

**PLANNING & ZONING COMMISSION MINUTES  
CITY OF NEW LONDON  
THURSDAY, JULY 20, 2006  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBERS  
181 STATE STREET NEW LONDON, CT**

**ITEM # 1**

**CALL OF THE ROLL**

Chairman Christiansen called the meeting to order at 7:00 p.m. and the roll was called.

**MEMBERS PRESENT:**

Mark Christiansen, Chairman	Barry Levine, Vice-Chairman
Eleanor Butler, Secretary	Adam Milne
Jim Kelly	Chris Nelson (A)
Timothy Hanser	Susan Phillips

**MEMBERS ABSENT:**

Edna Walker (A)

**STAFF PRESENT:**

Harry Smith – City Planner  
Michelle Greiner – Zoning Enforcement Officer  
Patricia Serluca – Land Use Technician

**ITEM # 13**

**PUBLIC HEARING. Special Permit.** Proposal: Addition of restaurant beer and wine permit for existing cheese shop. **Site: 84 Bank Street.** Applicant/Agent: Charlotte Hennegan. Property Owner: Stonewall Properties.

*Charlotte Hennegan* addressed the commission and stated she would like to ad beer and wine to her cheese shop on Bank Street.

There was no public comment.

***A motion was made by Barry Levine, seconded by Adam Milne and voted unanimously to close the Public Hearing.***

***A motion was made by Barry Levine, seconded by Eleanor Butler and voted unanimously to approve the application of Charlotte Hennegan for a Special Permit for the addition of restaurant beer and wine for existing cheese shop.***

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## **ITEM # 2**

**PUBLIC HEARING** – Special Permit. **Proposal: Change of Use from nail salon to office space. Site:** 426 Williams Street. **Applicant/Agent: Bill Hadley. Property Owner: TAL Properties.** A-2 Survey & Site Plan Waiver Requested. Public Hearing continued from June 15, 2006 Regular Meeting

Michelle Greiner, Zoning Enforcement Officer, stated she received a letter from Mr. Hadley requesting his application be tabled until the August 3, 2006 regular meeting

*A motion was made by Barry Levine, seconded by Adam Milne and voted unanimously to table this item until the August 3, 2006 Regular Meeting.*

## **ITEM # 7**

**Special Permit Modification.** Proposal: Modification of hours of operation to include Sundays (8:00 a.m. to 8:00 p.m.) **Site: 862 Bank Street.** Applicant/Agent: Carol Good for Tanning of New London. Property Owner: Meverell Good for Tanning of New London.

*Mr. Meverell,* addressed the Commission. He stated he is seeking a modification of hours of operation to include Sundays, 8:00am to 8:00 pm.

Chairman Christiansen asked if anyone from the public wanted to address the commission. There were none.

*A motion was made by Eleanor Butler, seconded by Adam Milne, and voted unanimously to approve the application of Meverell and Carol Goode for a Special Permit Modification to modify the hours of operation to include Sundays 8:00 am to 8:00 pm.*

## **ITEM # 9**

**Site Development Plan.** Proposal: Construction of a single-family home. **Site: Davis Farm Way, Lot #6.** Applicant: Habitat for Humanity of Southeastern Connecticut. Agent: John DeLaura. Property Owner: Habitat for Humanity of Southeastern Connecticut.

Michelle Greiner, Zoning Enforcement Officer, stated she received a letter from John DeLaura, Habitat for Humanity, requesting his application be tabled to the August 3, 2006 regular meeting.

*A motion was made by Barry Levine, seconded by Adam Milne and voted unanimously to table this application until the August 3, 2006 Regular Meeting.*

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**ITEM # 5**

**PUBLIC HEARING. Special Permits – Site Plan Review – Coastal Site Plan Review.** Proposal: Construction of sixty-six (66) apartments and fourteen (14) townhouses with off site parking, accessory uses, and appurtenant infrastructure improvements. **Site: Parcels G15-68-2A, G15-68-2B, and G16-68-2C East Street & Bowditch Street.** Applicant: CJ Fort Trumbull Housing, LLC. Agent: Attorney Glenn T. Carberry. Property Owner: NLDC. ***Public Hearing tabled from the June 22, 2006 Special Meeting.***

*Attorney Glenn Carberry, TCORS Law Firm, 43 Broad Street, New London, CT.* addressed the Commission. Attorney Carberry stated there are two public hearings tonight and since there is substantial overlap he requested the transcript of tonight's first hearing be made part of the official record of the second hearing

***A motion was made by Eleanor Butler, seconded by Barry Levine and voted unanimously to incorporate the testimony and transcript from this Public Hearing into the Public Hearing record for agenda item # 6, to prevent presenting the same information twice.***

**PRESENTATION TO NEW LONDON PLANNING & ZONING COMMISSION**  
**APPLICATIONS FOR SPECIAL PERMIT, SITE PLAN AND COASTAL SITE PLAN**  
**FOR THE FORT TRUMBULL RESIDENCES AND SUITES**  
**July 20, 2006**

*Glenn Carberry, Esq. TCORS. Law Firm,* Addressed the Commission. He stated he represents the Corcoran Jennison Company and its affiliates, CJ Fort Trumbull Housing, LLC and CJ Fort Trumbull Suites, LLC. Corcoran Jennison has submitted applications to the Commission for Special Permit, Site Plan and Coastal Site Plan approval for two separate but linked projects, the Fort Trumbull Residences and the Fort Trumbull Suites.

He stated there are two public hearings scheduled for this evening, one for each project. There is a substantial overlap between these projects in terms of shared facilities and infrastructure, which is why he requested the transcript of tonight's first hearing be made part of the official record of the second so the information would not be presented twice. He stated he will also be submitting a written copy of the presentation this evening into the record of both proceedings. Attorney Carberry stated, to assist with the presentation and to answer any questions that the Commission may have, he introduced a team of consultants. First, from the Corcoran Jennison Company, he introduced Mark Garofalo, CJ's Project Director for the Fort Trumbull projects. He also introduced from the engineering firm of Milone & MacBroom, two of its associates, Dave Dickson, a landscape architect, and Tom Daly, a professional engineer. Attorney Carberry stated Al Spagnolo, a principal from SGA, the project architects and Bill Sweeney, a land planner with TCORS round out the team.

Attorney Carberry stated he has had the opportunity to appear before the commission in the past to present applications for development of projects at Fort Trumbull and after several years of delays, the redevelopment appears to have finally begun. On Parcel 3A, the rehabilitation of the

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90,000 square foot office building and construction of the Maritime Green is moving forward successfully. Recently, the National Coast Guard Museum announced plans to locate its important project on Parcel 1. That project has the strong political and financial support of the State of Connecticut, the U.S. Congress, and the Coast Guard. The Museum will be designed and constructed in close coordination with a full service Corcoran Jennison hotel. Attorney Carberry stated the City's vision for the Fort Trumbull peninsula is coming to fruition. He stated he has been working with the City, DECD, DEP and NLDC over the last six months on a design review process for the housing and hotel suites projects at Fort Trumbull.

