

MINUTES  
PLANNING COMMISSION  
DECEMBER 8, 2015 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

Chairman Sherrard called the meeting to order at 7:03 p.m.

I. ROLL CALL

Regular members present: Sherrard, Pritchard, Kane, Munn, Steinfeld  
Alternate members present: Zod (left at 8:00 pm)  
Absent: Fitzgerald, Tarbox  
Staff present: Jones, Silsby

Zod stated that he will have to leave at 8 pm tonight.

II. APPROVAL OF MINUTES

1. October 27, 2015

MOTION: To adopt the minutes of October 27, 2015

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

2. November 9, 2015 (Special Meeting)

MOTION: To adopt the minutes of November 9, 2015

Motion made by Pritchard, seconded by Steinfeld, so voted 4-0-1 (Munn abstained)

3. November 10, 2015

MOTION: To adopt the minutes of November 10, 2015

Motion made by Pritchard, seconded by Kane, so voted unanimously as amended

III. PUBLIC COMMUNICATIONS

Michael Graner, owner of 496 Noank Road, expressed concerns about his property, which is located in the East Farm Subdivision. Mr. Graner stated that prior to purchasing the property in 2010 he confirmed that the developer, Michael Franklin, was responsible for the installation of sewer and water on the property. This work is included in a performance bond given to the Town of Groton. Because this infrastructure has not yet been installed, Mr. Graner and his wife Deborah Graner, also present, are requesting that the Planning Commission only grant a 3-month extension request regarding the East Farm Subdivision extension request, so that he and his wife can move into their home by the middle of April 2016. Mr. Graner shared details as to how this delay has impacted he and his wife.

Thomas Potter, 154 Walker Hill Road, asked to address the Planning Commission about a referral on tonight's agenda, regarding the Community of Hope. Chairman Sherrard stated that Mr. Potter's comments should be heard later in the meeting, after the presentation has been made.

IV. SUBDIVISIONS

1. Morgan's Run (SUB09-02), Cow Hill Road

Peter Brown explained the request to modify the waiver granted earlier this year which allowed the issuance of building permits for the last two lots in the subdivision, provided the Certificates of Occupancy would not be issued until the public improvements are complete. He has not been able to schedule a contractor to install the sidewalk per the plan and is requesting a Certificate of Occupancy for lot 2, 18 Cow Hill Road. Staff pointed out the requirement to complete the public improvements within five years.

MOTION: To allow the issuance of a Certificate of Occupancy for lot 2, 18 Cow Hill Road, before the completion and acceptance of the public improvements. The Commission notes that the final Certificate of Occupancy will not be issued until the completion of all public improvements for the 3<sup>rd</sup> lot, 16 Cow Hill Road.

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

2. East Farm Subdivision, Noank Road – Request for Extension

Michael Franklin reviewed plans and requested a two-year extension to complete the public improvements. He gave specifics about the 5 approved lots and explained that financial difficulties have delayed the project from being completed on time. He gave information about the numerous communications he has had with Mr. Graner and why a 3-month extension would not be sufficient.

Staff stated that the completion date for the public improvements is currently January 11, 2016. She suggested to the Planning Commission to approve a 3-month extension, until April 11, 2016, and have Mr. Franklin return to the Planning Commission in March to give an update, which would allow the Commission time to call the bond if progress is unsatisfactory.

MOTION: To grant a 3-month extension for completion of public improvements to April 11, 2016.

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

V. SITE PLANS

1. Gabriele's Karate (SIT15-13), 1028 Poquonnock Road

Clint Brown of DiCesare Bentley Engineers reviewed the proposal to convert the 2<sup>nd</sup> story into executive hotel/motel suites and adding an additional suite on the 1<sup>st</sup> floor. Site changes will be minimal, no changes will be made to the footprint, and air handling units at the front of the building will have landscaping and fencing around them. Picnic tables will be installed, and parking and utilities are more than adequate. A sidewalk waiver request for a frontage sidewalk on Laurelwood Road has been submitted. There will be no changes to the exterior of the building.

