

MINUTES  
PLANNING COMMISSION  
OCTOBER 13, 2015 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

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

I. ROLL CALL

Regular members present: Sherrard, Pritchard, Kane, Steinfeld  
Alternate members present: Fitzgerald, Tarbox, Zod  
Absent: Munn  
Staff present: Jones, Cullen, Silsby

Chairman Sherrard appointed Fitzgerald to sit for Munn.

II. APPROVAL OF MINUTES

1. September 22, 2015

MOTION: To adopt the Planning Commission minutes of September 22, 2015, as annotated

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

III. PUBLIC COMMUNICATIONS

Staff requested that the following item be added under the Site Plan portion of tonight's agenda: Kentucky Fried Chicken (SIT15-02), 230 Route 12

MOTION: To add Kentucky Fried Chicken (SIT15-02), 230 Route 12 to tonight's agenda.

Motion made by Kane, seconded by Fitzgerald, so voted unanimously

IV. SUBDIVISIONS

1. Briar Hill Subdivision (SUB15-05), 0 Briar Hill Road

For the record, Chairman Sherrard stated that the 5 voting members seated for this application are Pritchard, Steinfeld, Sherrard, Tarbox, Zod, based on meeting attendance at the public hearing.

Staff gave a recap of the public hearing and previous discussions. She reviewed the plans and distributed two draft options for discussion. Option A would be to center the open space to connect to the existing trail. Option B would be to move the open space strip to the edge of the property, near the Charles Barnum School parking lot. As she noted the importance of receiving open space, Staff stated that the YMCA property is currently in litigation and will be changing hands in the near future.

It was noted that no new information can be entered into the record as the public hearing is closed.

Pritchard reminded Staff that the applicant has agreed to locate the utilities underground in the driveway access area so the stone walls do not get touched. Staff will confirm and add this item under technical items to be addressed.

Staff clarified a typo in option B. It should read 10,000 square foot strip as opposed to a 10 foot wide strip. This application does not include a waiver request.

Discussion followed about the best possible location for the open space path. Benefits of relocating the path next to the school were noted, as well as benefits of keeping the existing path. The advantages to Option B were given, which included parking advantages and student usage. Information was given about how many lots might be affected by the two suggested locations. The level of public usage with both options was brought up. Clarification of the area of the strip of land was given by Staff.

For the record, Chairman Sherrard stated that he does not agree with the Supreme Court decision, passed on via Groton's Town Attorney. He feels that any Commissioner should be able to discuss a subdivision application before a final vote is taken by the seated (five voting) Commissioners; otherwise why even have alternate Commissioners serve.

After taking a poll, Chairman Sherrard stated that the Planning Commission would go with the majority and vote on Option B.

**MOTION:** To approve the Briar Hill Subdivision (SIT15-05), Briar Hill Road for four lots with the following modifications:

1. A 10,000 square foot strip adjacent to the Charles Barnum School shall be deeded to the Town of Groton for the purpose of permanent open space as shown on the plan marked Option B. Trail to be built as part of the subdivision.
2. Technical Items of Staff shall be addressed

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

## V. SITE PLANS

### 1. KFC Proposed Restaurant Renovation (SIT15-02), 230 Route 12

Staff stated that the original site plan was approved in May 2015. She reviewed the revised plans and explained that the building elevations have changed significantly, triggering Commission review.

Huseyin Sevincgil of MHF Design Consultants, Inc. of Salem, New Hampshire reviewed the plans and explained what elevation changes are being proposed. Specifics were given about the front elevation on the side of Route 12 and about the Groton Square access drive-thru lane. There is no change to the building location or parking.

Staff gave information about zoning regulations pertaining to signs and what is considered a sign by the zoning enforcement officer.

Staff reviewed the draft motion.

For the record, Chairman Sherrard stated that the 5 voting members seated for this application are Fitzgerald, Kane, Pritchard, Sherrard and Tarbox, based on meeting attendance at the public hearing.

Tarbox inquired about the architectural view, noting her dislike for the design. Pritchard feels the sign is an improvement over the first proposed modification. An inquiry was made about the material that will be used to create the red stripes. Discussion ensued as to what constitutes a sign. Staff stated that along with zoning regulations definition of signs, the zoning official gives his own interpretation. Zod does not like the look but stated that the Planning Commission does not get to rule on that.

