

**PORTLAND PLANNING AND ZONING COMMISSION
REGULAR MEETING**

**Thursday, March 7, 2024 at 7:00 PM
Buck Foreman Room (2nd Floor)
265 Main Street, Portland, CT.**

Regular Meeting Minutes

1. Call Meeting to Order

Robert Ellsworth called the meeting to order at 7:00 p.m.

2. Introduction of Members and Seating of Alternates

Present: Bob Ellsworth, Robert Taylor, Carolyn Freeman, Jennifer Tellone, Chantal Foster, Tom Bransfield

Staff: Dan Bourret, Town Planner
Dawn Guite, Recording Secretary

Absent: Victoria Tchetchet.

Carolyn Freeman is seated for Victoria Tchetchet.

3. Accept Agenda

MOTION: Robert Taylor MOVED, seconded by Chantal Foster to ACCEPT the agenda as PRESENTED.
VOTE UNANIMOUS. MOTION CARRIED.

Public Hearing

4. PZC Application #23-08: 209 Sand Hill Road. Proposal to modify existing special permit approval for a 15 ft. addition around the whole perimeter of the existing barn structure on site used for event space. Application of Arrigoni Winery LLC and property of R G Manner LLC. Map 5, Lot 14. Zone RR.
To be opened at March 21st meeting.

Regular Meeting

5. Application #23-09: 850 Portland Cobalt Road. Request for a Site Plan Review for a proposed retail fueling station and convenience store with drive thru. Application of Jannat LLC and property of MJS Realty Venture LLC. Map 31, Lot 23-2. Zone B-2. *Waiting for Engineering's Review. Will not be heard tonight.*
6. PZC Application #23-10: 311 Brownstone Ave. Request for Site Plan Review for proposed construction of a spa with associated site grading, drainage, utility, lighting and landscaping improvements. Application of Tartan Spa Operations, Inc. and property of Dean Soucy and Darlene Rice. Map 28, Lot 54. Zone B-3.

Isiah Brown, P.E., Langan Engineering represented the applicant requesting a Site Plan Review for proposed construction of a spa with associated site grading, drainage, utility, lighting and landscaping improvements. He summarized the presentation from the previous meeting and answered questions posed by the Town Engineer. Also present was Timothy Onderko, P.E., Langan Engineering, and Nick Pomeroy (by phone).

Langan Engineering responses are provided in Memorandum dated March 7, 2024 to Geoffrey L. Jacobson – Town Engineer, and Dan Bourret, Town Planner.

Chatham Health Memorandum dated March 7, 2024 to Planning and Zoning Commission states that proposed utilities have not yet been reviewed. Prior to approval of building permits, food service plans will be reviewed. Separate application and review for each establishment is required so that areas will be constructed to meet the 2022 FDA Food Code. Each proposed public pool and spas require review and approval by the Connecticut Department of Public Health. The PHC definition of a Public Pool is provided in the memorandum.

The Fire Marshall's Memorandum dated February 20, 2024 to Planning and Zoning Department states that it has reviewed the application and drawings for 311 Brownstone Avenue and provided comments to be addressed.

There were no public comments.

