

AGENDA
PLANNING COMMISSION
SEPTEMBER 13, 2016 - 7:00 P.M.
TOWN HALL ANNEX - 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

II. APPROVAL OF MINUTES

1. August 9, 2016*

III. PUBLIC COMMUNICATIONS

IV. SUBDIVISIONS

V. SITE PLANS

1. Parking Lot Improvements (SIT15-10), 721 Long Hill Road - Start of Construction Extension*
2. Mystic River Residential (SIT16-11), 14 Godfrey Street - Modification*

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Referral from the Town of Ledyard for a Public Hearing on September 8, 2016 - Site plan review for a bed & breakfast facility*
2. Referral from the City of New London for a Public Hearing on September 15, 2016 - Zone Regulation Amendment to modify Section 550.2 (Waterfront Commercial-Industrial Zone (submitted by Attorney G. Videll)*)
3. Referral from the City of Groton for a Public Hearing on September 20, 2016 - Subdivision and Zoning Regulations proposal*
4. Report of Commission
5. New Applications

VIII. REPORT OF CHAIRMAN

IX. REPORT OF STAFF

X. ADJOURNMENT

Next regular meeting: September 27, 2016

* Enclosed

NOTE: NO NEW BUSINESS WILL BE CONSIDERED AFTER 10:30 P.M.

MINUTES
PLANNING COMMISSION
AUGUST 9, 2016 - 7:00 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 2

Acting Chairman Pritchard called the meeting to order at 7:00 p.m.

I. ROLL CALL

Regular members present: Pritchard, Steinford
Alternate members present: Tarbox, Zod
Absent: Fitzgerald, Kane, Munn
Staff present: Jones, Allen, Silsby

Chairman Pritchard appointed Tarbox to sit for Kane, Zod to sit for Munn, and Steinford as Acting Secretary.

II. APPROVAL OF MINUTES

1. July 12, 2016

MOTION: To adopt the minutes of July 12, 2016

Motion made by Steinford, seconded by Zod, so voted unanimously, as annotated.

III. PUBLIC COMMUNICATIONS

It was noted that the Town Clerk has received the resignation of James Sherrard and that Pritchard will serve as Chair the remainder of the term.

IV. SUBDIVISIONS

1. Deerfield at Mystic (SUB16-01), Deerfield Ridge Drive, Heather Glen Lane, Fox Run Lane - Open Space Marker Modifications

Mark Berry, Director of Parks and Recreation, requested a change to modify Condition #7 of the subdivision approval motion to allow wooden open space markers in lieu of stone walls. He stated that many of the existing stone walls have deteriorated. He reviewed his request to replace stone walls with wooden fences when the stone walls require maintenance. The primary reason for this request is because of the high costs involved in repairing the existing stone walls. A map showing the stone walls and pictures of wooden fences were reviewed. The approach will be to make an assessment of the worst sections of stone walls and then contact all abutters for their input.

Staff stated that subdivision approval was granted in 1988. She noted stone walls were required specifically for this subdivision to reflect its history as a farm.

Discussion followed about the costs of repair. A suggestion was made to solicit the opinion of the entire neighborhood regarding the wall replacement. Mark Berry stated that the Town does not have the money to repair these stone walls and is trying to come up with a realistic solution.

MOTION: To approve a modification to the Deerfield at Mystic Subdivision (SUB16-01) to allow wooden fence open space markers instead of stone walls.

Motion made by Pritchard, seconded by Tarbox, so voted unanimously

V. SITE PLANS - None

VI. OLD BUSINESS - None

VII. NEW BUSINESS

1. Referral from the Zoning Board of Appeals for a Public Hearing on August 10, 2016 - ZBA#16-11 - 2 Bradley Lane, Matthew and Laura Boggio/Owners/Applicant

Staff reviewed maps and the variance application to build a roof covered front porch within the required front and rear setbacks. He stated that Bradley Lane is not an approved Town road.

The Planning Commission had no comment.

2. Referral from the Zoning Board of Appeals for a Public Hearing on August 24, 2016 - ZBA#16-12 - 5 Grove Avenue, Anne Esposito and Kenneth Soeder/Owners/Applicant

Staff reviewed maps and the variance application to reduce the rear yard setback. He stated that the old building has been demolished and a new house with an attached garage will be built.

The Planning Commission had no comment.

3. Referral from the Zoning Board of Appeals for a Public Hearing on August 24, 2016 - ZBA#16-13 - 391 Long Hill Road, Kyla Adams/Owner/Applicant

Staff reviewed maps and the variance application to add a 2nd story addition within the side yard setback. Staff stated that the Planning Commission will see this project in the near future to request site plan approval.

The Planning Commission had no comment

4. Referral from the City of New London for a Public Hearing on September 1, 2016 - Zone Text Amendment to Sections 520 (C-2 Zone), 614 (Parking) & 616 (Rec Space)

Staff gave a brief summary of the proposal which will allow residential housing in commercial zones. Staff had no concerns.

The Planning Commission had no comment.

5. Election of Vice-Chairman/Secretary

MOTION: To nominate Margil Steinfeld as Vice-Chairman/Secretary

Motion made by Pritchard, seconded by Zod, so voted unanimously

6. Report of Commission

An inquiry was made about a property off Culver Avenue that the town has foreclosed on and whether it is true that this property may become open space. Staff stated that is correct.

7. New Applications

Staff reviewed a new site plan modification from Mystic River Residential Care, 14 Godfrey Street. She briefed the Planning Commission about the preference of the abutters to put in vegetation instead of a masonry wall, as required by the motion of approval. The owner has asked if a special meeting could be held to act on this application. The Planning Commission declined to schedule a special meeting on this item.

It was noted that vegetation is transparent acoustically and that the neighbors should be made aware of this fact. This application may be discussed at the next regularly scheduled meeting on September 13, 2016.

VIII. REPORT OF CHAIRMAN

Pritchard reported he has signed the final plans for the U-Haul facility. He gave a brief summary of the Committee of Chairperson's meeting that he attended on 7/18/16. He also attended the recent Southeastern Connecticut Council of Governments meeting regarding the Regional Plan of Conservation and Development.

Staff stated that a presentation will be made by the Public Education Office for the State FOI Commission at the next Committee of Chairpersons meeting scheduled for 10/17/16. All boards and commissions are welcome. The meeting will be held in Room 1 at the Town Hall Annex.

IX. REPORT OF STAFF

Staff stated that a memorandum regarding a referral from the City of Groton was handed out earlier tonight. She explained that due to the large size of the attachments, Planning Commission members should review the entire referral either online or at the Office of Planning and Development Services. This item will be on the next Planning Commission agenda on September 13, 2016.

In regards to an inquiry at the last meeting about Electric Boat employees parking on Bridge Street, Staff stated that the Traffic Authority is monitoring this situation and intends to post "no parking signs" if appropriate. She added that many complaints have been received.

Staff referred to the Spicer Mansion at 15 Elm Street and the concerns regarding the dining room being open to the public. She stated that Staff has met with the owners who have changed their advertising to reflect that dining is only available to guests or by invitation only.

Staff stated that the Mystic Soup Company, which will locate in the former Grossmans building on Noank Road, has been informed that a special permit and site

plan approval are required. The restaurant was granted Historic District approval recently.

Steinford noted that the HVAC units at Gabrielle's Karate in Groton are currently screened with vegetation. Staff added that Arborvitae will be moved a couple of feet away from the units this September.

Tarbox stated that many political signs have been placed near a package store on Route 12. Though the position of enforcement officer is still vacant, Staff will inform the Building Official.

X. ADJOURNMENT

Motion to adjourn at 7:58 pm was made by Zod, seconded by Steinford, so voted unanimously.

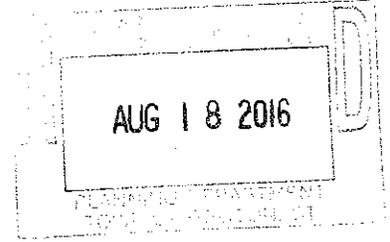
Margil Steinford, Vice Chairman/Secretary
Planning Commission

Prepared by Robin Silsby
Office Assistant II



ENGINEERS / SURVEYORS / PLANNERS

PC
MTC
9/13/16



Clinton S. Brown II, PE AICP
Principal / Operations
Manager

Michael J. Scanlon III, LS
Principal / Survey Manager

Paul Biscuti, PE
Civil Engineering Manager

August 17, 2016

Planning Commission
Town of Groton
134 Groton Long Point Road
Groton, Conn. 06340

Re: SIT 15-10-721 Long Hill Rd-Parking Lot Improvements-
Request to Extend Start of Construction

Dear Commission Members:

Century Professional Center
100 Fort Hill Road
Groton, CT 06340
860.448.0400
860.448.0899 Fax

www.dbengineers.com
info@dbengineer.com

On September 22, 2105, the commission approved the above referenced site plan. As of this date, the owner has not commenced construction but requests that a one year extension of time be granted to start construction as provided by the zoning regulations. Thank you for your consideration in this matter.

Very truly yours,
DICESARE-BENTLEY ENGINEERS, INC.