Sherrard stated that the Town has been waiting for approved plans for quite some time. Staff explained that this application is only a modification to the approved site plans. The applicant hopes to begin construction this fall.

**MOTION:** The Planning Commission has reviewed and approved the changes to the building elevations for the Kentucky Fried Chicken at 230 Route 12 with the following modification:

1. Provide a note on the final site plan stating: "This site plan does not approve signage for the site. All signage must meet the Zoning Regulations and obtain zoning and building permits from the Office of Planning and Development Services (OPDS) prior to installation."

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

## VI. OLD BUSINESS

1. RFQ for Appraisal Services - Discussion

Sherrard stated that Steinford is now seated in place of Tarbox.

Staff stated that the RFQ will be developed. She stated that the list of appraisers should be reviewed every few years. Appraisals received for open space fees are reviewed by the Town Assessor as well as Town Staff.

## VII. NEW BUSINESS

1. Zoning Board of Appeals Referral for Public Hearing on October 14, 2015
  - a. ZBA#15-13 – Christ United Methodist Church, 200 Hazelnut Hill Road

Staff reviewed the variance application, maps, and gave background information about the length of time the church has been in existence in that location. She stated that the church has received a lease from Groton Utilities to use the property at the intersection of Route 117 and Hazelnut Hill Road. She pointed out that the church had a sign at that intersection for over 40 years even though it violates zoning regulations. Even though Hazelnut Hill is zoned industrially, it is mostly residential.

She explained that the church is trying to conform to regulations. Neighbors are supportive of a new sign.

Various viewpoints were given in favor and against. Kane expressed concern about problems with that intersection and setting a precedent in allowing a free-standing sign to be placed there. Additional comments were made that industrial zoning does exist on Hazelnut Hill Road.

Staff reiterated that the sign would be replacing an old sign that had been in that same location for more than 40 years and that no one really knows how long the sign has been there since it was never permitted legally. The land is owned by Groton Utilities. Discussion followed about whether the sign would be lighted. Staff stated that the application makes no mention of the sign being illuminated. Regulations regarding lighting fixtures were noted.

An inquiry was made as to whether a church has more freedom in putting up a sign as opposed to a business. Staff noted that signs are content neutral meaning that the Town cannot regulate what is written on a sign. Discussion followed about directional signs and whether that type of sign might be more appropriate.

Chairman Sherrard reminded the Commission that the Zoning Board of Appeals will make the final decision as to whether a sign will be allowed.

MOTION: The Planning Commission is concerned about 3 areas:

1. Maintenance of sight lines for vehicular safety
2. Possible negative impacts if sign is lighted
3. Potential for precedence for businesses that might want to have off-site signage

A small directional sign in this location would not be cause for concern.

Motion made by Sherrard, seconded by Kane, so voted unanimously

2. Report of Commission

Pritchard attended the October 1, 2015 Economic Development Commission meeting as a representative of the Planning Commission. For informational purposes, he presented pictures of West Mystic Shipyard noting that public access is blocked by boat storage.

Fitzgerald stated that the public property path south of the Mystic Art Museum is blocked off. Staff will look into this.

Tarbox inquired about large bright signs around Christopher's Lounge on Route 1 Staff will look into this.

Steinford attended a get-together at the Groton Public Library regarding archeological finds that were found on the YMCA property.

3. POCD Draft Themes – Discussion

Staff stated that she has not yet received the revised economic theme.

4. Meeting Schedule for 2016

MOTION: To adopt the 2016 Meeting Schedule

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

5. New Applications

- a. Office Building Improvements Electric Boat, 9-23 Kings Hwy (SIT15-11)
- b. Cardinal Honda, 531 Route 12 (SIT15-12)

Staff noted the 2 new applications recently received.

VIII. REPORT OF CHAIRMAN

Sherrard stated that he and Pritchard will be attending the Regional Planning Commission meeting this coming Monday, October 19, 2015.

IX. REPORT OF STAFF

Staff referred to handouts distributed prior to tonight's meeting which included information about Hyde Pond Dam Removal, a referral from Stonington and a notice about the 2<sup>nd</sup> Annual Southeastern CT Housing Alliance Bus Tour scheduled for October 28, 2015.

X. ADJOURNMENT

Motion to adjourn at 8:22 was made by Steinfeld, seconded by Sherrard, so voted unanimously.

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Jeffrey Pritchard, Secretary  
Planning Commission

Prepared by Robin Silsby  
Office Assistant II