

MINUTES  
PLANNING COMMISSION  
SEPTEMBER 9, 2008 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Pritchard, Roper, Sherrard, Steinford  
Alternate members present: Fitzgerald, Kane, Zod  
Staff present: Davis, Galetta, Glemboski, Murphy, Gilot

Chairman Sherrard opened the meeting with roll call at 7:03 p.m. and seated Fitzgerald for Munn.

II. APPROVAL OF THE MINUTES OF meeting of August 12, 2008

MOTION: To approve the minutes of August 12, 2008 as amended.

Motion made by Steinford, seconded by Pritchard. Motion passes 3-0-2, 2 abstentions (Roper, Sherrard).

III. PUBLIC COMMUNICATIONS

Roper said he received a message from Joan Smith on 8/21/08 asking why Mystic Woods was on the 6/24/08 agenda. Staff had already responded when Mr. Roper returned the call. Mr. Roper directed Ms. Smith to contact staff. It was determined that Mystic Woods was listed as a new application to be received by the Commission at the 6/24/08 meeting. The agenda was inadvertently not put on the Town website. Staff noted that agenda posting on the website is not a legal requirement at this time, and is only done as a courtesy for the public's convenience.

Roper received notification of the second annual "Smart Growth" conference on November 13, 2008.

Steinford talked to an RTM member regarding the proposed sidewalk project on Route 1 near I-95. All proposals received were over anticipated bid levels.

Staff said the Mystic Woods site plan application has been withdrawn and will be resubmitted with design changes at a later date.

Staff said they received the "Avalonia Trails" newsletter.

IV. SITE PLANS

1. Boulder Heights/Carriage Park, Colver Avenue – Request for extension for start of construction

Attorney Genevieve Salvatore said there is a serious potential buyer for the project, but the contract is contingent upon this extension. Staff said they have met with this potential buyer, and he expects there will be some changes to the approved site plan. The plan has been recorded.

MOTION: To grant a six month extension for start of construction to Boulder Heights/Carriage Park, Colver Avenue to March 10, 2009.

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

2. Lighthouse Point, Pleasant Valley Road North – Request for extension for start of construction

Attorney Genevieve Salvatore said the mylars are complete and have been reviewed by staff. A deed has been provided to the Town and is under review. The deed and mylars will be recorded upon acceptance of the deed by the Town.

MOTION: To grant a six month extension for start of construction to Lighthouse Point, Pleasant Valley Road North to March 26, 2009.

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

#### V. OLD BUSINESS

1. Zoning Commission referral for September 3, 2008 public hearing

Staff said the Town Attorney has not fully responded to all the legal issues regarding Attorney Cody's letter. It was the consensus of the Commission to not act on this referral until they had more input from the Town Attorney, and discussed holding a special meeting before the September 23<sup>rd</sup> meeting to act on this referral.

MOTION: To table the Zoning Commission referral to a special meeting to be held on September 23, 2008 at 6:15 p.m.

Motion made by Pritchard, seconded by Steinfeld. Motion passes (Pritchard, Steinfeld, Fitzgerald). Commissioner Roper and Chairman Sherrard did not vote on the motion in light of the pending opinion of the Town Attorney relative to Attorney Cody's claims.

#### VI. NEW BUSINESS

1. Report of Commission

Steinfeld attended the Fitch High School open house on Saturday.

Roper updated the Commission on the Mystic Community Bikes project. They received a grant from the Charles B. Allyn foundation and a donation from the Elks for helmets.

Steinfeld asked staff for an update on the fire damaged property at 23 Library Street.

The Commission took a short recess and the meeting resumed at 7:49 p.m.

#### VII. PUBLIC HEARING

1. Groton Highpoint Subdivision, 245 & 255 Hazelnut Hill Road (31 lots)

Clint Brown, DiCesare Bentley Engineers, reviewed the outstanding items for the proposal. Groton Utilities will require some of the houses to have booster pumps

for the water pressure and a note will be put on the plan. There are no additional water requirements for sprinklers. The Commission discussed street lighting on the mews.

The applicant had asked that sidewalks on Hazelnut Hill Road not be required. Mr. Brown explained that while the POCD shows this site to be on the fringe of the sidewalk infill area which is one mile from the Claude Chester school. However, by road, from the Claude Chester school, along Route 117 and up Hazelnut Hill Road is actually about 1 ½ miles. Mr. Brown reviewed a potential 310 ft. concrete sidewalk on Hazelnut Hill, which would require the filling of about 550 s.f. of wetland to create the sidewalk shelf. Also, there are no connecting sidewalks proposed in this area in the master trails plan.

Staff reviewed the booster pump requirement for some houses and the lighting of the mews. The trail system will not be lighted. Discussion ensued on the proposed paved width of 15 ft. on the shared driveways. Staff reviewed the sidewalk network and trail system and those areas to be owned and maintained by the homeowner's association.

