

MINUTES
PLANNING COMMISSION
JUNE 11, 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: Murphy, Davis, Glemboski, Gilot

Chairman Sherrard called the meeting to order at 7:00 p.m.

II. PUBLIC HEARING

1. Mystic Industrial Park Subdivision, 1085 Noank Ledyard Road & 0 Flanders Road

Secretary Pritchard read the legal ad into the record. Chairman Sherrard reviewed the public hearing procedures.

Clint Brown, DiCesare Bentley Engineers, Groton, represented the applicant, Tim Tylaska, and presented the application for a one lot subdivision. Mr. Brown reviewed the location of the parcel, the new buildings to be located behind the existing building, the site access from the existing driveway, wetlands, drainage, onsite wells and sewage. An existing well system would be expanded to accommodate the new buildings. Wetland permits and State Department of Health approvals would be required before construction could begin.

Mr. Brown detailed several modifications and waivers requested by the applicant:

- Road dedication and preservation – No new road is proposed, but a small strip of land on the south side of Noank Ledyard Road would be dedicated for potential future road development. Noank Ledyard Road is rural, and no improvements are needed on Flanders Road.

- Waiver of frontage sidewalks on both streets – There are no existing sidewalks on Noank Ledyard Road. Some sidewalks exist along the Flanders Road frontage. The location is remote, and there is no pedestrian traffic in that area. Due to the trees and topography of Flanders Road, construction of sidewalks would be difficult.

- Waiver of street lighting - No lighting needed at Flanders Road as it is not a new road.

- Waiver and modification of public open space – This is an industrial parcel in a remote location with no connection nearby. A condition of the previous approval of Lot 11 was that the applicant would build the trail upon further development of the site. The applicant proposed dedication of a 50 ft. wide right of way easement along I-95 for a future path.

- Waiver of shade trees – There are no new streets proposed and the frontage along the subdivision is already heavily wooded.
- Waiver of issuance of permits until all public improvements have been completed.

Tim Tylaska, owner, spoke about the proposed development. The site currently houses small start-up businesses. The proposed subdivision would develop only about seven acres; the rest of the parcel is a farm, leased by the Whittle family.

Staff distributed maps and copies of the Town's Bike and Pedestrian Plan and the Master Sidewalk Plan to the Commission. She explained that with a previous approval, the Commission required a trail in lieu of the 10% open space, to be constructed after a further subdivision or development of the "Other Land" associated with the subdivision. Staff explained the trail system proposed for that area of Town and said there are options where the applicant could dedicate a trail and easement, and an agreement for future trail development if there is more development in the area, or dedicate an easement and the Town will build the trail in the future. The Inland Wetlands Agency recommended doing what is least destructive for the sidewalk.

The Commission discussed trail access and connection to other systems, not necessarily bituminous, and not necessarily along I-95 but across the site to tie into other trails. Potential crossings to other trail connections were identified by Mr. Brown and staff.

The Commission asked staff that if a sidewalk waiver was granted with the subdivision, would the Commission be locked into that waiver at the site plan stage. Staff said they would research that and respond on June 25th.

Dave Cody, 1101 Noank Ledyard Road, owner of Aqua Massage, spoke in favor of the application.

Munn said that he would not be at the June 25th meeting. He said he would be in favor of the trails; he would like to combine the sidewalk and open space requirements to make a connecting trail and waive formal sidewalks.

The public hearing was continued to the next regular meeting on June 25, 2013.

Motion by Sherrard; seconded by Steinfeld; motion passed unanimously.

III. APPROVAL OF THE MINUTES OF meeting of May 28, 2013.

MOTION: To approve the minutes May 28, 2013 as amended.

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

IV. PUBLIC COMMUNICATIONS

Kane and Pritchard received pamphlets from Oddfellows advertising the sale of the condos that are being built.

V. SUBDIVISIONS

1. Mystic Industrial Park Subdivision, 1085 Noank Ledyard Road & 0 Flanders Road

The public hearing was continued to June 25, 2013.

VI. SITE PLANS

1. LBI, 973 North Road – Request for one year extension for start of construction

MOTION: To grant a one year extension for start of construction to June 14, 2014 for LBI, 973 North Road.

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

VII. OLD BUSINESS

1. Subdivision Regulation Amendments

Staff is preparing information for the Commission.

2. Plan of Conservation and Development Update

Staff said there will be a Steering Committee meeting on June 20th. The Municipal Coastal Program will be on the agenda. The MCP was discussed with regard to being free-standing, as well as embedded within the POCD.

3. Referral from Noank – Zoning Text Amendment

Staff reviewed the amendment and believed there were no inter-municipal impacts.

The Planning Commission had no comment.

VII. NEW BUSINESS

1. ASP #13-05, Electric Boat Former Midway Facility (CAM)

Eric Axelrod, Woodard Curran, and Jeff Hamilton, represented the applicant. Mr. Axelrod explained the application for the remediation of an outfall area of the Electric Boat site, and repair of an embankment near the Poquonnock Bridge area on Depot Road. They propose to remove approximately 400 yards of contaminated material which poses an ecological risk to the river and replace with 400 yards of material. The access to the work would be off Depot Road, and the project duration would be about one month, later in the Fall. Applications were made to OLISP and the Army Corps of Engineers for the application. Extensive testing has been done at the site.

MOTION: To approve administrative site plan #13-05, request of the Electric Boat Corporation for grading and fill associated with site remediation at 91 Depot Road. 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 Sherrard, seconded by Munn, so voted unanimously.

2. ASP #13-06, Mystic Blues Festival, 100 Essex Street

Chris and Amy Lee, co-coordinators of the Mystic Blues Festival, said they are planning a three day music festival at Mystic Shipyard, Willow Point. The Lees proposed to use Fitch High School to fulfill parking requirements, and the approval from the superintendent, Dr. Ramos, to use the high school parking area will be issued following approval of the application by the Planning Commission.

The parking for festival participants and staff was reviewed. Staff said there had been extensive coordination with the Fire Marshal.

MOTION: To approve ASP #13-06, Mystic Blues Festival at 100 Essex Street, subject to the following conditions:

1. No parking is permitted on or along public streets for the event at any time.
2. Patrons shall be shuttled to the site from Fitch High School, where event parking shall occur.
3. All related improvements shall be removed from the site within 48 hours of the completion of the event.
4. All onsite drive lanes shall be kept open at all times in order to provide sufficient access for emergency vehicles and personnel.
5. No off site commercial signs shall be installed.
6. Sufficient sanitary facilities shall be provided and maintained throughout the event.
7. This approval is only issued with respect to the specific dates noted in the application. Additional events shall require approval of a subsequent administrative site plan application and approval of ASP #13-06 shall not in any manner prejudice the commission as to review and action on any subsequent request for additional events.

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

3. Report of Commission

Commissioner Munn will be out for the next two meetings.

4. New Applications - None

VIII. REPORT OF CHAIRMAN - None

IX. REPORT OF STAFF

Staff said Oddfellows is hoping to initiate construction soon. Rita's Rest Home is also getting started.

Staff told the Commission that the plaintiffs who appealed the Wal-Mart expansion lost at Superior Court and were denied certification by the Appellate Court. Staff anticipates that Wal-Mart will proceed once they have secured a permit from the STC.

X. ADJOURNMENT

Motion to adjourn was made by Munn and seconded Steinfeld at 8:45 p.m.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Debra Gilot
Office Assistant III