Clinton S. Brown II PE AICP
Principal

Pc: Hendels /Doug Hendel
09-110

721 LONG HILL
* SIT 15-10

STAFF SUMMARY SHEET

PROJECT NAME/LOCATION: Mystic River Residential Care Site Plan Modification/ 14 Godfrey Street	
CAM: No	
STAFF PLANNER: DGJ	SUMMARY DATE: September 7, 2016
TERMINAL ACTION DATE: November 17, 2016	PUBLIC HEARING CLOSED: N/A
EXISTING LAND USE/ZONING: Residential Care Facility/ RS-12	SITE AREA: .94 AC
SURROUNDING LAND USE/ZONING DISTRICT(S): <i>North:</i> Residential/RS12 <i>South:</i> Residential/RS12 <i>East:</i> Residential/RS12 <i>West:</i> Residential/RS12	
HISTORY: <i>The Mystic River Residential Care facility has been providing state licensed residential care in this location since 1956. In 2009, the Planning Commission granted the applicant's request for reasonable accommodation for the physical expansion of the facility. The expansion addressed deficiencies identified by the State Department of Public Health and did not increase the number of residents.</i>	
PROJECT DESCRIPTION: The new dumpster will be located on the east side of the property, less than 40 feet from the adjacent residential structure. As part of their 2009 approval, the Planning Commission required an eight foot high masonry wall be built to attenuate the noise expected from garbage pickup. The applicant has requested that the Commission allow landscaping in lieu of the wall.	
LIST AGENCIES WITH OUTSTANDING COMMENTS: [] [] []	
WAIVERS: None	
LAND USE/DEVELOPMENT ISSUES ANALYSIS: <ul style="list-style-type: none"> • The applicant is exploring options to attenuate the sound in a manner less intrusive to the immediate neighbors. 	
ATTACH ANY RECOMMENDED ACTION, INCLUDING MODIFICATIONS AND/OR CONDITIONS AND TECHNICAL ITEMS. <i>Staff will have a recommendation at the meeting.</i>	

*Mystic River Res.
(SIT16-11)*

MINUTES
PLANNING COMMISSION SPECIAL MEETING
OCTOBER 15, 2009 - 7:00 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Pritchard, Roper, Sherrard, Steinfeld
Alternate members present: Zod, Kane (left at 9:15)
Absent: Fitzgerald, Munn
Staff present: Murphy, Davis, Carey, Doolittle

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

II. ITEMS OF BUSINESS

1. Mystic River Residential Care, 12, 14, 16 Godfrey Street

Chairman Sherrard stated that the voting members for this application will be: Steinfeld, Roper, Pritchard, Sherrard and Zod, with Kane as an alternate.

Michael Carey, Town Attorney, discussed the accommodations that the applicant has asked for relating to buildings with non conforming uses. He suggested that the Commission consider voting on the different elements of the reasonable accommodation request specifically, does the applicant represent qualified individuals under ADA and is each request for reasonable accommodation both reasonable and necessary. He gave examples of similar cases relating to "necessary and reasonable" to help the Commission in their analysis.

Staff discussed previous applications denied by the Zoning Board of Appeals based on lot coverage and set back requirements.

The Commission and Attorney Carey discussed how zoning regulations would impact this application if it were a non ADA residential life care facility.

The Commission asked the Town Attorney for his opinion of what type of use this actually is. Attorney Carey responded that the use does not fall under any of the permitted use categories and therefore it is non-conforming and is being held to the bulk and dimensional standards that would generally apply to other like uses in this zone. He also suggested that the Commission apply such site plan regulations to the proposal only after ruling on the reasonable accommodation request.

The Commission also questioned who had the burden of proof in deciding if this plan is the only way the reasonable accommodation could be requested. Attorney Carey explained that the applicant does not have to demonstrate that this is the only way this can be done, and that the Commission is entitled to explore alternatives that may be better, or suggest modifications to what's proposed to obtain an equally beneficial or better solution to meet the Commission's requirements. Attorney Carey stated that burden of proof is on the applicant to prove that the residents are "qualified individuals," that the request is "necessary" and "reasonable."

The Commission discussed various options with respect to potential draft motions and directed staff to draft motions consistent with the guidance and suggestions provided by the Town Attorney, and limited at this time to the issues of qualification of the residents, and the necessary and reasonable finding.

MYSTIC RIVER RES.
(SIT/6-11)

Chairman Sherrard called for a recess at 8:07 pm for this purpose. The Commission reconvened at 8:24 pm.

MOTION: The Planning Commission finds that the applicant is acting on behalf of qualified disabled individuals per the Fair Housing Act and the Americans with Disabilities Act.

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

The Commission questioned if the application is approved, does this require the applicant to stay with the current use. Attorney Carey answered that yes, if they wish to change the use of the facility a new or modified special permit would be required.

MOTION: Mystic River Residential Care, 14 Godfrey Street, the Planning Commission finds that the proposed reasonable accommodation to section 8.6-2 (A) is reasonable and necessary, reserving the right to deny or modify the site plan application on compliance with the applicable zoning regulations.

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

MOTION: Mystic River Residential Care, 12, 14, 16 Godfrey Street, the Planning Commission finds that the proposed reasonable accommodations to section 8.6-2 (B) for 12, 14 and 16 Godfrey Street are reasonable and necessary, reserving the right to deny or modify the site plan application based on compliance with the applicable zoning regulations.

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

Having rendered decisions on the initial "findings," the Commission turned its discussion to the "site plan" and related zoning regulations.

The Commission questioned the building configuration and inquired if there are any functional reasons why this building footprint could not be changed in order to address the issues raised. The Owner responded that the building configuration is based on State health requirements that residents continue to live in their home during construction and that this requires the building to be extended east, then north, but only after getting past the existing building.

The Commission discussed screening and landscaping, parking, staffing, moving the dumpster and generator away from the abutting property, paper street maintenance and snow plowing, and certain operational limitations intended to address abutter concerns.

The Commission directed staff to prepare and provide a draft motion for their consideration regarding the site plan.

Chairman Sherrard called for a recess at 10:09 pm for this purpose. The Commission reconvened at 10:42 pm.

The Commission and staff discussed and revised the draft motion. The Commission felt that two items could be addressed as technical items by staff including

that trees be at least 3" in caliper and that a "bike rack" be provided on site for the residents, staff and patrons of the facility.

MOTION: To approve site plan application #09-09, Mystic River Residential Care, 12, 14 & 16 Godfrey Street, with the following modifications to the plans:

1. Add one parking stall at the northerly end of the proposed parking area, and increase the depth of all parking stalls to a minimum of twenty feet.
2. Provide a portico, awning or some similar treatment at the two access doors on the easterly building fascia and the one on the south building fascia.
3. Provide a coordinated landscape plan, to be approved by the Director of OPDS, for the southerly area between the building front and the street, to include additional deciduous and evergreen plantings, a landscaped berm or berms and tall evergreen plantings at the southeast portion, in order to break up the visual mass and extensive horizontal plane of this elevation.
4. Provide in plan view and construction details, a fifty-foot long decorative masonry sound attenuation wall along the easterly side of the delivery driveway and extending northerly to enclose the proposed refuse dumpster area of #12 Godfrey, including necessary adjustments to the proposed landscaping in this general area, to be approved by the Director of OPDS.
5. Provide a note on the plan that the applicant shall be responsible for the maintenance of and snow removal on the proposed access drive to be located within the Town's right of way.
6. Provide an access easement to the Town of Groton for that portion of the site driveway that extends onto the southwest front portion of #14 Godfrey Street, in a form acceptable to the Town Attorney prior to the recording of the plan in land records.
7. The emergency generator shall be enclosed within a sound attenuation structure, to be approved by the Director of OPDS, and testing will be limited to the frequency and times of day as noted in the application record.
8. Provide a note on the plan that the applicant shall in good faith attempt to arrange refuse pickup between the hours of 10:00 am and 5:00 pm and provide written evidence to the Director of OPDS of this request prior to the issuance of a zoning permit.
9. Provide a note on the plan that the frequency and time of deliveries shall comply with the application record.

10. Provide a note on the plan that #12, #14 and #16 Godfrey shall be legally merged by single deed and legal description, duly executed and recorded in the Land Evidence Records of the Town of Groton, prior to the issuance of a zoning permit.
11. Provide a note on the plan that the number of residents shall be limited to 25 and that all residents shall at all times be "qualified" as that term is defined by the FHA and/or ADA, and that the residents shall be limited to persons who comply with these definitions.
12. Revise note 19 on the plans to indicate that the improvements shall comply with the architectural plans of record and that any changes or deviations shall require prior approval by the Planning Commission.
13. Provide a note indicating that the applicant shall provide an erosion control surety in an amount and form to be approved by the Town Attorney prior to the recording of the plan in land records.
14. Provide a note indicating that the parking requirement shall be reviewed after one year following the issuance of a final certificate of occupancy and if it is determined that additional parking is necessary, the Commission reserves the right to require such parking at that time.
15. Technical items raised by staff shall be addressed.

Motion to amend made by Roper to modify bulk of building towards Godfrey Street, no second.

Motion made by Sherrard, seconded by Pritchard, motion passed 4-1 (Roper opposed).

Commissioner Roper explained that his opposition was not to the use, but based on his opinion that had the Commission, neighbors and applicant been given more time, a better design could have been developed that was more consistent with the neighborhood.