Last month, CJ applied to the Commission for 80 new residential units and 24 extended stay hotel suites on Parcels 2A, 2B and 2C. The teams first presentation focused on the apartments and townhouses that comprise the Fort Trumbull Residences on Parcels 2A and 2B. The buildings and improvements planned for these parcels, as well as the offsite parking for the Residences to be located on Parcel 2C. At the second hearing Attorney Carberry and his team presented the plans for the extended stay hotel facility, Fort Trumbull Suites, on Parcel 2C.

Attorney Carberry stated the Fort Trumbull Residences consists of several groups of materials. A notebook was submitted to the Planning Department last month, which contained copies of the special permit, site plan, and coastal site plan application forms. It also included a detailed narrative on the project, and numerous exhibits. Each of the notebooks has an index and tabs, which contain the relevant attachments. Some of the key exhibits are Attachment 3 which explains how the project is consistent with special permit standards, Attachment 4 which describes how the project is consistent with the site plan requirements, and Attachment 13 which discusses why the project is consistent with the Coastal Area Management Act and Plan of Conservation and Development.

The second part of the application, Attorney Carberry stated is the comments he received from City staff as part of their site plan review, and the comments he received from the Office of Long Island Sound Programs as part of their advisory review of the coastal site plan. The team has prepared two detailed memos responding to the City's comments and the DEP's comments in a point-by-point manner which were submitted to the Planning Department on Monday. They have been designated as Attachments 19 and 20 of the application. Copies of the new exhibits and several others were to be referred to in the presentation.

Attorney Carberry stated the last part of the application is the site plans. Detailed site plans, elevations, and renderings were submitted with the original submission in May. Based on the comments and suggestions he received, the team revised the plans and submitted new ones on Monday. Attorney Carberry stated the revised site plans are the ones he referred to this evening.

### **SUMMARY OF FORT TRUMBULL RESIDENCES PROJECT (Glenn Carberry)**

Attorney Carberry presented a summary of the Residences project to the Commission:

He stated CJ Fort Trumbull Housing, LLC proposes to construct 66 apartments and 14 townhouses on the properties known as Parcel 2A and Parcel 2B in the Fort Trumbull Municipal Development Plan area. Collectively referred to as the Fort Trumbull Residences, this project

will include the use of a portion of Parcel 2C for additional offsite parking. The total project area is relatively small, with approximately 3.98 acres between these three parcels.

- The development of these parcels for residential use is fully consistent with the MDP goals and objectives for this area. The Residences are also consistent with the City's Plan of Development, which supports the mixed-use development of Fort Trumbull including a variety of marine-oriented waterfront activities and "residential activity". He stated the main question before the Commission is whether the plans for the Residences meet the zoning requirements set forth in the Maritime District section of the Zoning Regulations as the Regulations govern uses allowed by special permit in this zoning district.

- Multifamily residential uses are specifically allowed by Special Permit in the Maritime District pursuant to Section 590.3(13) of the Zoning Regulations. Section 614(F) of the Regulations also permits the establishment of off-site parking to serve the principal uses on a lot. He noted that all three parcels involved in the housing project are under common ownership of the New London Development Corporation and will be used by CJ under the terms of a 99-year ground lease.

### **SITE DESIGN AND LAYOUT (William Sweeney)**

*William Sweeney* addressed the Commission to more fully explain the design and layout of the project. Mr. Sweeney stated he is an AICP planner, and works for the TCORS Law firm as a land planner and regulatory analyst. .

- Mr. Sweeney pointed out the location of the parcels involved on the large site plan map and presented pictures which Attorney Carberry submitted as new Attachment 21 of the application.

- Mr. Sweeney stated the residences project consists of both apartment and townhouse units. The proposed apartments will be located in a three-story 79,000 square foot building on Parcel 2A. On the site plan the building appears as two separate structures though they are linked by an archway which Mr. Spagnolo described later in the presentation. The main entrances to the building is under an arch. The first floor units will have private entrances on East Street or directly to the onsite parking area. The apartment units will be available in both two bedroom and one bedroom styles with square footages ranging from 1000–1100 square feet and 750–850 square feet respectively. The plans call for a total of 39 two-bedroom units and 27 one bedroom units to be located within the building.

Mr. Sweeney stated, across East Street, proposed is a two two-story townhouse complexes consisting of 6 and 8 units each. Each of the 14 townhouse units will have two-bedrooms and be approximately 1500 square feet in size. Future residents of both the apartments and townhouses will have preferred access to the health club and fitness facilities in the nearby Hotel to be constructed on Parcel 1. He also noted that the courtyard area on Parcel 2A and the yards created along the western face of the apartment building provide undesignated outdoor recreation space. In addition, the acres of publicly available land along the adjacent waterfront consisting of the Riverwalk, the Maritime Green, and Fort Trumbull State Park will be readily accessible to future residents. He stated these areas far exceed the requirements for outdoor recreation space

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as required by Section 616 of the Regulations. He stated he met with ODP Director Bruce Hyde last week and Corcoran Jennison has also agreed to commit up to \$15,000 to enable NLDC to finish the stabilization of the Riverwalk so it can be formally accepted by the City.

- Parking for the Residences is provided in three separate paved lots located on each of the parcels. In total, 147 parking spaces are dedicated to the housing, meeting the requirements under the Regulations. Due to the layout of the buildings, some of the parking for the apartment building is located offsite of Parcel 2A on the other two parcels. There are 12 spaces on Parcel 2B and 39 spaces on Parcel 2C (in a separate and designated area) that are dedicated to the units in the apartment building. These offsite spaces are within 500 feet of Parcel 2A, meet the City's design requirements, and are under common ownership. This satisfies the preconditions for an Off-Site Special Permit as described in Section 614(F) of the Regulations.

- Access to these parking areas has been provided by a series of curb cuts which we have attempted to line up with existing aprons. Where the location of an access has been changed, a new curb cut will be constructed to match the existing ones and close the others, repairing with appropriate materials. This site is fully served by pre-installed sanitary sewer, water, gas, and electric service which were constructed in advance of this application. Similarly, the underlying storm water drainage system for the properties has already been designed to accommodate for future development and this project only needs to tie into the system. Mr. Sweeney stated at the request of the CTDEP and at greater expense, he is also going to attempt to install infiltrators under some of the parking areas to provide additional treatment as long as these structures do not pierce the remediation cap. All of the units and the parking are located outside of the revised 100-year federal floodplain.

- The site plan for the Residences has been coordinated with the site plans previously approved by the Commission for the adjacent office building and City Riverwalk projects in order to provide a seamless transition between the different elements of the Fort Trumbull area. The landscaping and lighting plans have been designed to complement the existing features of the surrounding area and we have provided pedestrian access and crosswalks between the parcels and direct connection to the adjacent public use areas. The landscaping will consist of a variety of shade, ornamental, evergreen, and shrub plantings, that provide buffer streetscape enhancements, foundation screening, and soften our parking areas. Lighting will be provided in the parking areas with appropriate and tasteful fixtures with full cutoffs to limit glare into the residences.

