

PLANNING COMMISSION
APRIL 24, 2007 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

Chairman Sherrard opened the meeting with roll call at 7:04 p.m.

II. APPROVAL OF THE MINUTES of February 15, 2007 and April 10, 2007

MOTION: To approve the minutes of February 15, 2007 as written.

Motion made by Steinford, seconded by Munn. Motion passes 4-0-1, 1 abstention (Pritchard).

MOTION: To approve the minutes of April 10, 2007 as amended.

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

III. PUBLIC COMMUNICATIONS

Roper received notice of the Mystic River Drawbridge repair project meeting tomorrow night.

Sherrard said that The Day's legal ad for the Zoning Board of Appeals did not have a decision printed for the JJMA variance application. Staff explained that The Day will republish with the decision (denied).

Staff introduced the department's new planner, Paul Nichols.

Staff noted that in the *Planning Commission* journal distributed to the Commission members tonight was an article relating to controlling the scale of homes in Stonington borough (building footprint, floor area ratio).

Staff received a request for a 90 day extension for the recording of the mylars from the owners of the Hespeler Subdivision and asked the Commission to add it to tonight's agenda.

Staff said there is a public meeting tomorrow regarding the Mystic River Bridge rehabilitation project, and a Planning staff member will attend the meeting.

Staff received communication from Ms. Van Zandt regarding GOSA's presentation on buildable land regulation amendment application.

MOTION: To add the Neff Hespeler Subdivision extension request to the agenda as Item #3 under "Subdivisions".

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

IV. SUBDIVISIONS

1. Montali Subdivision, 77 Candlewood Road

MOTION: To grant a 90 day extension for recording of mylars for the Montali Subdivision, 77 Candlewood Road.

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

2. Neff Hespeler Subdivison, 1211 Flanders Road

MOTION: To grant a 90 day extension for recording of mylars for the Neff Hespeler Subdivision, 1211 Flanders Road.

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

V. SITE PLANS

1. Hilton Garden Inn Modifications, 224 Gold Star Highway

Harry Clarke, DiCesare Bentley Engineers, represented the applicant and explained the requested modifications. These included a small increase in building square footage, minor changes to the pool enclosure, minor changes to the parking area and site access. Certain changes resulted from conditions of the STC permit.

Staff said there are no real concerns with the modifications and the WRPD requirements are still met with these changes. Staff reviewed the traffic circulation on the site.

The signage for the one-way driveway was discussed. Diagonal parking and narrowing of the one-way entrance was discussed. Staff said the applicant has agreed to these.

MOTION: To approve a Site Plan Modification for Hilton Gardens, 224 Gold Star Highway, with the following modifications:

1. All staff technical items shall be addressed.

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

VI. REPORT OF COMMISSION

Roper attended the Regional Planning Commission Steering Committee meeting. There will be a luncheon meeting for planners on May 11th to review the plans.

Roper said public workshops on the Regional POCD will be held on June 28th in Groton and on July 9th in Norwich. More information will be forthcoming. The Steering Committee will be meeting monthly.

VII. PUBLIC HEARINGS

1. Candy Lane Subdivision, 0 Bonnie Circle (10 lots)

Staff stated that the applicant has asked for a continuation to May 8, 2007. The applicant is still working on the design of the sound barrier walls.

MOTION: To continue the public hearing for Candy Lane Subdivision, 0 Bonnie Circle, to the next regular meeting on May 8, 2007.

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

The Commission was concerned about the time left for this application. Staff said the applicant has granted an extension to the end of May. The consensus of the Commission was that they are being pressured with the time constraints in considering the application. Staff will convey their concern to the applicant.

VIII. SUBDIVISIONS

IX. Candy Lane Subdivision, 0 Bonnie Circle (10 lots)

The public hearing was continued to the May 8, 2007 meeting.

IX. SITE PLANS

2. Marine Science Magnet High School, 155 Thomas Road (CAM)

Staff said there are still unresolved design, health and safety issues. Their extension will get them to the May 8th meeting.

