

MINUTES
PLANNING COMMISSION
APRIL 26, 2016 – 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, Zod
Absent: Munn, Tarbox
Staff present: Jones, Glemboski, Allen, Silsby

Chairman Sherrard appointed Zod to sit for Munn.

II. APPROVAL OF MINUTES

1. April 12, 2016

MOTION: To adopt the minutes of April 12, 2016

Motion made by Zod, seconded by Steinfeld, so voted unanimously, as annotated

III. PUBLIC COMMUNICATIONS – None

IV. SUBDIVISIONS – None

V. SITE PLANS

1. Long Meadow Landings, 45 South Road - Request for Extension of Start of Construction

Staff stated that the original site plan was approved on June 9, 2009. The applicant is requesting a one-year Start of Construction Extension until June 9, 2017.

MOTION: To approve an extension for one year Start of Construction for Long Meadow Landing, 45 South Road, to June 9, 2017

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

2. Kentucky Fried Chicken, 230 Route 12 – Request for Extension of Start of Construction

Staff stated that the original site plan was approved on May 12, 2016. The applicant is requesting a one-year Start of Construction Extension until May 12, 2017. Staff noted that plans have been recorded.

MOTION: To approve an extension for one year Start of Construction for Kentucky Fried Chicken, 230 Route 12 until May 12, 2017

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

VI. OLD BUSINESS – None

VII. NEW BUSINESS

1. Zoning Board of Appeals Referral for Public Hearing on April 27, 2016
 - a. ZBA16-04 – Fields of Fire LLC, 715 Noank-Ledyard Road

Staff reviewed the maps, noting that the property straddles two zones, residential and industrial. He reviewed the variance request for a 22 foot x 14 foot sign (308 square feet) to be placed in the residential zone. Currently, this size sign is not allowed in the residential zone but would be allowed in the industrial zone. Staff noted that the location in the industrial zone has ledge and numerous trees, which would require being cut down. Even though the proposed location is in the residential zone, Staff has no concerns because there are no houses in close proximity.

Concerns were raised about the proposed size of the sign in the residential zone, whereby the maximum allowed sign size in that zone is 24 square feet. Additional concerns were raised about the sign being lit at night along I-95. Staff explained that without the variance, trees would be cut down to make the sign visible from I-95.

Tom Vignato, business owner of Fields of Fire LLC, 715 Noank-Ledyard Road, stated that the 22 x 14 foot sign was up for two months but was taken down because of a newspaper article. He would like to put the sign exactly where it was most recently located. He reiterated that if the sign has be located in the industrial zone, that he would have to get permission from the State to cut down many trees, as the trees are in the State right-of-way.

Objections were made to installing a sign along I-95. Granting this variance would be setting a precedent, as it is located in the residential zone. Concerns were also made about the sign being lit. It was suggested that initiating a zone change might be more appropriate.

Vignato showed a photo on his phone of the 24 foot sign at night.

MOTION: The Planning Commission has concerns about the placement and size of the sign in a residential zone, setting a possible future precedent, and the fact that the sign will be lighted. If possible, it is hoped that the sign could be smaller in size and lighting considerations taken into account.

Motion made by Sherrard, seconded by Zod, so voted 2 in favor, 3 opposed (Steinfeld, Pritchard, Kane). Motion Failed.

MOTION: The Planning Commission has strong concerns about setting precedence in a single family residential area and concerns about the size and the lighting of the sign.

Motion made by Steinfeld, seconded by Zod, so voted 4 in favor, 1 opposed (Pritchard).

b. ZBA16-05 – Christ United Methodist Church, 0 North Road

Staff reviewed plans showing the location of the previous off-site sign location that was non-conforming for decades, as he explained the variance request in detail. The proposal is to install a larger sign. Staff noted that the applicant was unaware that their sign was non-conforming for so many years. Setbacks were reviewed. Staff noted that the Zoning Board of Appeals heard this application nearly six months ago, and was denied. The applicant has chosen to re-submit and request a larger sign. He believes he has a strong argument as to why this application should be approved. It was noted that the size of the original sign was 17 ½ square feet and the proposed sign would be 28 square feet.

Steinfeld and Pritchard had no concerns with the off-site sign. Staff noted that the City of Groton has given permission to the church to place the sign on their property. Kane spoke against this off-site sign, stating that a directional sign would be more appropriate. Allowing this use would set a precedent. Zod expressed similar objections, explaining that this sign should be a directional sign, not a frontage sign. He is not in favor of putting the sign back in an inappropriate location.