- The project has also been designed to support and enhance water dependent uses, and to provide public access as required by Connecticut Coastal Area Management Act. The consistency of the project with CAM requirements is reviewed in detail as Attachment 13 of the application. Mr. Sweeney stated the starting point for this analysis is to remember that the Residences do not exist in a vacuum. They are one part of an integrated redevelopment plan for the waterfront at Fort Trumbull, and many of the water dependent uses have already been established. The public features and water dependent activities that are adjacent or within close proximity to the Residences include the Marina Pier, Riverwalk, Maritime Green, Fort Trumbull State Park and the spectacular water views of the Thames River. The Residences bring people to the Fort to actually live among these waterfront recreational opportunities, meeting the intent and purpose of the CAM Act. It is important to note that Parcels 2A, 2B, and 2C have no actual

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waterfront. The Residences are water dependent as a result of their relationship to the overall redevelopment of the peninsula.

### **RESIDENCES ENGINEERING PRESENTATION (Dave Dickson and Tom Daly)**

Attorney Carberry introduced landscape architect, Dave Dickson and engineer Tom Daly from Milone & MacBroom, who continued reviewing the site plans in greater detail.

In addition to general landscape and engineering design issues, Mr. Dickson and Mr. Daly addressed the storm water management plan for the project and its compliance with best management practices and all applicable regulatory requirements. He stated the revised engineering report which was previously submitted to the Department on Monday is Attachment 22 in your packet.

### **RESIDENCES ARCHITECTURE PRESENTATION (Al Spagnolo)**

Attorney Carberry introduced architect, Al Spagnolo, who presented architectural drawings, elevations, and floor plans.

- Mr. Spagnolo discussed the process undertaken to design and refine the buildings, and presented drawings of what the development will actually look like when it is complete. [The four design sketches presented by Mr. Spagnolo are included in the packet as Attachment 23.]

In conclusion Attorney Carberry stated there are many important reasons why the Commission should support this application. Fort Trumbull Residences will provide unique and varied housing opportunities for New London residents, in close proximity to the City Riverwalk and the Thames River waterfront. Second the townhouse and apartment elements of the project are in harmony with the orderly mixed-use development of the Maritime District, and they will fit nicely into both the private and public improvements planned at Fort Trumbull. Third, multifamily uses are allowed by special permit in the Maritime district, and are consistent with the MDP and the POCD. Fourth, the site plans meet or exceed the requirements of the Regulations. Fifth, the Fort Trumbull Residences are ideally located to take advantage of water views and to provide convenient access to the waterfront and new recreational opportunities there. Finally, the project will increase the value of adjoining properties, encourage the continued economic development of the peninsula, and generate substantial new tax revenue for the community.

Attorney Carberry asked the Commission for favorable consideration of the Special Permit for multifamily use, Special Permit for off-site parking, and Site Plan and Coastal Site Plan applications. He stated he appreciated the commission's attention and respectfully requested the right to reserve a rebuttal after the public comment portion of this hearing.

Chairman Christiansen asked for public comment.

The following members of the public spoke regarding this application.

*Doug Swartz, 14 Walker Street, New London*, addressed the Commission. Mr. Swartz urged the commission to look at the entire picture and enforce the law pertaining to this matter before

making a decision. He stated the property is owned by NLDC and he would have no problem if the property was owned by Corcoran Jennison.

*Heather Grigsby, 158 Maple Avenue, Uncasville, CT,* addressed the Commission. She stated she is on the Board of Directors of Landmarks and the housing designs do not resemble the descriptions of the project presented to the public in 2000. She stated a Maritime Village feeling is what the citizens of New London wanted.

*Bob Stuller, 19 Evergreen Avenue, New London,* addressed the Commission. He urged the Commission to reject this application as incompatible with the plan of conservation and development. He stated the MDP that was previously passed emphasized condominiums and home ownership.

*Linda Mariani, 756 Pequot Avenue, New London,* addressed the Commission. She stated the great majority of people in this city are very much awaiting the renaissance of New London, which we feel this project will be the catalyst for.

*Michael Joplin, President NLDC, 54 State Street, New London,* addressed the Commission. He asked the commission to support this project tonight as it will clearly benefit New London, both in terms of economic development and tax revenue. He stated he has visited Corcoran Jennison sites and they still look very good after 10 years. NLDC will act as an agent to the city and the land will be leased to CJ. He stated NLDC would lose control if they sell the land, which is entirely on former Naval Underwater Warfare Center land. He stated there is no downside to this project and it is time to move forward.

*Ron Gadrick, 200 Nautilus Drive, New London,* addressed the Commission. He stated there have been many substantial changes to the original MDP and the MDP should be rewritten and brought to the people again. He asked the commission to look very closely at this proposal tonight.

*Steve Percy, 14 New Shore Road, Waterford, CT* addressed the commission. He urged the commission to move forward with this project.

Commissioner Butler stated new information has been received tonight which could not be adequately reviewed. She stated when the commission first heard about townhouses it was perceived it would be home ownership, not rental. She does not feel the commission was given adequate information when changes were made.

*Attorney Carberry* addressed the commission. He stated zoning has to do only with land uses. It does not deal with who the user is nor the mechanism of ownership. He stated this project has been thoroughly reviewed by NLDC, representatives of the city, the State of Connecticut Department of Economic and Community Development, and the DEP and has been found consistent with the MDP. Nothing has changed since the CJ proposal in 2002.

Michael Joplin stated when it became apparent the Coast Guard Museum wanted to locate in New London, CJ Hotel gave up half of their parcel to allow for the museum, there was an amended contract in 2005.

It was concluded that the commission does not have the authority or jurisdiction regarding ownership verses rental.

Harry Smith reviewed his comments in the staff memorandum regarding Parking/Pedestrian movement, crosswalks, landscaping, drainage, lighting, the riverwalk and other comments for the commission to consider.

Harry Smith stated letters from Robert Fromer and Commander J.J. Metcalf of the U.S. Coast Guard have been entered into record.

***A motion was made by Barry Levine, seconded by Adam Milne and voted unanimously to close the Public Hearing.***

A recess was called by Chairman Christiansen at 9:30 pm and meeting reconvened at 9: 40pm.