Greg Smolley, JCJ Architecture, represented the applicant. Mr. Smolley provided a detailed overview of how the site design was developed, operational and pragmatic details, flood/FEMA compliance issues, FAA requirements and compliance with CAM policies.

Pat Dougherty, P.E. VHB, described the traffic, parking, drainage and emergency access and site utilities.

Staff said information was submitted to staff about a week ago and distributed to agencies, but no comments have been received yet. Staff has concerns about the written information not in the files, which they would like put

into the files for the record. Those items not adequately addressed were how the design meets 6.6 of the Zoning Regulations, flood requirements, and if the 1,000 gallon fuel oil storage meets requirements. Staff will continue to work with the Zoning Official and the applicant to resolve the outstanding issues. The 60 ft. standard clearance for FAA was discussed by staff.

Evacuation requirements were reviewed. The Commission discussed the buried fuel tank and the containment of the tank. Mr. Smolley said a double wall tank would be set on the ground below flood elevation, strapped, and backfilled. It would meet all applicable DEP & federal standards.

At the next meeting, Mr. Smolley will address the elevation of the building, the runway base flood elevation, the elevator hydraulics and FAA regulations versus Town regulations. The Fire Marshal approved a single entryway. The elimination of the roadway to the back, as approved by the Fire Marshal, was discussed. Mr. Smolley said there will be no other emergency exit. The trash dumpsters and locations, bike rack, site lighting and signage were reviewed. Mr. Smolley said there will be no further expansion of the school, and the school is not planning at this time to operate beyond the normal school year. The Commissioners asked about the effects of runway expansion. Staff said it is not likely that the length of the runway will be expanded. The freezing of the lake and possible use as an ice skating facility was discussed.

MOTION: To table the Marine Science Magnet School site plan to the next regular meeting on May 8, 2007.

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

3. Discussion regarding Oh Boy Diner (143 Gold Star Highway) site plan condition (crosswalk)

Staff said the applicant has requested this discussion be tabled until the next meeting.

MOTION: To table the discussion regarding Oh Boy Diner, 143 Gold Star Highway, to the next regular meeting on May 8, 2007.

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

Chairman Sherrard called a short recess at 9:25, and the meeting reconvened at 9:33 p.m.

X. OLD BUSINESS

- XI. Zoning Commission referral for May 2, 2007 public hearing (GOSA, Applicant)

Staff said the Town Attorney has advised that there is no requirement that stipulates that the Zoning Commission is required to send a referral back to Planning Commission for a second referral.

Staff discussed the requested moratorium on active adult housing.

Staff discussed the applicant's application for a definition of buildable area, requiring an applicant to find the developable area of a lot. Staff said the amendment attempts to exclude anything above 15% slope and wetlands and flood plains, from the lot area calculation. Minimum lot sizes and developable land, optimal density in various districts as established in the land use plan were discussed. Staff said they feel this is an attempt to regulate density, significantly downward, and undermine what has been established in the POCD as legitimate ranges for densities for various areas. Staff recommends that the Commission respond to protect the integrity of their Plan. Design versus intensity, flexible lot sizes and rewriting of the Zoning Regulations was discussed.

Frank Cochran, Attorney, Cooper, Whitney, Cochran and Francois, represented GOSA, the applicant for the referred application. Mr. Cochran stated that this fairly aggressive version of an amendment was proposed to get the discussion moved forward rapidly. Mr. Cochran said he would be willing to collaborate with staff to answer questions, and the applicant is willing to have the zoning hearing scheduled for May 2nd opened and continued or to postpone the opening if the Planning Commission and staff wished to collaborate to establish a more effective draft. Mr. Cochran said active senior housing was singled out, because Mystic Woods, and that form of development all have the same issue of overcrowding the land. The applicant's concern of rock outcroppings, wetlands and slope versus a flat lot was discussed. Mr. Cochran was asked by the Commission if the applicant was willing to withdraw for a period of time to work with staff and other appropriate parties to address the items on page 79 of the POCD. Staff said this type of amendment should be done through the process of amending the whole Zoning Regulations, not in a piecemeal fashion, but with the comprehensive revision to be done soon. Staff referred to its suggested approval to implement these types of regulations through conservation subdivision design and the use of appropriate density factors.

