

MINUTES  
PLANNING COMMISSION  
AUGUST 11, 2015 – 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, Munn (7:03), Steinford  
Alternate members present: Fitzgerald, Tarbox, Zod  
Staff present: Jones, Glemboski, Silsby

Chairman Sherrard appointed Zod to sit for Munn if Munn doesn't attend tonight's meeting. However, Munn arrived at 7:03 p.m. and sat as a regular member.

II. APPROVAL OF THE FOLLOWING MINUTES OF July 14, 2015

MOTION: To adopt the Planning Commission minutes of July 14, 2015

Motion made by Steinford, seconded by Pritchard, so voted 4-0-1 (Sherrard), as amended.

III. PUBLIC COMMUNICATIONS

Staff asked the Commission to add a referral from the Town of Ledyard regarding a proposed text amendment with the public hearing set for 8/27/15 under New Business.

MOTION: To add this item under New Business

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

IV. SUBDIVISIONS

1. Watrous Subdivision Modification (SUB15-06), 970, 980, 990 Pleasant Valley Road North

Staff reviewed the location of this 3-lot subdivision. The modification involves changing an approved sewer and drainage easement. She stated that the sewer easement is no longer necessary.

Roger Watrous, 306 New London Turnpike, Stonington, reviewed previously approved plans. The original subdivision showed an 8 inch sewer line to be tied into an existing manhole in Route 12 which would have served all three lots. He proposes to install three separate lines tied into Route 12 laterals, in order to avoid ledge.

It was noted that each home owner will be responsible for the sewer laterals. Staff had no concerns and Public Works is in favor. A draft motion was reviewed.

MOTION: To approve the Watrous Subdivision modification, 970, 980, 990 Pleasant Valley Road North, to eliminate the sewer easement subject to the following modifications:

1. The previously recorded easement to the Town for the purpose of a sewer easement will be extinguished, relinquishing the Town from liability for the sewer lines in this particular area.
2. The drainage easements will remain in place as they are.
3. Easements between the lots shall be established in the delineated areas to allow for installation and maintenance of the sewer lines across the lots.
4. The map submitted shall be updated to be clearly marked as a modification in the title block and shall contain a note of explanation of the associated change.
5. All staff technical items shall be addressed.

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

2. Maple Glen Subdivision, Pleasant Valley Road North – Request for Extension and Bond Release

Staff explained that this 14-lot subdivision was approved in 2006. The applicant is asking for a 5-year extension, at which time public improvements must be completed. The applicant is also requesting release of the bond. The plans have been recorded. She explained that a bond was received for public improvements. Based on the new State Statute for bonding, the applicant has requested to have the previously submitted bond returned to him. An inquiry was made about the bond being increased in the future. Staff stated that the Town will get the bond when the owner sells a lot or requests a Certificate of Occupancy (CO). Discussion followed about the new procedure and how it relates to issuing a CO.

A suggestion was made to include language about re-posting the bond under modifications. Staff stated that the following language could be added to the motion: “The public improvements bond shall be posted prior to the issuance of the first building permit or prior to a lot being sold”.

MOTION: To grant a five year extension for the completion of the Maple Glen Subdivision public improvements to August 8, 2020.

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

Discussion ensued about the new public act regarding CO's. Staff stated that the bond is required prior to the first CO. Discussion followed about bond requirements.

MOTION: To release the public improvement bond of \$96,746.00 and all accrued interest and the cash reserve of \$978.00 for the Maple Glen Subdivision subject to the following modifications.

1. The Public improvement bond shall be posted prior to the issuance of the first Certification of Occupancy or the first lot sold, whichever is first.

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

V. SITE PLANS

1. Conversion, Renovation (SIT15-07), 15 Elm Street, Mystic

Staff stated they have agreed to an extension until 9/8/15.

MOTION: To accept an extension until September 8, 2015

An inquiry was made about the history of that building. Staff stated that a special permit was granted in 1998 to do a conversion from apartment to hotel/motel, which is still valid.

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

VI. OLD BUSINESS – None.

VII. NEW BUSINESS

1. Zoning Board of Appeals Referral for Public Hearing on August 26, 2015
  - a. Variance ZBA#15-12, Yuhas Residence, 69 Buddington Road

Staff stated this this lot, located in the RS-20 zone, is extremely narrow. The proposal was explained, setbacks were noted, and maps were reviewed. Staff has no concerns based on the width of the property. An inquiry was made about nearby buildings.

The Planning Commission had no comment.

VIII. PUBLIC HEARING to be held at 7:30 p.m.

Chairman Sherrard opened the public hearing at 7:30 pm. Pritchard read the Call of the Hearing. Sherrard reviewed public hearing procedures.

1. Briar Hill Subdivision (SUB15-05), 0 Briar Hill Road

Pat Lafayette, of Development Solutions LLC presented the application on behalf of Riverbend LLC. Maps were reviewed and the location noted. The land is on the east side of Briar Hill Road. Previous owners, the YMCA, had been granted approval for a 4-lot subdivision in 1989 but never filed the plans. The current proposal to build a 4-lot subdivision was explained. Each home will have its own private driveway, grading design was discussed, public water is on site, and stone walls will be preserved. Septic system information has been given to the Ledge Light Health District. Perc testing has been done. A drainage easement will be given to the Town. A new catch basin along the edge of the road will be installed. Lafayette stated that a fee in lieu of open space is being proposed.

