



## **EXTERNAL MEMORANDUM**

**TO:** Michael Rossi, Chairman, Clinton Planning & Zoning Commission

**FROM:** John Guskowski, AICP, Town Consulting Planner

**CC:** Kathy King

**DATE:** March 5, 2020

**RE:** Proposed Conditions of Approval for Applications SE-20-002 and SUB-20-006

A handwritten signature in blue ink, appearing to read 'John Guskowski', is written over the 'FROM:' line of the memorandum.

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Following up on the above-referenced applications which closed their public hearing process on March 2, 2020 and are now eligible for decision, I offer the following proposed conditions for approval:

**SE-20-002, Special Exception Application for Indian River Landing (multi-tenant commercial development), 11 Killingworth Turnpike**

Motion to find the application as being harmonious with the Plan of Conservation & Development and in compliance with the Clinton Zoning Regulations; and pursuant to Section 20.6, the Commission finds that the Applicant has provided significant and sufficient public amenities integrated into the project and, as a result, hereby grants approval of the requested incentives including relief from the 25' side and rear yard setbacks to allow for the removal of trees and an increase in building height from 45' to 50' for the proposed hotel; and to approve the application subject to the following conditions:

- 1) Any substantial and material deviation from the proposed project layout, architecture, or schedule of uses shall require approval by the Commission. Minor changes shall be handled administratively by Commission staff and an as-built plan may be required.
- 2) Approval of this Special Exception is conditioned on receipt by the Commission of a written report submitted by CRAHD concurring with the feasibility and adequacy of plans for on-site sewage disposal facilities. Any conditions contained in such a report shall become additional conditions of this Special Exception approval.
- 3) All public park amenities, walking trails, sidewalks, landscape, and any other public access elements for Phase I shall be constructed prior to issuance of C.O. for Building #6.
- 4) An Emergency Spill and Response Plan shall be developed for the property and any refueling and/or maintenance of vehicles shall be permitted in only designated locations outside of the Aquifer Protection Area.

- 5) The Applicant shall develop an Integrated Pest Management Plan for all landscaped areas of the site and shall provide a copy to the Commission.
- 6) The Applicant shall coordinate with the Clinton Volunteer Fire Department to install emergency access system key boxes as necessary onsite.
- 7) Application Fees in an amount determined by the Town Council and/or Town Manager shall be submitted to the Commission prior to the filing of Special Exception mylars.

**SUB-20-006, Subdivision Application for Indian River Landing (multi-tenant commercial development), 11 Killingworth Turnpike**

Motion to find the application as being harmonious with the Plan of Conservation & Development and in compliance with the Clinton Subdivision Regulations with the following **modifications**:

- 1) Lots #1-#9 shall not be conveyed or developed until such time that the Commission receives a written report submitted by CRAHD concurring with the feasibility and adequacy of plans for on-site sewage disposal facilities. Any conditions of such a report shall become additional modifications of this Subdivision approval.
- 2) Lots #10 & 11 shall be merged into a single lot and shall be deeded to the Town of Clinton for conservation purposes.
- 3) Copies of proposed deeds for each lot, including necessary provisions for mutual cross easements and public access easements, shall be filed with the Commission upon the filing of the subdivision plan.