

MINUTES
PLANNING COMMISSION
FEBRUARY 10, 2009 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

Vice Chairman Pritchard opened the meeting with roll call at 7:00 p.m.

Vice Chairman Pritchard appointed Kane to sit for Sherrard, Fitzgerald to sit for Roper, and appointed Steinfeld as Acting Secretary.

II. APPROVAL OF THE MINUTES OF meeting of January 27, 2009

MOTION: To approve the minutes of January 27, 2009, as amended

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

III. PUBLIC COMMUNICATIONS – None

IV. SITE PLANS

1. Boulder Heights/Carriage Park, Colver Avenue – Request for extension for start of construction

Attorney Genevieve Salvatore, explained her request for a 9-month extension. She stated that she will be requesting subdivision approval again due to the current permit expiring in March 2009. A 5-year extension will be requested. The applicant is still committed to the project but cannot move forward at this time due to financial constraints and the current economic market.

Staff stated that the written request proposes a 9-month extension. A copy of Staff's 1/30/09 letter to Attorney Salvatore was distributed to members. Staff has no concerns with the extension request. The Inland Wetlands Agency's permit # 03-08 has now expired, and a new wetlands permit will be required. Staff noted that this is a significant crossing and it is important to maintain the inter-connection. Salvatore stated that she will submit a new wetland permit, as required.

Staff gave history about Wetlands permit #03-08, noting that re-subdivision approval had been required in order for that lot to be developed. The permit process was explained. Salvatore thanked Staff for its detailed memo.

MOTION: To approve a 9-month extension to commence construction associated with the site plan #05-13.

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

2. Mystic Shipyard, 100 Essex Street (CAM)

Munn disclosed that he is a client of Mystic Shipyard and recused himself for this application. Pritchard seated Zod to sit for Munn on the application.

Clint Brown of Dicesare Bentley explained the request to install a boat bottom wash pad, its purpose, and how water will be disposed. Maps were reviewed. Brown gave the specifics of other items that will be included in the application including numerous signs.

Environmental Consultant Edward Sailer, President of Sailer Environmental, Inc., gave background information about DEP requirements for washing boats. Mystic Shipyard has until September 2009 to come into compliance. He explained the process of the boat wash. He asked the Planning Commission to approve the pad, diversion system and tank, and to be allowed to come up with a treatment system in order to be in compliance with DEP standards.

Staff gave details about the system design and noted that the design will be looked at by the DEP under the storm water pollution permit. Sailer distributed an email. Tim Porter, Manager of the shipyard, gave details about the process. Discussion followed about maintenance of the pad and requirements by the State. Sailer stated that a compliance manual will be prepared. The Storm Water Pollution Prevention Plan (SWPPP) will need to be modified to show the discharge pipe which will be maintained regularly every six months.

Sailer stated that they will not get formal approval from the DEP and will just be told whether or not they can proceed with their plan as proposed.

Some members liked the concept of the plan but had concerns about treating wash water.

Members expressed concerns with the location of the valves. Sailer stated that routine maintenance would take place. Members noted the importance of having a maintenance manual on site. Staff stated that the DEP controls the enforcement of maintenance. It was noted that a condition could be added that the SWPPP manual would be available on site and access available by Town Staff.

MOTION: To approve Mystic Shipyard site plan modification, Essex Street, with the following modifications:

1. Provide the following notes on the final plan:
 - A. Only potable water or recycled water from a potable source shall be used for all pressure washing operations (i.e., no river water).
 - B. The two valves in the valve pit shall be permanently and clearly labeled as to their function to reduce operator error.
 - C. The construction, operation and maintenance of the concrete boat bottom wash pad and systems shall be in accordance with the Connecticut Department of Environmental Protection (CTDEP) Boat Bottom Pressure Washing Guidance document and the

Stormwater Management Practices and Stormwater General Permit requirements of the State and the Connecticut Clean Marina Program.

- D. A back flow preventor shall be installed on the stormwater discharge pipe.
 - E. Any modifications required by the Connecticut Department of Environmental Protection or any other State permitting process, shall be reviewed by Town staff. Any required modifications to the site plan shall be approved by the appropriate agencies, as necessary.
2. All details for the wash pad and associated systems shall be shown on the plans.
 3. Technical items raised by staff shall be addressed.

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

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

1. The Storm Water Pollution Protection Plan (SWPPP) Manual shall be maintained on site.

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

Pritchard called for a recess at 7:55 p.m. The meeting reconvened at 8:00 p.m. Pritchard seated Munn again as a voting member.

V. OLD BUSINESS

1. Land Use Regulation Update Project

Staff spoke about four elements that will be addressed in the regulation update. These elements are related to storm water improvements, coordinating cluster type subdivision issues, road and design standards, and general administrative requirements. A Town Council approved ordinance may be required. Stronger environmental protection standards will be in place.

It was noted that there will be a joint meeting with the Planning Commission and Zoning Commission on 3/4/09 at the Town Hall Annex in room 1 at 6:30 p.m. Staff explained the process.

2. Review of Planning Commission By-laws - This issue is still being reviewed by the Town Attorney.

VI. NEW BUSINESS

1. Report of Commission - None
2. New Applications - None

VII. REPORT OF CHAIRMAN - None

VIII. REPORT OF STAFF

Staff distributed a brochures, a document from the APA, and referred to a CT Federation of Planning and Zoning Agency conference to be held on 3/19/09. An update was given regarding the Mystic Streetscape Project. Staff received newsletters and the Council of Governments 2008 Annual Report. Staff received a copy of a Vernon court case in regards to sending emails amongst one another and whether it constitutes a “meeting” and violating FOIA requirements. The importance of this legal issue was noted in order to protect members, the town, and the process as a whole.

IX. ADJOURNMENT

Motion to adjourn at 8:43 p.m. made by Steinfeld, seconded by Munn, so voted unanimously.

Hank Steinfeld, Acting Secretary
Planning Commission

Prepared by Robin M. Silsby
Office Assistant II