



# Town of Groton, Connecticut

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager (860)441-6630

## Meeting Agenda

### Town Council

*Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Heather Sherman Bond, Catherine Kolnaski,  
Frank O'Beirne, Jr., John F. Scott, Paulann H. Sheets, James L. Streeter, and Elissa T. Wright.*

Tuesday, September 19, 2006

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

2006-0209 Proclamation Recognizing the Connecticut AIDS Bike Tour Proclamation - TC

#### IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to ten minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

#### V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

#### VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

##### a. Approval of Minutes

2006-0241 Approval of Minutes (Town Council) Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of September 5, 2006 are hereby accepted and approved.

##### b. Deletions from the Town Council Referral List

2005-0249 Central Hall Building Project - Status Update Referral

2006-0132 Library Social Service Position Referral

2006-0217 Community Foundation of Southeastern Connecticut  
Women and Girls Fund Grant Referral

2006-0232 Repeal of Ambro Amendment Referral

2006-0234 Police Station Reroofing Referral

##### c. Special Trust Fund Contributions

2006-0238 Special Trust Fund Contributions Resolution - Consent

## RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Southeastern CT Association for the Retarded, Inc. - \$754.00 - Parks and Recreation Revolving  
 Hilda Davis - \$50.00 - Parks and Recreation Revolving  
 Leticia Filip - \$100.00 - Parks and Recreation Revolving  
 Various Donations - \$1,116.69 - Groton Utilities Energy Assistance Program

**VII. COMMUNICATION REPORTS (Other than Committee Reports)**

- a. Town Councilors**
- b. Representative Town Meeting**
- c. Clerk of the Council**
- d. Town Manager**
- e. Town Attorney**

**VIII. COMMITTEE REPORTS**

- a. Community & Cultural Development - Chairman O'Beirne**
- b. Economic Development - Chairman Bond**
- c. Education/Health & Social Services - Chairman Kolnaski**
- d. Environment & Recreation - Chairman Sheets**
- e. Finance - Chairman Wright**
- f. Personnel/Appointments/Rules - Chairman Scott**
- g. Public Safety - Chairman Streeter**
- h. Public Works - Chairman Bartinik**
- i. Committee of the Whole - Mayor Watson**

**IX. UNFINISHED BUSINESS****X. NEW BUSINESS**

**2005-0249 Central Hall Building Project - Status Update**

**Referral**

## CENTRAL HALL REDEVELOPMENT PARKING PROVISION

WHEREAS, a substantial structure on West Main Street, Mystic, was destroyed by fire in March, 2000, and

WHEREAS, intense public interest has been expressed in favor of the visual and commercial development of the property that was vacated by fire, and

WHEREAS, a developer is proposing a redevelopment plan that includes retail spaces and residential units, and

WHEREAS, it is anticipated that any such development that is approved will include increased public access to the river side of the property, and

WHEREAS, residential units in such a development cannot be sold without adequate provision of

parking spaces, and

WHEREAS, the Town of Groton owns a sewer pump station on Gravel Street that abuts the property that is to be redeveloped, and

WHEREAS, the developer has previously asked for and received from the Town Council endorsement of the concept of the Town's leasing a portion of the sewer pump station property, to be used as partial fulfillment of the developer's residential parking requirement, and

WHEREAS, the Town Council previously approved, on March 2, 2004, a resolution to lease the same property for the same reasons, now therefore be it

RESOLVED, that the Town Council reconfirms its endorsement of the concept to lease a portion of the Gravel Street sewer pump station site for the purposes stated above, and hereby authorizes the Town Manager to negotiate the terms of a proposed lease with the developer, such lease to be subject to a further review and determination by the Town Council following favorable action by all pertinent land use agencies.

**Legislative History**

<b>9/1/2005</b>	<b>Mayor</b>	<b>Referred</b>	<b>Town Council Committee of the W</b>
<b>9/13/2005</b>	<b>Town Council Committee of the Whole</b>	<b>Not Discussed</b>	
<b>9/27/2005</b>	<b>Town Council Committee of the Whole</b>	<b>Discussed</b>	

*The Council received an update provided by Director of Planning and Development Michael Murphy. The current owner is looking to do significantly more with the property (four stories, 18 units) than previously proposed. Town Manager Oefinger reviewed the history of the property since the fire in March 2002. An offer has been extended to the owner to meet with the Council for over a year. The developer is looking to secure the pump station property for parking, but he would have to approach the Council. The Town will be initiating the Mystic Streetscape Project next spring, and is also in discussions with Stonington regarding sewer issues that may affect the pump station as well as shuttle boat discussions with the Seaport. The Town Manager will extend another invitation to the property owner to meet with the Council.*

<b>12/13/2005</b>	<b>Town Council Committee of the Whole</b>	<b>Discussed</b>	
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*Town Manager Oefinger noted that an application has been submitted for this site to the Historic District Commission and a hearing has been scheduled for December 20th. Councilor O'Beirne stated he is willing to put his request for a joint meeting with the developer and Historic District Commission on hold now that activity is taking place.*

