

MINUTES
PLANNING COMMISSION
MAY 28, 2013 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

Chairman Sherrard called the meeting to order at 7:02 p.m.

II. APPROVAL OF THE MINUTES OF meeting of May 14, 2013.

MOTION: To approve the minutes of May 14, 2013 as written.

Motion made by Munn, seconded by Pritchard. Motion passed 4-0-1 with Steinfeld abstaining.

III. PUBLIC COMMUNICATIONS - none

IV. SUBDIVISIONS - none

V. SITE PLANS

1. Pizzetta, 7 Water Street (CAM)

Seamus Moran, Indigo Land Design, representing the applicant, addressed the Commission detailing the existing building and the proposed changes to the outdoor seating area. He discussed parking, lighting, and the existing patio. He also noted the CAM aspect of this application.

Staff discussed the special permits that have been approved for this site and noted that the most recent special permit is only good for one year. Staff discussed the waivers and conditions that appear in the draft motion. Comments from the building official, Aquarian Water and the fire marshal were read into the record by staff.

Mr. Moran and the Commission discussed handicap parking as well as the current special permit (SPEC333) granted in February 2013.

MOTION: To approve a waiver for Pizzetta, 7 Water Street, to Section 7.2-3 for off-street parking requirements for the outdoor seating area in accordance with Section 6.3-4.H. and Section 7.2-5(A) of the Zoning Regulations based on the following:

1. The applicant shall continually participate in the Mystic Art's Center's sponsored parking validation program whenever the outdoor dining area is in operation.
2. The applicant shall continue to provide both verbal and signage information informing customers of parking options.

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

MOTION: To approve Site Plan SIT13-10, Pizzetta, 7 Water Street for the addition of 680 square feet of seasonal outdoor dining area subject to the following conditions:

1. The owner shall participate in the parking validation program at the Mystic Art Center when the outdoor seating area is in operation. Signs shall be posted at entrances and cash registers to notify customers of participation in the parking validation program. If required, one of the 14 parking spots shall be designated and designed as a handicap spot.
2. A note shall be placed on the plans stating “Any parking lot or street trees removed from the site shall be replaced with appropriate street or parking lot trees as per Section 7.4 of the Zoning Regulations.”
3. All building and fire code requirements shall be met for the site plan.
4. Any changes to the special permit will require additional review by the Planning Commission who will determine if a site plan resubmittal is required.
5. All staff technical items shall be addressed.

The Planning Commission notes that this is an existing site with large parking lot trees and existing frontage planter beds that will be enhanced. The existing landscape design meets the intent of the landscape requirements of Section 7.4 of the Zoning Regulations and the Waterfront Design District.

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

MOTION: To approve the Coastal Site Plan for the outdoor seating area at Pizzetta, 7 Water Street, because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts on coastal resources.

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

2. Proposed Industrial Development, 90 Leonard Drive – Request for one year extension for start of construction

Robert Schuch, Boundaries LLC, representing the application, addressed the Commission requesting a one year extension for start of construction.

MOTION: To grant a one year extension for start of construction to July 12, 2014 for Proposed Industrial Development, 90 Leonard Drive

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

3. Zappile Residence, 41 Neptune Drive (CAM) – Single family Coastal Site Plan

Matthew White, of Angus McDonald, Gary Sharpe & Associates, representing the applicant, addressed the Commission discussing the proposed single family home.

Staff briefly discussed the CAM application, noting that this is a water proximity situation that otherwise would not appear before the Commission. Due to the close proximity to the water, the Commission must act on this application.

The Commission and Mr. White discussed options for draining the pool.

It was the consensus of the Commission that pool water shall be discharged in compliance with DEEP regulations.

MOTION: To approve Coastal Site Plan #13-02, Zappile single family home, 41 Neptune Drive. In approving this application, the Commission finds that the proposed activity is consistent with all applicable goals and policies in CGS 22a-92 and that it incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

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

VI. NEW BUSINESS

1. Town Council referral under CGS 8-24 regarding the proposed lease of property on Gary Court for a cell tower

Staff discussed this referral.

MOTION: With regard to the Town Council referral 2013-0132, proposed lease on Gary Court, the Town of Groton Planning Commission has considered the request and issues an affirmative report pursuant to CGS 8-24.

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

VII. OLD BUSINESS

1. Subdivision Regulation Amendments

A list will be emailed to the Commission this week.

2. Plan of Conservation and Development Update

The next Steering Committee meeting will be on June 20, 2013.

3. Zoning Commission referral for June 5, 2013 Public Hearing - REGA13-01, Special Permit & Site Plan Requirements

Staff handed out a memo they received today from Town Attorney Michael Carey for the Commission to review. Commissioner Pritchard and other Commissioners voiced concerns over various aspects of the proposal. Staff and the Commission discussed the language in the draft regulations and options for recommendations to include in the Commission's report.

MOTION: The Planning Commission supports the proposed REGA13-01, Special Permit & Site Plan Requirements, with the following recommendations:

1. Section 8.3-2G: For the 12 technical areas listed, the information required could be less than formal reports or plans.
2. Sections 8.3-8H & 8.4-5J: We recommend that the Zoning Commission adopt the Town Attorney's recommendations.

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

Staff asked for clarification from the Commission on #2 in the motion above. The Commission clarified that the Zoning Commission will need a 4/5 majority to not comply with the recommendations of the Planning Commission.

VIII. NEW BUSINESS

1. Report of Commission

Commissioner Steinford brought up concerns over the new deck at the Oyster Club, 13 Water Street.

2. Town Council referral under CGS 8-24 regarding the proposed lease of property on Gary Court for a cell tower

This item was moved and acted upon earlier in the agenda.

3. Zoning Commission referrals for July 3, 2013 Public Hearing

a. REGA13-02, Section 8.5-8(B), Variances *

MOTION: We recommend approval of Zoning Commission referral REGA13-02, Section 8.5-8(B), Variances.

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

b. Special Permit #334, 175 Industrial Drive (CAM) *

The consensus of the Commission was to support this application.

4. Referral from Noank – Zoning Text Amendment

The Commission tabled this item to the next regular meeting on June 11, 2013.

5. New Applications

a. ASP13-06, Mystic Blues Festival, 100 Essex Street

b. Groton Business Park Lot 3, 115 Poheganut Drive

IX. REPORT OF CHAIRMAN - none

X. REPORT OF STAFF

Staff noted the Administrative Site Plan (ASP) application for Fitch High School Concession Stand. The Commission suggested a date of November 1, 2013 for a review date.

Staff reported that they were developing information to address standards and procedures for temporary seasonal uses.

Staff will also advise the Commission regarding the “paintball” sign along I-95 North.

XI. ADJOURNMENT

Motion to adjourn at 9:02 p.m. made by Sherrard, seconded by Steinfeld, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Katie Trask
Office Assistant II