



# 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. Streeeter, and Elissa T. Wright.*

Wednesday, November 08, 2006

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

#### 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

2006-0285 Approval of Minutes (Town Council) Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of October 17, 2006 are hereby accepted and approved.

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

2006-0208	Revaluation Phase In	Referral
2006-0269	Title V Delinquency Prevention Program Grant	Referral
2006-0057	Land Use Application Fees	Referral
2006-0130	Community Human Service Needs	Referral
2006-0239	Animal Shelter	Referral
2006-0252	2007 Rates for Shennecossett Golf Course	Referral
2006-0268	Homeland Security Grant Funding (2006)	Referral
2006-0270	2007 Expanded DUI Enforcement Program Grant	Referral
2006-0272	Groton Education Foundation Grant	Referral
2006-0284	Adoption of an Ordinance Concerning Land Use Fees	Ordinance

**c. Special Trust Fund Contributions****2006-0271 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:

Fred W. Palm Family - \$1,000.00 - Parks &amp; Recreation Revolving

State of Connecticut Judicial Branch for Anthony Nguyen - \$500.00 - Parks and Recreation Skate Park

Jerry Lokken - \$100.00 - Parks &amp; Recreation Revolving

**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****2006-0239 Animal Shelter****Referral**

## RESOLUTION ON A NEW ANIMAL SHELTER

WHEREAS, the Groton Town Council has considered citizen concerns about the current Town animal shelter, along with information from the Department of Public Works concerning the facility's condition and the potential cost of a full replacement, and information from the Town Police Department on the normal and peak levels of animal occupancy in the present facility, and

WHEREAS, the Town Council would like to see an improved animal control provided, but it does not feel comfortable proceeding with the financing of a new Town of Groton facility as presented and in light of recent cost estimates, and

WHEREAS, several residents have, under Citizens Petitions, expressed an interest in making donations toward a new animal facility, and

WHEREAS, the Town Council has been advised that the local chapter of the Humane Society may be able to erect a new animal shelter if there is sufficient regional interest among a number of towns, now therefore be it

RESOLVED, that the Town Council wishes to have a letter sent to the Humane Society to inform the society of the Town of Groton's potential interest in a shared regional facility that would fully meet Groton's needs, and be it

FURTHER RESOLVED, that the Town Council directs staff to identify alternative concept designs and funding alternatives for the construction of a more reasonably priced replacement facility.

**Legislative History**

**9/5/2006 Mayor Referred Town Council Committee of the W**

**9/5/2006 Town Council Referred Town Council Committee of the W**

*At the request of Councilor Wright, the Mayor made a referral to the Committee of the Whole to discuss the animal shelter facility.*

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

*Town Manager Oefinger noted that discussions have occurred for many years on replacement of the animal shelter. A proposal for a new animal shelter as part of a Public Works complex project was previously rejected by the voters, and the Town Council subsequently defeated a proposal to take an animal shelter project to the voters. The facility passed a state inspection in June 2006. The structure is basic. Some maintenance has been done, but it is a high maintenance building.*

*Councilor Wright would like to revisit this issue and get updated costs. She asked how much of the site work identified in the 2003 proposal has already been done. Gary Schneider, Director of Public Works, described the work that has been done as part of other projects on the site. Mayor Watson noted the discussions at the SCCOG about a regional dog pound. Town Manager Oefinger explained the Humane Society has been saying they will do a needs assessment for over a year, but there has been no movement on the issue. Councilor Bond expressed support for a regional facility or contracting with another facility. She commended Animal Control for getting animals adopted and for doing a good job with what they have.*

*Councilor Wright recognized Ken Barber who stated there is property available that can be donated to the Town for an animal shelter and the options need to be explored. Mr. Barber was asked to get the information to the Town Manager. Anna Barber stated that she has approached three Councilors on this Council about the land that is available, and she is appalled to live in a Town that doesn't take care of its animals.*

*Town Manager Oefinger noted that the concerns expressed by the public are not the result of maintenance issues, but a desire to see a new facility constructed. The facility is scheduled for reinspection in December and the Council asked to see the report.*

