

MINUTES
PLANNING COMMISSION
JULY 12, 2011 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Steinfeld, Sherrard
Alternate members present: Fitzgerald, Zod
Absent: Roper, Kane
Staff present: Murphy (left at 7:28), Davis, Glemboski, Doolittle

Chairman Sherrard called the meeting to order at 7:03 p.m. He sat Fitzgerald for Roper.

II. APPROVAL OF THE MINUTES OF meeting of June 28, 2011.

MOTION: To approve the minutes of June 28, 2011 as amended.

Motion made by Steinfeld, seconded by Pritchard. Motion passed unanimously.

III. PUBLIC COMMUNICATIONS

Commissioner Fitzgerald reported that the Fitch baseball field looks great and he is very pleased with the results.

IV. SUBDIVISIONS

1. Obrey Subdivision, Gold Star Highway – Release of bond

Staff noted a 45-day extension for subdivision approval was previously given to the Applicant with the condition that they complete stabilization work. The Environmental Planner reported the work has been finished. The Applicant is requesting the release of an \$8,000 bond and noted that Public Act No. 11-5 was recently passed which extends their subdivision 9 years from the date of approval (December 13, 2014).

MOTION: To release the \$ 8,000 erosion and sediment control bond for the Obrey Resubdivision, Gold Star Highway.

Motion made by Munn, seconded by Pritchard. Motion passed unanimously.

V. SITE PLANS

1. Central Hall, 18 West Main Street – Request for one year extension for start of construction

Rod Desmarais addressed the Commission requesting an extension and discussed some of the issues they've encountered with the Mystic Streetscape Project. He believes that they will be ready to do their final submittal in the next 4-8 weeks.

Staff noted that the Applicant has been coordinating with the Streetscape Project. A major issue is the Applicant's propane tank location which has been

determined to not be acceptable; other locations need to be explored. Staff recommended that the Commission note that the original location of the propane tank was not suitable and that the Applicant needs to find another location or change his energy source. The propane tank did not meet the CL&P code requirements and therefore the Fire Marshal could not support the location. The newly proposed location on the pump station property is currently before the Town Council and, if permitted to be located on Town Property, would require the Applicant to return before the Commission with a modification to their site plan application.

MOTION: To grant a one year extension for start of construction to July 8, 2012 for Central Hall, 18-22 West Main Street, 36 West Main Street and 2 & 3 Gravel Street.

The Planning Commission notes that this extension is subject to all requirements, modifications, and conditions of the approved site plan and coastal site plan, respectively, for this project. It is also noted that the infeasibility of the applicant's original location for propane tank(s) installation, determined during the on-going process of final site plan review prior to recording, will require subsequent modification approval by the Planning Commission or include the provision for an alternate energy source.

Motion made by Sherrard, seconded by Steinfeld. Motion passed unanimously.

2. Mystic Manor Site Plan Modification, 475 High Street

Al Wolfgram, A-L Consulting, addressed the Commission giving a brief background of the project. Mr. Wolfgram stated that patient population has been affected significantly due to the impression that the building is under construction. He is requesting that a phasing process be implemented so that they can obtain their certificate of occupancy, which would in turn generate more income to allow them to complete their original modifications in a timely manner. Staff has been working with the Applicant regarding lighting issues as well as the phasing process.

Mark Petrin, architect, addressed questions from the Commission regarding compliance to health code issues.

MOTION: To approve SIT #11-12, modification of site plan approval SIT #08-18 for Mystic Manor, 475 High Street, with the following modifications and conditions:

The modification of this site plan shall be the partition of the project into two phases.

1. Phase 1 shall include all of the SIT #08-18 approval with the following exceptions:

2. Phase II shall consist exclusively of the building additions and related sidewalk modification as well as the new ground mounted lighting along the rear (west) side of the existing building. Unless otherwise permitted herein, all other improvements shall be completed prior to the issuance of a certificate of site plan compliance for phase I as approved in SIT #08-18.
3. In order to facilitate occupancy for phase I, the following, and only the following, may be delayed but must be completed no later than 11/15/11.
 - a. All remaining site landscaping.
 - b. Restoration of the approved "laydown area."
 - c. Relocation of the facility sign (at High Street)
 - d. Removal of the building-mounted lighting and installation of new required parking area lighting in the small northerly parking area, per #4 below.
4. In order to reduce potential conflicts and enhance orderly development, the existing building mounted lighting on the northerly portion of the existing building and facing the parking area shall be removed. The required free standing dual "gull wing" lights shall be installed to replace these lights, including proper fixture elements to shield and direct the light to the parking area.
5. All staff technical items shall be addressed prior to the issuance of a certificate of site plan compliance for phase I as approved, modified and conditioned herein.