Genevieve Cerf, 17 Crescent Street, spoke about the regulations and the density of active adult senior housing in the middle of a single family zone.

Sidney Van Zandt submitted a statement to the Commission.

The Commission discussed staff's draft recommendations for the referral.

MOTION: The Town of Groton Planning Commission recommends to the Town of Groton Zoning Commission that application #ZCH07-01, Groton Open Space Association, for a moratorium on new active senior housing applications be denied for the following reasons. These are not intended to be all inclusive, but are deemed to be sufficient to render this negative report.

1. The proposed active senior housing regulations adopted in 2005 were found by the Planning Commission to be consistent in all respects with the 2002 update to the Town's POCD.
2. There have been no changes to the 2002 POCD since that determination was made that would contradict that prior finding.
3. There have been no other official land use policies adopted since that finding was made.
4. There have been no projects approved or developed under the ASH regulations, and no credible evidence provided to support the claim that these developments have or will have the effects asserted in the application.
5. There are other options available to address particular technical aspects of the regulation which could be pursued without seeking to undermine the legitimate policy goals and objectives which the regulation was intended to serve.

Motion made by Pritchard, seconded by Steinfeld. Motion passes 4-1, 1 opposed (Sherrard). Sherrard opposed because there should be a moratorium on active senior housing, congregate housing and residential life care facilities.

MOTION: The Town of Groton Planning Commission recommends to the Town of Groton Zoning Commission that application #ZCH07-01, Groton Open Space Association, for zoning regulations relative to buildable land regulations be denied as written for the following reasons.

1. Lack of justification for the specifics of the definition of buildable land as offered.
2. The unknown impact of the breadth of the proposed Zoning Regulations on future development.

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

Commission Note: The need to address the four recommended program areas sited on page 79 of the POCD is a high priority item for the Town and the Planning Commission would like to see this done in a timely manner.

XI. NEW BUSINESS

1. Report of Commission

Fitzgerald said he has concerns with stacking requirements. This will be added to next agenda for discussion.

2. Inland Wetland Agency referral for May 9, 2007 public hearing

(Mystic Woods, Fort Hill Road and Flanders Road, Hawthorne Development Partners, LLC, Applicant)

MOTION: To table the Inland Wetland Agency referral for May 9, 2007 public hearing to the next regular meeting on May 8, 2007.

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

3. Zoning Commission referral for May 2, 2007 public hearing (7 Water Street, Christopher Owens, Applicant)

Staff explained the referral. The Commission had the following comment:

The Planning Commission recommends approval of the application but has concerns with the potential for negative impacts on residential uses in proximity to the site, which might result from noise, lighting and/or other exterior uses.

XII. REPORT OF CHAIRMAN

Chairman Sherrard said the Commissioners are invited to participate in a caravan for the new school projects on May 19th.

Chairman Sherrard stated that he will miss both May meetings.

XIII. REPORT OF STAFF

Staff said they are taking action to move the blue clothing collection boxes located at some of the street corners in Town. These collection boxes are owned by a company that is actually for-profit; they donate only 5% of their profits.

Staff said they are working with the Zoning Official on the Azu restaurant's zoning violations.

The RTM is nearing the end of the budget review schedule; staff said the departments have received great support from the agencies.

Staff said a memo regarding the Mystic Bridge meeting was sent to each of the Commissioners in their agenda packets. Staff will be attending the upcoming meetings on the regional POCD.

XIV. ADJOURNMENT

Motion to adjourn at 11:40 p.m. Motion made by Roper, seconded by Sherrard, so voted unanimously.

Respectfully submitted,

Jeffrey Pritchard