**9/26/2006 Town Council Committee of the Whole Discussed**

*Town Manager Oefinger noted that the newspaper reported that although the Animal Rescue Fund owns property on Route 1, they are not offering to donate the land to the Town as was represented at a previous meeting. Their intent is to construct their own shelter on the property. The Town's problem has not been the lack of land, but getting funding authorized. Other concerns with the Route 1 property are access, noise, security, and its remote location away from the police station.*

*At the next meeting, staff anticipates having a history on this project and an updated cost estimate for the facility proposed a couple of years ago.*

**10/10/2006 Town Council Committee of the Whole Discussed**

*Mayor Watson explained to the audience that the Committee of the Whole meetings are working meetings, and there is no place on the agenda for public participation, but the public can speak under Public Communications at regular Town Council meetings. A summary on the animal shelter was prepared by Gary Schneider, Director of Public Works, and copies were handed out to the audience. Mayor Watson also distributed a poem he received to the Council.*



WHEREAS, the Golf Advisory Board and the Parks and Recreation Commission have recommended a schedule of fees for calendar year 2007, now therefore be it

RESOLVED, that the municipal golf course rates for the year 2007 shall be the rates as attached to this resolution.

Legislative History

	10/5/2006	Mayor	Referred	Town Council Committee of the W
	10/24/2006	Town Council Committee of the Whole	Recommended for a Resolution	
<b>2006-0268</b>		<b>Homeland Security Grant Funding (2006)</b>		<b>Referral</b>

RESOLUTION AUTHORIZING GRANT FINANCING FOR HOMELAND SECURITY COSTS

RESOLVED, that the Groton Town Council may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems necessary or appropriate; and

FURTHER RESOLVED, that Mark R. Oefinger, as Town Manager of the Town of Groton, is authorized and directed to execute and deliver any and all documents on behalf of the Town Council for the Town of Groton and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

Legislative History

	10/13/2006	Mayor	Referred	Town Council Committee of the W
	10/24/2006	Town Council Committee of the Whole	Recommended for a Resolution	
<b>2006-0270</b>		<b>2007 Expanded DUI Enforcement Program Grant</b>		<b>Referral</b>

RESOLUTION APPROVING A GRANT APPLICATION FOR EXPANDED DUI ENFORCEMENT

WHEREAS, the Town of Groton customarily makes use of state or federal grant funds to allow the Town to provide enhanced police presence and public safety efforts to assist motorists and to prevent fatalities arising from substance-impaired driving, and

WHEREAS, the Connecticut Department of Transportation's Division of Highway Safety will provide grants for a concerted year-round program for field sobriety checkpoints and other DUI enforcement, with this program to run until September 30, 2007, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of Federal funds in the amount of \$12,000, to be matched by Town budgeted funds of \$4,000 that have been appropriated, for a total program funding of \$16,000.

Legislative History

	10/17/2006	Mayor	Referred	Town Council Committee of the W
	10/24/2006	Town Council Committee of the Whole	Recommended for a Resolution	
<b>2006-0272</b>		<b>Groton Education Foundation Grant</b>		<b>Referral</b>

RESOLUTION APPROVING AN APPLICATION FOR A GRANT FROM THE GROTON EDUCATION FOUNDATION

WHEREAS, the Groton Education Foundation provides grants to advance projects based on ideas from teachers and other educators, and

WHEREAS, the Groton Senior Center and the Claude Chester Elementary School have engaged in intergenerational educational experiences for students and seniors, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of \$429 from the Groton Education Foundation, to be utilized for a program called "Exploring Music."

Legislative History

10/18/2006	Mayor	Referred	Town Council Committee of the W
10/24/2006	Town Council Committee of the Whole	Recommended for a Resolution	

**2006-0284 Adoption of an Ordinance Concerning Land Use Fees Ordinance**

ADOPTION OF AN ORDINANCE AMENDING ORDINANCE NO. 194 CONCERNING FEES FOR THE PROCESSING OF LAND USE APPLICATIONS AND PERMITS

An Ordinance Amending Town Ordinance No. 194 Concerning Fees for the Processing of Land Use Applications and Permits.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. Enabling Provisions and Purpose. C.G.S. Section 8-1c provides for the Town Council to adopt fee schedules for land use applications and reviews associated with the work programs of the Planning Commission, Zoning Commission, Inland Wetlands Agency, and Zoning Board of Appeals. An ordinance, when adopted, supersedes any specific fee schedules established by respective agencies.