***A motion was made by Barry Levine, seconded by Adam Milne to approve the application of CJ Fort Trumbull Housing, LLC for the construction of sixty-six (66) apartments and fourteen (14) townhouses with off site parking, accessory uses, and appurtenant infrastructure improvements with the following findings and conditions:***

**Yeas:** Jim Kelly, Adam Milne, Barry Levine, Mark Christensen, Eleanor Butler (with reservation), Susan Phillips

**Nays:** Timothy Hanser

### **Findings:**

- 1. The Commission finds that the proposed activity, as modified by the Conditions listed below, is consistent with the goals and policies contained in Section 22a-92 of the Connecticut General Statutes (Coastal Management Act). The conditions as listed below include all reasonable measures that would mitigate any adverse impact of the proposed activity on coastal resources.***
- 2. The Commission finds that the application, as conditioned below, conforms to the criteria required to be met by the applicant for each of the Special Permits requested.***

3. ***The Commission further specifically finds that this proposed development is in conformance with the New London Plan of Conservation and Development for the reasons specified by the applicant in Attachment 4.1 to a document submitted by the applicant's attorney Glenn Carberry, entitled "Applications of CJ Fort Trumbull Housing, LLC and CJ Fort Trumbull Suites, LLC for Special Permits, Site Plan, and Coastal Site Plan Approval" dated May 24, 2006.***
4. ***The Commission has reviewed the record and determined that evidence of appropriate public notice of the application and the Commission's public hearing was provided by the applicant through mailings to all persons owning property within 200 feet of the subject site and the posting of the required signs at the project location. The Commission has also published notices of its public hearing in a newspaper of general circulation in the community.***
5. ***The Commission has considered the testimony and comments made by members of the public at the public hearings held on the application, including an undated letter from Robert Fromer received on June 19, 2006 indicated as regarding "Application of Fort Trumbull Housing, LLC and Fort Trumbull Suites, LLC for Coastal Site Plan Approvals, Special use Permits and Site Development Plans."***

**Conditions:**

1. ***All construction shall substantially follow Sheets 1-8 of a set of plans entitled "Fort Trumbull Housing Development" dated May 24, 2006, unrevised, as prepared by Milone & MacBroom of Cheshire, Conn. and Architectural plans entitled "Fort Trumbull Housing Development" dated May 24, 2006, unrevised, as prepared by Spagnolo Gisness Architecture, LLC of Boston, Mass. except as they may be modified to comply with requirements of this approval or be further modified by the Planning and Zoning Commission or its Zoning Enforcement Officer as provided for in the Zoning Regulations.***
2. ***Prior to the issuance of a Zoning Permit or the authorization by the Zoning Enforcement Officer for the issuance of a Building Permit, the applicant shall receive written approval from the City Planner for a complete set of plans revised to address, to his satisfaction, all of the Conditions set forth in this decision as well as the following specific modifications:***
  - a. ***A landscaped walkway shall be added across the parking area on Parcel 2A to align with a crosswalk to be added on East Street to Parcel 2B again aligning with an internal walkway shown on the***

**plans for Parcel 2B along the southern side of Building D. The walkway shall include handicapped ramps as needed and shall be 15' wide including landscaped areas with a paved surface of 8'. Where it crosses maneuvering aisles in the parking lot the walkway shall consist of pavers or alternative pavement acceptable to the City Engineer and the City Planner or raised to the level of the connecting sidewalks and appropriately striped. Landscaping shall include deciduous trees on the south side of the walkway and other suitable plantings.**

- b. Crosswalks identical in design and pavement treatment to the existing crosswalks on East Street shall be added as described in Condition 2 a) above and at a second crossing point on East Street between Parcels 2A and 2B at the point where the currently shown internal walkway between the two portions of Building B meets the sidewalk along the portion of East Street between Parcels 2A and 2B.**
- c. Calculations documenting that the height of the buildings as stated on the cover sheet of the Milone and MacBroom plans was determined according to the definition of "Height of Building" found in Section 11 of the Zoning Regulations shall be submitted.**
- d. Detail shall be provided and locations noted on the site plans for compact car space signage.**
- e. A certification block as required by Section 800 H 14) (h) shall be added to the Erosion and Sedimentation Control Plan on Sheet SE of the plans.**
- f. The actual Lot Widths and Lot Frontages shall be noted on the Land Use Table/ Chart not just a statement that they are in excess of the requirements.**
- g. The drainage plan shall be revised to incorporate the following elements recommended by the Office of Long Island Sound Programs:**
  - Install subsurface stormwater galleries below the parking lots on each development parcel sized to treat runoff generated by the first 1-inch of rain. The galleries should include isolator rows for more effective sediment removal and increased longevity.**
  - Develop a comprehensive stormwater management plan and an integrated pest management plan and require implementation by qualified management companies.**
  - Identify snow stockpile areas on the site plans that drain to stormwater infrastructure or develop a snow removal and disposal plan to ensure that snow is not stockpiled in the parking lots or does not diminish sight lines.**
- h. A lighting plan at a scale no greater than 1" = 20' with additional information regarding all proposed exterior lighting (including all**

**pole, building, bollard and canopy mounted lights) providing details on the proposed fixtures including catalog cut sheets showing fixture model and type, manufacturer, wattage, type of light source, mounting height, type of mount, with all choices of manufacturers options indicated shall be submitted for approval by the City Planner and include at least the following:**

- **A photometric plan showing the proposed light levels as a grid of light level readings or iso-lux lines in foot-candles superimposed over the development plan should be provided.**
  - **All lights including building mounted and any bollard lights shall meet the definition of full-cut off fixtures established by the Illuminating Engineering Society of North America (IESNA) and be designed to achieve the minimal light levels consistent with safety and security needs as well as preferably use metal halide as a light source because of its superior color rendering ability.**
  - **The proposed lighting shall be designed, as far as possible, to create an even level of light over the development site and meet the IESNA recommended uniformity ratio (average light level to minimum light level) of no more than 4.0 for parking lots.**
- i. A revised Landscaping Plan shall be submitted for approval by the City Planner and include at least the following:**
- **All of the proposed landscaping elements shall be identified on the plan by annotation using the key shown on the Plant List to indicate which species of plants are proposed in which locations.**
  - **The Plant List shall be amended to reflect the quantities and locations of each species of plants that are proposed to be used.**
  - **The calculations required by Section 614 C 13) (d) of the Zoning Regulations shall be provided.**
  - **Damaged or deceased trees along the frontage of the project shall be replaced with trees of species and size identical to those originally planted.**
  - **A statement shall be added that the landscaping is proposed in compliance with the applicable state laws regarding the use of species considered to be invasive or the seal and signature of a Landscape Architect licensed to practice in the State of Connecticut shall be added to the plan.**
  - **The sizes of many of the proposed trees and shrubs shall be increased as may be required by the City Planner to create a mature effect more quickly.**
  - **The treatment of the driveway entrances shall be addressed more specifically to use landscaping to minimize their disruption of the streetscape as much as possible.**
  - **The use of parking lot stormwater runoff or irrigation to provide water to the landscaping areas shall be considered.**