Staff stated that the mailings are in order. She reiterated that this 4-lot subdivision was approved in 1989 when owned by the YMCA. There is 1 small bituminous sidewalk leading from Gungywamp Road to Charles Barnum School. The 4-lot subdivision across the street was not required to install a sidewalk, though; the nearby Maple Glen Subdivision does have a sidewalk. She noted that the sidewalk does not require a waiver since it is on an existing street. The appraised value of the

property is \$71,000. During a field inspection, it was noted that there is a well-defined trail leading to Latham Lake, as shown on the map, which looks like it is used by the public. Staff suggested to keep the public hearing open until the September 8, 2015 Planning Commission meeting so Staff can evaluate the appraisal, review the revised plans, and formulate a recommendation regarding open space.

Lafayette spoke about the possibility of using the trail as open space. Discussion followed about potential parking locations in order to access the lake. Lafayette stated that steep driveways would be paved but curved. Stone walls would be preserved.

Staff stated that there was the potential for the land east of this subdivision to be transferred from the YMCA to the Department of Environmental and Energy Protection (DEEP). No other YMCA's have jurisdiction over this property. An inquiry was made about entering this property and obtaining a right-of-way. It was noted that this property and the school property about the YMCA property. There is an overgrown entrance to the property off Gungywamp Road.

The Commission asked how many homes exist on Briar Hill Road, north of the subdivision, and what the potential is for additional homes. Staff will report back to the Commission at the next meeting. The appraisal has not yet been reviewed by staff. Pritchard referred to the appraisal process. The Commission is concerned about the discrepancy between the Assessor's card value and the appraised value.

Chairman Sherrard stated that the public hearing will be kept open. Additional input will be allowed tonight and at the next meeting scheduled for September 8, 2015. He asked if anyone from the audience wished to speak.

Bob Fountaine, 135 Briar Hill Road, voiced concerns about the road itself. He stated that this road is extremely narrow and is barely a one-lane road. Other concerns were raised about paving the road, heavy equipment damaging the road, child safety, and the current 25 mph speed limit not being adhered to. He also inquired about the size of the proposed homes, clear cutting, and potential impacts to the wetlands below.

Gary Lassinger, 163 Briar Hill Road, expressed concerns about the necessity of sidewalks. In addition, he explained the difficulty in passing a truck or a bus that is on the street, such as a garbage truck or a fire truck, due to the narrow width of the street. He inquired whether the Town will widen the roadway.

Timothy Cieplik, 127 Briar Hill Road, voiced concerns about the drop culvert near his property, which is desperately in need of an upgrade. His major concern was about the lack of a sidewalk for his young children and the narrow width of the road. In terms of the potential to park at the school lot to access the trail and lake, he stated that the proposed trail would be 2 feet from the playground fence, which could present a safety problem with strangers walking by the schoolyard.

Lafayette addressed concerns raised by neighbors. He stated that the road is indeed very narrow. In regards to runoff, the stone wall will act as a drainage barrier to hold water back. He noted that the houses will be modest and moderately priced.

Staff will have the trail located on the plan to see if it makes sense to have it used as open space instead of requiring a fee in lieu of open space.

Pritchard inquired about getting a staff analysis of the ruling of off-site improvements and the Buttermilk Farms Supreme Court decision. Staff will get information and report back at the next meeting.

An inquiry was made about a waiver, a right-of-way, clear cutting, and street trees. Staff will report back on these items at the next meeting. An additional inquiry was made about adequate access to the DEEP property.

Chairman Sherrard asked for any further comments from the audience.

Tim Cieplik inquired about water pressure, noting that there is no water tower in the neighborhood, about which he is also concerned.

MOTION: To continue the public hearing until September 8, 2015

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

#### IX. SUBDIVISIONS

##### 2. Briar Hill Subdivision (SUB15-05), 0 Briar Hill Road

No action was taken. The public hearing will continue at the September 8, 2015 Planning Commission meeting.

#### X. NEW BUSINESS - Continued

##### 2. Report of Commission

Steinford brought up concerns about the blight ordinance. Issues were raised about a very large speedboat being parked on a street which is inhibiting the flow of traffic in a safe manner. He feels that the Town Council should be made aware of this hazard. Staff suggested that the traffic authority be contacted first.

Fitzgerald inquired about a property on Godfrey Street.

##### 3. New Applications

Staff stated that the following item has been received: Truck Accessory Warehouse, 375 Route 12

##### 4. Referral from Ledyard regarding text amendments with the public hearing set for August 27, 2015

Staff had no concerns. The Planning Commission had no comment.

#### XI. REPORT OF CHAIRMAN

Sherrard inquired about the status of the draft POCD. Staff explained that recommendations are being narrowed down and hopes to have the Conservation Theme portion back to Staff within the next month, after which time it will be reviewed and given to the Planning Commission. Timelines relative to the public hearing were noted.

XII. REPORT OF STAFF

Staff noted that Paige Bronk has been hired as the Economic and Community Development Manager for the Town of Groton. He will be working with the Economic Development and Community Development Staff, primarily.

Relative to inquiries made at the last meeting about the Library Street property, Staff stated that a letter has been sent to the new owners of the property regarding its condition and an application is pending before the Historic District Commission for a new structure.

Staff noted that the burned house on Indian Field Road has been demolished.

Sherrard asked Staff to inspect the erosion controls at Mystic River Residential Care on Godfrey Street, as it appears work has stopped.

XIII. ADJOURNMENT

Motion to adjourn at 8:24 was made by Munn, seconded by Pritchard, so voted unanimously.

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Jeffrey Pritchard, Secretary  
Planning Commission

Prepared by Robin Silsby  
Office Assistant II