III. ADJOURNMENT

Motion to adjourn at 11:28 p.m. made by Sherrard, seconded by Pritchard, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Katie Doolittle
Office Assistant II



TOWN OF LEDYARD, CONNECTICUT

Zoning Official's Office

RECEIVED
TOWN CLERK'S OFFICE

741 Colonel Ledyard Highway, Ledyard, CT 06339-1551

Phone: (860) 464-3216

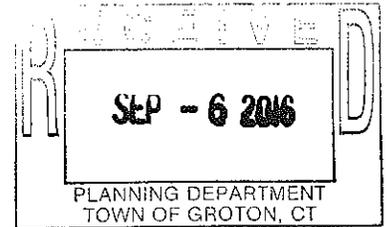
FAX (860) 464-0098

zoning.official@ledyardct.org

RECORDED VOL. PAGE

Betsy Moukawsher
TOWN CLERK, GROTON, CONN
August 29, 2016

Betsy Moukawsher, Town Clerk
Groton Town Hall
45 Fort Hill Road
Groton, CT 06340



RE: Notice of Pending Application #4492
Site Plan Review for a bed & breakfast facility
333 Colonel Ledyard Highway, Ledyard, CT

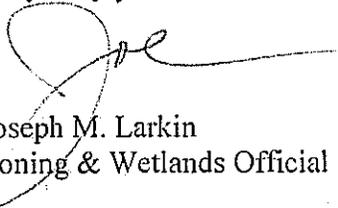
Dear Ms. Moukawsher,

To comply with Connecticut General Statutes Section 8-7d (f), please find enclosed a copy of the above-referenced application and pass it along to the proper authorities for their review and comments. The subject property is within 500 feet of the Ledyard / Groton boundary line.

This application is listed on the agenda of the Planning & Zoning Commission scheduled for Thursday, September 8, 2016 at 7PM, Town Hall Annex, 741 Colonel Ledyard Highway, Ledyard, CT. A representative may appear and address any concerns with this application. Letters submitted prior to the meeting will be read into the record.

If anyone from your town would like to discuss this matter in greater detail, please have them contact me at Ledyard Town Hall.

Very truly yours,


Joseph M. Larkin
Zoning & Wetlands Official

- 333 COL. LEDYARD HWY
LEDYARD

TOWN OF LEDYARD
APPLICATION FOR PLANNING & ZONING COMMISSION REVIEW

Application No. 4492

Receipt Date 8/10/16

CAM Exempt? Y N

AUG 22 2016

LAND USE DEPARTMENT

Date Submitted 8/11/16

Location of Work (street address) 333 Col Ledyard Hwy

Zoning District R-60

Is this property within 500 feet of another town? yes

CAM Zone? Y N

Existing Use Bed and Breakfast

Tax Assessor's Map No. 141

Please refer to the Zoning Regulations for assistance with application details.

Applicant/Agent Marilyn Preber Signature Marilyn Preber

Address 333 Col Ledyard Hwy Telephone 860-377-7578

Owner (if different) _____

Address of Owner _____ Telephone _____

Proposal:

- Site Plan
- Sign Permit
- Regulation Change*
- Gravel Permit
- Fill Permit
- Flood Hazard Permit
- Special Permit*
- Other: _____
- Zone Change
- CAM Permit

RECEIVED
TOWN CLERK'S OFFICE
2016 SEP - 8 PM 3:05
RECORDED VOL.
Marilyn Preber
TOWN CLERK, PROTON, CONN.

Details convert existing building (former garage) into addition 3 bedrooms Bed & Breakfast

Special Exceptions:

- Bed & Breakfast Operation
- Country Inn
- Temporary Saw Mill
- Apartment/Condominium
- Mobile Home Village
- Child Day Care Center
- Home Husbandry**
- Two-family Dwelling
- Contractor Home Occupation
- Commercial Vehicle/ Contractor Equipment Storage

*Public Hearing Required

*Does the deed for this property contain restrictions on the proposed activity? NO

**Does the deed for this property contain restrictions on the keeping of animals? NO

Start Date: _____ Completion Date: _____ or Reapplication Date: _____ Expiration Date: _____

List previous zoning application numbers: _____

Approved by: _____ Date: _____

Denied by: _____ Date: _____

FEE: 200 + \$60.00 State Fee = 260 DATE PAID 8/22/16 RECEIPT # 847505 71113

333 COL. LEDYARD HWY



RECEIVED
TOWN CLERK'S OFFICE

2016 SEP -6 PM 3: 05

RECORDED VOL. PAGE

Betsy Markowich
TOWN CLERK, GROTON, CONN

Date: August 12, 2016

To: Mr. John Martucci, P.E.
c/o Dieter & Gardner
1641 Route 12
P. O. Box 335
Gales Ferry, Conn. 06335

Subject Property: Plan Showing Property of Marilyn Richards, 333 Colonel Ledyard Highway, Ledyard, Conn.

Plan Designed by: J. Martucci, PE Plan Date: July 27, 2016 Date Paid: August 5, 2016

The plan and associated information were submitted to our office on August 5, 2016, for a sewage disposal system to serve a 2-bedroom, detached Bed & Breakfast guest facility without kitchenette on a property having a main dwelling with 4 bedrooms/guest rooms used as a bed & breakfast. The main building has a separate sewage system of undetermined size. The location of the tank for that system is noted on the plan, as well as the domestic water supply well. The new system for the detached building will consist of a minimum 1,000 gallon septic tank followed by 40 ft. of 18" high Mantis units in a single row in an area of "strip and fill". Although a repair/replacement system for the main building is not noted on the plan, there is sufficient suitable area available within which a code-conforming system could be installed in the event of future need. At that time, the septic tank and all leaching components would be located greater than 75 ft. from the well serving the facility. The design for the sewage system for the 2-bedroom guest facility is:

XXX "Approved with Conditions": Complies with the requirements of Section 19-13-B103 and 19-13-B100a of the Connecticut Public Health Code and the Ledge Light Health District Plan Review Policies.

"Additional Approval Requirements"

1. Installer to submit scaled and/or tied as-built to LLHD upon 30 days of completion with distances to flow line at house, inlet and outlet cover of tank, d-boxes, cleanouts and ends of leaching rows, well, footing/curtain drains and between tie points. In addition, provide the name of installer, date, house location and street/directional arrow.
2. All tanks requiring risers shall maintain the original covers on the tanks, have riser covers that weight at least 59 lbs. and/or install a safety device below the riser to prevent individuals from falling into a tank. All below grade tank or riser cover handles shall contain or be fitted with a material that can be located with a metal detector.
3. Finished grading is insufficient as shown. Based on the proposed bottom elevation of 257.0, the elevation of the top of system shall be 258.5. Mantis requires a min. of 10 inches of cover above their units and the final grading shall extend a min. of 10 ft. beyond the system perimeter at the elevation of top of system. Contours or spot elevations shall be provided to note the required grading for the leaching system and distribution piping to the Mantis row.
4. The leaching area shall be stripped a min. of 5 ft. around the perimeter of the Mantis row and filled with C-33 sand to the elevation of the top of row prior to installation of the Mantis units.
5. Since the existing septic tank is located slightly less than 75 ft. from the domestic well and both the existing leaching system and new sewage system are less than 150 ft. from the well, the well pump serving the main facility will be evaluated for its withdrawal rate to ensure that it does not pump at 10 gpm, or greater. If the pump rate is 10 gpm, or greater, or if an evaluation is not performed, a flow reducing valve will be required on the well discharge line to limit the pump rate to less than 10 gpm. The adequacy of the water system should, therefore, be reviewed relative to available pressurized or non-pressurized storage to meet anticipated demand with the limited flow rate.

The following are not currently required by CT Public Health Code and/or LLHD Plan Review Policies but are encouraged/recommended to protect the proposed structures, onsite septic system, water treatment discharge system and/or water supply/groundwater.

*333 COL.
LEDYARD Hwy*



1. All proposed well arcs should be kept on the property they serve (to allow neighbors full use of their properties) and all well casings should be located at least 10' from driving surfaces and/or structures to prevent future damage and allow for future maintenance of the wells.
2. It is strongly encouraged to keep the original tank covers on all tanks requiring risers to prevent the escape of sewer gases and prevent individuals from falling into tanks.
3. The designer should take into consideration the location of potential future water treatment discharge systems, rain gardens and footing/gutter drain discharge locations.

*Please note that soils testing indicated on this plan are representative of actual soils conditions and additional deep test pits and percolation tests may be required by the Ledge Light Health District if the building or system location is altered and/or the suitable septic area is limited. Applicant should be aware that subdivision approval IS NOT sufficient for individual lot approval. Each lot must be reviewed by the Ledge Light Health District at the time of building permit application in order to obtain lot approval and issue a septic/well permit.

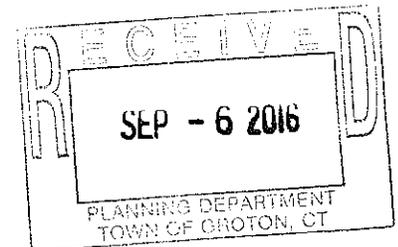
Please call me at 860-448-4882 ext. 330 with any questions regarding this matter.

