

MINUTES  
PLANNING COMMISSION  
SEPTEMBER 25, 2012 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

Acting Chairman Pritchard called the meeting to order at 7:01 p.m. and sat Zod for Sherrard, Fitzgerald for Roper and appointed Steinfeld as Acting Secretary.

II. APPROVAL OF THE MINUTES OF meeting of September 11, 2012.

MOTION: To approve the minutes of September 11, 2012 as amended.

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

III. PUBLIC COMMUNICATIONS - none

IV. SUBDIVISIONS - none

V. SITE PLANS

1. Fairview Estates, Phase I, 231 Lestertown Road (CAM) – Request for extension or action required

Staff distributed a draft motion and briefly discussed its contents.

Clint Brown, DiCesare Bentley Engineers, addressed the Commission proving the applicant's response to the DEEP's review comments.

MOTION: To approve a waiver of section 7.5-5 C requiring frontage sidewalks along Military Highway, Lestertown Road and Boardsen Road for SIT12-11, Fairview Estates, Phase I. This waiver is specific to Phase I of this project and is granted without prejudice to the commission's review and action on any subsequent phases. Approval of the waiver with respect to Phase I is based upon the following:

1. The scale of Phase I (23 active senior housing units) and any related pedestrian activity are not sufficient to justify the installation of extensive external walks at this time.
2. It is likely that until future phases are developed, most pedestrian activity will occur within the site itself on private walks provided for that purpose.

3. Installation of walks on Boardsen and on Military Highway would be greatly complicated by certain existing conditions including but not limited to slopes, limited public rights of way and natural resource constraints.

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

**MOTION:** To approve SIT 12-11, application of Odd Fellows Healthcare Inc., for site plan approval for phase one of a residential life care community pursuant to Special Permit #323, and consisting of 23 active senior housing units and related onsite and offsite facilities and improvements. It is noted that action is taken on revised plans dated 7/25/12 and any related supplemental submittals of record. This approval is subject to the following conditions and modifications:

1. Prior to recording the approved project mylar, the owner shall provide a copy of a properly executed permanent easement from the Providence and Worcester Railroad Company regarding improvements to and use of the grantor's land.
2. Prior to recording the approved project mylar, the applicant shall provide a properly executed conservation easement, in form and content acceptable to the Town, for the approximately 12 acre portion of the subject site identified for this purpose.
3. Prior to the recording of the approved project mylar, the applicant shall provide an executed deed combining the two subject tracts into one parcel. No future division of this combined tract shall occur without the prior review and approval of the Town zoning official.
4. At the discretion of the Town Engineer, the applicant may be required to post a surety sufficient to cover any work performed within the Town right of way and relating to improvements that will become the responsibility of the Town of Groton. Any such surety shall be promptly released upon inspection and approval of work performed.
5. The main access drive leading to Military Highway shall be completed prior to the issuance of a certificate of occupancy for the first unit of active senior housing. Construction of the drive shall conform to the recommendations included in the project's geotechnical report (Welti), with particular

emphasis on control of site ground water and drainage, as well as the materials to be used for road base. Construction of the drive shall be supervised by the project engineers and prior to the issuance of the first certificate of occupancy for the first unit of active senior housing, the owner shall provide OPDS with an as-built, certified by the project engineer, confirming that the drive has been completed as required.

6. The final plan shall incorporate the adjustments necessary to the configuration of the parking area northwest of the existing building, in order to retain large specimen trees in this area of the site.
7. Technical items raised by staff shall be addressed in the final plans.

The commission approves the requested modifications to section 7.4-3 (frontage street trees); section 7.4-5 (interior parking lot landscape) and; section 7.4-4 (conditional use perimeter buffer) based on the revised plans of record. Approval of these modifications is therefore predicated on continued compliance with the design plans, including but not limited to the preservation and maintenance of existing trees to remain, as well as those to be planted and the extent (area) of parking lot landscaping provided. Approval of the modification of the perimeter landscape buffer (to the east) is specifically limited to the extent necessary to accommodate the abutting landowners, as depicted on the plans of record. Finally, approval of these modifications is specific to Phase I of the project and shall not in any way encumber or prejudice the commission with respect to their review and action on any subsequent phase.

The commission approves the requested modification to section 6.7-6 E (building separation) based on the unit types proposed, the availability of public water for fire service and the desire to cluster units to increase permeable surfaces, landscaped areas and outdoor recreational space in this phase. This modification shall only apply to Phase I and its approval shall not in any way encumber or prejudice the commission with respect to their review and action on any subsequent phase.

