

MINUTES
PLANNING COMMISSION
JUNE 9, 2009 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Kane, Pritchard, Roper, Sherrard, Steinford

Alternate members present: Fitzgerald, Kane, Munn, Zod

Staff present: Murphy, Davis

Chairman Sherrard opened the meeting with roll call at 7:00 p.m.

II. APPROVAL OF THE MINUTES OF meeting of May 26, 2009.

MOTION: To approve the minutes of May 26, 2009 as amended.

Motion made by Steinford, seconded by Roper, so voted unanimously

III. PUBLIC COMMUNICATIONS

The Chair provided a flyer for an educational seminar.

Mr. Furlong of GOSA provided comments on a draft version of possible edits to the Planning Commission's by-laws.

IV. SUBDIVISIONS

1. Crawford Way Subdivision, 123 Toll Gate Road – Request for extension

MOTION: To grant a two-year extension of the Crawford Way Subdivision to May 25, 2011.

Motion by Steinford, seconded by Pritchard, so voted unanimously

2. Holdridge Resubdivision Modification, Holdridge Court

Mr. David Reagan (applicant) explained his request.

MOTION: To approve a waiver of Section 5.4(1) of the Subdivision Regulations to allow the issuance of one of the last two building permits before the public improvements associated with the Holdridge Resubdivision have been completed and offered for acceptance by the Town for the following reasons:

1. A public improvement bond of \$22,000.00 remains in effect.

2. Installing utilities for two houses as opposed to one on the Holdridge Court cul-de-sac will result in less construction disturbance for the neighborhood and will not be detrimental to public safety, health or welfare.

Motion by Pritchard, seconded by Munn, so voted unanimously

3. Hickey Subdivision Modification (and Bond Release), 287 Briar Hill Road

Mr. Richard Ceravolo (applicant) explained the request.

MOTION: To approve the Hickey Subdivision Modification to vacate the lots created by the Hickey Subdivision on September 13, 2005 with the following modifications:

1. A note shall be added to the plan that states "This plan vacates the lots created by the Hickey Subdivision as approved by the Planning Commission on September 13, 2005".
2. This plan shall be filed on the Land Records prior to the release of the public improvement bond.

Motion by Sherrard, seconded by Roper, so voted unanimously

MOTION: To release the public improvement bond associated with the Hickey Subdivision.

Motion by Sherrard, seconded by Steinfored, so voted unanimously

V. SITE PLANS

The applicant and his agents made a presentation to explain the request. The Commission has various comments and questions regarding aspects of the proposal.

1. Long Meadow Landing, 83 South Road

MOTION: To approve a waiver of Section 7.4-4 A of the Zoning Regulations to allow a reduction of the required 25 foot landscape buffer to 17 feet for the following reasons:

1. The work that intrudes into the landscape buffer is an upgrade of the existing dumpster area which is currently within 15 feet

of the property line. The applicant proposes to move it 2 feet further from the property line and to install an enclosure and landscaping.

2. The granting of the waiver will not be detrimental to public safety, health, or welfare or have a significant adverse effect on adjacent property.
3. The waiver will not conflict with the provisions of the Zoning Regulations, or the Plan of Conservation and Development

Motion by Sherrard, seconded by Roper, so voted unanimously

MOTION: To approve a waiver of Section 7.5.2 of the Zoning Regulations and to not require a sidewalk along the property frontage on the west side of South Road for the following reasons:

1. The Inland Wetland Agency has denied a permit for this activity due to the impact to the wetlands at the base of the slope.
2. The granting of the waiver will not be detrimental to public safety, health, or welfare or have a significant adverse effect on adjacent property in that there is a sidewalk on the east side of South Road.
3. The waiver will not conflict with the provisions of the Zoning Regulations, or the Plan of Conservation and Development.

Motion by Sherrard, seconded by Roper, so voted unanimously

MOTION: To approve the Long Meadow Landing Site Plan, 45 South Road, with the following modifications:

1. The side walk leading from the new building to Route 1 shall be a minimum of 8 feet wide and shall be designed to prevent its use by vehicular traffic.
2. The dog wash facility in Recreation Area 3 shall meet all applicable health code regulations.
3. All technical items as raised by staff shall be addressed

The Commission finds that the proposed recreation areas, while not centrally located, meet the intent of section 6.7-6 G in that they provide a variety of recreation opportunities throughout the multi-family complex and result in an increase in the previously approved recreation area.

Motion by Sherrard, seconded by Roper, so voted unanimously

MOTION: To approve the Coastal Area Management application for Long Meadow Landing, 45 South Road, as it is consistent with all applicable coastal policies contained in CGS 22a-92, and includes all reasonable measures to mitigate adverse impacts and creates no unacceptable adverse impacts.

Motion by Sherrard, seconded by Roper, so voted unanimously

2. Gabriele's Karate, 1028 Poquonnock Road

Mr. Ken Petrini of DeCesare Bentley Engineers presented the proposal and answered questions from the Commission.

MOTION: To approve a Site Plan Modification for Gabriele's Karate at 1028 Poquonnock Road, with the following modifications:

1. All sidewalks and areas adjacent to the building shall at all times remain free and clear of any obstructions, including but not limited to planters, dumpsters, refuse, seating, signs and other such ancillary uses. Any and all existing unauthorized obstructions shall be permanently removed no later than July 1, 2009 or prior to the issuance of a final certificate of site plan compliance, whichever is sooner.
2. Upon completion of the required work, the post construction condition of the ledge in the northwest portion of the site will be reviewed by OPDS and the project engineer to confirm sufficient shelf is available along the curb for vehicle overhang and to confirm the stability of the ledge cut as proposed. If deemed necessary, staff may require a geotech report from the project engineer, certifying that the ledge face is stable and will not require additional treatment or modification to ensure long term stability. If required, any such certification shall be provided no later than September 1, 2009 or prior to the issuance of a final certificate of site plan compliance, whichever is sooner.

