

MINUTES
PLANNING COMMISSION
APRIL 27, 2010 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Roper, Steinfeld, Sherrard
Alternate members present: Fitzgerald, Zod, Kane
Staff present: Davis, Glemboski, Doolittle

Chairman Sherrard called the meeting to order at 7:01 p.m.

II. APPROVAL OF THE MINUTES OF meeting of April 13, 2010.

MOTION: To approve the minutes of April 13, 2010 as amended.

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

III. PUBLIC COMMUNICATIONS

Staff noted the material received from GOSA and included in tonight's handouts.

Staff noted the referral from the Zoning Board of Appeals and requested that it be added to tonight's agenda.

MOTION: To add Zoning Board of Appeals application 10-01 to tonight's agenda as item #4 under New Business

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

IV. SUBDIVISIONS

1. Great Brook – request for five year extension for subdivision

Douglas DiSimone, Great Brook Partners, requested from the Commission a five-year extension, expecting the subdivision will be completed within 18 months.

The applicant, Staff and the Commission discussed the time frame for extensions and bonds. In response to complaints raised by the applicant, Staff clarified for the applicant, the Commission's role in the acceptance process relating to public improvements associated with subdivisions.

MOTION: To grant a five year extension to May 10, 2015 for Great Brook Subdivision

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

V. SITE PLANS

1. Central Hall, 18-22 West Main Street, 36 West Main Street, 2 & 3 Gravel Street – Request for one year extension for start of construction

Rod Demaris addressed the Commission requesting a one-year extension and stated that he has been working with staff on tech items.

The Commission and the applicant discussed the Mystic Streetscape project relating to parking and sewer laterals.

Ken Navarro spoke to the Commission regarding the economic climate and residential housing market.

MOTION: To grant a one year extension for start of construction to July 8, 2011 for Central Hall, 18-22 West Main Street, 36 West Main Street, 2 & 3 Gravel Street

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

VI. OLD BUSINESS

1. Land Use Regulation Update Project

Staff suggested that item #1 be deferred in order to permit discussion of item #2 to proceed.

2. Request from the Groton Open Space Association (GOSA) for letter of support of GOSA grant application to the State DEP for land acquisition: 245-255 Hazelnut Hill Road

Commissioner Pritchard provided pictures that he recently took at the site and requested that GOSA provide additional detail in support of their request in light of other information provided to date by staff, including the lack of consistency with the POCD and the lack of endorsement from the Conservation Commission. Commissioner Steinfeld expressed his concerns that this land acquisition does not correspond with Town's existing plan of conservation development and that if developed, it was likely that at least 38 acres of the site would be preserved, including many of the resources described by GOSA.

Commissioner Fitzgerald concurred and inquired as to the status of any other endorsements requested by GOSA. The Commission and Staff discussed the various agencies and commissions that have declined to endorse GOSA's request. Staff noted that the Town Council also received a request for endorsement from GOSA and was considering that request this evening.

Joan Smith, President of Groton Open Space Association, addressed the Commission and discussed, in detail, GOSA's interest in the property. She provided excerpts of the Town POCD goals and described their reasons for wanting to preserve the parcel, including protecting wetlands and vernal pools, and the historical and archeological significance of the site. She made reference to Mumford Cove, Fort Hill Brook and its characteristics, the extent of the WRPD, utility extensions, the Holstein property to the east, the Kendig site modeling performed for the land use regulation update and a previously proposed "connector road."

Members and Ms. Smith discussed other issues and concerns, including but not necessarily limited to GOSA's ability to manage the site if acquired, prior efforts to acquire open space in other areas of the Town, "Mystic Woods" open space, and liability issues and costs.

Commissioner Kane indicated that he would endorse GOSA's application. Commissioner Munn indicated that he had mixed feelings, but that in light of the fact that no Town money was involved, he could endorse, with the caveat that complete preservation was inconsistent with the Town POCD. Commissioner Zod felt that if the site was developed, a large portion would remain preserved, but that development might not be feasible.

Commissioner Pritchard noted that the State had limited funds for this purpose, that the Town had endorsed acquisition of the Spicer parcels, and that those parcels were more unique and valuable for open space and recreation. He felt that preservation of some parts of the "sheep farm" was appropriate, but not the entire site.

Chairman Sherrard felt while the Town had a substantial amount of open space already, the community POCD surveys indicated that open space was a high priority in relationship to quality of life. He felt that the Spicer parcels would be a higher priority for the Town than the sheep farm parcels.