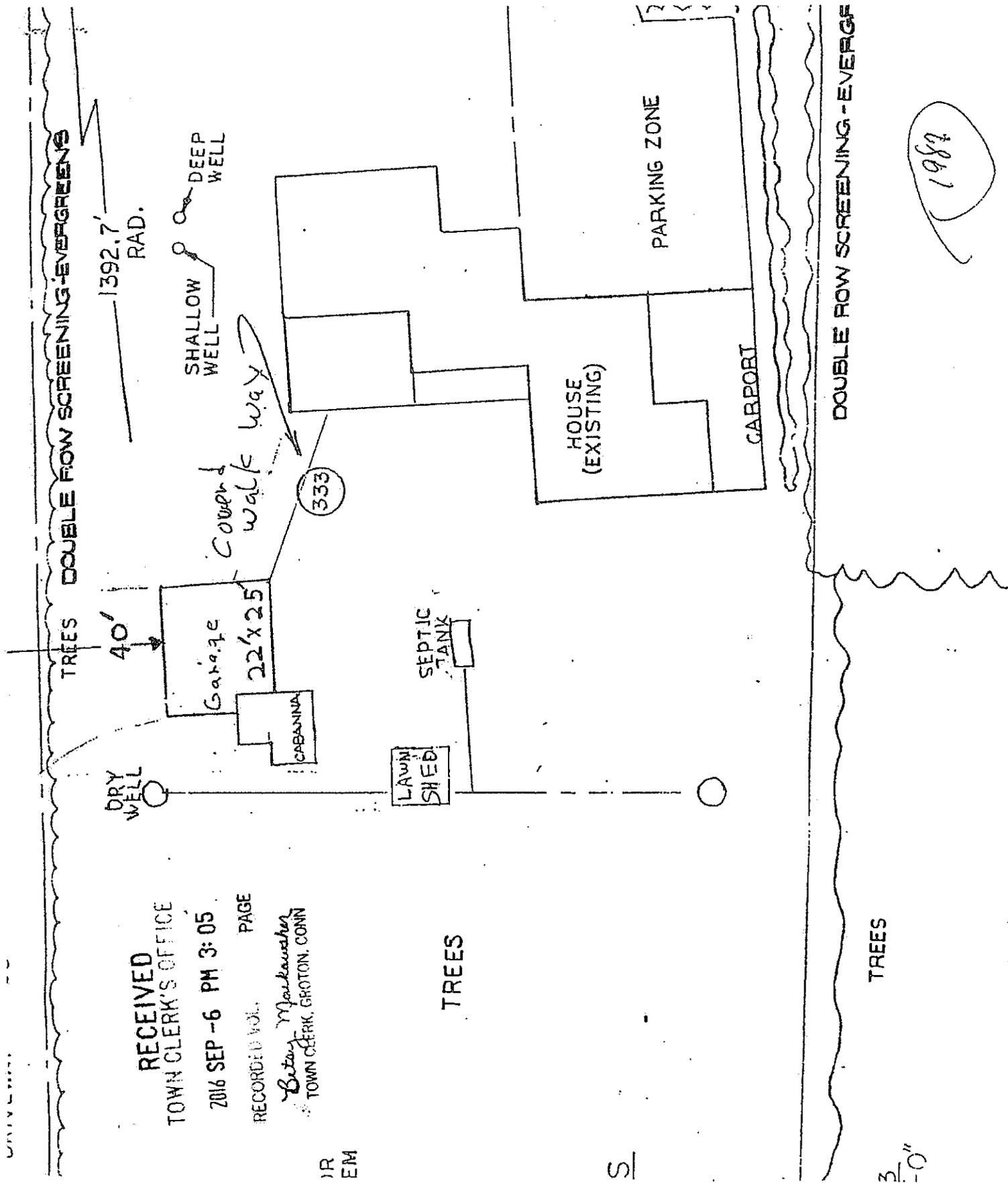
Sincerely,

A handwritten signature in cursive script that reads "George F. Calkins".

George F. Calkins, R.S.
Senior Sanitarian

Cc: M. Richards
Ledyard Plan. & Zoning Comm.
J. Larkin
P. Gardner
R. Dalton
COL LED HWY 333-LED_LTR





RECEIVED
 TOWN CLERK'S OFFICE
 2016 SEP -6 PM 3:05
 RECORDED VOL. PAGE
Betsy Markowich
 TOWN CLERK, GROTON, CONN

JR
 EM

TREES

S

TREES

3'-0"

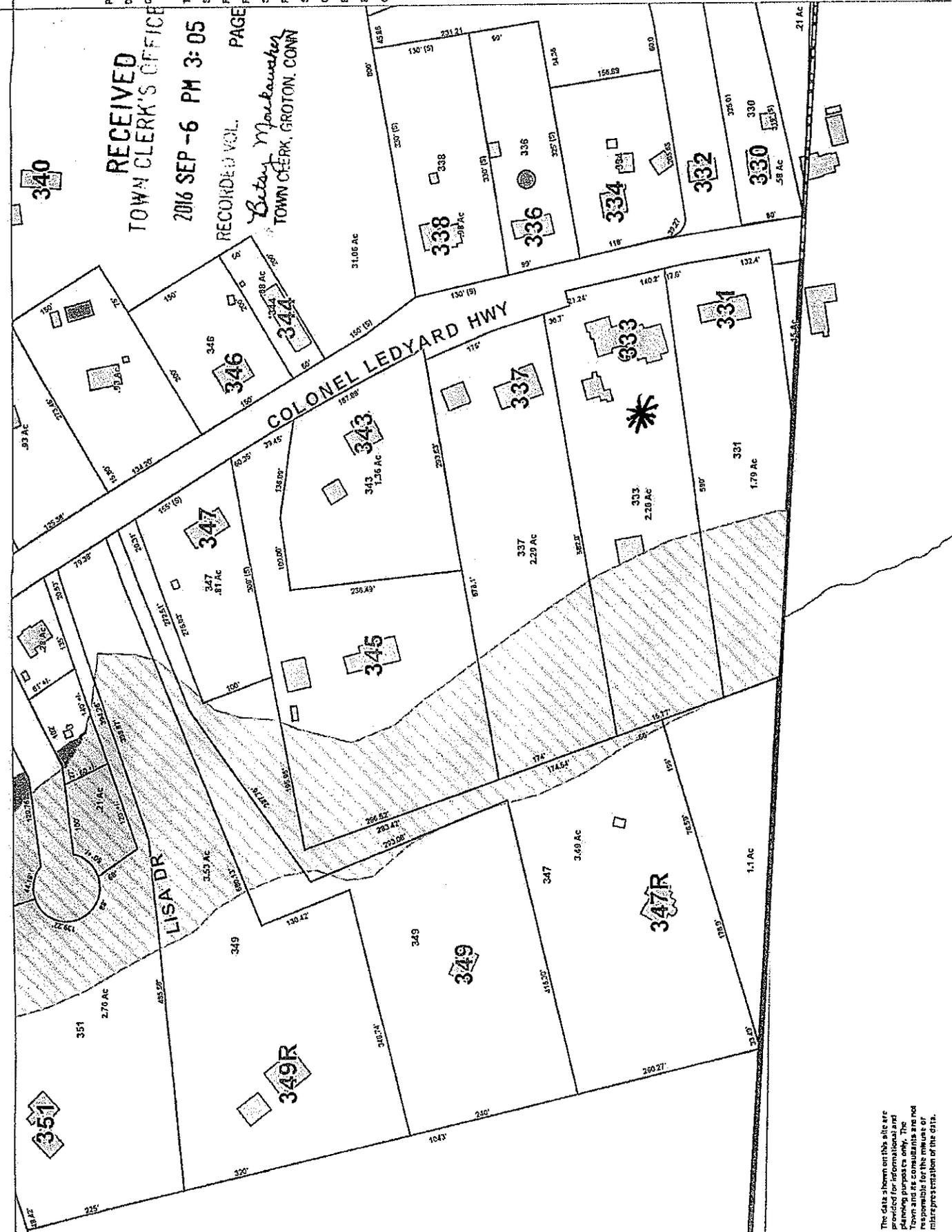
1887

333 COL. RD
 Housy



Parcels
 DEP Wetland Soils
 CT Highways
 Interstate
 US Highway
 State Highway
 Town Boundary
 State Fields
 Railroads
 ROWs
 Streets
 Power Lines
 Streams
 Open Water
 Buildings
 Encumbrances
 CT Communities

RECEIVED
TOWN CLERK'S OFFICE
 2016 SEP -6 PM 3:05
 RECORDED VOL. PAGE
Letsy Markbauer
 TOWN CLERK, GROTON, CONN



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the results or misrepresentation of the data.

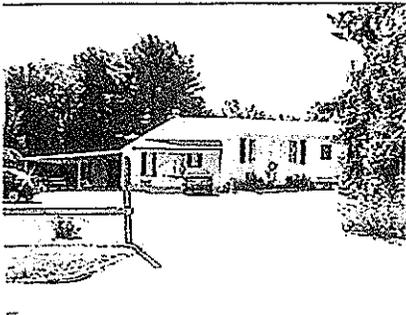
333 COL. LEDYARD HWY

Town of Ledyard Property Summary Report

333 COLONEL LEDYARD HWY

RECEIVED
TOWN CLERK'S OFFICE

PARCEL ID:	141-530-333		
LOCATION:	333 COLONEL LEDYARD HWY	2016 SEP -6 PM 3:05	
OWNER NAME:	RICHARD MARILYN	RECORDED VOL.	PAGE



OWNER OF RECORD
RICHARD MARILYN
333 COLONEL LEDYARD
LEDYARD, CT 06339



LIVING AREA:	1262	ZONING:	R60	ACREAGE:	2.27 AC
--------------	------	---------	-----	----------	---------

SALES HISTORY

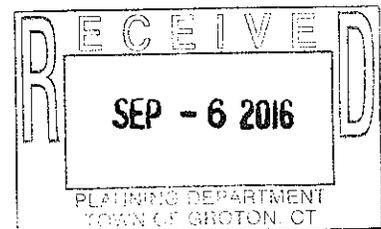
OWNER	BOOK / PAGE	SALE DATE	SALE PRICE
RICHARD MARILYN	245/ 352	25-Aug-1994	\$272,000.00
PRICE ROBERT J + MARY R	00032/0118	19-Dec-1958	\$0.00

CURRENT ASSESSED VALUE

TOTAL:	\$297,500.00	IMPROVEMENTS:	\$244,720.00	LAND:	\$52,780.00
--------	--------------	---------------	--------------	-------	-------------

ASSESSING HISTORY

FISCAL YEAR	TOTAL VALUE	IMPROVEMENT VALUE	LAND VALUE
2015	\$297,500.00	\$244,720.00	\$52,780.00
2014	\$313,110.00	\$257,530.00	\$55,580.00
2013	\$313,110.00	\$257,530.00	\$55,580.00
2012	\$313,110.00	\$257,530.00	\$55,580.00
2011	\$313,110.00	\$257,530.00	\$55,580.00