<b>2/14/2006</b>	<b>Town Council Committee of the Whole</b>	<b>Discussed</b>	
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*Rod Desmarais representing the property owners described the proposal to construct a multi-use building with six retail units on the first floor and 16 residential units on the second, third, and fourth floors. Mr. Desmarais described details of the proposed building and noted that he still needs approvals from the Zoning Commission and Planning Commission, with parking being a big component of the plan to be addressed. The developers expect seasonal occupancy of the residential units, which will impact parking, but there is no way to guarantee it. Mr. Desmarais noted that the Town Council agreed in concept with an arrangement proposed by the previous developer, Mr. Pavarini, for use of seven parking spaces at the pump station property. This proposal will require 32 spaces and utilize the pump station property, property behind the Tift building, and the Art Association parking lot. Mr. Desmarais is working with the Town on the number and location of parking spaces. The DEP permit to develop the property is valid until July or August. All units (retail and residential) are proposed to be condominium units.*

*Discussion followed on the plan's compatibility with the Mystic streetscape project and the Town Manager noted the only issue is the timing of improvements. Mr. Desmarais anticipates 12 to 18 months of construction.*

<b>2/28/2006</b>	<b>Town Council Committee of the Whole</b>	<b>Discussed</b>	
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*Rod Desmarais provided a packet of information to the Committee. He reviewed a preliminary site plan for the*

project. Design specifics include two underground propane tanks, a public access walkway with egress to the pump station property, and a dumpster enclosure (requiring HDC review). Mr. Desmarais would like to utilize the pump station property for a staging area during construction, which would require closing off the property to the public during construction. Access for maintenance and servicing of the pump station could be accommodated. The developer would also like to utilize the Town's property for parking. The site currently accommodates nine parked vehicles. The developer proposes providing 16 spaces on the north side of West Main Street and 16 spaces in the Mystic Art Association parking lot. With slight reconfiguration of the pump station property layout, the site will accommodate 10 cars. The project would require a new parking lot and drainage. Mr. Desmarais indicated he is looking for the Council's endorsement and support of use of the pump station site to develop a parking plan and proceed with the permitting process. Mr. Desmarais added that the parking lot would be privatized with a gate.

Councilor O'Beirne stated that parking is one of the most significant issues in downtown Mystic. With limited parking, and fewer spaces as a result of the streetscape project, it would be wrong and unfair for the Town to give away spaces and he is strongly opposed to the idea.

Councilor Scott agreed with Councilor O'Beirne. He expressed concern with giving away something that may have been promised to another business from a zoning standpoint. The Town Manager explained that this area has not been committed to any business; in fact, it was not laid out as a public parking area, but has become one over time.

Councilor Bond stated it is important to realize what this developer is doing for downtown Mystic and public access. The onus should be on the Council to get people to downtown Mystic.

Councilor Streeter concurred with Councilors Scott and O'Beirne, and noted that a lack of parking will discourage people from visiting downtown.

Councilor Sheets noted that the Council voted to lease this property to a previous developer and she endorses the project.

Mayor Watson and Councilor Kolnaski agreed with Councilors Sheets and Bond.

Councilor Bartinik questioned what will happen to the property if this parking plan is not approved and Mr. Desmarais stated it will not be built. Councilor Streeter noted that other businesses need the parking too, and Councilor Bond stated those businesses support this project.

Councilor Scott expressed concern with the proposal for a gate and turning it into a private lot. Town Manager Oefinger explained that from a marketing standpoint, spaces must be designated for the residential units. The Town Council previously approved a similar proposal. Town staff feels that it is more likely that only 7 spaces can be accommodated on the site. Downtown Mystic is not losing parking, but committing a certain number of spaces to an individual. Even if Mr. Desmarais made other arrangements, there would be no additional spaces because the number of parking spaces in downtown Mystic is fixed. The Town Manager suggested that the Council visit the site. He stated that the proposal has merit and it may help organize some parking areas.

O'Beirne suggested that nine spaces that are now available to stores and businesses along the street would be lost. He objected to the emotional idea that if this project doesn't get built, nothing will. He questioned how this is different than designating spaces on the street for residents. Councilor Kolnaski suggested that most people don't even know that parking at the pump station exists.

Councilor Bond supports leasing the parking. Mr. Desmarais stated that the parking would be leased and all maintenance and snow removal of the lot and walkway would be taken care of.

Director of Planning and Development Mike Murphy stated that if parking occurs behind the Tift building, there will be general improvements like lighting and linkages. He noted that the Planning Department has not endorsed the design as shown.

**2/28/2006      Town Council Committee of      Motion**  
**the Whole**

*to recommend a resolution endorsing the leasing of the pump station land for parking consistent with whatever permits are required*





unmet and/or ongoing community needs and,

WHEREAS, teen pregnancy is an issue affecting Groton and many communities across the region and country and,

WHEREAS, the Community Foundation of Southeastern Connecticut, through its Women and Girls Fund, is seeking proposals from groups including government entities that will effectively address teen pregnancy and,

WHEREAS, Groton Human Services has developed a program, "Fantastic 4" Girls, that meets the criteria for funding via the Women and Girls Fund, therefore be it

RESOLVED that the Groton Town Council hereby authorizes the Town Manager or his designee to submit a request to the Community Foundation of Southeastern Connecticut's Women and Girls Fund for funding in an amount not to exceed \$6,500 that will allow Groton Human Services to offer the "Fantastic 4" Girls Program.

