

MINUTES
PLANNING COMMISSION
APRIL 28, 2009 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Roper, Sherrard
Alternate members present: Zod
Staff present: Davis, Gilot

Chairman Sherrard opened the meeting with roll call at 7:01 p.m. and seated Zod for Steinfeld.

II. APPROVAL OF THE MINUTES OF meeting of March 24, 2009.

MOTION: To approve the minutes of March 24, 2009 as amended.

Motion made by Pritchard, seconded by Zod. Motion passed unanimously.

III. PUBLIC COMMUNICATIONS

Chairman Sherrard asked staff if the Zoning Commission would approve the minutes of the land use regulation workshop joint meeting on March 4th. Staff affirmed that the Zoning Commission approved the minutes.

Roper stated that he had a phone message from Wendy McFarland, who expressed concerns with the Mystic Weigh Subdivision's open space park in Bel-Aire, specifically the access road and the drainage. Roper urged Ms. McFarland to contact staff. Ms. McFarland was also concerned about the update of the regulations; she thought staff was writing the regulations, but Roper told her that the commissions would adopt any new regulations.

Roper distributed a copy of an email he received from Bryan Kent regarding concerns with pets, horseback riders and bikes not being allowed access to the Merritt property by GOSA. Roper said he also has concerns about these limitations.

Sherrard distributed a flyer he received from UCONN's Land Use Academy for a training workshop for land use commissioners to be held Saturday, May 16th, 8:30 – 3:00 at the Storrs campus.

Roper gave staff several items including an article from *The Day* he printed regarding farms, information he received about windows for historic structures (to pass on to the Historic District Commission), information about permeable paving and information about green roof systems.

Jim Furlong, 57 Fishtown Lane, Mystic, a director of GOSA, commented about the proposed changes to subdivision regulations dated February 24, 2009. Mr. Furlong urged the Commission to keep the "Purposes" section of the subdivision regulations, rather than eliminating them. Staff corrected Mr. Furlong, noting that these are only draft edits and not formal proposals. Mr. Furlong also said there is a statement of explanation on the GOSA website in response to Roper's comments about the restrictive access to the Merritt property.

IV. SITE PLANS

1. Marine Science Magnet High School, 155 Thomas Road – Request for extension for start of construction

Staff explained the request for the extension for start of construction.

MOTION: To grant a one year extension to the Marine Science Magnet High School to May 9, 2010.

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

2. Fort Rachel Marina Wash Pad, 44 Water Street (CAM)

Clint Brown, DiCesare-Bentley Engineers, represented the applicant, David Hersant of Fort Rachel Marina. Mr. Brown explained the DEP regulation requiring the boat wash pad and the location of the site. Mr. Brown detailed the wash pad surface, the collection and discharge of wash water and drainage. The system will be plugged when not in use. The Town engineer's comments have been addressed.

MOTION: To approve a site plan modification for the Fort Rachel Marina Boat Wash Pad, 44 Water Street, with the following modifications:

1. A note shall be added to the final plan stating "The yard drain and system operation plug shall be permanently and clearly labeled in the field as to their function to reduce operator error."
2. Technical items raised by staff shall be addressed.

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

MOTION: To approve the Coastal Site Plan for the Fort Rachel Marina Boat Wash Pad because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts on coastal resources.

Motion made by Sherrard, seconded by Roper, so voted unanimously.

V. OLD BUSINESS

1. Land Use Regulation Update Project

Staff gave the Commission a brief update. They are working on Section 3 and hope to have that information to the Commission soon. The Inland Wetlands Agency will hold a public hearing on June 10th for their first tier of amendments. Staff will provide a copy of the proposed changes to the Commission. Staff said the Zoning Commission will begin discussing use tables, map boundaries, and refinements to the draft environmental/resource standards.

2. Review of Planning Commission By-laws

Staff is waiting for the Town Attorney's responses.

VI. NEW BUSINESS

1. Report of Commission

Pritchard, Sherrard and Fitzgerald attended the Committee of Chairs meeting on Monday, April 20th. Staff gave a presentation on the Mystic Streetscape Project and the Parks and Recreation Department presented the preliminary results of their draft parks master plan study. The Shellfish Commission is expanding their monitoring. The next meeting of the Committee of Chairs is scheduled for July 20th. The Commission hoped that the Parks & and Recreation Department will allow time for public and commission input before their draft is completed. Mr. Davis explained that the plan's focus is primarily on operational issues like staffing, funding and programs. He will contact the project manager with respect to coordination and report back to the Planning Commission.

Roper asked if there was any more comment on the Trinkhaus letter which the Chairman reported as a public communication at the last meeting. Roper said he understands staff's position, but also feels any information or generic ideas on regulations they can gather may be helpful. Staff explained because of ongoing litigation which involves Mr. Trinkhaus, they want to be cautious about the involvement.

2. Town of Stonington referrals for May 5, 2009 and May 19, 2009 public hearings

PZ0912RA Town of Stonington – Zoning Regulations Text Amendment to Section 6.6.22 – Open Space Development (public hearing May 5, 2009)

Staff explained the referral. The Commission had no comment.

Staff will retain the information as possible reference materials for the land use regulation update project.

PZ0913RA Pine Point School – Zoning Regulations Text Amendment to Article VII to create regulations for Alternative Energy Systems (public hearing May 19, 2009)

Staff explained the referral. The Commission had no comment.

Staff will retain the information as possible reference materials for the land use regulation update project.

1. Zoning Commission referral for May 6, 2009 public hearing

Special Permit #309, Mystic Drawbridge Ice Cream, 2 – 4 West Main Street

Staff explained the referral. The Commission had no comment.

VII. REPORT OF CHAIRMAN

The Chairman asked staff about the Lily Lane bike trail application. Staff said that application was reviewed and approved administratively. Staff explained the application and the exemption in the CAM statutes. Staff will show the plan to the Commission at a subsequent meeting.

The Chairman asked staff about the status of Colonel Ledyard Estates. Staff recently inspected the property. There are \$450,000 in liens on property, and the Town has put prohibitions on building permits and the conveyance of lots. Some of the bond has been used to fix an abutting driveway, manholes, etc. Staff will continue to monitor the project and report to the Planning Commission as appropriate.

VIII. REPORT OF STAFF

Staff told the Commission that they presented the OPDS proposed budget to the RTM Community Development & Services Committee on April 16th. The Committee recommended a \$30,000 cut in the proposed department budget. Staff will present the OPDS budget to the RTM on May 4th.

Staff said the department received a newsletter from the Avalonia Land Trust.

Staff briefly explained a referral received from DEP for renovations to the boat launch on Bayberry Lane in the City. Staff reviewed the application and had some concerns including the potential impact on shellfish beds at the boat launch. Staff sent their comments to the Shellfish Commission, noting that the State DEP's Aquaculture unit had determined the proposal would have no substantial impact on the adjacent shellfish beds. Staff's review determined that no stormwater treatment measures are proposed.

Pritchard asked staff about a legal ad he saw in the newspaper for portable generators (one to be located in Fort Hill Homes and another at the water treatment facility). Staff explained that these are diesel generators for peak hours and a referral will be forthcoming to the Planning Commission.

IX. ADJOURNMENT

Motion to adjourn at 8:15 p.m. made by Roper, seconded by Munn, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Debra L. Gilot
Office Assistant III