RECORDED VOTE

DATE: March 7, 2024

COMMISSION: PLANNING & ZONING

To Approve Application #23-10: 311 Brownstone Ave. Request for Site Plan Review for proposed construction of a spa with associated site grading, drainage, utility, lighting and landscaping improvements. Application of Tartan Spa Operations, Inc and property of Dean Soucy and Darlene Rice. Map 28, Lot 54. Zone B-3. As shown on Site Plan set "Brownstone Quarry Nordic Spa" Dated 1/29/24 Revised to 1/25/24, Sheet 1; "Boundary and Topographic Survey" Dated 12/6/23, Sheet 2; "Master Legend and Notes" Dated 1/19/24 Revised to 1/25/24, Sheet 3; "Site Plan" Dated 1/19/24 Revised to 1/25/24, Sheet 4; "Site Details 1" Dated 1/19/24 Revised to 1/25/24, Sheet 5; "Site Details 1" Dated 1/19/24 Revised to 1/25/24, Sheet 6; "Site Details 2" Dated 1/19/24 Revised to 1/25/24, Sheet 7; "Grading and Drainage Plan" Dated 1/19/24 Revised to 1/25/24, Sheet 8; "Grading and Drainage Details 1" Dated 1/19/24 Revised to 1/25/24, Sheet 9; "Grading and Drainage Details 2" Dated 1/19/24 Revised to 1/25/24, Sheet 10; "Grading and Drainage Details 3" Dated 1/19/24 Revised to 1/25/24, Sheet 11; "Utility Plan" Dated 1/19/24 Revised to 1/25/24, Sheet 12; "Utility Details 1" Dated 1/19/24 Revised to 1/25/24, Sheet 13; "Utility Details 2" Dated 1/19/24 Revised to 1/25/24, Sheet 14; "Utility Details 3" Dated 1/19/24 Revised to 1/25/24, Sheet 15; "Soil Erosion and Sediment Control Plan" Dated 1/19/24 Revised to 1/25/24, Sheet 16; "Soil Erosion and Sediment Control Details 1" Dated 1/19/24 Revised to 1/25/24, Sheet 17; "Soil Erosion and Sediment Control Detail 2" Dated 1/19/24 Revised to 1/25/24, Sheet 18; "Planting Plan" Dated 1/24/24, Sheet 19; "Photometric Plan - South", Dated 1/25/24, Sheet 20; "Photometric Plan - North" Dated 1/25/24, Sheet 21; "Photometric Schedules" Dated 1/25/24, Sheet 22; "Photometric Cutsheets" Dated 1/25/24, Sheet 23; "Architectural Reference Plan" Dated 1/25/24, Sheet 24; "Level 01 Floor Plan - Bathhouse" Dated 1/25/24, Sheet 24; "Level 2 Floor Plan - Bathhouse" Dated 1/25/24, Sheet 25; "Level 01 Floor Plan - Bistro" Dated 1/25/24, Sheet 26; "Level 01 Floor Plan - Existing Building" Dated 1/25/24, Sheet 27; "Building Elevations - Bathhouse - West Wing" Dated 1/25/24, Sheet 28; "Building Elevations - Bathhouse - East Wing" Dated 1/25/24, Sheet 29; "Building Elevations - Bistro" Dated 1/25/24, Sheet 30; "Level 01 Floor Plans and Elevations - LP1 Signature Sauna" Dated 1/25/24, Sheet 31; "Level 01 Floor Plan and Elevations - LP1 Steam" Dated 1/25/24, Sheet 32; "Level 01 Floor Plan and Elevations - LP2 Relax" Dated 1/25/24, Sheet 33; "Level 01 Floor Plans and Elevations - LP3 Sauna" Dated 1/25/24, Sheet 34; "Level 01 Floor Plans and Elevations - LP3 Relax" Dated 1/25/24, Sheet 35; "Level 01 Floor Plans and Elevations - LP4 Steam" Dated 1/25/24, Sheet 36; "Level 01 Floor Plans and Elevations - LP4 Steam" Dated 1/25/24, Sheet 37; "Level 01 Floor Plan and Elevations - LP4 Relax" Dated 1/25/24; and based on information submitted, testimony presented during hearing, and subject to the following instructions and conditions integral to this application:

1. That the applicant addresses and complies with comments and recommendations from the Town Engineer's memo dated 2/29/24 and that the plan is subject to a final review by the engineer after submittal of final plans.
2. That the applicant addresses any comments from the Fire Marshal memo dated 2/20/24.
3. That the applicant per the Chatham Health district memo from 2/7/24 get food licensing for each proposed public kitchen facility and gets approval for the pools from DPH.
4. That the applicant meets the Building Officials comments from the 2/7/24 review that requires a pedestrian guard or fence on the waterside of the property and the project conforms to the 2022 CT State Building Code and ADA codes.
5. That the certified Letter of Approval be placed on the Site Plan, and that a mylar and 3 paper copies of the plans be submitted. After endorsement, the mylars must be filed on the land records within 180 days, per ZR Section 10.5.3.2.a, these requirements must be met prior to the issuance of a zoning permit.
6. That a zoning permit application be submitted in accordance with ZR Section 11.1.1.A to ensure compliance with this approval.
7. That any new exterior light fixtures outside of those proposed must comply with ZR Section 8.3 and must be approved by the Zoning Enforcement Officer prior to installation.
8. Any proposed signage shall meet ZR Section 8.4.
9. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance or a performance bond will be required in accordance with ZR Section 11.2.2.
10. That this approval will expire in 5 years.

Reasons: The proposal conforms to Section 5 and 10.5 of the Zoning Regulations.

Motion to Approve Made by: Chantal Foster

Seconded by: Robert Taylor

IN FAVOR

Carolyn Freeman

Bob Ellsworth

Chantal Foster

Jennifer Tellone

Robert Taylor

IN OPPOSITION

IN ABSTENTION

Recorded By: Dawn Guite

7. Receive Application:

- PZC Application #24-11: 1561 Portland Cobalt Road. Request for Special Permit Renewal of Sand and Gravel Excavation Permit to excavate and remove 193,323 cubic yards of earth material which includes onsite crushing and screening. Application and property of Riverside Equites LLC. Map 6, Lot 21-1. Zone B-2.
- PZC Application #24-12: 220 Isinglass Hill Road. Request for Special Permit for construction of an 8-bedroom residential care home. Application of Oroville Place, LLC and property of Sean McGrail Revocable Trust. Map 129, Lot 9. Zone RR. (*Public hearing date needs to be set but not to be heard until at least April 18th*)
- PZC Application #24-13: Proposed Amendment to the Portland Zoning Regulations. Change to section 9.17.1 to increase the allowable MUD residential units to 350 from the current 240 and to increase the ration of allowable apartments from 16 to 21 per 5,000 square feet of commercial space. Change to section 9.17.5.E to allow the sum of the total commercial area to include any single upper floor to the total commercial area where only the ground floor counts currently. Application of BRT DiMarco PTP, LLC.

Documentation will be provided as history (explanation of 2022 approval) for review by commission members prior to public hearing.

- PZC Application #24-14: 69 Marlborough Street. Request for Special Permit Modification. Application and Property of BRT DiMarco PTP, LLC. Map 19, Lot 68. Zone B-2, B-3 and TCVD.

8. New Business:

- Business and Industrial Zoning

Dan Bourret asked commissioners to review standards presented for Towns: Bloomfield, Cromwell, East Hampton and Guilford. All standards are available on the Google drive. To be discussed during the meeting on March 21, 2024.

9. Old Business:

Nothing to report.

10. Staff Report:

- Correspondence

There was no correspondence.

- Brainerd Place Update

Bright Ravens Development brought a modification before the BOS regarding tax abatement to include additional apartments and retail. It has not yet been approved.

11. Public Comment: The Commission will hear brief comments at this time from anyone wishing to speak. Comments may not be made regarding any pending application.

There were no public comments.

12. Approval of Minutes: 2/15/2024 Regular Meeting

MOTION: Robert Taylor MOVED, seconded by Jennifer Tellone to ACCEPT the Regular Meeting Minutes of 2/1/2024 as written. **VOTE UNANIMOUS. MOTION CARRIED.**

13. Adjourn

MOTION: Chantal Foster MOVED, seconded by Jennifer Tellone to ADJOURN the meeting at 8:10 p.m. **VOTE UNANIMOUS. MOTION CARRIED.**

Respectfully Submitted:

Dawn Guite
Recording Secretary