Carl Smith, Christ United Methodist Church, 200 Hazelnut Hill Rd., Chairperson of the Council and Trustee, asked who is financially responsible to bring the water line up to the development, and said he is concerned about the blasting for the water line. Mr. Brown said the blasting procedures would follow protocol, and insurance will be provided. Mr. Smith asked if a stub would be provided for the church.

Mr. Brown said that a draft of the homeowners' association contract was submitted to staff, and that a stub could be provided to the church if required.

Mr. Brown discussed the width of the mews. Commissioners asked about adequacy of lighting along the mews. Street lighting is provided at the street intersection for each mew.

**MOTION:** To close the public hearing for Groton Highpoint Subdivision, 245 & 255 Hazelnut Hill Road.

Motion made by Steinford, seconded by Roper.

The Chairman noted the five voting members for the Groton Highpoint Subdivision would be Kane, Pritchard, Roper, Steinford and Fitzgerald.

The motion passed unanimously.

The Chairman excused himself because he was not a voting member and appointed Pritchard Acting Chairman for the voting for the Groton Highpoint Subdivision.

## VIII. SUBDIVISIONS

### 1. Groton Highpoint Subdivision, 245 & 255 Hazelnut Hill Road

**MOTION:** To approve a waiver of Section 4.7(1) a) and to not require sidewalks in the non-pavement right-of-way on both sides of the subdivision streets for the following reasons.

1. The applicant proposes a meandering 5' wide bituminous path/trail system throughout the subdivision that shall include a public pedestrian easement component to allow for adequate pedestrian movement throughout the subdivision.
2. The granting of the waiver will not be detrimental to public safety, health, or welfare or have a significant adverse effect on adjacent property.
3. The waiver will not conflict with the provisions of the Zoning Regulations, or the Plan of Conservation and Development.

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

**MOTION:** To approve a waiver to Section 4.3(2) a) of the Subdivision Regulations and to allow the non-cul-de-sac portion of the street system to have a pavement width of 26 feet in lieu of the required 30 feet for an access road for the following reasons:

1. The waiver request is only for the first portion of the road system off of Hazelnut Hill Road before the entrance road splits into two cul-de-sacs and this road design functions more like a village road system.
2. The granting of the waiver will not be detrimental to public safety, health, or welfare or have a significant adverse effect on adjacent property.
3. The Plan of Conservation and Development recommends allowing a pavement width of 24 feet instead of 30 feet for access roads in the future.

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

**MOTION:** To approve a waiver to Section 4.3(1) k) of the Subdivision Regulations and to allow more than 15 lots to be served by a permanent dead end road for the following reasons:

1. Haute Pointe Road cul-de-sac will serve 18 lots and has a length of less than the 1200 foot maximum.
2. The site is constrained by Fort Hill Brook and wetlands to the south and east and industrially zoned land to the north limiting the design for the subdivision and any through streets.
3. The project will require, and the applicant proposes, sprinkler systems within all homes.
4. The granting of the waiver would not be detrimental to public safety, health, or welfare or have a significant adverse effect on adjacent property and will provide an adequate and convenient system for present and prospective traffic needs.
5. The waiver will not conflict with the provisions of the Zoning Regulations or the Plan of Conservation and Development.

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

**MOTION:** To approve a subdivision plan for Groton Highpoint Subdivision, Hazelnut Hill Road with the following modifications:

1. The bituminous walks and stone-dust paths within the subdivision shall be a minimum of 5-feet wide and the final detail for the walks and paths shall be approved by the Parks and Recreation Department. A 10-foot wide public pedestrian easement shall be placed over all portions of these walks and paths to allow for future maintenance of the walks and paths.
2. The Groton Highpoint Homeowners Association shall be responsible for the maintenance of all areas as shown on a plan entitled Homeowners Association Easement Exhibit dated July 31, 2006. This shall also include the open space area in the middle of High Point Road, the mews, the bituminous walks and stone dust paths, and the stairs that are outside of the Town Open Space. Appropriate language shall be incorporated into the legal documents for the Homeowner's Association and the public pedestrian easement document, as appropriate, for the maintenance of these areas. The Town of Groton Parks and Recreation Department shall have the right but not the obligation to maintain the 5-foot wide bituminous path and the stone dust path.
3. The final plans shall address the drainage design for the mews so that the drainage does not impact adjacent properties or cause significant erosion. A detail of the mews shall be shown on the final plans.
4. The design and details for the utility easement access and the storm water basin access shall be approved by the environmental planner and the Town Engineer and shown on the final plans.
5. The final design detail for the trail restrictors shall be approved by the environmental planner and the Parks and Recreation Director and shown on the final plans.
6. The final plans shall include the modification to the basin as shown in Exhibit labeled Storm water Management Basin Alternate.
7. Provide a detail and cross section on the final plans for the stone retaining wall along Haute Pointe Road. The wall shall be outside of the Town of Groton right-of-way.
8. The final plans shall include details for landscaping of the 25' landscape easement area.
9. The final plans for the new water line in Hazelnut Hill Road shall be modified to include the limits of clearing, the methods for erosion and sediment control, and the relocation of the waterline in certain areas to limit the disturbance of existing stone walls and the need for easements on private property. Stubs shall be provided for residences and the church along the new portion of the water line on Hazelnut Hill Road. The design and details shall be shown on the final plans and approved by the Office of Planning and Development, the Department of Public Works, and Groton Utilities.
10. The plans shall note that all lots shall be subject to the Lot Development Standards detail as shown on Sheet 38.
11. The final plans shall clearly show the initial clearing/disturbance area for the roads, storm water facilities, and utilities.
12. The final plan shall note that the homes may require water pressure pumps.
13. All staff technical items shall be addressed.