333 COL LED HWY

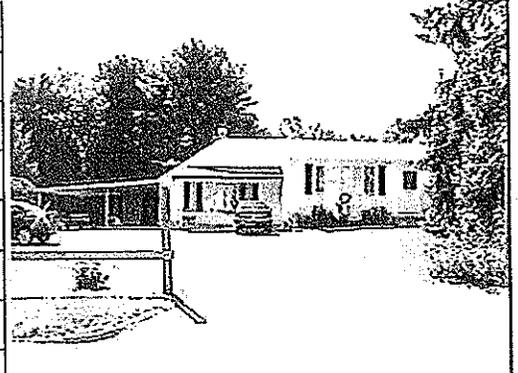
Town of Ledyard Property Summary Report

333 COLONEL LEDYARD HWY

PARCEL ID:	141-530-333
LOCATION:	333 COLONEL LEDYARD HWY
OWNER NAME:	RICHARD MARILYN

BUILDING # 1

YEAR BUILT	1935	ROOF STRUCTURE	Gable/Hip
STYLE	Inn	ROOF COVER	Asphalt Shingle
MODEL	Residential	FLOOR COVER 1	Carpet
GRADE	Average +	FLOOR COVER 2	
STORIES	2	HEAT FUEL	Oil
OCCUPANCY	INN/B+B M01	HEAT TYPE	Hot Water
EXT WALL 1	Vinyl Siding	AC TYPE	None
EXT WALL 2		BEDROOMS	4 Bedrooms
INT WALLS 1	Drywall/Sheet	FULL BATHS	3
INT WALLS 2		HALF BATHS	0
		TOT ROOMS	8



EXTRA FEATURES

DESCRIPTION	CODE	UNITS
2ST Fireplace	FPL3	1 UNITS
2ST Fireplace	FPL3	1 UNITS

OUTBUILDINGS

DESCRIPTION	CODE	UNITS
Pool- Round	SPL4	18 DIAMETER
Loft Garage-G	FGR5	744 S.F.
Shed	SHD1	100 S.F.

Town of Ledyard Property Summary Report

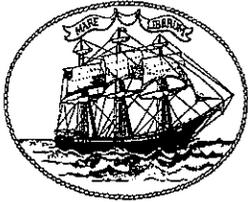
333 COLONEL LEDYARD HWY

PARCEL ID:	141-530-333
LOCATION:	333 COLONEL LEDYARD HWY
OWNER NAME:	RICHARD MARILYN

BUILDING # 2

YEAR BUILT	1973	ROOF STRUCTURE	Gable/Hip
STYLE	Inn	ROOF COVER	Asphalt Shingl
MODEL	Residential	FLOOR COVER 1	Carpet
GRADE	Average	FLOOR COVER 2	
STORIES	1.5	HEAT FUEL	Oil
OCCUPANCY	INN/B+B M01	HEAT TYPE	Hot Water
EXT WALL 1	Vinyl Siding	AC TYPE	None
EXT WALL 2		BEDROOMS	2 Bedrooms
INT WALLS 1	Drywall/Sheet	FULL BATHS	1
INT WALLS 2		HALF BATHS	0
		TOT ROOMS	4





CITY OF NEW LONDON
CONNECTICUT
OFFICE OF DEVELOPMENT & PLANNING
Planning, Zoning, & Wetlands Division

111 Union Street
New London CT 06320
(860) 437-6379
(860) 437-4467 FAX

SEPT 13, 2016
RC mtg

RECEIVED
TOWN CLERK'S OFFICE

2016 AUG 12 AM 10:27

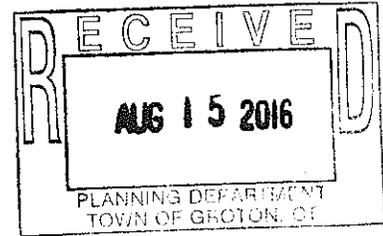
RECORDED PAGE

Betsy Moukawsher
TOWN CLERK, GROTON, CONN

CERTIFIED 7011 2000 0000 9075 1881

August 10, 2016

Ms. Betsy Moukawsher
Town Clerk
Town of Groton
45 Fort Hill Road
Groton, CT 06340



**Re: Application of Gordon Videll
Zone Regulation Amendment
Public Hearing- Planning & Zoning Commission – September 15, 2016**

Dear: Ms. Moukawsher:

We are currently in receipt of an application for a Zone Regulation Amendment application submitted by Mr. Gordon Videll to modify Section 550.2 (Waterfront Commercial-Industrial, Uses permitted subject by the issuance of a special permit.

Per the Connecticut General Statutes, I am referring said application to the Town of Groton for any questions or comments you may have.

The public hearing is scheduled for Thursday, September 15, 2016 at 7:00 p.m. in the City Hall Council Chambers, 181 State Street, New London, CT 06320.

If you have any questions or comments please feel free to contact Michelle Scovish, Assistant Planner or myself at 437-6379.

Sincerely,

Shelly Briscoe

Shelly Briscoe
Land Use Coordinator

Enclosure

CITY OF
NEW LONDON

RECEIVED
TOWN CLERK'S OFFICE
SYNODI & VIDELL, LLC
ATTORNEYS AT LAW AM 10: 27
RECORDED PAGE

RECEIVED

AUG 10 2016

CITY OF NEW LONDON
OFFICE OF DEVELOPMENT & PLANNING

Gordon Videll, Esquire

Christine Synodi, Esquire

Betsy Markowshy
TOWN CLERK GROTON, CONN

8/10/16

City of New London
Office of Development Planning
181 State Street
New London, CT 06320

RECEIVED
AUG 15 2016
PLANNING DEPARTMENT
TOWN OF GROTON, CT

RE: Zoning Regulation Amendment

I have submitted the attached application to amend use 27 in Section 550.2 regarding the Waterfront Commercial-Industrial Zone. If adopted, this amendment will allow higher and better use of property adjacent to existing rail infrastructure than the current regulations allow.

A facility allowed under this amendment would be beneficial to New London, local businesses and residents in several ways. The first and most obvious is an increase to the grand list. In addition, a fully operational facility would bring jobs to the community and allow for less expensive and more convenient disposal of waste. This amendment would allow development on parcels that have been unused for decades and make use of the existing tracks.

The existing rail infrastructure is substantial and to install the same would make a facility allowed under this amendment in another location cost prohibitive. A facility under this amendment would highly regulated through DEEP and the Commission's oversight would ensure that any project would meet all public safety and zoning concerns. Further, if accepted, this amendment would give the potential to capitalize on an underutilized asset located in the City while being substantially similar to the use of the New London transfer station which is already located in the district.

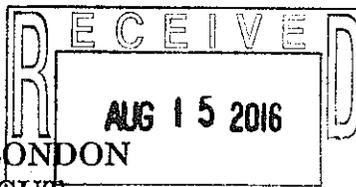
Thank you for your consideration and please contact me with any question you may have.

Regards,

G. Videll
Gordon Videll

65 Boston Post Road, Waterford, CT 06385
Phone: (860) 447-3220 Fax: (860) 437-8328
www.synodividell.com

CITY OF N.L.



CITY OF NEW LONDON
 CONNECTICUT
 OFFICE OF DEVELOPMENT & PLANNING
 Planning, Zoning, & Wetlands Division

181 State Street
 New London CT
 06320
 (860) 437-6379
 (860) 437-4467 FAX

2016 AUG 12 AM 10: 27

-APPLICATION-
 Planning & Zoning Commission

APPLICATION# *Betsy Markawich*
 TOWN CLERK GEORGETOWN, CONN

Applications and all supporting materials (18 COPIES/SETS OF EACH PLUS THE ORIGINAL) shall be submitted to the Office of Development and Planning at least eighteen (18) days prior to a regularly scheduled meeting in order to be received at that meeting.

Please be advised that this application will not be considered complete unless all of the information required on this form and in the regulations are submitted. The Commission will reject the proposal if the application or plans are incomplete.

1. For the following activity: (Check the Applicable Type of Application)

- Zoning Regulation Amendment Zone Map Amendment
 Subdivision Regulation Amendment Other

2. N/A

Street Address(es) of Proposed Zone Map Change (ZONE MAP AMENDMENT ONLY)

3. Briefly describe the proposed Zone Map, Zone Regulation Amendment or Subdivision Regulation Amendment:

The proposed amendment is being requested to allow waste
management and or recycling facilities that may utilize
existing rail transportation in the WCI-1; Waterfront
Commercial-Industrial Zone.

4. N/A

Tax Map/Block/Lot	Lot Area	Zoning District
-------------------	----------	-----------------

5. Is the property located within 500 feet of the City Line?
 _____ YES _____ NO

6. Has the appropriate Inland Wetland Application been submitted?
 _____ YES _____ NO _____ NA

7. Is any portion of the site within the Coastal Area Management Boundary?
 _____ YES _____ NO

*CITY OF
 N.L.*

8. Is any portion of the site within a Flood Hazard Area?
 _____ YES _____ ^X NO

9. Has any previous application been filed with the Planning & Zoning Commission/City Council in connection with these premises?
 _____ YES _____ ^X NO

TYPE OF APPLICATION	DATE OF APPLICATION

10. Attach a letter addressed to the Planning and Zoning Commission that thoroughly describes the following:

- The purpose of the Zone Map and/or Regulation Amendment
- Noise, vibrations, air pollution, glare/heat, electromagnetic radiation, dangerous materials/hazardous wastes
- Any other relevant information or impact, positive or negative, to the neighborhood

11. The following information should also be included:

- Location map (500' scale)
- Plot plan – in place of A-2 survey and a Site Development Plan if waiver granted (dimensions of lot, adjacent streets/side walks, other existing uses, and or any other relevant information)
- Façade/Elevation Drawings
- Other _____

The undersigned hereby acknowledges that this application and statements submitted herewith are true to the best of his/her knowledge and conform to the Zoning Regulations of the City of New London and that approval of the plan is contingent upon compliance with all requirements of said regulations. The undersigned hereby authorizes the New London Planning & Zoning Commission and its agents, the right to enter upon the subject property for the purpose of inspection and enforcement of the Zoning and Subdivision Regulations. ALL NAMES MUST BE PRINTED AND SIGNED.

