

MINUTES
PLANNING COMMISSION
MARCH 24, 2009 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Sherrard, Steinfeld
Alternate members present: Kane, Zod
Staff present: Davis, Glemboski, Murphy, Gilot

Chairman Sherrard opened the meeting with roll call at 7:02 p.m. and seated Kane for Roper.

II. APPROVAL OF THE MINUTES OF meeting of March 10, 2009.

MOTION: To approve the minutes of March 10, 2009 as written.

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

III. PUBLIC COMMUNICATIONS

Staff distributed an article from the October issue of *Governing* magazine, written by Christopher Swope, regarding automated bike racks.

IV. SUBDIVISIONS

1. Boulder Heights LLC Resubdivision, Colver Avenue – Request for extension of resubdivision

MOTION: To table the extension request for Boulder Heights LLC Resubdivision until later in the agenda.

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

2. Groton Highpoint Subdivision, 245 Hazelnut Hill Road – Request for extension for recording of mylars

Clint Brown, DiCesare-Bentley Engineers, requested the final extension for the applicants. Mr. Brown was unable to provide any details with respect to the applicant's status or intentions. Staff noted that no deeds or other post-approval documents have been provided and that in light of the contract with GOSA and pursuit of a DEP open space grant, the extension was not supported. If approved, staff noted this would be the final 90 day extension and that it is possible that regulation amendments under consideration would permit development of the site in accord with adopted plans.

MOTION: To grant a 90 day extension to July 1, 2009 for the recording of mylars for the Groton Highpoint Subdivision.

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

3. Repp Subdivision, Maxson Street – Request for extension for recording of mylars

MOTION: To grant a 90 day extension to July 2, 2009 for recording of mylars for the Repp Subdivision, Maxson Street.

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

4. Boulder Heights LLC Resubdivision, Colver Avenue – Request for extension of resubdivision

Attorney Genevieve Salvatore was present for the owners, who are seeking an extension of (up to) five years. The wetland permit is expired, and the applicant has not submitted a new wetland application.

The mylar has been recorded and staff has signed deeds. Staff stated that a referral would be made to the Planning Commission if an application is made to the Inland Wetlands Agency.

MOTION: To grant a five year extension to March 23, 2014 for the Boulder Heights LLC Resubdivision, Colver Avenue.

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

V. SITE PLANS

1. Groton Village Condominiums, 10 Fort Hill Road – Request for two year extension for start of construction

Mike DeFano, the owner of the project, was present at the meeting and requested a two year extension of the site plan. Staff said the mylars are in the Planning Department but have not yet been filed because the filing fee has not been paid. Mr. DeFano said he has not filed the plans because he does not want to pay taxes on a project that will not be built for some time.

The Commission noted that their policy is to only grant one year extensions.

MOTION: To grant a one year extension for start of construction to May 22, 2010 to Groton Village Condominiums, 10 Fort Hill Road.

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

2. Hood/Shipman Property, 27 Fort Hill Road – Request for extension for start of construction

Staff said the mylars are recorded and construction should be starting soon.

MOTION: To grant a one year extension for start of construction to the Hood/Shipman Property, 27 Fort Hill Road, to April 8, 2010.

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

3. Fort Rachel Marina Boat Washpad, 44 Water Street (CAM)

MOTION: To table the Fort Rachel Marina Boat Washpad site plan application to the next regular meeting on April 14, 2009.

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

VI. OLD BUSINESS

1. Land Use Regulation Update Project

Staff distributed the edited draft of Section 1 including the changes suggested by the Commission at the March 10th meeting. Staff also distributed a draft of Section 2 which will be discussed at the next meeting.

2. Review of Planning Commission By-laws

Staff said they will be meeting with the Town Attorney on Thursday.

VII. NEW BUSINESS

1. Report of Commission

2. Town Council referral under CGS 8-24 of proposed lease of property associated with the former Eastern Point School

MOTION: To issue a favorable CGS 8-24 report to the Town Council regarding the lease of property associated with the former Eastern Point School on Shennecossett Road to LEARN for the use as a marine science magnet school only. This approval does not negate our support for the approved site plan for a marine science magnet school at the Thomas Road site.

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

VII. SITE PLANS

1. Mystic Drawbridge Ice Cream, 2 – 4 West Main Street (CAM)

Rod Desmarais, the owner of Mystic Drawbridge Ice Cream Shop, explained the application for the expansion of the existing ice cream shop into an adjacent storefront.

Mr. Desmarais explained that the floor plans have changed since approval of a special permit for 464 square feet, so an area will be temporarily blocked off until a special permit modification approval is received for the additional area.

The applicant is participating in the Mystic Art Center's parking validation program.

MOTION: To approve Mystic Drawbridge Ice Cream site plan, 2-4 West Main Street, with the following modifications:

1. The 464 square foot customer service area shall be delineated by a solid barrier that is approved by the Office of Planning and Development Services and installed prior to the issuance of a Certificate of Occupancy.
2. Technical items raised by staff shall be addressed.

The Commission notes that under Section 6.3-4 H of the Zoning Regulations, the parking requirements are being waived in light of the applicant's agreement to continually participate in the Mystic Arts Center's sponsored parking validation program.

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

MOTION: To approve the Coastal Site Plan for the Mystic Drawbridge Ice Cream because, as conditioned, it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts on coastal resources.

1. All outdoor mechanical equipment or storage shall be designed to have adequate spillage containment for any associated hazardous materials and shall be placed on pads if equipment or storage is located on the deck.

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

VIII. REPORT OF CHAIRMAN

Chairman Sherrard said he received a phone call from Steve Trinkhaus, offering a free workshop to him and several other Commission chairs on stormwater management.

Staff noted that it was improper for Mr. Trinkhaus to solicit the Commission chairs and that Mr. Trinkhaus is an expert witness for intervenors actively engaged in litigation with the Town. In addition, at least one of those projects may need to come before the Planning Commission for site plan approval. Staff will prepare a letter to Mr. Trinkhaus noting the Town's concerns.

The Chairman said there will be a Committee of Chairs meeting on Monday, April 20th, if anyone is interested in attending. He hopes to bring the agenda to the next meeting.

The Commission briefly discussed wind turbines and alternate energy uses, which was the topic at the annual CFPZA conference.

IX. REPORT OF STAFF

Staff distributed the proposed CIP document to the Commissioners.

Staff will present the OPDS budget to the Town Council on April 6th.

The RTM Community Development Services Committee chair will be meeting with staff this week.

Staff will check with the Assessor's office regarding the effect recording a site plan may have on the taxes of that particular property.

Staff expressed his appreciation to Sherrard and Pritchard for attending the CFZPA dinner meeting last week.

X. ADJOURNMENT

Motion to adjourn at 8:15 p.m. made by Steinfeld, seconded by Munn, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Debra L. Gilot
Office Assistant II