3. ***The narrative provided in the Engineering Report for these developments, dated May 22, 2006, as prepared by Milone and MacBroom of Cheshire, Conn. shall be revised to be specific to the proposed development prior to the issuance of a Zoning Permit or the authorization by the Zoning Enforcement Officer for the issuance of a Building Permit.***
4. ***Since much of the parking to support the development on Parcel 2A is located on Parcels 2B and 2C these parcels shall be encumbered by a deed restriction as required by Section 614 F. 1) (d) of form and content approved by the Director of Law prior to the issuance of a Zoning Permit or the authorization by the Zoning Enforcement Officer for the issuance of a Building Permit.***
5. ***The elevation of proposed Building B shall be modified to conform to alternative design Option 4 as shown on the attachment to a memorandum dated July 14, 2006 from Glenn Carberry, Esq. to City Planner, Harry Smith prior to the issuance of a Zoning Permit or the authorization by the Zoning Enforcement Officer for the issuance of a Building Permit.***
6. ***The applicant's offer to provide \$15,000 towards the cost of additional improvements to the Riverwalk in order to comply with the Coastal Management Act's (CMA) Goals and Policies and with the requirement of Section 616 for outdoor recreation shall be used towards a prioritized list of improvements to be approved by the City Planner/Director of the Office of Development and Planning. The following improvements shall be considered in the development of such a prioritized list. The prioritized list shall be finalized prior to the issuance of a Zoning Permit or the authorization by the Zoning Enforcement Officer for the issuance of a Building Permit. The work on the approved list of items shall be completed prior to the issuance of the first Certificate of Occupancy for this development or other arrangements suitable to the Zoning Enforcement Officer made:***
  - a. ***All landscaping shown on the plans approved by the Commission for the Riverwalk on 11-29-01 but deleted from on plans with a revision date of 8-12-05.***
  - b. ***Finish fencing shown on the approved plans around the "node" adjacent to the Commercial Fishing Wharf.***
  - c. ***Site furnishings (benches, trash receptacles, etc.) shown on the plans approved by the Commission for the Riverwalk on 11-29-01 but deleted from on plans with a revision date of 8-12-05.***

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- d. Portions of the Maritime Green on which construction activities will not take place shall be loamed and seeded to create green space for the use of the new residents and the public.*
- e. Also, a number of areas along the Riverwalk are showing signs of extensive erosion from runoff leaving Parcels 1A, 1B. As part of these improvements measures to the satisfaction of the City Engineer (including structural elements if necessary) to prevent continued erosion and redirect the stormwater runoff causing the erosion shall be completed.*
- 7. No additional lighting not shown on the approved site plan, as it may be modified to address the other conditions of this approval, shall be added without the specific approval of the Planning and Zoning Commission or City Planner. No unapproved signage shall be placed on light poles, buildings, or grounds subject to this Special Permit.*
- 8. Construction hours shall be limited to 7:00 am to 7:00 pm, Monday through Saturday.*
- 9. As may be directed by the Zoning Enforcement Officer, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented.*
- 10. Use of the site is limited to the description provided on the Special Permit application. The inclusion of other, even ancillary uses shall require the submittal of an application for a modification of this approval to staff/ Planning and Zoning Commission as may be appropriate.*
- 11. All of the plantings (plants or trees) included with the approval of this development that become dead or diseased shall be replaced annually as an on-going requirement of this approval.*

#### **ITEM # 6**

**PUBLIC HEARING.** Special Permit –Site Plan Review – Coastal Site Plan Review. Proposal: Construction of a twenty-four (24) suite extended stay hotel facility with appurtenant site & infrastructure improvements. Site: Parcel G16-68-2C – Bowditch Street. Applicant: CJ Fort Trumbull Suites, LLC. Agent: Attorney Glenn T. Carberry. Property Owner: NLDC. *Public Hearing tabled from the June 22, 2006 Special Meeting.*

*A motion was made by Barry Levine, seconded by Mrs. Butler and voted unanimously to incorporate the entire transcript of the Public Hearing for the previous item into the record for the Public Hearing for this application.*

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## **FORT TRUMBULL SUITES**

Attorney Carberry, as he began the public hearing on the Fort Trumbull Suites application, asked the Commission once again to incorporate into the record for this application all of the testimony, application material, and exhibits from the Fort Trumbull Residences hearing. He stated he could go through it all again, but it may be better to proceed this way in the interests of time and efficiency. In addition to the items previously discussed, he noted that Attachments 8-12 in the notebook deal with the Suites project.

Attorney Carberry stated CJ Fort Trumbull Suites, LLC proposes to construct 24 extended stay hotel suites on the property known as Parcel 2C in the Fort Trumbull Municipal Development Plan area. Designed in conjunction with the Fort Trumbull Residences, this project will provide alternative lodging and accommodations for visitors to Fort Trumbull and New London. Parcel 2C is only 1.31 acres in size. It is located on Bowditch Street and adjacent to the Fort Trumbull State Park.

- The development of Parcel 2C for extended stay hotel use is consistent with the MDP goals and objectives for this area. Attorney Carberry stated the Suites are also consistent with the City's Plan of Development, which seeks a mixed-use development scenario for Fort Trumbull, which includes promoting tourist activities and hotel options. The Suites will provide an important support role for the planned offices, museum, and other attractions proposed for the Fort as well as for many businesses within New London.

- Hotel uses, including apartment/suite hotels, are permitted by Special Permit in the Maritime District pursuant to Section 590.3(11) of the Zoning Regulations. Although it shares many common features with the adjacent Residences, the Suites will be run by a separate hospitality division within CJ's management.

### **SITE LAYOUT (William Sweeney)**

Mr. Sweeney addressed the commission to review the site layout.

- He stated the Suites will consist of a three-story 21,570 square foot hotel building designed to architecturally complement the adjacent Fort Trumbull Residences. Each of the extended stay units will have a kitchenette with a microwave, small refrigerator, and wet bar as well as deluxe living facilities. Suites will be provided in both studio and one-bedroom styles, ranging in size from approximately 550-650 square feet and will be available for weekly or monthly reservations. Future patrons will also have preferred access to the health club and fitness facilities in the nearby Hotel previously approved on Parcel 1.

- Like the Residences, the Suites are in close proximity to the Maritime Green, the Riverwalk, and the State Park. Direct pedestrian connections linking the hotel suites to and through the Residences have been provided. The site plan for the Suites, including the proposed landscaping, lighting and other site features have been coordinated with the site plans for the adjacent office, City Riverwalk, and Fort Trumbull Residences projects in order to provide a seamless transition between the different elements of the MDP area and a sense of uniform design. Utility and stormwater designs are also similar to the Residences project.

- The Suites have been designed to support and enhance water dependent uses and public access as required by Connecticut Coastal Area Management Act. The Suites are part of

the integrated redevelopment plan for the peninsula that includes public features and water dependent activities like the Marina Pier, Riverwalk, Maritime Green, and scenic views. The linkages between all of the public and private placements as well as the Suites role in supporting tourism and visitors to Fort Trumbull is clearly consistent with the CAM Act. Again, Parcel 2C has no actual waterfront, and it is merely a component of a much larger waterfront redevelopment project.

- Parking for the Suites is provided in a separate paved lot dedicated solely for the use of the hotel and totaling 27 spaces, meeting the requirements under the Regulations. Access to the extended stay hotel is also separate and distinct from the nearby Residences with a dedicated curb cut.

#### **SUITES ENGINEERING PRESENTATION (Dave Dickson and Tom Daly)**

- Attorney Carberry introduced landscape architect, Dave Dickson and engineer Tom Daly to present the site plans for the Suites in greater detail.

- In addition to general landscape and engineering design, Dave Dickson and Mr. Daly also addressed the storm water management plan for the project and its compliance with all applicable regulatory requirements.

#### **SUITES ARCHITECTURE PRESENTATION (Al Spagnolo)**

Al Spagnolo addressed the commission and presented architectural drawings, elevations, and floor plans.

