

MINUTES
PLANNING COMMISSION
MARCH 10, 2015 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

Chairman Sherrard called the meeting to order at 7:09 p.m.

I. ROLL CALL

Regular members present: Sherrard, Kane, Munn, Steinfeld
Alternate members present: Tarbox
Absent: Fitzgerald, Pritchard, Zod
Staff present: Reiner (8:38 pm), Jones, Glemboski, Silsby,
Also present: Town Attorney Michael Carey

Chairman Sherrard appointed Tarbox to sit for Pritchard and Steinfeld to sit as Secretary.

II. APPROVAL OF THE FOLLOWING MINUTES OF February 24, 2015.

MOTION: To adopt the Planning Commission minutes of February 24, 2015

Motion made by Munn, seconded by Steinfeld, so voted unanimously, as written.

III. PUBLIC COMMUNICATIONS – None.

IV. SITE PLANS

1. Four Winds at Mystic, Noank Ledyard Road – Request for Extension of Site Plan and Start of Construction.

Attorney Thomas Londregan, representing applicant Ron Bonvie, referred to a letter dated February 9, 2015. Also present were Ron Bonvie and his son Frank Bonvie. Londregan explained his request for an extension of the permit for the next 5 years and a request for a one-year start of construction extension. Background information was given as well as information about the 3 artifacts that were found on site.

Staff had no comments. A motion was distributed.

MOTION: To grant an extension for the site plan approval to March 26, 2020 and a one-year start of construction to March 26, 2016 for the Mystic Active Adult LLC (Four Winds at Mystic) site plan, Noank Ledyard Road.

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

V. SUBDIVISIONS

1. Watrous Subdivision Modification, 0 Pleasant Valley Road North (SUB15-02)

The owner/applicant, Roger Watrous, reviewed maps and gave an update of the subdivision to date, referring to the foundation, framing, sewer and water. He explained his request for a waiver.

A draft motion was distributed, as Staff noted that a similar waiver was recently granted by the Planning Commission for another small subdivision. Staff had no issues. A suggestion was made that this type of request be considered during future subdivision applications.

MOTION: To approve a waiver of Section 5.4 (1) of the Subdivision Regulations to allow the issuance of the last building permit before the public improvements associated with the Watrous Subdivision have been completed and offered for acceptance by the Town with the following requirements and finding:

1. The public improvement bond shall remain in effect.
2. The certificate of occupancy for the last building shall not be granted until the public improvements have been completed and offered for acceptance by the Town.

The Planning Commission finds that the granting of the waiver will not be detrimental to public safety, health or welfare.

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

MOTION: To Suspend the Rules to change the order of the agenda.

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

VI. NEW BUSINESS

1. Zoning Board of Appeals Referral for Public Hearing on March 25, 2015
 - a. Variance ZBA#15-03, 156 Ocean View Avenue, Thomas Townsend, Applicant

Staff explained the variance request to re-arrange a non-conforming boat building facility. Background information was given and the location was reviewed on the map. Staff noted that there will be less square footage.

The Planning Commission had no comment.

- b. Variance ZBA#15-04, 1268 Poquonnock Road, City of Groton, Owner

MOTION: To Postpone until March 24, 2015

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

2. Zoning Commission Referral for Public Hearing on April 1, 2015

- a. REGA#15-01, Proposed Zoning Regulation Text Amendment to Sections 5.2 (Lot, Yard and Building Requirements); 6.3 (Waterfront Design District); 6.4 (Open Space Subdivisions); 6.6 (Flood Protection Regulations); 6.10 (Nautilus Memorial Design District) and 6.11 (Erosion & Sediment Control Plan). (Town of Groton Zoning Commission, Applicant)

Staff reviewed all of the proposed zoning regulation text amendment changes in five (5) different sections. She noted that these proposed changes were developed with the Zoning Commission and Planning Staff. Information was given about the percentage of lot coverage in regards to open space requirements, whereby the Zoning Commission is recommending the allowance of 25% lot coverage. Staff agrees with this change. Additional specifics were given about the flood protection section changes, the erosion & sediment control plan section, and eliminating a restriction in the Water Front Design District (WFDD) and the change in the Nautilus Memorial Design District (NMDD).

Staff stated that comments are due by April 1, 2015, which means this item does not have to be acted on tonight.