Gordon Videll

APPLICANT (PRINT)/(If a Corporation – Please Print Name of Member Representing Corporation)

15 Hillside Rd ADDRESS 860 460-7424 PHONE NUMBER 860 437-8328 FAX NUMBER

New London TOWN/CITY CT STATE 00320 ZIP gprv@synod.videll.com EMAIL

G. Videll APPLICANT'S SIGNATURE _____ DATE _____

AGENT (PRINT)

NA-

ADDRESS _____ PHONE NUMBER _____ FAX NUMBER _____

TOWN/CITY _____ STATE ZIP _____ EMAIL _____

AGENT'S SIGNATURE _____ DATE _____

PROPERTY OWNER (PRINT)

Upon penalty of perjury, I represent by this signature that I have the consent, authority and agreement of all other owners of the involved properties to submit this application.

NA-

ADDRESS _____ PHONE NUMBER _____ FAX NUMBER _____

TOWN/CITY _____ STATE ZIP _____ EMAIL _____

PROPERTY OWNERS SIGNATURE _____ DATE _____

PROPERTY OWNERS SIGNATURE _____ DATE _____

Upon penalty of perjury, I represent by this signature that I have the consent, authority and agreement of all other owners of the involved properties to submit this application.

P:\PZC\ApplicationForms\PZC_Application(modified).DOC

CITY OF
N.L.

Use 27 in Section 550.2 of the regulations is hereby amended to read as follows:

- 27) Solid Waste Management and/or Recycling Facility
- (a) All portions of the property on which buildings are located must be more than 100 feet from the Thames River
- (b) Except as otherwise authorized by the Commission, all waste and recyclables receiving, handling, processing, and storage shall be entirely within a building. The facility shall be on property historically used for rail activity and designed and operated to use rail for out-shipment of waste and recyclables.
- (c) Landscaping shall be provided around all sides of the development except the street frontage which may include dense plantings as well as opaque fencing and/or land forms to provide a year round visual screen between the use and adjoining uses.
- (d) The buffer area and plantings shall be designed, to the extent practicable, to screen all on-site operations from the view of the neighboring properties and public roads however areas devoted to vehicle and equipment movement and parking are excluded from this requirement.
- (e) Any outside waste or recyclables storage area shall be located more than 50 feet from any commercial property boundary line or 500 feet from any residential zoned boundary line and be suitably located on the property to maximize visual screening from adjoining properties and public roads.
- (f) At all times that the facility is in operation it must meet the requirements of a general or individual permit issued by the Connecticut Department of Energy and Environmental Protection ("CTDEEP") as defined by State of Connecticut law and regulation, including any other permitting obligations of local, State or Federal law and regulation.
- (g) The facility shall not be authorized or permitted by CTDEEP to

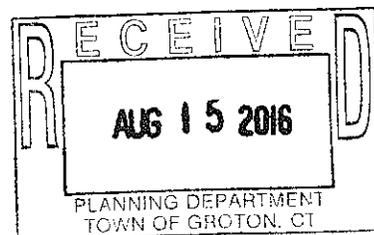
RECEIVED
TOWN CLERK'S OFFICE
2016 AUG 12 AM 10:27
RECORD PAGE
Betsy Moskauer
TOWN CLERK, BROTON, CONN.

CITY OF
N.L.

WCI-1; Waterfront Commercial-Industrial Zone

receive either liquid or solid hazardous waste material as defined by applicable law and these regulations.

- (h) Prior to conducting any operations at the property, an Operations and Management Plan approved by the CTDEEP must be provided to the appropriate City departments including Fire, Police, Public Works, Building, and others to be determined by the Commission.



CITY OF
N. L.

MEMORANDUM

TO: Town of Groton Planning Commission
FROM: Diane Glemboski, Planner II
DATE: September 7, 2016
SUBJECT: City of Groton Referral of Revised Subdivision and Zoning Regulations

The Referral for the City of Groton Revised Subdivision and Zoning Regulations has been placed on your agenda for the September 13, 2016 Planning Commission meeting. The public hearing for this comprehensive revision to the City's land use regulations is scheduled for September 20, 2016.

Because of the large size of the documents we have not been able to send the documents through email. We are suggesting that you review the documents at the City of Groton website. They can be accessed on the home page under City Announcements. We also have copies of both documents for in-house review at our office.

Please email Robin at rsilsby@groton-ct.gov for any additional help.

CITY OF
GROTON

REFERRAL
PC MTG
9/13/16



RECEIVED
TOWN CLERK'S OFFICE

2016 JUL 27 AM 11:03
RECORDED VOL. PAGE

295 Meridian Street 06340
Groton, CT 06340

Betsy Markawsher
TOWN CLERK GROTON CONN

Planning and Zoning
Department

Barbara Goodrich, City Planner
860-446-4169 phone
goodrichb@yourservice.com

July 25, 2016

Town Clerk
Town of Groton
45 Fort Hill Road
Groton, CT 06340

RE: Referral of Revised Subdivision and Zoning Regulations

Dear Town Clerk,

Please be advised that the City of Groton Planning and Zoning Commission is considering a comprehensive revision to its land use regulations.

A copy of the draft revised Subdivision and Zoning Regulations proposal is enclosed. The public hearing for the amendment proposal is scheduled for Tuesday, September 20, 2016 at 7:00 pm in the City Council Chambers at City Hall, 295 Meridian Street, Groton, CT 06340.

The notice is provided in accordance with the Connecticut General Statutes, which requires us to notify the Town Clerk when any portion of property affected by a decision of a zoning commission lies within 500 feet of an adjacent municipal boundary.

If you have any questions or need additional information, please do not hesitate to call me at 446-4169.

Sincerely,
B Goodrich
Barbara Goodrich
City Planner

CITY OF
GROTON

RECEIVED
TOWN CLERK'S OFFICE

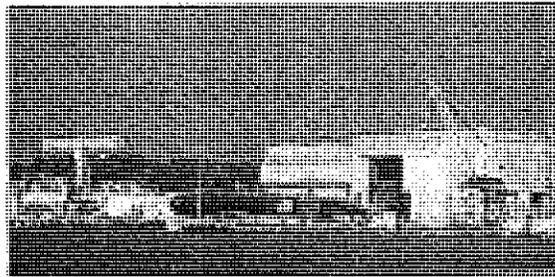
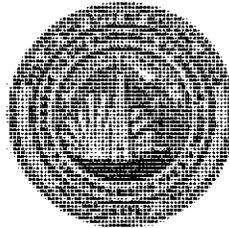
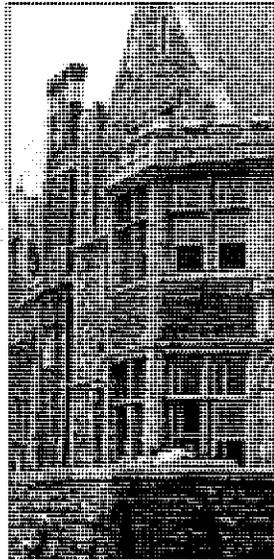
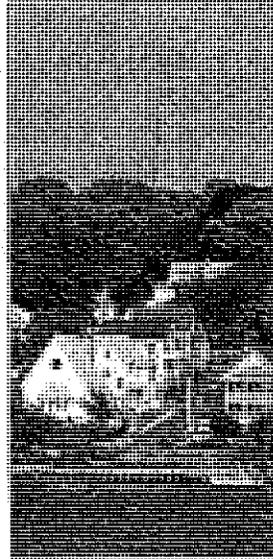
2016 JUN 27 AM 11:03

RECORDED PAGE

Betsy Markawich
TOWN CLERK GROTON CONN

CITY OF GROTON

Zoning Regulations



**Scheduled For Public Hearing On Adoption On
September 20, 2016**

**Planning and Zoning Commission
Effective – Month Day, 2016**

*CITY OF
GROTON*

Welcome!

These Regulations have been organized in a way that will hopefully make it easy for you to find the information you are looking for.