Motion made by Munn, seconded by Pritchard. Motion passed unanimously.

3. Proposed Industrial Development, 90 Leonard Drive (CAM)

Robert Schuch, P.E., addressed the Commission regarding the proposal for two buildings on the site as well as a gazebo. He discussed parking, sidewalks, the water quality basins and the propane tank. A wetlands permit has been obtained. He also discussed the waivers of the Zoning Regulations that they are requesting.

The Commission and the Applicant discussed parking and signage. Commissioner Zod suggested adding a bike rack.

MOTION: To approve a waiver to Section 7.5-2 of the Zoning Regulations and to not require a frontage sidewalk based on Section 7.5-5 C of the Zoning Regulations and the following findings:

1. The Commission finds that the sidewalk network in this industrial subdivision has been constructed on the west side of Leonard Drive.

2. The Commission finds that there will be no significant pedestrian movement to the site or between this site and those adjacent to it.

Motion made by Sherrard, seconded by Pritchard. Motion passed unanimously.

MOTION: To approve a waiver to Section 7.5-4 of the Zoning Regulations and to not require an internal sidewalk connection between the frontage sidewalk and building #1 based on Section 7.5-5 C. of the Zoning Regulations and the following findings:

1. The Commission finds that there will be no significant pedestrian movement to the site or between this site and those adjacent to it.
2. The Commission finds that absence of a frontage sidewalk makes the internal walk unnecessary.

Motion made by Sherrard, seconded by Steinfeld. Motion passed unanimously.

MOTION: To approve the Proposed Industrial Development, 90 Leonard Drive with the following modifications:

1. A note shall be placed on the plan that requires 4 parking spaces to be built within 6 months if determined by the Zoning Official that the need exists for these spaces.
2. All staff technical items shall be addressed.

The Planning Commission finds that the phasing of 4 of the required parking spaces is consistent with Section 7.2-16 of the Zoning Regulations and a note will be placed on the plan that requires the spaces to be built within 6 months if determined by the Zoning Official that the need exists for these spaces.

Motion made by Sherrard, seconded by Munn. Motion passed unanimously.

MOTION: To approve the Coastal Site Plan for the Proposed Industrial Development, 90 Leonard Drive, because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts on coastal resources.

Motion made by Sherrard, seconded by Fitzgerald. Motion passed unanimously.

VI. OLD BUSINESS

1. Land Use Regulation Update Project

Staff indicated there was nothing to report at this time.

2. Zoning Board of Appeals referral for July 13, 2011 Public Hearing – 743 River Road, Ljubicic Residence (ZBA11-03)

Staff noted that this hearing will be opened and continued at the Zoning Board of Appeals July 13th meeting. Staff gave the Commission a brief background of the project and noted that this item will be on the Planning Commission's next agenda. Chairman Sherrard asked Staff to review the Scenic Road Ordinance.

MOTION: To table the ZBA referral ZBA11-03 (743 River Road, Ljubicic Residence) to the next meeting

Motion made by Sherrard, seconded by Steinfeld. Motion passed unanimously.

VII. NEW BUSINESS

1. Report of Commission

Commissioner Steinfeld noted that the Noank School Reuse Committee will meet next week.

2. New Applications
 - a. Mystic Manor, 475 High Street (see above)

VIII. REPORT OF CHAIRMAN

Chairman Sherrard noted that the Committee of the Chairs will meet on Monday. He invited any Commissioner to attend.

IX. REPORT OF STAFF

Staff briefly discussed the Crosswinds information that went out in this week's packet regarding street trees.

X. ADJOURNMENT

Motion to adjourn at 8:52 p.m. made by Sherrard, seconded by Munn, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Katie Doolittle
Office Assistant II