Concerns were expressed about the Crystal Lake Road and the NMDD, and changing requirements at this time instead of waiting for the recommendations in the Draft POCD.

There was a consensus by the Planning Commission that they were not in agreement with the first 3 bullets under Section A (6.10-3) in the memo and not in favor of the changes to the NMDD regulations.

The Planning Commission recommended that Staff review and prepare updated draft recommendations and exclude those items that the Planning Commission was not in favor of. Staff will have the draft for the next Planning Commission meeting scheduled for March 24, 2015.

MOTION: To Postpone this item until March 24, 2015.

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

3. Town of Ledyard Referral for Public Hearing on March 26, 2015: Section 8.11 (Dwellings, Multifamily)

Staff summarized the proposed changes regarding multifamily dwelling requirements and had no concerns.

The Planning Commission had no comment.

4. City of New London referral for Public Hearing on April 2, 2015: Zoning Regulation Amendments

Staff summarized the proposed change regarding private parks and playgrounds. Staff had no concerns.

The Planning Commission had no comment.

5. Review Draft Municipal Coastal Program Section 4

Staff expressed concerns about Section 4.4 and suggested that the recommendations be highlighted within the body of the text and that information about marsh migration should be included.

The Planning Commission had no comments.

Inquiries were made about marsh migration and why this is occurring.

The remainder of Chapter 4 will be reviewed at the next meeting on March 24, 2015, as well as comments submitted by Jeffrey Pritchard.

6. Report of Commission – None.

7. New Applications – None.

VII. REPORT OF CHAIRMAN

Sherrard noted that Commissioner Zod is on the mend and may be at the next meeting.

Staff noted that any commissioner that is interested in attending the upcoming Planning Conference at the Aqua Turf should contact staff by Friday the 13th.

Staff will check into determining how long Steinfeld and Munn have been serving on land use commissions in Groton.

VIII. REPORT OF STAFF – Staff distributed the latest copy of a real estate magazine.

Attorney Carey suggested waiting for Planning Director Reiner before discussion begins regarding ZBA15-02 under Old Business.

A recess began at 8:10 p.m. in order to wait for the Planning Director to return from another meeting in the same building.

After waiting for approximately 30 minutes, the meeting reconvened at 8:40 p.m., even though the Planning Director had not yet returned.

Attorney Michael Carey suggested that the Planning Commission add an agenda item to go into Executive Session, in order to discuss the Old Business item: Variance application ZBA15-02.

MOTION: To Suspend the Rules to add Executive Session as an agenda item.

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

The Planning Commission went into executive session at 8:41 p.m. with the following people present: Attorney Michael Carey, Planners Deb Jones and Diane

Glemboski, Planning Commission members Sherrard, Kane, Munn, Steinfeld, and Tarbox. Planning Director Reiner arrived in the middle of the Executive Session, at approximately 8:48 p.m. Executive Session ended at 8:56 p.m. It was noted that no votes or action were taken during Executive Session.

IX. OLD BUSINESS

MOTION: To take the Variance application ZBA#15-02 off the Table for review and comment.

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

1. Zoning Board of Appeals Referral for Public Hearing on March 11, 2015

- a. Variance ZBA#15-02, 40 High Rock Road, Stonington Behavioral Health, Inc., Applicant - TABLED

MOTION: The Planning Commission has reviewed the Variance request ZBA#15-02 and makes the following report:

1. Current regulations and past zoning practices have continuously provided a distinction between residential uses and hotel/motel uses with distinct standards, regulations, codes and other local, state, and federal laws applied to each use. The requested variance to allow what may be considered a “dormitory-style” use and setting for 192 people within a single structure without distinct residential dwelling units or typical hotel rooms, significantly distorts the lines between the definition of a residential and a hotel use and the regulations, codes, and laws that apply to this proposed use.
2. The site and current facility can be used for other uses presently allowed in the zone.

The Planning Commission notes that it is making no comment on the applicant’s request for reasonable accommodation, as it is beyond the Planning Commission’s purview.

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

X. ADJOURNMENT

Motion to adjourn at 9:00 p.m. was made by Steinfeld, seconded by Munn, so voted unanimously.

Margil Steinfeld, Acting Secretary
Planning Commission

Prepared by Robin Silsby
Office Assistant II