#### **CONCLUSION**

Attorney Carberry concluded by stating the proposed Fort Trumbull Hotel Suites will provide for extended stay accommodations located in the heart of the peninsula. They will create an alternate lodging choice for businesspeople and visitors. Hotel uses are permitted by special permit in the district and are consistent with the MDP. The site plans for the Suites are complete and meet the zoning requirements. The proximity of the Suites to adjacent public areas along the waterfront enhances the viability of the entire redevelopment of Fort Trumbull. The Suites will only be a short distance from the Riverwalk and will significantly support other adjacent uses including the Hotel/Conference Center, the Maritime Green, the Coast Guard Museum, and the existing and proposed office complexes. This project is vital to the viability of Fort Trumbull's rebirth.

Attorney Carberry asked the commission for favorable consideration of the Special Permit for hotel use as well as the Site Plan and Coastal Site Plan applications. He stated he appreciated the attention of the commission this evening and respectfully requested the right to provide a rebuttal after the public comment portion of this hearing.

Chairman Christiansen asked for public comment.

The following members of the public spoke regarding this application.

*Sandra Chalk, 10 Starr Street, New London, addressed the Commission. She stated she was concerned about parking issues and that there would be too many big black top parking areas.*

*Peter Costas, 551 Pequot Avenue, New London, addressed the Commission .He stated he did not want to see the Fort Trumbull development delayed any longer. He encouraged the Commission to approve this application as an opportunity*

*Doug Swartz, 14 Walker Street, addressed the commission. He stated in his opinion, the city should take back control from NLDC and put the parcel in the public market. He asked the commission deny this application tonight. He stated there is a glut of hotel space already in this area with many vacancies.*

*A motion was made by Barry Levine, seconded by Adam Milne and voted unanimously to close the Public Hearing.*

*A motion was made by Barry Levine, seconded by Eleanor Butler to approve the application of CJ Fort Trumbull Suites, LLC for a Special Permit- Site Plan Review- Coastal Site Plan Review for the construction of a twenty-four (24) suite extended stay hotel facility with appurtenant site and infrastructure improvements with the following findings and conditions.*

**Findings:**

- 1. The Commission finds that the proposed activity, as modified by the Conditions listed below, is consistent with the goals and policies contained in Section 22a-92 of the Connecticut General Statutes (Coastal Management Act). The conditions as listed below include all reasonable measures that would mitigate any adverse impact of the proposed activity on coastal resources.**
- 2. The Commission finds that the application, as conditioned below, conforms to the criteria required to be met by the applicant for each of the Special Permits requested.**
- 3. The Commission further specifically finds that this proposed development is in conformance with the New London Plan of Conservation and Development for the reasons specified by the applicant in Attachment 11.1 to a document submitted by the applicant's attorney Glenn Carberry, entitled "Applications of CJ Fort Trumbull Housing, LLC and CJ Fort Trumbull Suites, LLC for Special Permits, Site Plan, and Coastal Site Plan Approval" dated May 24, 2006.**
- 4. The Commission has reviewed the record and determined that evidence of appropriate public notice of the application and the Commission's public**

hearing was provided by the applicant through mailings to all persons owning property within 200 feet of the subject site and the posting of the required signs at the project location. The Commission has also published notices of its public hearing in a newspaper of general circulation in the community.

5. The Commission has considered the testimony and comments made by members of the public at the public hearings held on the application, including an undated letter from Robert Fromer received on June 19, 2006 indicated as regarding "Application of Fort Trumbull Housing, LLC and Fort Trumbull Suites, LLC for Coastal Site Plan Approvals, Special use Permits and Site Development Plans."

**Conditions:**

1. All construction shall substantially follow Sheets 1-8 of a set of plans entitled "Fort Trumbull Housing Development" dated May 24, 2006, unrevised, as prepared by Milone & MacBroom of Cheshire, Conn. and Architectural plans entitled "Fort Trumbull Housing Development" dated May 24, 2006, unrevised, as prepared by Spagnolo Gisness Architecture, LLC of Boston, Mass. except as they may be modified to comply with requirements of this approval or be further modified by the Planning and Zoning Commission or its Zoning Enforcement Officer as provided for in the Zoning Regulations.
2. Prior to the issuance of a Zoning Permit or the authorization for the issuance of a Building Permit by the Zoning Enforcement Officer, the applicant shall receive written approval from the City Planner for a complete set of plans revised to address, to his satisfaction, all of the Conditions set forth in this decision as well as the following specific modifications:
  - a. The proposed access drive into Parcel 2C shall be replaced by a landscaped walkway to align with a crosswalk to be added on Bowditch Street to Parcel 2A, aligning with an internal walkway shown on the plans for Parcel 2A along the eastern side of Building B, unless the use of this area for an access drive is determined to be required by the City Engineer and the City Planner as provided for in subsection Item e below. Landscaping shall include deciduous trees on the south and west sides of the walkway and other suitable plantings.
  - b. Walkways shall also be added along both sides of the access drive running from the existing curbcut into Parcel 2C.

- c. **Crosswalks identical in design and pavement treatment to the existing crosswalks on East Street shall be added as described in Condition 2 a).**
- d. **The existing driveway entrances to Parcel 2C shall be used unless its use is demonstrated to be technically infeasible to the satisfaction of the City Engineer and the City Planner. Any new or modified entrances, relocated street improvements, or abandoned driveway entrances shall be constructed to the standards used in the reconstruction of the streets. Details shall be provided regarding these modifications to the existing sidewalks, curbing, and driveway locations.**
- e. **Calculations documenting that the height of the buildings as stated on the cover sheet of the Milone and MacBroom plans was determined according to the definition of "Height of Building" found in Section 11 of the Zoning Regulations shall be submitted.**
- f. **Detail shall be provided and locations noted on the site plans for compact car space signage.**
- g. **A certification block as required by Section 800 H 14) (h) shall be added to the Erosion and Sedimentation Control Plan on Sheet SE of the plans.**
- h. **The actual Lot Widths and Lot Frontages shall be noted on the Land Use Table/ Chart not just a statement that they are in excess of the requirements.**
- i. **The drainage plan shall be revised to incorporate the following elements recommended by the Office of Long Island Sound Programs:**
  - **Install subsurface stormwater galleries below the parking lots on each development parcel sized to treat runoff generated by the first 1-inch of rain. The galleries should include isolator rows for more effective sediment removal and increased longevity.**
  - **Develop a comprehensive stormwater management plan and an integrated pest management plan and require implementation by qualified management companies.**
  - **Identify snow stockpile areas on the site plans that drain to stormwater infrastructure or develop a snow removal and disposal plan to ensure that snow is not stockpiled in the parking lots or does not diminish sight lines.**
- j. **To provide an area for additional site improvements, the stormwater detention basin proposed for Parcel 2C shall be replaced with additional subsurface stormwater galleries as described in Item j above unless this is demonstrated to the satisfaction of the City Engineer and the City Planner that this is technically infeasible.**