Staff clarified some issues regarding taxes, the purpose of the modeling performed by Kendig, and cautioned the Commission that if they were to endorse preservation of this land, that endorsement could not in any way be based upon the notion that preservation was being done to undermine other legitimate goals of the community's adopted comprehensive plan.

Ms. Smith presented to the Commission a packet of endorsements from various interests.

MOTION: To take a five minute recess

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

The Commission took a five minute recess at 8:20 p.m. and reconvened at 8:31 p.m. Chairman Sherrard reported that the Council had endorsed GOSA's request by a 5-4 vote. He indicated that he would prefer to table the item until later in the meeting, and that he needed more time to consider the new information.

MOTION: To table the request from the Groton Open Space Association (GOSA) for a letter of support of GOSA grant application to the State DEP for land acquisition: 245-255 Hazelnut Hill Road to the later in the meeting

Motion made by Sherrard, seconded by Munn. Roper opposed. Steinfeld abstained. Motion passed 3-1-1.

Chairman Sherrard polled the Commission members on their potential acceptance of a concept whereby the Commission would take no official position on the request from GOSA for a letter of support of GOSA grant application to the State DEP for land acquisition: 245-255 Hazelnut Hill Road

He offered a “neutral” (no action) approach to the Planning Commission’s decision on GOSA’s request. Certain members disagreed with this approach and felt that the Commission had to take action.

MOTION: Whereas the Groton Open Space Association (GOSA) has requested the Town of Groton Planning Commission’s endorsement of an application for grant funds to purchase a parcel of land at 245-255 Hazelnut Hill Road, commonly referred to as the Sheep Farm, therefore be it resolved that the Planning Commission does not endorse the application for the OSWLA grant because the proposal is not in accordance with the Town of Groton’s Plan of Conservation and Development and an application for a higher priority open space parcel on Thomas Rd is being submitted by the Town of Groton and supported by the Planning Commission.

Motion made by Pritchard, seconded by Steinfeld. Motion passed 3-2. (Munn and Sherrard opposed).

3. Open Space and Watershed Lands Grant Program (OSWLA)

The Commission gave Staff their recommendations regarding formatting and content.

MOTION: To accept the draft letter as amended

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

4. Land Use Regulation Update Project

Staff noted the changes made to Section II based on Commissioner Pritchard’s comments and handed out the recommendations received from Commissioner Munn.

VII. NEW BUSINESS

1. Report of Commission

Commissioner Pritchard discussed the Committee of Chairpersons meeting he attended on April 19, 2010.

Commissioner Roper discussed the Mystic Cooperative Task Force meeting he attended on April 19, 2010.

Commissioner Kane noted that the Phase II School Building meeting was cancelled. He presented information from NOAA, a grant program interested in preserving estuaries and coastal habitats.

2. New Applications

- a. Site Plan for Bowl New England, 27 Kings Highway

3. Zoning Commission referral for May 5, 2010 - Special Permit #314, 721 Long Hill Road, Myron Hendel

Staff noted that the applicant is having trouble marketing the property for general retail due to the parking requirements set forth by the zoning regulations. He stated that a 10% reduction in parking is allowed if you can demonstrate that your business will benefit from public transit.

The Commission was concerned about the speculative nature of the request.

MOTION: The Planning Commission recommends against the Special Permit #314, 721 Long Hill Road, Myron Hendel as written until the specific general retail usages are defined

Motion made by Sherrard, seconded by Munn. Motion passed unanimously.

4. Zoning Board of Appeals referral for April 28, 2010 - ZBA10-01, 215 Pequot Ave

Commissioner Roper recused himself stating a conflict of interest and Chairman Sherrard appointed Commissioner Zod to sit for him.

Staff noted that the applicant is requesting a Variance so he can add an elevator to his home for his disabled daughter. Staff noted that according to ADA, this is considered a reasonable accommodation.

The Commission had no comment.

VIII. REPORT OF CHAIRMAN

Chairman Sherrard noted the Ethics training being held on April 29, 2010 at 6:30 p.m.

IX. REPORT OF STAFF

Staff updated the Commission on the removal of landscaping at Precious Memories Preschool on Sandy Hollow Road and the status of the Town's OSWLA grant application for the Spicer property to the State DEP.

X. ADJOURNMENT

Motion to adjourn at 9:45 p.m. made by Sherrard, seconded by Steinford, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Katie Doolittle
Office Assistant II