdivision, 28 Great Brook Road (SUB13-04)

Staff suggested that a public hearing be set for January 14, 2014. The Commission concurred.

- b. LBI Commercial Park, 973 North Road (SIT13-14)

IX. REPORT OF CHAIRMAN

CIP information will be distributed to the Planning Commission prior to the December 19, 2013 special meeting.

X. REPORT OF STAFF

1. Historic Mystic, LLC (Central Hall) – Update

Staff noted that since approval was granted on October 8, 2013, he has put together a timeline as to what has been accomplished by the applicant to date to record the plans. A memo was distributed. Additional information was given about final easements, which have not yet been received.

Staff referred to the Capital Improvement Program (CIP). The Planning Commission will hold a special meeting on December 19, 2013 to discuss the CIP. This special meeting will begin at 6:00 p.m.

Staff noted the impacts to OPDS operations from RTM budget cuts, as well as the vacancy of the code enforcement officer's position. Lee Treadway is taking a position with the Department of Public Works.

XI. ADJOURNMENT

Motion to adjourn at 9:16 p.m. was made by Kane, seconded by Steinford, so voted unanimously.

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Hank Steinford, Acting Secretary  
Planning Commission

Prepared by Robin Silsby  
Office Assistant II