Staff reviewed the executive hotel/motel zoning regulations and noted that the zoning official has confirmed this project meets the definition. She has no objection to granting the sidewalk waiver.

In regards to an inquiry about ventilation, Jason Gabriele stated that each unit will have its own ventilation unit. The condensers will be located on the backside of the building. Steinford would prefer to see natural buffers around the existing front ground units and does not recommend fencing.

Pritchard referred to the zoning regulations and feels that a barbeque area should be shown on the plan near the picnic table. Kane feels that it would be a benefit to create a new exit onto Laurelwood Road and remove the entrance on Route 1. Discussion followed about losing parking spaces if the entrance location changes. Steinford would prefer to have a sidewalk installed on Laurelwood Road. Gabriele noted that one suite on the first floor will be handicapped accessible. Sherrard and others expressed concerns about the lack of appropriate buffering around the existing condensers. The Commission would prefer a fence be installed that will blend with the color of the building, in addition to installing a natural buffer.

**MOTION:** To approve a waiver of section 7.5-2 regarding frontage sidewalks on Laurelwood Road for the following reasons:

1. Sidewalks are not recommended along Laurelwood Road by the Master Pedestrian, Bicycle and Trail Plan.
2. There is a development sidewalk network on the east side of Laurelwood Road.
3. There will be no significant pedestrian movement to the site from Laurelwood Road.

Motion made by Sherrard, seconded by Munn, so voted 4-0-1 (Steinford abstained).

**MOTION:** To approve the Gabriele's Karate Site Plan Modification subject to the following modifications:

1. Evidence showing the merging of the two lots shall be submitted prior to filing the plan in land records.
2. A combination of low contrast fencing and shrubbery shall be used to totally screen the air conditioning and heating equipment at the front of the building from sight from Route 1. This low contrast fencing should attempt to match the exterior color of the building.
3. Technical items as raised by staff shall be addressed.

Motion made by Sherrard, seconded by Pritchard, so voted 4-1-0 (Kane opposed)

2. The Sandbox Indoor Beach Volleyball Facility (SIT15-15), 1500 Gold Star Highway

Robert Schuch, Schuch Engineering, reviewed plans and gave background information about the property. He noted that wetlands exist on both sides of the property and there is a watercourse on the north side. The proposal involves construction of a 14,000 square foot indoor volleyball facility. Associated parking will be installed.

Zod left the meeting at 8:08 p.m.

Schuch stated that a water line will be installed from Candlewood Road and a portion of the building will be sprinklered. Wetland approval has been granted. Information about stormwater and drainage was given. Septic waste will be pumped to a suitable septic system location north of the building. A request to waive the frontage sidewalks was reviewed. The Department of Transportation (DOT) has been contacted about the sidewalk location. Due to a significant amount of ledge that exists on the property, blasting would be very costly. Photos of Candlewood Road were shown.

Staff stated that the wetland permit did not allow fill in the wetland area for sidewalk construction. The septic system was approved by the Ledge Light Health District. She stated that a small outdoor beach volleyball area shown on the plan would require a special permit and this item will be removed from the plans. The applicant may apply for a special permit in the future for this item. Information was given about lighting, trees, and a stockade fence. Parking is more than sufficient.

**MOTION:** To approve a waiver of section 7.5-2 regarding frontage sidewalks on Gold Star Highway for the following reasons:

1. The location of the significant ledge and wetlands prohibit the reasonable installation of the sidewalk.
2. There will be no significant pedestrian movement to the site or between this site and the undeveloped properties adjacent to it.

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

**MOTION:** To approve The Sandbox Indoor Beach Volleyball Facility, 1500 Gold Star Highway (SIT15-15) subject to the following modifications:

1. A note shall be placed on the plan that states "Any outdoor recreation on the property is subject to a special permit and site plan review per Section 7.1-27 of the Zoning Regulations"
2. Technical items as raised by staff shall be addressed.

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

3. High Rock Inn (SIT15-16), 40 High Rock Road (CAM)

Kane recused himself.

