

PLANNING COMMISSION
APRIL 10, 2007 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Roper, Sherrard, Steinfeld
Alternate members present: Fitzgerald, Kane
Staff present: Cullen, Davis, Glemboski, Stanowicz

Chairman Sherrard opened the meeting with roll call at 7:03 p.m.

II. APPROVAL OF THE MINUTES of February 15, 2007, March 22, 2007 and March 27, 2007

MOTION: To table the minutes of February 15, 2007 to the next meeting on April 24, 2007.

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

MOTION: To approve the minutes of March 22, 2007 as amended.

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

MOTION: To approve the minutes of March 27, 2007 as amended.

Motion made by Steinfeld, seconded by Munn. Motion passes, 3 – 0 – 2, 2 abstentions (Roper, Pritchard).

III. PUBLIC COMMUNICATIONS

Roper distributed a handout to the Commission members for a Groton Business Association “Groton Business Update” being held on Thursday, April 19th.

Roper received a flyer for the grand opening of the Fairview - Oddfellows Home on Lestertown Road, being held on May 2, 2007.

Fitzgerald asked for clarification of the Hilton sidewalk agreement.

The Commission expressed condolences to Matt Davis on the recent loss of his father.

IV. SUBDIVISIONS

1. Groton Highpoint Subdivision, 245 Hazelnut Hill Road – request for extension for recording of mylars

MOTION: To grant a 90 day extension for recording of mylars to Groton Highpoint Subdivision, 245 Hazelnut Hill Road.

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

V. SITE PLANS

1. Mystic Executive Park Signage Plan Modification, 155 Poheganut Drive

Maria Ackley, Attorney, Robinson & Cole, represented the applicant, Downes Patterson. Nancy Klotz, President of Downes Patterson, explained the request to the Commission.

Staff explained the original plan which was approved in 2001 included the approval of temporary real estate sign, which can be renewed every three years. In January, 2006, the Commission approved an extension to April 11, 2007. The Commission would like to see the sign voluntarily removed if the property is leased in three years. The applicant agreed to remove the sign before the three years expires if the land is sold or leased.

MOTION: To approve a Site Plan Modification for Mystic Executive Park Signage Plan, 155 Poheganut Drive, with the following modifications:

1. Modify Note # 16 of the Signage Plan to extend the life of the temporary real estate sign to April 11, 2010 unless the subject property (Phase I and Phase II) is sold or leased, whichever occurs first.
2. All staff technical items shall be addressed.

Motion made by Pritchard, seconded by Steinford. Motion passes, 4 – 1. 1 opposed (Roper).

2. Groton Shoppers Mart Expansion Modification, 985 Poquonnock Road

Andrew Shapiro, principal, and Kyle Haubert, CLA Engineers, explained the proposed restaurant and retail building, and the modifications.

Russell Sergeant, Architect, explained the changes in the design of the building.

Staff explained the previously approved site plan and the modifications to the approved plan. The applicant needed to adapt the interior space for the owners of Starbucks. The new location of the windows and the pedestrian access were reviewed. The architecture has been changed significantly. Staff explained the plantings for the site.

The environmental clean-up of the site, the building accessways, the provisions for handling the garbage at the back of the building, inside storage, and the retail tenants were discussed.

Mr. Shapiro said he will add a bicycle rack to the site. The Commission members liked this plan better than the original approved application.

MOTION: To approve a Site Plan Modification for Groton Shoppers Mart Expansion, 985 Poquonnock Road, with the following modifications:

1. A note shall be placed on the plans stating “All previous requirements of Site Plan X06 #15 shall apply unless specifically modified by this plan”.

2. The western landscape berm shall be enlarged and/or additional plantings shall be added adjacent to the drive-through lane in the area between the light post and the western sea grass area as shown on Exhibit A. The western line of sea grass plantings shall be modified to provide more of a higher evergreen shrub buffer in this area. All changes shall be reviewed and approved by the Planning Department and shall be shown on the final plans.
3. Final floor plans shall be consistent with the building elevations.
4. All staff technical items shall be addressed.

Motion made by Sherrard, seconded by Steinford. Motion passes, 4 – 1, 1 opposed (Roper).

3. Southeastern Connecticut Business Complex, 195 Leonard Drive (CAM)

Pat Lafayette, Development Solutions, explained the application for Lot #10 of the Leonard Drive Subdivision. The potential tenants and phasing were discussed. Water and sewer connections were reviewed. Drainage was described. A wetland permit was received by the applicant.

Staff reviewed grading, parking, walks and fire services.

Staff said the plans indicate that no hazardous materials will be stored or used at the site. Floor drains are not allowed. Berms in the building and the use of multiple dumpsters were discussed. There will be no retail sales in the building. There will be one sign used at the site, and door signs will identify the individual businesses. The drainage and Stormceptor system were discussed.

MOTION: To approve the Southeastern Connecticut Business Complex, 195 Leonard Drive, subject to the following modifications:

1. A fire water main shall be installed from the street to the building and fire sprinklers shall be installed within the building if required by the Fire Marshal.
2. Add note to plan: The sign for phase I shall not be larger than 90 sf. When phase II is built then the sign detailed on the plan may be utilized.
3. Add note to plan: Phase I shall contain no greater than 2700 sf of office space and 9300 sf of warehouse space which calculates to 17 spaces of parking as provided on the plan. When both phase I and Phase II are built out and occupied then the percentage of 25% office and 75% warehouse shall be utilized.
4. Technical items as raised by staff shall be addressed.