3. Access to the building at the northeast corner shall be maintained at all times and no unauthorized materials, equipment, vehicles or other obstructions will be permitted in this area. Any and all existing unauthorized obstructions shall be permanently removed no later than July 1, 2009 or prior to the issuance of a final certificate of site plan compliance, whichever is sooner.
4. Prior to July 1, 2009, the interval of the existing electronic messaging sign shall be adjusted and maintained at all times to no less than a two minute interval per the requirement of the Zoning Official.
5. All dumpsters or other containers for refuse and recycling shall be located within the area provided and approved for this use in the northeast portion of the site and shall at all times be located within the dumpster enclosure required and constructed as part of this Site Plan, prior to September 1, 2009 or prior to the issuance of a final certificate of site plan compliance, whichever is sooner.
6. Prior to any site work, the owner and his site contractor shall provide a specific detailed plan and narrative to OPDS staff, describing and depicting how the required work will be carried out in a safe and orderly manner, in light of the current occupancy and use of the building and site. Unless otherwise approved by OPDS, all work will take place during non-business hours, and if the site is to be occupied for business use pending the completion of all work, measures shall be taken to assure the safe use of the site, including but not limited to temporary traffic control barriers, temporary traffic control signs and/or other such measures.
7. The design engineer shall provide a written certification that the as built condition of the stormwater basin and any related appurtenances complies with the design proposed by them and approved as part of the site plan. Such certification shall be provided, with live raised seals and signatures, to OPDS staff no later than July 1, 2009 or prior to the issuance of a final certificate of site plan compliance, whichever is sooner.
8. Prior to September 1, 2009 or prior to the issuance of a final certificate of site plan compliance, whichever is sooner, all existing landscape islands shall be cleared of stones and debris, provided with a minimum of 4 inches of screened loam, and seeded. In addition, and subject to the same time limits, all cut brush shall be removed

from the site, including but not necessarily limited to the slope area adjacent to the northern parking stalls.

9. As applicable, all plan sheets shall be revised to depict existing conditions accurately, including but not necessarily limited to sidewalk locations, landscaping and landscape islands, adjacent mature trees, existing dumpsters, exterior propane tanks, and overhead utility lines.
10. As applicable, modify all sheets to show the approved landscape island curb radius at the northwest corner of the building, as per the Fire Marshal's recommendation.
11. The final plan shall be revised to depict the location of the required storm water easement from Laurelwood Road to Route 1. Said easement instrument to be provided prior to September 1, 2009, or prior to issuance of a final certificate of site plan compliance, whichever is sooner.
12. Provide an approved physical barrier at the west end of the "future" inter lot connection and a detail of same. The treatment should extend the full 24 foot width of the access drive.
13. Modify the grading plan at the toe of the ledge slope to indicate a minimum 5 foot wide/deep perimeter strip (section 7.4-5B) to be provided using the elevation of the top of the adjacent curb, and extending the full length (90 feet) of the adjacent curb. Provide a minimum of two trees in this general location, and a grass surface otherwise. Clearly show the limits of clearing, grading, loam and seed in this portion of the site (north of and abutting the new parking area). Indicate removal of dead limbs, vines and general clean up of the wooded area at the edge of the new lawn limit.
14. Technical items of staff shall be addressed.

Motion by Pritchard, seconded by Roper, so voted unanimously

VI. OLD BUSINESS

1. Land Use Regulation Update Project – No Report.
2. Review of Planning Commission By-laws – Discussion ensued. This item will be continued at the next regular meeting.

VII. NEW BUSINESS

1. Report of Commission

Members reported on the following topics:

Roper- Thanked the members and staff for their condolences
Route 11 Bikeway
Norwich Hospital
COG budget cuts
Shoreline East
Mystic Cooperative Task Group

Steinford- Attended Park/Rec Master Plan meeting on 5/26/09

Kane- Thames Street project status and concepts

Fitzgerald- Attended DOT meeting on Mystic River Bridge project

2. Zoning Board of Appeals referral for June 24, 2009 public hearing – The Commission had no comment.

3. Discussion of CT Siting Council Petition #896 for Installation of Proposed Diesel Generators

A presentation was made by CMEEC and Groton Utilities. This item will be placed on the 6/23/09 agenda for additional review and action.

4. New Applications

a. Barnum School Parking Lot Expansion, 68 Briar Hill Road

Staff noted receipt of Mystic River Residential Care site plan located at 12, 14 and 16 Godfrey Street in Mystic.

VIII. REPORT OF CHAIRMAN

The Chair reported on tree cutting taking place on the Leuba parcel (Sandy Hollow Road). Staff is responding.

IX. REPORT OF STAFF

The Director reported on a variety of topics.

Staff handed out a copy of the Conservation Commission's response to GOSA's solicitation of that Board for their support of a prospective GOSA application to the State DEP for a grant to purchase a parcel on Hazelnut Hill Road.

Staff handed out copies of materials they had received from parties having objections to attempts by GOSA to limit the use of the “Merritt Family Farm.” Staff included a brief policy analysis they had prepared regarding relevant public planning documents and objectives.

The Chair asked that this matter be included under old business on the Commission’s June 23, 2009 regular meeting agenda.

X. ADJOURNMENT

Motion to adjourn at 10:35 p.m. made by Steinfeld, seconded by Roper, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Robin M. Silsby
Office Assistant II

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