Legislative History

7/27/2006	Mayor	Referred	Town Council Finance Committee
9/12/2006	Town Council Committee of the Whole	Recommended for a Resolution	

**2006-0232 Repeal of Ambro Amendment Referral**

RESOLUTION IN SUPPORT OF THE REPEAL OF THE AMBRO AMENDMENT

WHEREAS, Long Island Sound, a non-ocean estuary, is one of our most cherished resources; and

WHEREAS, the Clean Water Act governs all environmentally sensitive activities and provides significant protection to Long Island Sound; and

WHEREAS, water and sediment quality in Long Island Sound have been dramatically improved through the implementation of the Clean Water Act; and

WHEREAS, the managing of all dredging and relocation activities within Long Island Sound has been proven to be carried out in an exemplary way though the use of the Clean Water Act; and

WHEREAS, the Marine Protection, Research & Sanctuaries Act (MPRSA), also known as the Ocean Dumping Act, creates significant economic hurdles and hardships and delays in reviewing potential dredging projects, threatening the commercial, recreational and fishing industries in Long Island Sound and the efficient use of our harbors and waterways; and

WHEREAS the Ocean Dumping Act does not add any significant environmental safeguards that are not available and present in the Clean Water Act; now therefore be it

RESOLVED, that the Town of Groton Town Council urges our United States Senators and United States Representatives to support the repeal of the Ambro Amendment; and be it

FURTHER RESOLVED, that this resolution also endorses efforts by the Connecticut Department of Environmental Protection to work with New York and the U.S. Environmental Protection Agency (EPA) to develop an environmentally sound and economically viable Dredged Material Management Plan (DMMP) for Long Island Sound.

Legislative History

8/15/2006	Mayor	Referred	Town Council Committee of the W
8/15/2006	Town Council	Referred	Town Council Committee of the W

*At the request of the Town Manager, Mayor Watson made a referral to the Committee of the Whole concerning*

the possibility of the repeal of the Ambro Amendment.

8/22/2006 Town Council Committee of the Whole Discussed

Town Manager Oefinger noted a renewed effort to bring this issue back to Congress. Bill Spicer is actively involved in the marina industry and he is trying to garner support for appeal of the amendment. Mr. Spicer would be happy to address the Council on the Ambro Amendment, which penalizes Connecticut interests. Connecticut is held to a higher standard than surrounding states with respect to dredging. Councilor Sheets indicated she will research the legislation and issue. The Committee asked staff to invite Mr. Spicer to speak at the September 12th meeting.

9/12/2006 Town Council Committee of the Whole Recommended for a Resolution

William Spicer Jr. addressed the Town and City Councils providing history on the Ambro Amendment, which places dredging in Long Island Sound in the same category as ocean dumping. Long Island Sound is the only estuary in the United States under these rules. 39 municipalities have joined the effort to repeal the amendment. Mr. Spicer noted letters of support from various people.

Discussion followed on details on the Ambro Amendment and its impact on our area. Further discussion took place on the State Department of Environmental Protection's position on this matter.

Mayor Popp left the meeting.

9/12/2006 Town Council Committee of the Whole Motion

to recommend a resolution in support of repealing the Ambro Amendment, similar to the South Central Regional resolution

9/12/2006 Town Council Committee of the Whole Discussed

A motion was made by City Councilor Hale, seconded by City Deputy Mayor Duarte, to recommend a resolution in support of repealing the Ambro Amendment.

The motion was so voted unanimously.

The City Council left the meeting at 7:55 p.m. The Committee of the Whole recessed at 8:56 p.m. and reconvened at 9:05 p.m.

2006-0234

Police Station Reroofing

Referral

RESOLUTION TRANSFERRING CIP FUNDS FOR POLICE STATION ROOFING

WHEREAS, there is an approved CIP project from FYE 2006 for the partial re-roofing of the Town Police Station, and

WHEREAS, current construction bids and estimates show that more than \$8,000 in additional funds will be necessary for the project, and

WHEREAS, there are unused funds in another CIP appropriation for related work, now therefore be it

RESOLVED, that the Town Council approves a transfer of \$10,000 from Capital Improvement Project 50105 5542 to Capital Improvement Project 50105 5512.

Refer to R.T.M. under Rule 6.5.3

Legislative History

8/17/2006 Mayor Referred Town Council Committee of the W

9/12/2006 Town Council Committee of the Whole Recommended for a Resolution

Director of Public Works Gary Schneider noted that there are two sections of roof at the Police Station that need to be replaced due to age and security concerns. He requested a transfer of excess funds from another Capital Improvement Project.

9/12/2006

Town Council Committee of  
the Whole

Recommended for a  
Resolution

**XI. OTHER BUSINESS**

**XII. ADJOURNMENT**