The Planning Commission notes that a reduction in the requirement under Section 7.2-9 (requiring off street parking

spaces adjacent to a building be separated by a six foot wide concrete walk with a six inch high concrete safety curb) will not hinder the safety of pedestrians as the building interface with twelve overhead doors is a unique situation and that the landscaped island and curbstops proposed will protect the building from damage by vehicles. This reduction in the requirement also allows a design that minimizes the impervious surfaces on the site while still maintaining safe turning radii for vehicles entering and exiting the site.

The Planning Commission notes that a reduction in the requirement under Section 7.4-5(A) (requiring a minimum landscaped island size of 100 square feet with a minimum dimension of eight feet) is appropriate to this unique situation and type of building. This reduction in the requirement allows for a building design that achieves the minimum amount of impervious surface possible and also allows for the building itself to be placed as far from the wetlands as possible.

Motion made by Sherrard, seconded by Pritchard.

Motion passes unanimously.

MOTION: To approve the Coastal Area Management application for the Southeastern Connecticut Business Complex Site Plan, 195 Leonard Drive as it is consistent with all applicable coastal policies contained in CGS 22a-92, and includes all reasonable measures to mitigate adverse impacts and creates no unacceptable adverse impacts.

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

VI. NEW BUSINESS

The Chairman called a short recess at 8:47.

The meeting resumed at 8:57 p.m.

1. Report of Commission

Roper said he attended the Regional Planning Commission meeting and suggested on his own initiative that the RPC add the extension of Shoreline East to New London and a transportation center in New London to the high priority list. Roper said the record is open until the 16th, the plan is on COG's website. The COG will address this on the 18th.

2. Zoning Commission referral for May 2, 2007 public hearing (Zoning Regulation Amendment to Sections: 2 Definitions for area/lot/developable/ parcel, Adoption of 4.16 and 4.17 General Regulations, new provisions 7.1-45 (o) to establish a moratorium on new active senior housing applications for up to one year (Groton Open Space Association, Applicant)

Staff distributed some material for the Commission members, including the proposed text for the amendment. Staff stated that for the record, two letters have been received, one dated April 9 letter from Sidney Van Zandt and one dated April 10 from Elizabeth Raisbeck, both in support of GOSA's amendment. GOSA's response and a letter from Attorney Cochran were included in the Commission's packets. The moratorium and buildable area were discussed. Staff suggested that the Commission may want to comment to the Zoning Commission separately on the moratorium, and on the buildable area issue. Staff explained that the buildable area regulation applies to senior housing development, but would also have to be applied broadly, to single family subdivisions and also to commercial and industrial subdivisions and multifamily development. It will require quite a bit more analysis to understand the full implications of the proposal. Certain aspects are too broad. Staff said the goals of the Plan of Conservation and Development and the Economic Development Strategic Plan differ from the proposed amendment text. Staff stated that this is an attempt to reduce density by inserting broadly into the regulations, a factor that nets out a percent of the area having particular attributes, such as inland wetlands, flood plains, slopes of 15%. Staff said they will forward any input from outside agencies to the Commission as soon as possible. Staff said he does not support the 15% slopes at this time. The revisions to the Town regulations were discussed. The role of the Planning Commission as a referring agency, the role of the Zoning Commission, changes to the proposed amendment and public hearings were discussed. Staff said there is no locational or geometric component.

The Commissioners had questions and/or concerns regarding the basis for the moratorium and various aspects of the buildable area requirements.

GOSA agent Frank Cochran, Attorney, told the Commission that he drafted the buildable land regulation, as requested by GOSA. He provided responses to some of the Commissioners' and staff's comments, and generally explained the reasons for the requested changes.

Joan Smith, representative of Groton Open Space Association, presented several letters to the Commission; GOSA's response to the staff review; a letter from Mike Murphy dated July 26, 2005, and a letter from Joan Smith to the Town Council dated November 8, 2006.

Jim Furlong, 57 Fishtown Lane, Mystic, a member of GOSA, said he does not believe a conflict of nodes and buildable land would be created.

Sue Sutherland, 32 Neptune Drive, distributed a letter to the Commission, asserting that negative tax impacts would result from active senior housing projects.

Chairman Sherrard asked that any further comments be submitted in writing to staff to be forwarded to the Commission members.

MOTION: To table discussion of the Zoning Commission referral to the next regular meeting on April 24, 2007.

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

3. Zoning Board of Appeals referral for April 11, 2007 public hearing

ZBA07-04 JJMA Realty, Applicant, 1280Gold Star Highway

Staff explained the referral. The applicant is requesting a variance to allow stacking in a front yard and to reduce stacking from 10 to 9 cars.

MOTION: To send the following comment to the Zoning Board of Appeals: The Planning Commission does not support granting variance relief to allow 9 rather than 10 stacked spaces, or allowing stacking in the front yard. The Commission feels that the Town should not allow less stacking based upon the Commission's experience with this and other similar facilities.

Motion made by Steinford, seconded by Roper. Motion passes 4 – 1, 1 abstention (Munn).

4. Connecticut Siting Council referral for proposed cell tower #1294, Pleasant Valley Road North

Staff explained the referral. The Commission asked staff to suggest to the Siting Council to consider co-location if feasible.

VII. REPORT OF CHAIRMAN

Chairman Sherrard commented briefly on the length of the agenda for the next meeting on April 24, 2007.

VIII. REPORT OF STAFF

The Planning Department received a General Permit for diversion of water for consumptive use for Tilcon.

Staff said that the Zoning Commission received an application for the mixed use floating zone, and that referral should be coming to the Planning Commission soon.

The Planning Department has hired a new community development/planner from Ledyard. He will be starting later in the month. The department will then be fully staffed.

IX. ADJOURNMENT

Motion to adjourn at 10:18 p.m. Motion made by Roper, seconded by Steinford, so voted unanimously.

Respectfully submitted,

Jeffrey Pritchard