

MINUTES  
PLANNING COMMISSION  
MARCH 24, 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, Kane, Munn, Steinford  
Alternate members present: Fitzgerald, Tarbox, Zod  
Absent: Pritchard  
Staff present: Jones, Glemboski, Silsby

Chairman Sherrard appointed Zod to sit for Pritchard and Steinford to sit as Secretary.

II. APPROVAL OF THE FOLLOWING MINUTES OF February 10, 2015 and March 10, 2015.

MOTION: To adopt the Planning Commission minutes of February 10, 2015

Sherrard appointed Fitzgerald to sit for Zod for this vote only since Zod had not attended the February 10, 2015 meeting and would be abstaining from the vote.

Motion made by Kane, seconded by Steinford, so voted 3-0-2 abstentions (Kane, Munn), as annotated.

MOTION: To adopt the Planning Commission minutes of March 10, 2015

Motion made by Munn, seconded by Steinford, so voted 4-0-1 abstention (Zod), as written.

III. PUBLIC COMMUNICATIONS – None.

IV. SITE PLANS

1. Silver Oak, LLC, 90 Welles Road (SIT15-01) - Postponed

Staff stated that because the applicant is still working on design issues, he has requested that this item be postponed until April 14, 2015.

MOTION: To postpone this item until April 14, 2015

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

V. SUBDIVISIONS

1. North Woods Subdivision Modification, 1291-1315 North Road (SUB15-03)

Richard Buzon, 28 Dunns Court, Stonington, requested a modification to not require a frontage sidewalk, as noted on the approved subdivision plans. Specifics were given.

Staff explained that the original subdivision was approved in 2008 and was re-subdivided again in 2012. Maps were reviewed. Specifics were given about the private driveway, the access easement, zoning regulations, the Plan of Conservation and Development (POCD), and the Town's Bicycle, Pedestrian & Trails Master Plan, which does not show any requirement for a sidewalk on the east side of North Road. Staff doesn't feel a sidewalk is warranted at this point.

Discussion followed about the potential for a sidewalk in the future, the proximity to Farquhar Park, and nearby sidewalks.

**MOTION:** To approve a modification to the North Road Subdivision Plan Y08#2 and the North Woods Re-subdivision Plan Y12#03 and to not require a frontage sidewalk in accordance with Section 4.7(1) (a) of the Subdivision Regulations. The Bicycle, Pedestrian and Trails Master Plan does not show a sidewalk network on the east side of North Road and shows the future sidewalk network being established on the west side of North Road and terminating south of this subdivision. The closest sidewalk on the east side of North Road is 1200-ft to the south.

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

2. North Woods Subdivision, 1291-1315 North Road (SUB08-04) – Request for Bond Reduction

Staff stated that some improvements have been done on site. The Town Engineer is in agreement with reducing the bond at this time. She noted that some small items still need to be done.

**MOTION:** To reduce the public improvement performance bond for the North Woods Subdivision to \$4,000 (10% of the initial bond value) subject to the following:

1. The certificate of occupancy for the last building shall not be granted until all public improvements have been completed and offered for acceptance by the Town.

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

VI. OLD BUSINESS

1. Zoning Board of Appeals Referral for Public Hearing on March 25, 2015 (Postponed from 3-10-15)

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

General Manager Richard Stevens of Groton Utilities and Erica Lotz, PE were present for this application.

Staff explained that there are two variances being considered with this application. She reviewed the proposed plans to allow a 37-foot high building in lieu of 30-foot allowed in the zone. This height is to address the upgrading of the existing facilities of the water treatment plant. She gave information about the elevation requirement for the operation building and the request for a reduction in required parking spaces.

Erica Lotz, consultant for Groton Utilities, reviewed the plans of the proposed new water treatment process. She spoke about the requirements of parking spaces in the RS20 zone and explained her justification to reduce the required 52 parking spaces down to 35. She gave a breakdown of the number of employees working on site, noting that at most, there would potentially be no more than 24 people on site at any one time. Details were given about the building height, airflow, elevation, and landscaping.

Inquiries were made about parking spaces and the maximum number of people being on site at one time. Additional concerns were raised about the height and decoration of the building and the height of other structures on site. It was noted that the building height will probably be 35 feet. The potential of putting in trees was noted.

Munn inquired about the parapet wall, noting that the Zoning Board of Appeals should scrutinize the height during their review of the application.

**MOTION:** The Planning Commission recommends that the Zoning Board of Appeals consider the absolute need for all of the height in excess of 30 feet, specifically the non-functional height of the parapet.

Motion made by Munn, seconded by Zod.

Discussion continued about the height of the building.

Motion carried 3-0-2 (Sherrard, Steinfeld)

The PC noted that they did not have concerns with the parking variance.