One of the first things to do might be to determine the zoning district(s) that the property is located within. The zoning map can be found here:

<http://www.cityofgroton.com/zoning.asp>

Then, to help you find the information you seek, the Regulations are organized around the following major themes:

THEME	SECTIONS	DESCRIPTION
Regulatory Basics	1. Regulatory Basics 2. Words And Terms	<i>Basic information about interpreting and applying the Regulations.</i>
Zones and Uses and Standards	3. Residence Zones 4. Business And Industrial Zones 5. Special Zones 6. Use-Related Provisions	<i>Information specific to different zones and uses</i>
General Standards and Requirements	7. Standards 8. Special Provisions	<i>Standards related to development activities</i>
Procedures	9. Administrative Provisions	<i>How applications will be processed</i>

Users of these Regulations may find the following resources helpful:

People

- Groton City Planner
- Building and Zoning Official
- Planning and Zoning Commission

Other Regulations / Maps

- Inland Wetlands Regulations
- Subdivision Regulations
- City Ordinances
- GIS mapping

Other Information

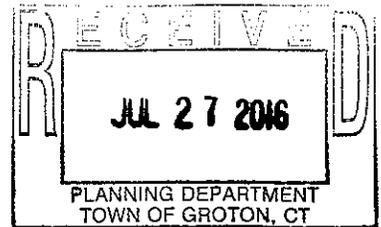
- City website
- Assessment information

TABLE OF CONTENTS

1.	REGULATORY BASICS	1
1.1.	Authority	1
1.2.	Purposes	1
1.3.	Jurisdiction	1
1.4.	Zoning Districts And Zoning Map.....	2
1.5.	Construction Of Regulations	2
1.6.	Validity And Severability	4
1.7.	Effective Date.....	4
2.	WORDS AND TERMS	5
2.1.	Basic Usage	5
2.2.	Definitions.....	7
3.	RESIDENCE ZONES.....	33
3.0.	Overview	33
3.1.	Purpose	33
3.2.	Permitted Principal Buildings, Structures And Uses	34
3.3.	Permitted Accessory Buildings, Structures And Uses	36
3.4.	Dimensional Standards	39
4.	BUSINESS AND INDUSTRIAL ZONES	45
4.0.	Overview	45
4.1.	WBR – Waterfront Business Residence District.....	46
4.2.	FCD – Five Corners District.....	53
4.3.	GC – General Commercial Zone	58
4.4.	IT – Industrial / Technology Zone	63
4.5.	TC – Technology Campus Zone	67
5.	SPECIAL ZONES.....	71
5.0.	Overview	71
5.1.	ROS – Recreation Open Space	72
5.2.	CAM - Coastal Area Management Overlay Zone	74
5.3.	FP - Flood Protection Overlay Zone	77

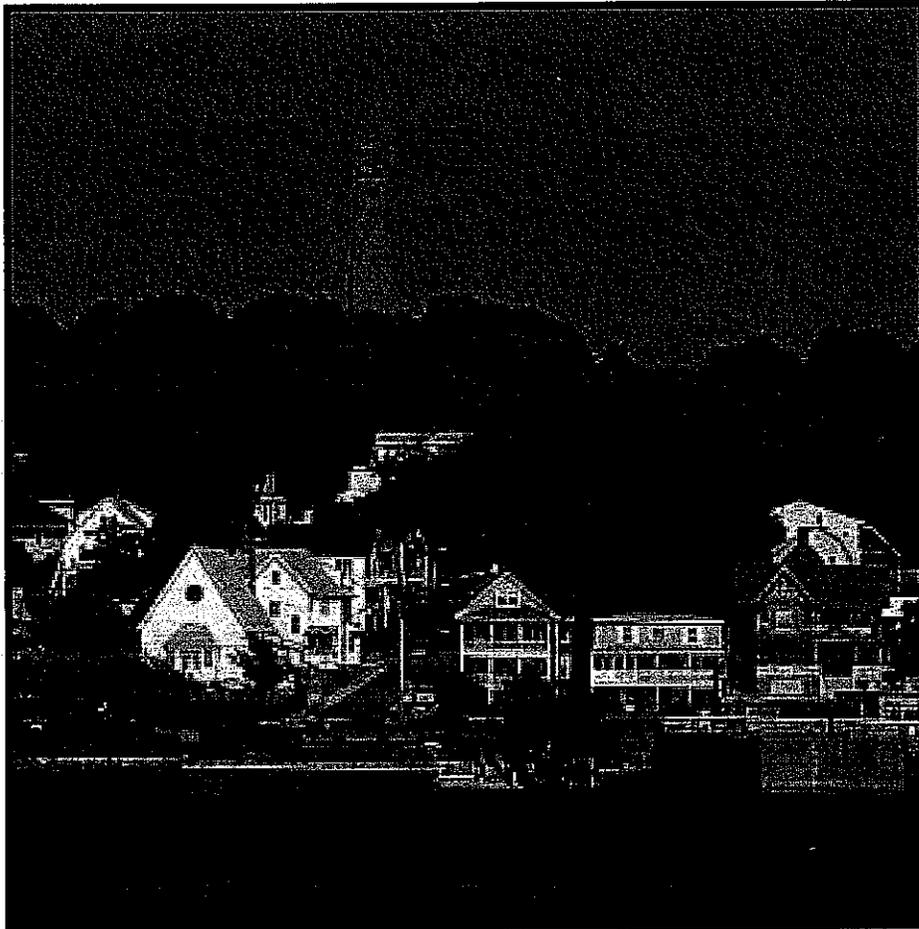
CITY OF
GROTON

6.	USE-RELATED PROVISIONS.....	93
6.0.	Overview	93
6.1.	Multi-Family Standards.....	93
6.2.	Rear Lots	96
6.3.	Home-Based Businesses	97
6.4.	Day Care.....	98
6.5.	Bed and Breakfast Establishments.....	100
6.6.	Gasoline Stations, Vehicle Dealerships, Vehicle Repair and Service	102
6.7.	Halfway Houses.....	103
6.8.	Community Residential Counseling Facilities (CRCFs)	104
6.9.	Vocational Training Facility	105
6.10.	Specialized Classrooms	107
6.11.	Boat Club, Beach Club and Marina	108
6.12.	Telecommunication Facilities	109
7.	STANDARDS	113
7.1.	Parking and Loading Regulations.....	113
7.2.	Sign Regulations.....	123
7.3.	Filling and Removing Of Earth Products	129
7.4.	Corner Visibility.....	130
7.5.	Access Drives, Accessways And Access Management	131
7.6.	Outdoor Lighting.....	133
7.7.	Stormwater Management	137
7.8.	Performance Standards	138
8.	SPECIAL PROVISIONS	141
8.1.	Frontage Required	141
8.2.	Dimensional Exceptions.....	142
8.3.	Non-Conforming Uses, Structures And Lots	144
8.4.	Design Considerations	147
9.	ADMINISTRATIVE PROVISIONS.....	151
9.1.	Pre-Application Reviews	151
9.2.	Zoning / Building Permit	152
9.3.	Site Plan Application	154
9.4.	Special Permit Application	160
9.5.	Text Amendment Application	168
9.6.	Zone Change Application	172
9.7.	Zoning Board Of Appeals	176
9.8.	Administration And Enforcement.....	181
9.9.	Procedural Details.....	182



CITY OF GROTON

SUBDIVISION REGULATIONS



Scheduled For Public Hearing On Adoption On
September 20, 2016

Planning and Zoning Commission

Effective – Month Day, XXXX

*CITY OF
GROTON*

TABLE OF CONTENTS

ARTICLE 1.00 INTRODUCTION	1
1.01 AUTHORITY	1
1.02 PURPOSES	1
1.03 APPLICABILITY	2
1.04 MODIFICATION OF STANDARDS.....	2
1.05 ADMINISTRATIVE PROVISIONS.....	3
ARTICLE 2.00 INTERPRETATION	4
2.01 INTERPRETATION OF REGULATIONS.....	4
2.02 USE OF TERMS.....	4
2.03 DEFINED TERMS.....	5
ARTICLE 3.00 PARCEL AND LOT REQUIREMENTS	10
3.01 LAND SUITABILITY	10
3.02 PROTECTION OF IMPORTANT FEATURES.....	11
3.03 FLOOD PROTECTION	11
3.04 LOT LAYOUT	12
3.05 OPEN SPACE.....	13
3.06 SOLAR ACCESS.....	16
3.07 SOIL EROSION AND SEDIMENT CONTROL.....	16
ARTICLE 4.00 INFRASTRUCTURE REQUIREMENTS	17
4.01 STREETS.....	17
4.02 SIDEWALKS.....	25
4.03 DRIVEWAYS.....	25
4.04 SEWAGE	26
4.05 WATER.....	26
4.06 FIRE PROTECTION.....	26
4.07 STORM DRAINAGE	27
4.08 WIRE UTILITIES	30
4.09 STREET LIGHTS	30
4.10 STREET TREES.....	30

CITY OF
GROTON

ARTICLE 5.00 APPLICATION PROCEDURES	31
5.01 GENERAL	31
5.02 PRELIMINARY STAFF REVIEW (OPTIONAL)	32
5.03 PRELIMINARY COMMISSION REVIEW (OPTIONAL)	32
5.04 FORMAL SUBDIVISION APPLICATION	33
5.05 RECEIPT AND SCHEDULING	34
5.06 NOTICE PROVISIONS	35
5.07 PUBLIC HEARINGS	36
5.08 APPLICATION PROCESSING AND ACTION	37
ARTICLE 6.00 POST- APPROVAL PROCEDURES	38
6.01 FINALIZING APPROVED PLANS	38
6.02 PROVISION OF FINANCIAL GUARANTEE	39
6.03 SUBMISSION FOR SIGNATURE	40
6.04 FILING OF APPROVED PLANS	41
6.05 MODIFICATION OF APPROVAL	41
ARTICLE 7.00 CONSTRUCTION PROCEDURES	42
7.01 CONSTRUCTION - EROSION AND SEDIMENT CONTROL	42
7.02 CONSTRUCTION - CLEARING AND GRADING	42
7.03 CONSTRUCTION OF IMPROVEMENTS	43
7.04 INSPECTION OF IMPROVEMENTS	44
7.05 PERIOD FOR COMPLETION OF IMPROVEMENTS	45
7.06 MONUMENTS AND MARKERS	46
7.07 FINAL ACCEPTANCE AND MAINTENANCE	47

A graphic illustrating the conceptual subdivision approval process is presented on the inside back cover of these Regulations.

