

Town of Stonington Conservation Commission
Minutes of a Special Meeting held on December 11, 2023
Police Station Department Meeting Room, 173 South Broad Street, Pawcatuck, CT

1. Call to order - Chairman Stuart Cole called the meeting to order at 7:05 pm. Members present were Jennifer Herbst, Michael Schefers, Ben Baldwin, Frances Hoffman, Stephanie Hayes-Houlihan and Jim Friedlander. Jim Friedlander participated via telephone. Members of the public were present.

2. Review of Town Developments and Proposals

a. PZ2329ZC Maple Lawn Farm, LLC (Paul & Sharyne Cerullo) – *Zoning Map Amendment application for an Agricultural Heritage District (AHD) Zone. Proposal consists of a Master Plan to create a campus for food, education, and events. Properties are located at 343 Wheeler Road and another unaddressed parcel on Wheeler Road, Stonington; M/B/L: 94-1-4; 86-1-4. Properties are located in the RR-80 Zone and GBR-130 Zone.* The 19-page application and a preliminary site plan prepared by Mercer Bertsche Vernott Architects dated 11/13/2023 had been emailed to Commission members. The CC previously commented on similar application PZ2305ZC on 4/24/2023, which was denied by the PZC due to the issue of Wheeler Road separating two parcels, and on PZ2318RA which allows the AHD zone at farms divided by most roads and was approved by the PZC. The AHD regulation and the meaning of its “permitting flexible economic use” (at 2.4.5) were discussed. Stuart Cole wondered if the property is really an active farm. It was noted the application’s Master Plan does not appear to be professionally prepared as required and is vague about the owners’ included land, agriculture conducted, existing residential units or rooms as a bed and breakfast, and proposed events. It does not include descriptions and items required by the AHD regulation.

Stanton Simm, an abutter, spoke of his concerns about the intensity of parking, noise, lack of planting and the ability of Wheeler Road’s ability to handle traffic due to its narrowness. He said 21.56-acre parcel 86-1-4 is subject to a conservation restriction required by the Inland Wetlands and Watercourse Commission as part of a 1986 subdivision because the parcel is mostly wet. He said therefore only the 15.59-acre parcel is being preserved, there are few current agricultural uses apparent and the addition of large weddings with many cars and shuttle buses will change the character of the property and neighborhood.

Ben Baldwin noted that 10.22-acre 331 Wheeler Road, a mostly wooded parcel with a 2.5-acre cultivated field and fenced paddock (per 2019 aerial) abutting 343 Wheeler Road’s fields is also owned by the applicant and appears integral to the farm but is not included on the site plan or in the application, except perhaps as referenced as containing the “west field” for overflow parking mentioned on page 1 (page 7 of 25 in the PDF). A fourth property of the applicants, 0.14-acre parcel 86-1-3, appears to have once been part of 343 Wheeler Road prior to the town’s acceptance of the road, but is not referenced in the application. Commissioners raised concerns about increased noise, lack of an Event Management Plan, light pollution, traffic on the narrow road and whether this proposal would preserve the Wheeler Homestead. Concern was expressed that this would set a precedent for country properties becoming profit centers. It was noted that it is unfortunate the CC could not benefit from the presence of the applicants, town staff or staff reports at any of the meetings.

MOTION: It appears to the Conservation Commission that the application does not meet the intent of the AHD Zone.

- 1.) It has not been a working farm for many years, it is essentially a hobby farm, which is borne out by the poorly constructed and breezy application lacking an actual master plan, but spending lots of space on ducks, and with a supporting letter from a real estate agent with no referenced expertise in any of the aspects of the application.
- 2.) It includes the very minimum land required, leaving out other abutting lands the applicants own. A large portion of the included land is not farmed nor arable, and already has deed restrictions on it preventing development. Farming conducted at the property such as haying or the cultivation of corn is not described.
- 3.) Although the application seems intentionally vague, we expect that “Events” of a high profit making potential are really the aim here. And Events may well be a triggering word to residents in the area. Wheeler Road is a designated Scenic Road in Stonington of old fashioned narrow construction without shoulders, and

noise and light impacts will inevitably occur. A clue to potential problems is the section reading “event guidelines will require all participants to behave as good citizens and neighbors to the community.”

4.) The Commission fails to see how a presently quiet rural property, or the “heritage of the Town” is enhanced by allowing a new party location, potentially bringing light pollution and additional wear and tear to Wheeler Road.

5.) The AHD does NOT necessarily have a connection with farmland preservation. It requires a small amount of land to comply with, and there is no restriction on the landowner applying to go back to the previous zoning regulations.

6.) Of greater concern is the loose flexible nature of the original AHD wording. To wit:

- 5 houses can be built within the AHD (Although no additional units are proposed by these applicants)
- There are no maximums on attendance to events
- There are no restrictions on number or frequency of events
- One hundred plus car parking lots are allowed without any of the requirements of a normal commercial establishment, i.e. drainage, oil-water separators, etc.

The motion (Stephanie Hayes-Houlihan, Frances Hoffman) passed unanimously with one abstention by Jim Friedlander.

5. New Business

a. *Remedial Action Plan for 11-13 Cottrell Street* – Ben Baldwin said an Environmental Land Use restriction (ELUR) has been proposed at the former Odd Fellows Building in Mystic being rebuilt by the Whalers Inn. A Remedial Action Plan notes contaminated soils will be capped as remediation. There are ELURs at the former Mystic Color Lab, 35 Extrusion Drive, and 82 Mechanic Street. They identify brownfields which cannot be “cleaned up.” Fran Hoffman said vigilance is required over the years. Michael Scheffers will check with SCCOG and LLHD to see if either organization evaluates brownfields. No comment on the proposal was made.

6. **Review of draft minutes** – 10/23/23. MOTION: The most recent draft minutes of 9/25/2023 will be reviewed for the next meeting.

7. **Adjournment** - MOTION: To adjourn the meeting (Stephanie Hayes-Houlihan, Jennifer Herbst). Passed unanimously at 9:20 pm.

Minutes submitted by



Ben Baldwin

Secretary, Town of Stonington Conservation Commission

Minutes approved at a regular meeting on 2/26/2024