2. Zoning Commission Referral for Public Hearing on April 1, 2015 (Postponed from 3-10-15)
  - 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 gave a recap of the last discussion and reviewed the proposed regulation amendments.

Inquiries and concerns were made about the language, architectural features and existing non-conforming businesses that could potentially be affected by a change in

regulations for the Nautilus Memorial Design District. Staff noted that the Planning Commission could make a suggestion to delete the “50%” in the language.

A consensus was made to approve the option B draft motion but to delete the “50%” stipulation in the language, and to still require a Special Permit in the future. The following language would also be added to the motion in item # 3 after the wording “Section 6.10-3 Nautilus Memorial Design District”: “with the exception of the removal of Item A”.

MOTION: The Planning Commission recommends the following for the proposed Zoning Text Amendment Application REGA15-01:

1. The Planning Commission recommends approval of the proposed text for Section 6.3 (Waterfront Design District), Section 5.2 (Lot, Yard and Building Requirements) and Section 6.4 (Open Space Subdivisions), Section 6.6 (Flood Protection Regulations), and Section 6.11 (Erosion & Sediment Control Plan), and Section 6.10-4 (Nautilus Memorial Design District; Building and Development Standards).
2. The Planning Commission recommends modifying the text for the 1<sup>st</sup> paragraph in Section 6.10- 3 (Nautilus Memorial Design District (NMDD); Permitted Uses) as follows:

6.10-3 Permitted Uses

Tourist commercial uses, uses to service the Navy base and/or their personnel, and residential uses or mix of same which are consistent with the purpose and objectives of the NMDD, and which are not detrimental to the unique character of the area, are permitted in the district. Any use to be located in a new structure or any use located in an existing structure that is ~~either~~ an intensification of the use of that structure and/or parcel, ~~or will alter the exterior of the structure,~~ shall be subject to the approval of a special permit. Intensification of use shall be defined as additional residential units, ~~additional employment, additional clients or customers, additional floor space for sales and services,~~ or additional required parking from that which existed prior to the application for a special permit.

3. The Planning Commission does not recommend approval of the proposed text for the 4<sup>th</sup> and 5<sup>th</sup> paragraphs of Section 6.10-3 (Nautilus Memorial Design District (NMDD); Permitted Uses) with the exception of the removal of Item A. The proposed text includes the removal of the “uses that are specifically not allowed” in the NMDD and the removal of the requirement for a special permit for the expansion of a previously ‘not allowed’ use. The Planning Commission recommends waiting for the Plan of Conservation and Development to be updated and a comprehensive review of the area to be completed.

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

## VII. NEW BUSINESS

### 1. Review Draft Municipal Coastal Program Section 4.5 – 4.12

Staff distributed a synopsis of the information in Sections 4.5 – 4.12 that included staff input and discussion items. The Commission reviewed each section and had the following comments.

#### 4.5 – Tidal Marshes

Add the following recommendation:

- Information from the Nature Conservancy Report

#### 4.6 – Water-Dependent Uses

Add the following recommendations:

- Encourage water recreation and community facilities
- Encourage water dependent uses in Mystic
- Include more transient boaters opportunities in Mystic River

#### 4.7 – Public Access

Add the following recommendations:

- Include Sparkle Lake
- Update Gravel Street pump station to include Historic Mystic use

Add the following recommendations

- Provide HC access points
- Provide parking for access points

#### 4.9 – Buffers and Setbacks

Add the following recommendation:

- Review Section 6.8 to consider additional prohibitive uses (appropriate buffer)

#### 4.10 – Density and Views

Add the following recommendation:

- Review the densities and uses allowed given sea level rise, public safety, and flooding

#### 4.11 – Open Space and Coastal Land Acquisition

- Add Capital Improvement Program and fee-in-lieu of open space as methods to fund open space acquisition
- Add appropriate information from The Nature Conservancy Report

### 2. Report of Commission – None.

### 3. New Applications

Two new applications has been received: KFC renovation and Fields of Fire Expansion

## VIII. REPORT OF CHAIRMAN

Sherrard received notification from The Town Clerk's office of Jeff Pritchard's reappointment to the Planning Commission for another 5 years.

The upcoming CFPZA conference was noted.

An inquiry was made about the proposed dock at Central Hall and what the status is with the State's involvement.

Discussion was held about the start time of public hearings and it was decided to keep public hearings at 7:45 p.m.

Sherrard will be away during the April 14<sup>th</sup> meeting.

IX. REPORT OF STAFF – None.

X. ADJOURNMENT

Motion to adjourn at 8:42 p.m. was made by Steinford, seconded by Zod, so voted unanimously.

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Margil Steinford, Acting Secretary  
Planning Commission

Prepared by Robin Silsby  
Office Assistant II