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

In accordance with Section 4.3(1) c of the Subdivision Regulations, the Planning Commission notes that the subdivision has exceeded 25 lots with only one frontage on and vehicular access from an existing Town accepted street. The Commission notes that the road system has been designed with regard to providing a safe and adequate system for present and future traffic needs. In addition, all homes will have a sprinkler system to provide an additional safety feature within the subdivision and the Fire Marshal has determined that an acceptable road system and subdivision design exists for emergency services.

The Planning Commission notes that the alternative design for grading and landscaping within and adjacent to the road right of way is acceptable in accordance with Section 4.2 (6) c) of the Subdivision Regulations.

The Planning Commission notes that the number of lots served by common driveways designed as mews is acceptable in accordance with Section 4.2(4) of the Subdivision Regulations and that all lots are capable of receiving emergency and regular Town services and all homes will have a sprinkler system approved by the Fire Marshal.

The Planning Commission notes the extensions of the new streets and/or easements to the boundary lines has not been required in accordance with Sections 4.2 and 4.3 of the Subdivision Regulations due to the location of the existing Fort Hill Brook and associated wetlands, the steep slopes, and the industrial zoned property to the north.

The Planning Commission notes that no sidewalks are being required along the Hazelnut Hill Road frontage, in accordance with Section 4.7(1) a of the Subdivision Regulations, due to the existence of inland wetlands along Hazelnut Hill Road. In addition, the Bicycle, Pedestrian and Trails Master Plan does not propose an extension of the sidewalk along Hazelnut Hill Road in this area.

#### IX. NEW BUSINESS

The Chairman was reseated.

1. Inland Wetlands Agency referral for September 10, 2008 public hearing

IWA08-10 Konover Development

Staff explained the referral and detailed the proposed minor changes to the previously approved wetland permit application. The Commission had no comment.

2. Land Use Regulations Update

Staff said they will forward the consultant's assessment of the regulations to the Commission members before the September 23<sup>rd</sup> meeting. The Commission discussed the agenda for the meeting and the meeting status as a workshop.

#### X. REPORT OF CHAIRMAN

The Chairman reminded the Commission that Citizenship Day is Monday, September 15<sup>th</sup> at 6:00 p.m. at the Senior Center.

The Chairman asked staff about the Colonel Ledyard Estates site. Staff explained that the project has had several owners and they are working with the most

recent owners to resolve the outstanding items. Some enforcement action is being taken, including a prohibition on issuance of building permits and lot conveyances until outstanding items are addressed.

XI. REPORT OF STAFF

Staff introduced Lynda Galetta to the Commission members and updated the Commission on the physical changes in the OPDS office.

Staff discussed the process of the regulation update for the Commission as a whole as well as individually for the other commissions involved.

Staff said the Route 1 sidewalk bids came in very high, and that the CIP project will be put back out for rebid later this year.

Staff said the high school still needs some minor work done and appreciated the Commission's patience throughout modifications made to the project.

Staff mentioned Citizenship Day and the Town Hall Dedication Anniversary next week, noting the Town's core of dedicated citizens.

Groton's fall festival will be held on October 11<sup>th</sup> and the dedication of the tercentennial legacy playground will also be held that day.

Staff said there will be a Drinking Water Quality Management Plan (DWQMP) public information meeting October 15<sup>th</sup> at 7:00 p.m. to present the draft plan.

Staff updated the Commission on the Library Street property. An application was made for a demolition permit, but the required notification of abutters was not completed, and the permit has not yet been issued. Staff is still addressing some outstanding zoning and historic district violations that will need to be addressed.

Staff updated the Commission on the status of the Mardie Lane Homes. The Town has submitted an estimate to their insurance company for about \$500,000 to complete the cul-de-sac from Starr Hill Road into the site.

XII. ADJOURNMENT

Motion to adjourn at 9:58 p.m. made by Roper, seconded by Sherrard, so voted unanimously.

---

Jeffrey Pritchard, Secretary  
Planning Commission

Prepared by Debra Gilot  
Office Assistant II