CITY OF GROTON

From the Bench

PC MATC 9/13/16



by Christopher J. Smith, Esquire

Post-MacKenzie: "Exceptions to" Zoning Regulations?

Everyone remembers *MacKenzie v. Planning and Zoning Commission*, 146 Conn. App. 406 (2013), where the Appellate Court held that a zoning commission lacks authority to adopt regulations permitting the commission to vary its zoning regulations. The Court confirmed that only a zoning board of appeals has the authority to grant variances.



Was *MacKenzie* the death knell for waivers and variances by zoning commissions? In *Santarsiero v. Planning and Zoning Commission*, 165 Conn. App. 761 (2016), released on May 31, 2016, the Appellate Court indicates: "Maybe not."

Santarsiero's Regulatory Provisions

Santarsiero is yet another round of the *MacKenzie* litigation involving an attempt to locate a MacDonald's restaurant on Main Street in Monroe. As with *MacKenzie*, a landscape buffer requirement was at issue.

Apparently, in response to *MacKenzie*, the Monroe zoning regulations were modified in 2013 to provide two "exceptions" to a buffer requirement, which mandates "no fewer than three (3) rows of suitable evergreen trees of one and one-half inches caliper..." for all required yards abutting certain zoned property.

The first exception is referred to by the Court as the "remaining natural vegetation" exception. The regulation provides that "[w]here in the judgment of the Commission sufficient

natural vegetation exists it may be substituted in total or portions in lieu of [the aforementioned evergreens buffer]...or may be augmented...to establish an effective buffer within the intent of the regulations." In other words, if there's a sufficient, existing vegetative buffer, one may not have to replace it with the specified triple row of evergreens. This appears sensible and provides flexibility for a commission when reviewing a special exception application, which is what was involved in both *MacKenzie* and *Santarsiero*.

The second exception is referred to as the "wetlands" exception. The regulation provides: "Where area required for [the aforementioned evergreens] buffer is an inland wetlands area, the Commission, at its discretion, may prescribe alternative buffer requirements or waive buffer requirements in order to preserve and protect said wetlands area consistent with the intent of the Connecticut General Statutes." Again, this appears sensible. Why subject wetlands to potential adverse impacts to accommodate the triple row of evergreens buffer? Note that the word "waive" appears in this exception.

The Decision

In *Santarsiero*, the Commission approved the applicant's special exception application. Although not explicitly referencing either of the two buffer exceptions, the Commission approved a plan that provides a substantial buffer that includes existing "extensively wooded" and wetlands areas, but not a triple row of evergreens.

When reviewing the neighbors' appeal, the trial court applied the wetlands exception holding that this exception was appropriate and did not run afoul of *MacKenzie* since the explicit purpose of relaxing the buffer requirement was to "preserve and protect" wetlands. The trial court dismissed the appeal. The neighbors were subsequently granted permission to appeal to the Appellate Court.

Perhaps because the wetlands exception includes the word "waive," the Appellate Court opted for and found the natural vegetation exception applicable. As such, the Court did not address the validity of the wetlands exception.

The Court found the following facts in the administrative record supportive of the Commission's substitution of the existing natural vegetation for the triple row of evergreens buffer requirement: the distance between the proposed MacDonald's and nearest residence is approximately five hundred feet; this five hundred foot area is extensively wooded and includes a wetlands, which will remain undisturbed; the existing elevations provide additional screening; the only structure proposed for this area is an underground septic system over which there will be a "no mow" requirement; and a conservation easement will be provided to "ensure that the natural vegetation stayed in place." The Court held that it was within the Commission's discretion to determine that the post-development natural vegetation provided an

(continued next page)

MACKENZIE
UPDATE

PLANNING REGULATIONS

effective buffer, and to substitute such for the otherwise required triple row of evergreens buffer.

Conclusion

Santarsiero provides that your zoning regulations can provide “exceptions” or “substitutions” for certain zoning requirements. However, the exceptions should have explicit criteria, including a stated purpose such as preserving existing natural conditions or wetlands while simultaneously addressing the regulation’s goal such as providing a buffer. Most importantly, when utilizing such an exception, you should ensure that proper findings are made based upon evidence in the administrative record consistent with the exception’s criteria. ■



GEI Consultants, Inc.
Consulting Scientists and Engineers



Serving Connecticut

GEI is a multi-disciplinary national firm with a strong local presence. Our Glastonbury, CT office has a staff of 50 professionals with expertise in Engineering, Geology, and Environmental and Ecological Sciences. We offer Connecticut Planners a variety of services including:

- Natural Resource Evaluation
- Environmental Impact Assessments
- GIS Services
- Brownfields Consulting
- Project Funding Application Assistance and Program Management
- Coastal Engineering & Planning
- Living Shorelines
- Flood Control Engineering

www.geiconsultants.com
Martin Brogle, LEP
455 Winding Brook Drive, Suite 201
Glastonbury, CT 06033
860.368.5409 • mbrp@geiconsultants.com



SNEAPA 2016

ENGAGE - PLAN - GROW
CULTIVATING GREAT COMMUNITIES

See you in **Worcester!** Register Now!
www.sneapa.org

Join your fellow planners for two days of CM, discussions, and networking.

October 20 -21, 2016
DCU Center

CONNECTICUT • MASSACHUSETTS • RHODE ISLAND

**COHEN
WOLF**

Not Just a Law Firm
Your Law Firm

Personal Attention & Practical Advice
For All Phases of Planning & Development
from the most sophisticated and complex projects
to the unique and local ones

Planning & Zoning • Inland Wetlands
Affordable Housing • Coastal Area Management
Litigation & Land Use Appeals
Commercial & Residential Real Estate

Julie D. Kohler

Patricia C. Sullivan

kohler@cohenandwolf.com

psullivan@cohenandwolf.com

BRIDGEPORT

HAVERHILL

WESTPORT

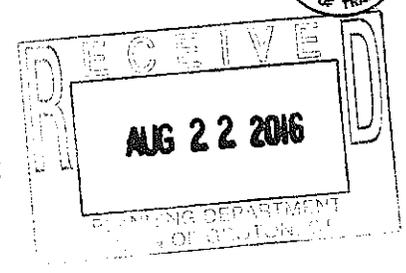
DEARFIELD

**MACKENZIE
UPDATE**

PC. 9/13/16



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
DISTRICT II
171 Salem Turnpike
Norwich, Connecticut 06360
Phone: (860) 823-3114



August 15, 2016

Mr. Norman Dickson
Eversource Gas
63 R, Myrock Avenue
Waterford, CT 06385

Dear Mr. Dickson:

Subject: Gas Main Installation on Gold Star Highway
224 Gold Star Highway (Route 184)
In the Town of Groton

We have reviewed your plans for the above-noted subject entitled, "Gas Main Installation on Gold Star Highway – 224 Gold Star Highway – Groton, Connecticut" dated August 11, 2016, and have the following comments:

1. All plans must show the location of the work to be done in relation to the outstanding features of the highway, such as property lines, pavement lines, sidewalks, curbing, trees, intersecting roads, drainage facilities, traffic control appurtenances, utility poles by number, and utility lines. All plans shall be drawn to 40 SCALE or as otherwise directed, with a north arrow indication. All plans should be so detailed that a permit investigator can determine the exact location of the various parts of the proposed work, the risk of injury to road users, and the effect upon private property, trees, shrubs, and highway structures. Information relating to the character and extent of the work materials to be used and methods of construction are also required. Submissions not meeting the above-stated requirements will not be reviewed.

Please submit two sets of revised plans, 40 scale or larger, reflecting the above-noted comments. As regulated by Connecticut General Statute 13b-17, no work is to commence within the State right of way prior to the issuance of a D.O.T. Encroachment Permit. If you have any questions in regard to this matter, please contact Mr. Daniel McBride at (860) 823-3114 or by email at Daniel.McBride@ct.gov.

Sincerely,

Andrew S. Morrill
Special Services Section Manager
Bureau of Highway Operations

cc: Groton Planning and Zoning

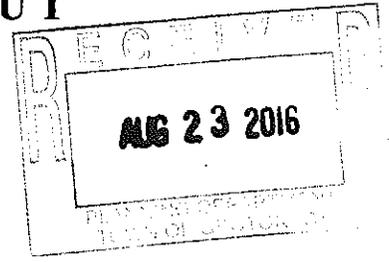
CT DOT

PC. 9/13/16



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL
Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
www.ct.gov/csc



August 17, 2016

The Honorable Bruce Flax
Mayor
Town of Groton
Town Hall
45 Fort Hill Road
Groton, CT 06340

RE: EM-T-MOBILE-059T-160817 – T-Mobile notice of intent to modify an existing telecommunications facility located at 115 Briar Hill Road, Groton, Connecticut.

Dear Mayor Flax:

Pursuant to the Regulations of Connecticut State Agencies Section 16-50j-72, the Connecticut Siting Council (Council) is in receipt of a request to modify an existing telecommunications facility located in the Town of Groton.

In accordance with Section 16-50j-73 of the Regulations of Connecticut State Agencies, on August 16, 2016, written notice of the intent to modify the existing telecommunications facility was provided to the Council, the property owner of record and the chief elected official of the municipality in which the existing telecommunications facility is located.

Should you have any questions or comments regarding the above-referenced request, please feel free to call me at 860-827-2951 or submit written comments to the Council by August 31, 2016.

Thank you for your consideration.

Sincerely,

Melanie Bachman
Acting Executive Director

MB/CMW/lm

- c: Mark Oefinger, Town Manager, Town of Groton
- Jonathan J. Reiner, AICP, Director of Planning, Town of Groton



CT SITING COUNCIL