Alvarez presented photos of the old (17 ½ square foot) sign and the proposed (28 square foot) sign. He stated that the old off-site sign was in place for over 40 years. Photos of the existing Lawrence & Memorial Pequot Health Center sign, for which a variance was granted in the 1990's, were presented. He reiterated that a hardship exists because people have trouble finding the church. He referred to other organizations in Groton who have been granted a variance to install off-site signage. Letters of support have been received.

Zod explained why he is not in favor of the location of the proposed sign. He would be more apt to be in favor of a directional sign in the off-site location, opposed to the proposed frontage sign. Other members agreed.

MOTION: The Planning Commission felt that a sign should be a simple text directional sign and not a frontage sign.

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

MOTION: To add Special Permit #347, 24 West Main Street, to tonight's agenda

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

2. Zoning Commission Referral for Public Hearing on May 4, 2016
 - a. Special Permit #346, Lighthouse Point LLC, Owner, 0 Route 12

Staff gave background information about Lighthouse Point, as she reviewed the plans. She noted that a prior application went to court and a wetlands permit is still valid for this site. She spoke about the multi-story buildings and access points. A sidewalk is being proposed along Pleasant Valley Road North, though no sidewalk is being proposed on the east side of Route 12. Information was given about sidewalks in the area and the proposed storm water drainage system, which has been reviewed. A traffic report has been submitted.

Steinfeld is in favor of this proposal but inquired how this application is affected by the Draft POCD. Kane expressed a concern about pedestrian traffic without sidewalks. Sherrard expressed concerns about traffic backing up on Gungywamp Road and Route 12 because of the close intersections on Gungywamp Road.

Attorney William Sweeney, TCORS, New London, referred to a similar project in New London. He stated that he will give a full site plan presentation at a later date, where all concerns will be addressed.

John Schmidt, BL Companies, addressed concerns about traffic backing up on Gungywamp Road, as he reviewed the location on the map.

MOTION: The Planning Commission expressed concerns about traffic queuing problems on Gungywamp Road, Route 12 and North Pleasant Valley Road due to the short distance on Gungywamp Road between intersections.

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

- b. Special Permit #347, Drawbridge at 24, 24 West Main Street

Sherrard passed around a news article relative to this application.

Staff reviewed the location explaining that this proposal is a change in use to a restaurant upstairs and downstairs. Staff stated that this property is within the Waterfront Design District. A public hearing will be held on May 4, 2016 to hear this special permit application.

Rod Desmarais stated that he has been in the ice cream business for 20 years and explained that the deli portion doesn't have sufficient space. Because of the continued growth of the deli business, a proposal to have a deli in this building is being submitted to ease the congestion on West Main Street. Seating accommodations were noted.

The Planning Commission had no comment.

3. Report of Commission

Fitzgerald referred to a news article as he inquired about a survey of parking spaces in the Mystic Art Museum parking lot. Staff noted that the news article was pertinent to a zoning regulations text change and a reduction in required parking. She noted that the Art Museum is concerned about the ability to raise funds and having sufficient parking stalls. She explained that an inventory of parking spaces in the downtown area is being done, which will include categorizing current parking spaces. A report will be available in the near future. An additional aspect of the survey will include the building form and current usages. The basic goal is to inventory parking spaces in relationship to town regulations for downtown Mystic.

Pritchard summarized the recent Committee of Chairperson meeting, which he attended. He noted that a presentation was made about Water Resource Protection District (WRPD) requirements. Parking issues in downtown Mystic and leasing requirements were discussed. He referred to revising zoning regulations and suggested

that a more formal revision process to identify where changes are made, be considered. Staff concurred with his suggestion.

Steinford referred to the Draft POCD future land use map and inquired about the Office Multi-family Zone being re-designated. Staff explained that the entire stretch of area up Long Hill Road will be reviewed.

Steinford inquired about land that the Town owns on Route 1, near the Poquonnock River. Staff stated that a brownfield investigation is being done. Steinford would like to see that land used as a park in the future.

Sherrard attended the annual Regional Planning Commission meeting in Norwich but there was not a quorum. He stated that no officers were elected but a discussion was held about the Regional Plan of Conservation and Development (POCD). A copy of the draft POCD was submitted to Staff.

1. New Applications - None

VIII. REPORT OF CHAIRMAN

Sherrard referred to the Nuclear Regulatory Commission and a lack of concern with the impact of FEMA maps.

IX. REPORT OF STAFF

Staff stated that a new Economic Development Specialist has recently been hired. She noted that the budget process is progressing. The RTM final budget meeting is scheduled for May 9, 2016.

X. ADJOURNMENT

Motion to adjourn at 8:37 p.m. was made by Pritchard, seconded by Kane, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Robin Silsby
Office Assistant II