- k. A lighting plan with additional information regarding all proposed exterior lighting (including all pole, building, bollard and canopy mounted lights) providing details on the proposed fixtures including catalog cut sheets showing fixture model and type, manufacturer, wattage, type of light source, mounting height, type of mount, with all choices of manufacturers options indicated shall be submitted for approval by the City Planner and include at least the following:**
- A photometric plan showing the proposed light levels as a grid of light level readings or iso-lux lines in foot-candles superimposed over the development plan should be provided.**
  - All lights including building mounted and any bollard lights shall meet the definition of full-cut off fixtures established by the Illuminating Engineering Society of North America (IESNA) and be designed to achieve the minimal light levels consistent with safety and security needs as well as preferably use metal halide as a light source because of its superior color rendering ability.**
  - The proposed lighting shall be designed to create an even level of light over the development site and meet the IESNA recommended uniformity ratio (average light level to minimum light level) of no more than 4.0 for parking lots.**
- l. A revised Landscaping Plan shall be submitted for approval by the City Planner and include at least the following:**
- All of the proposed landscaping elements shall be identified on the plan by annotation using the key shown on the Plant List to indicate which species of plants are proposed in which locations.**
  - The Plant List shall be amended to reflect the quantities of each species of plants that are proposed to be used.**
  - The calculations required by Section 614 C 13) (d) of the Zoning Regulations shall be provided.**
  - Damaged or deceased trees along the frontage of the project shall be replaced with trees of species and size identical to those originally planted.**
  - A statement shall be added that the landscaping is proposed in compliance with the applicable state laws regarding the use of species considered to be invasive or the seal and signature of a Landscape Architect licensed to practice in the State of Connecticut shall be added to the plan.**
  - The landscaping around the north and west sides of Building C shall be extended to the paved portions of the Riverwalk and consist of those plantings proposed in the plans approved by the Commission for the Riverwalk or alternatives found acceptable to the City Planner.**

- *The sizes of many of the proposed trees and shrubs shall be increased as may be required by the City Planner to create a mature effect more quickly.*
  - *The treatment of the driveway entrances shall be addressed more specifically to use landscaping to minimize their disruption of the streetscape as much as possible.*
  - *The use of parking lot stormwater runoff or irrigation to provide water to the landscaping areas shall be considered.*
3. *The narrative provided in the Engineering Report for these developments, dated May 22, 2006, as prepared by Milone and MacBroom of Cheshire, Conn. shall be revised to be specific to the proposed development prior to the issuance of a Zoning Permit or the authorization for the issuance of a Building Permit by the Zoning Enforcement Officer.*
  4. *No additional lighting not shown on the approved site plan, as it may be modified to address the other conditions of this approval, shall be added without the specific approval of the Planning and Zoning Commission or City Planner. No unapproved signage shall be placed on light poles, buildings, or grounds subject to this Special Permit.*
  5. *Construction hours shall be limited to 7:00 am to 7:00 pm, Monday through Saturday.*
  6. *As may be directed by the Zoning Enforcement Officer, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented.*
  7. *Use of the facility proposed for development and the site is limited to the description provided on the Special Permit application, which is extended stay hotel suites.*
  8. *Use of the site is limited to the description provided on the Special Permit application. The inclusion of other, even ancillary uses shall require the submittal of an application for a modification of this approval to staff/ Planning and Zoning Commission as may be appropriate.*
  9. *All of the plantings (plants or trees) included with the approval of this development that become dead or diseased shall be replaced annually as an on-going requirement of this approval.*

**Yeas:** Jim Kelly, Adam Milne, Barry Levine, Mark Christensen, Eleanor Butler (without out reservation) Susan Phillips

**Nays:** Timothy Hanser

**ITEM # 12**

**Site Plan Review.** Proposal: Construction of a single family home. **Site: Map D11/Block 186/Lot 4 (adjacent to #46 Ashcraft Road).** Applicant/Agent: Tom Garbati. Property Owner: David Bono. ***Tabled from the June 15, 2006 Regular Meeting and Public Hearing.***

Michelle Greiner stated she has received a letter from Mr. Garbati requesting his application be tabled to the August3, 2006 Regular Meeting.

***A motion was made by Barry Levine, seconded by Jim Kelly and voted unanimously to table this item until the August 3, 2006 Regular Meeting.***

**ITEM # 10**

**Site Development Plan.** Proposal: Construction of a single-family home. **Site: 25 Gardner Circle.** Applicant/Property Owner: Matthew Kurk. Agent: James Martin for River Road Builders LLC.

Susan Phillips and Mark Christiansen recused themselves.

Chris Nelson was seated for Susan Phillips.

*James Martin, River Builders, LLC, 49 Niantic River Road, Niantic, CT* addressed the commission. He stated the lot is in compliance with city requirements. and he is seeking approval from the commission for his client Matthew Kurk.

Michelle Greiner stated she sent Mr. Martin a letter after reviewing the application with a number of conditions. He addressed her concerns and is in full compliance with zoning requirements.

***A motion was made by Eleanor Butler, seconded by Adam Milne and voted unanimously to approve the application of Matthew Kurk for Site Development Plan to construct a single family residence with a waiver of section 800 H 7 of the Zoning Regulations of the City of New London requiring underground utilities.***

**ITEM # 11**

**Site Development Plan.** Proposal: Construction of a two family home. **Site: 38 Maple Avenue.** Applicant/Property Owner: AJ Holdings, LLC. Agent: Joseph Hastedt, AJ Holdings, LLC.

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Chairman Christiansen asked if there was anyone present tonight for this agenda item. No one was present.

*A motion was made by Barry Levine, seconded by Jim Kelly and voted unanimously to table this item until the August 3, 2006 Regular Meeting.*

### **ITEM # 8**

**Site Plan Review.** Proposal: Demolition of existing structure and construction of a six (6) unit multi-family dwelling. **Site: 17 Chester Street.** Applicant: Ralph Scott. Agent: John Paul Mereen. Property Owner: Marie Jewell. ***Tabled from the June 15, 2006 Regular Meeting.***

*Larry Sullivan, P.E. Gerwick and Mereen, Civil Engineering and Land Surveyors, Waterford, CT addressed the commission representing his client Mr. Mereen, who could not be here tonight. Mr. Sullivan stated this afternoon he received a standard cross section for the modular unit the client he is proposing which was entered for the record.*

Harry Smith stated all his comments have been addressed.