Clint Brown, DiCesare Bentley Engineers, and Bill Aniskovich of Stonington Healthcare were present for this application. Brown reviewed the map and gave history about the old Pfizer Daycare Facility. He noted that this building was very well constructed, landscaped and fenced. He explained the proposal to convert this property into a hotel for 180 clients who attend counseling sessions across the street. Residents will not be permitted to have cars on site. He reviewed the location of the generator, fence, and trees. There will be a small sidewalk added on the east side of the building. Information was given about stormwater flow. He referred to a previous sidewalk agreement, noting that the applicant is willing to install a sidewalk on the south side of High Rock Road. Information was given about the Zoning Board of Appeals' denial of a previous application and a settlement agreement that settled a federal lawsuit. Discussion followed about a pedestrian crossing and

communications with the DOT about a pedestrian signal. Staff stated that the applicant does not expect action until January 12, 2016 and anticipates a wetland permit discussion tomorrow. Sherrard would prefer to have the sidewalk installed or a sidewalk agreement in place.

MOTION: To continue the discussion to January 12, 2016

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

VI. OLD BUSINESS

Kane returned at 8:53 p.m.

1. POCD Draft Themes

Staff anticipates having two themes and the revised Municipal Coastal Program to distribute in January, 2016.

VII. NEW BUSINESS

1. Zoning Board of Appeals Referral for a Public Hearing on November 18, 2015 - Continued  
ZBA15-15 – Community of Hope, 120 Walker Hill Road

Staff explained the proposal to allow 12 people to occupy this two-family house instead of 8. Staff stated that a two-family structure is allowed in this zone.

Inquiries were made about the amount of people who would be living on site, as well as the definition of “family”. Staff explained that the applicant is requesting a variance of the definition, which defines family as not more than 4 unrelated people living together as a housekeeping unit.

Thomas Potter, 154 Walker Hill Road, referred to the zoning regulations regarding the intended use of the building. He objects to this variance request because the application does not include the intended use of this property. Sherrard thanked Mr. Potter for his communication, noting that this item is strictly a curtesy referral to the Planning Commission and has no bearing on the number of votes needed for the Zoning Board of Appeals to approve a variance.

The Planning Commission had no comment.

2. City of New London Referral for Public Hearing on January 21, 2016 – Zone Map Amendment

Staff summarized the zoning map amendment changes and stated that this item will have no impact to Groton.

The Planning Commission had no comment.

3. Town of Stonington Referral for Public Hearing on January 5, 2016 – Regulation Text Amendment

Staff summarized the text amendment.

The Planning Commission had no comment.

4. Report of Commission

In regards to the signs at Christopher's, Staff stated that the zoning official is working on this issue.

5. New Applications

- a. Proposed Retail & Grocery, 688 Long Hill Road
- b. Mystic River Ambulance, 237 Sandy Hollow Road, Mystic

Staff noted the newly received applications.

VIII. REPORT OF CHAIRMAN

An inquiry was made whether the new tennis court facility on Welles Road has a liquor permit, to which Staff stated affirmatively. A small bar area is shown on the plan that will be open to club members. Another inquiry was made about construction and parking occurring on both sides of the road during the construction phase, which could impact emergency vehicles gaining access to the site in an emergency. Staff stated that work should be completed soon and the Certificate of Occupancy will follow.

Staff stated that the Siting Council will make a decision on solar panels on the application by April, 2016.

IX. REPORT OF STAFF

Staff stated that a draft of the Capital Improvement Plan (CIP) will be ready by Thursday, December 10<sup>th</sup>. She stated that the Sedensky appeal, (Greenbriar Court and Whitehall Lane), has been argued and a decision is expected in January, 2016. Staff distributed the zoning and subdivision audits.

An inquiry was made about the progress with the Thomas Road sidewalk.

X. ADJOURNMENT

Motion to adjourn at 9:17 was made by Pritchard, seconded by Steinford, so voted unanimously.

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Jeffrey Pritchard, Secretary  
Planning Commission

Prepared by Robin Silsby  
Office Assistant II