The schedule herein is intended to establish reasonable fees for the processing of all land use applications in a manner that funds the approximate actual municipal administrative costs of reviewing, evaluating, processing, and advertising land use applications as is necessary. These administrative costs shall further be defined to include additional payment(s) by the applicant for direct costs of materials and services associated with work performed by professionals, other than Town employees, including but not limited to professional/consultant reports, third party professional certifications, stenographic and transcription services associated with an application, and such other required certifications as the case may be.

Section 2. The following fees and/or charges for permits, applications and related administrative actions shall be as follows:

A) SUBDIVISION OR RESUBDIVISION REVIEW

Base Fee	\$400
1- 4 lots	\$225 per lot, plus base fee
5- 49 lots	\$150 per lot, plus base fee
50 lots or over	\$125 per lot, plus base fee
Subdivision Modification	\$250

B) SITE PLAN REVIEW

Site Plan modification	\$150
Building size of 25,000 square feet or less	\$150
Building size of 25,000 - 100,000 square feet	\$250
Building size over 100,000 square feet	\$350
Administrative Site Plan	\$ 50

C) COASTAL SITE PLAN REVIEW

Non-Exempt Activities	\$150	
Combined with Subdivision, Variance, Site Plan, Special Permit		\$ 75
 D) SPECIAL PERMIT REVIEW	 \$400	
 E) INLAND WETLANDS REVIEW		
	Minor	Major
1 Lot/1-2 dwelling units	\$150	\$400
2 or more lots/3 or more dwelling units	\$150	\$400
1 lot/1 commercial or industrial building	\$150	\$400
Permit amendment, modification, renewal or extension	\$150	\$400
 Regulation or map amendment		\$400
Permitted or non-regulated activity		No charge
 F) ZONING AND SUBDIVISION AMENDMENT REVIEW		
Regulation Amendment		\$400
Map Change		\$400
 G) VARIANCE/APPEAL		\$400
 H) ZONING COMPLIANCE CERTIFICATION		\$ 25
 I) CERTIFICATE OF LOCATION		\$ 150

All fees include a \$30 State Land Use Fee where applicable.

Section 3. Complex Application Fee: If an application is deemed by the Town staff or Board or Commission to be complex, the Town may charge an additional fee sufficient to cover the cost of reviewing and acting on complex application. Such fee may include, but not be limited to, the cost of retaining experts to analyze and review reports submitted by the applicant as part of the complex application. The Town staff and/or designated agent as the case may be shall estimate the Complex Application Fee within 21 days of the official receipt of the application by a respective Board or Commission. The fee shall be paid prior to the respective Board or Commission taking action on the complex application. Any portion of the Complex Application Fee in excess of the actual costs incurred shall be refunded to the applicant after publication of the Board or Commission's decision as required by law. Failure to pay as aforesaid shall be grounds for denial of the application.

Section 4. Other Requirements. The Office of Planning and Development Services is authorized to create and implement reasonable and necessary procedures to address such necessary administrative costs and requirements noted in Sections 1 and 3 above to accomplish the provisions of this ordinance.

Section 5. Boards, commissions, councils, and departments of the Town of Groton are exempt from all fee requirements under this ordinance.

Section 6. This Ordinance hereby supersedes Ordinance No. 194 and any other Ordinance or measure concerning fees for the purposes specified in this Ordinance heretofore adopted.

Section 7. This Ordinance shall become effective on the forty-fourth (44th) day after publication of notice of its passage pursuant to Charter Section 4.6.1.

Refer to RTM.

Legislative History

10/24/2006

Town Council Committee of  
the Whole

Recommended for a  
Resolution

**XI. OTHER BUSINESS**

**XII. ADJOURNMENT**