The commission approves the requested modification to section 6.7-6 H (parking separation from access drive) only with respect to this phase. The commission finds that the use does not characteristically involve frequent turnover and that if sufficient internal signage, traffic calming and sight lines are provided, this parking should function safely. In addition, the commission

understands that the approved special permit grants the zoning commission the right to re-evaluate site traffic conditions as subsequent phases develop and that should operations require, the Town can impose appropriate measures in approving subsequent phases.

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

**MOTION:** To approve the coastal site plan application for SIT 12-11, based upon the following findings, conditions and modifications:

1. The site is a partially developed upland site consisting of generally moderate slopes. The site has no coastal access and is separated from the Thames River by Military Highway and the Providence and Worcester Railroad.
2. The Town of Groton Inland Wetland and Watercourses Agency determined that a municipal wetland permit is not required.
3. The applicant's archaeologist determined that no unique resources will be impacted by phase I development activities.
4. Approximately twelve (12) acres of the site will be protected by a conservation easement deeded to the Town of Groton.
5. Specific special requirements are being imposed with respect to the design, development and use of the main access drive, in light of site conditions (slopes, ground water) and the potential for impacts on the Thames River.
6. The final plans shall be revised to show in plan view and detail, pervious parking in the visitor parking adjacent to the easterly access drives. The function of such areas shall be monitored and assessed for purposes of demonstrating the potential beneficial aspects of these surfaces in future project phases.
7. Prior to the initiation of any construction, the owner/applicant shall provide an erosion control surety to the Town OPDS, in an amount and form acceptable to the Town, and including at least in part, a cash instrument for a portion of the active construction area/work. In addition, the project engineer shall provide to OPDS monthly written reports outlining the status of project work, anticipated completion dates for work, necessary or desirable field adjustments, action taken to

address unanticipated field conditions and any other such relevant construction issues.

The commission finds that the application as modified and conditioned herein is consistent with all applicable goals and policies of CGS 22a-92 and incorporates all reasonable measures which would mitigate adverse impacts of the proposed activity on both coastal resources, and on existing and future water dependent development opportunities. Approval of this coastal site plan shall be limited to Phase I as proposed, however, the commission recognizes and acknowledges that in particular, benefits relating to the 12 acre conservation easement will extend to analysis of and action on future phases. However, the commission also notes that the permitted approach to storm water treatment applied in this Phase I should not in any way be construed as establishing an acceptable standard for subsequent phases, and this Phase I approval shall not in any way prejudice the commission's review and action with respect to storm water quality and treatment as may be proposed in any subsequent phase.

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

2. Central Hall, 18-22 West Main Street, 36 West Main Street, 2 Gravel Street (CAM) – Request for extension or action required

Staff noted that revised plans have been received and that the applicant has granted an extension to the October 9, 2012 meeting.

**MOTION:** To grant an extension and to table Central Hall, 18-22 West Main Street, 36 West Main Street, 2 Gravel Street (CAM) to the October 9, 2012 meeting

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

3. Falk Building, 258 Route 12

Staff briefly discussed the application and the waivers the applicant is requesting.

Gregg Fedus, Fedus Engineering, representing the applicant, addressed the Commission discussing the errors that have been made regarding landscaping, tree removal and paving. He discussed the proposed modifications to the site including handicapped parking, pervious coverage, landscaping and the retaining wall. Mr. Fedus is looking for guidance from the Commission in terms of the requested modifications.

Staff noted that this application is a result of a zoning violation. The history of the site and the current uses were discussed. The waivers required were briefly mentioned.

The Commission discussed and gave Mr. Fedus suggestions on the handicapped parking space and access, landscaping, saving the failing tree and discussed establishing a sidewalk agreement. Details of the wall installation/design are necessary for the requested waiver can be approved.

The Commission took a five minute recess and resumed at 8:48p.m.

VI. OLD BUSINESS

1. Land Use Regulation Update Project

Staff noted that the contract has been completed. Staff and the Commission decided to keep this item on the future agendas but change the header to read "Subdivision Regulation Amendments".

2. Plan of Conservation and Development Update

Staff has received draft work product and will get an agenda packet out to Steering Committee members soon.

VII. NEW BUSINESS

1. Report of Commission - none

2. New Applications - none

VIII. REPORT OF CHAIRMAN

The Commission discussed the landscaping at Gabrielle's Karate, 1028 Poquonnock Road. Staff will speak with the project planner and report back to the Commission.

IX. REPORT OF STAFF

Staff noted the information in tonight's packet regarding the State's Wind Turbine Regulations.

The Energy Efficiency and Conservation Commission met for the first time last night.

X. ADJOURNMENT

Motion to adjourn at 8:53 p.m. made by Zod, seconded by Munn, so voted unanimously.

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Hank Steinfeld, Acting Secretary  
Planning Commission

Prepared by Katie Doolittle  
Office Assistant II