*A motion was made by Barry Levine, seconded by Jim Kelly and voted unanimously to approve the application for Site Plan Review of Ralph Stott for the demolition of an existing structure and construction of a six unit multi family dwelling was approved with the following conditions.*

- (1) All construction shall substantially follow Sheets 1-3 of a set of plans entitled "Chester Street Apartments, Zone – R-3 Multi-Family Residential, Owner-Marie M. Jewell, Applicant – Ralph Scott, 17 Chester Street, New London, Connecticut", dated May 9, 2006, as last revised June 13, 2006, as prepared by Gerwick – Mereen LLC: Civil Engineering and Land Surveying of Waterford, Conn. except as they may be modified to comply with requirements of this approval**
- (2) Prior to the issuance of a Zoning Permit or the zoning authorization for the issuance of a Building Permit the following shall be completed to the satisfaction of the Zoning Enforcement Officer:**
  - (a) Elevations of the proposed buildings as well as generalized floor plans are routinely required by the Planning and Zoning Commission and shall be provided.**
  - (b) Specific calculations demonstrating compliance of the proposed building with the definition of height of building provided in Section II of the Zoning Regulations shall be provided.**
  - (c) Revised floor plans shall be submitted demonstrating to the satisfaction of the Zoning Enforcement Officer that the rooms currently labeled "office" on the floor plans submitted with the application has been modified so that, in her opinion, it no longer**

**constitutes a second bedroom. Alternatively, the sixth unit of the building shall be eliminated.**

- (3) Prior to the issuance of a Zoning Permit or the zoning authorization for the issuance of a Building Permit the approved plans shall be modified as follows:
  - (a) The large (24" in diameter?) tree in the west corner of the site should be shown on Sheet 1 of the plans and identified as to be preserved.**
  - (b) Additional arborvitae or opaque fencing shall be added in the area along the turnaround for which no landscaping is currently proposed.****
- (4) No additional lighting not shown on the approved site plan, as it may be modified to address the other conditions of this approval, shall be added without the specific approval of the Planning and Zoning Commission or Zoning Enforcement Officer.**
- (5) Construction hours shall be limited to 7:00 am to 7:00 pm, Monday through Saturday. Orange construction fencing shall be installed around the 24" tree and other trees to be preserved including the area within the drip line of these trees to the extent feasible and any hedges to be preserved.**
- (6) If determined to be necessary during construction by the Zoning Enforcement Officer and the Director of Public Works measures shall be taken to prevent or contain on-site to their satisfaction, the runoff of additional storm water (beyond that associated with predevelopment conditions) into Chester Street or adjoining properties.**
- (7) As directed by the Zoning Enforcement Officer or the Director of Public Works, the gravel construction entrance shall be maintained as necessary or extended or modified if necessary to prevent the tracking of earth materials into Chester Street.**
- (8) As may be directed by the Zoning Enforcement Officer, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented.**
- (9) Use of the site is limited to the description provided on the Special Permit application. The inclusion of other, even ancillary uses shall require the submittal of an application for a modification of this approval to staff/ Planning and Zoning Commission as may be appropriate.**
- (10) All of the plantings (plants or trees) included with the approval of this development that become dead or diseased shall be replaced annually as an on-going requirement of this approval.**
- (11) Prior to the issuance of a Certificate of Zoning Completion or zoning authorization for the issuance of a Certificate of Occupancy an as-built or improvement location survey including approximate location of landscaping shall be submitted.**

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### **ITEM # 3**

**PUBLIC HEARING-Zone Regulation Amendment.** Proposal: Modification of the zoning regulations section 605 regarding limitation on number of principal buildings on one property and the distance required between them. Applicant: Oaktree Green, LLC and Shaw's Landing LLC. Agent: Lee Cole Chu, Esquire.

*Attorney John Zaccaro of the law firm of Cole-Chu, & Cipparone addressed the commission. The proposal is to amend, in the New London Zoning Regulations, Section 605, " Supplemental Lot, Yard, Height and Building Regulations" subsection H. Attorney Zaccaro reviewed Exhibit A in the application, which refers to the specific changes requested. He stated the amendment would benefit the CBD district and enhance property values and the tax base for the city.*

There was a discussion of Exhibit A.

There were no comments from the public.

*A motion was made by Barry Levine, seconded by Susan Phillips and voted unanimously to close the Public Hearing.*

*A motion was made by Barry Levine, seconded by Susan Phillips and voted unanimously to approve the Zone Regulation Amendment application of Oaktree Green, LLC and Shaw's Cove Landing, LLC to modify Section 605 of the zoning regulations regarding limitations on the number principal buildings on one property and the distance between them, as proposed in Exhibit A, attached to the application, with the exception that the word economically be stricken, effective July 26, 2006. The plan of Conservation and Development and Comprehensive Plan have been considered and that the proposal amendments are consistent with the goals and polices of the Coastal Management Act.*

### **ITEM # 4**

**PUBLIC HEARING-Zone Regulation Amendment.** Proposal: Modification sections on height of buildings accessory apartments, uses in the R-4, NB, and CBD districts, parking for multi-family developments, fences, non-conforming structures, site plan approval; deleting accessory residential units; and adding a section exempting handicapped ramps from setback requirements. Applicant/Agent: City of New London Planning and Zoning Commission.

There was a discussion regarding the definition of height of buildings.

Harry Smith stated he has received regulations from other communities, which he will review, to see how they define height of buildings. If we adopt the proposed definition tonight we can always come back to it at a future date.

There was a discussion of Sections 400.3 – Accessory Apartments; Section 410.3, Accessory Residential Units; Section 420, R-3 Zone; Section 430, R-4 Zone; Section 500, Neighborhood Business District; Section 530, Central Business District; Section 605 Supplementary Lot, Yard, Height and Building Regulations and Section 614 B, Number of Required Parking and Loading Spaces; Section 617 Fences; Section 730 Non conforming structures, as they appear in the Draft Amendments to the New London Zoning Regulations, attached to the application.

Chairman Christiansen called for public comment.

There was none.

***A motion was made by Barry Levine, seconded by Adam Milne and voted unanimously to close the Public Hearing.***

***A motion was made by Barry Levine, seconded by Susan Phillips and voted unanimously to approve the application of the New London Planning and Zoning Commission to modify Sections of the Zoning Regulations, on height of buildings, accessory apartments, uses in the R-4, NB, and CBD districts, parking for multi-family developments, fences, non conforming structures, site plan approval: deleting accessory residential units: and adding a section exempting handicapped ramps from setback requirements, Applicant/Agent The City of New London Planning and Zoning Commission as presented with the following changes:***

***On page 7 the numbering for the R-4 zone is changed in two instances to “430 from 420”***

***On page 8 10) b) the word exists is changed to exits***

***On page 10, section 530.2, 2) the words “operating between the hours of 6:00am and 11:00 pm are moved to after the words ”duplicating business”***

***On page 11, section 530.3 34) the words “operating between the hours of 11:00 pm and 6:00 am” are moved to after the words “duplicating business”***

***Section 35) the words “either with beer, wine or liquor” are stricken.***

***Section 530.4 1 The words “ Planning and Zoning Commission” are replaced with “ the Zoning Enforcement Officer” and the words “upon the issuance of a Special Permit” are stricken.***

***On page 18, Section 617 Fences, is to be omitted. That section will remain as written.***

## **ITEM # 14**

## **OTHER BUSINESS**

(a) Discussion of Michael's Dairy Fruit Stand: Mr. Buscetto proposes to setup a 16 x 20 foot fruit stand during the hours of 12:00 pm to 6:00 pm Friday and Saturday.

Chairman Christiansen spoke to Mike Buscetto who stated years ago he operated a similar fruit stand. The commission agreed to sign off on this request.

## **ITEM # 17**

### **ADJOURNMENT**

*A motion was made by Adam Milne, seconded by Tim Hanser and voted unanimously to adjourn the meeting at 11:50 p.m. .*

Respectfully Submitted,

Patricia Serluca  
Land Use Technician

**Approved by the Planning and Zoning Commission August 17, 2006**