

PLANNING COMMISSION
SPECIAL MEETING
NOVEMBER 29, 2006 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Pritchard, Roper, Sherrard, Steinford
Alternate members present: Fitzgerald, Kane
Staff present: Cullen, Davis, Murphy, Stanowicz

Chairman Sherrard opened the meeting with roll call at 7:01 p.m.

Chairman Sherrard seated Fitzgerald for Munn.

II. PUBLIC HEARINGS

Chairman Sherrard briefly explained the Planning Commission public hearing procedures for the public.

1. Windward Passage, Polaris Street & Crystal Lake Road (13 lots) (CAM) – Continued

Jim Chambers, Pequot Development Associates, developer/applicant, stated that the sight line study has been completed and delivered to staff and all previous comments have been addressed.

Staff forwarded the sight line study to the Town Traffic Authority and the Town engineer. A letter dated November 17, 2006, from the Town engineer, Greg Hanover, recommending approval of the waiver as proposed, was read into the record. Staff said that they have not received a response from the Traffic Authority.

Fitzgerald asked Mr. Chambers if the buffer strip landscaping will be included on the plan. Mr. Chambers said it is presently shown on the plan. Pritchard asked for a summary of the sight line survey. Staff said the sight line is 280 ft. from both directions. Roper followed up on the vegetation plan on the flag lots. Staff said that the owner is to maintain the landscaping, as referenced on the plan. Steinford asked if there will be a stop sign on the intersection of Whittaker Lane. Mr. Chambers said yes, before Polaris Street. Kane asked about the Traffic Authority. Staff said they were given the additional sight line information, but have not responded yet. Sherrard asked about the CAM application. Staff explained that due to the elevation and topography of the area, there are no issues relating to the CAM.

Matt Greene, attorney for the Woughters, addressed the Commission on the topic of vegetation. The plan should reference that the buffer strip on the left is being conveyed to the Woughters. Staff confirmed that it is on the plan.

Ron Jean, 5 Phoenix Drive, spoke against the project based on the Regulations and safety.

Munn arrived at 7:13 p.m.

Rayna Ross, 7 Pegasus Drive, spoke against the project due to safety at the proposed intersection at Whittaker Lane.

Staff addressed the waiver of the Regulations.

Staff reviewed the project in its entirety: 13 lots, a conservation easement along the stone wall with the back lots, lots 11, 10, 7 and 6 are more than double size and are not to be subdivided further, as noted on the plan, The Woughters will be deeded the buffer strip on their side, trees on both side are labeled and will be maintained by the owners (lot 13 on the other side). The Woughters' outbuildings were reviewed. The applicant has agreed to move them at his expense. The proposed tot lot and specific recommendations from the Town Parks & Recreation Department were reviewed. The playground will be open to the general public. The property at end of the cul-de-sac would be deeded to the Town, and grading rights on either side of the dedicated area. The land pre-subdivision is valued at \$275,000; 1.02 acres or 7.7%, is deeded to the Town as dedicated open space and 2.28% of the fair market value, \$6,270.00, would be a fee in lieu of open space for the balance of the 10% required. The only waiver requested is for the offset of the road intersection at 125 ft. in lieu of 150 ft.

Roper asked about the open space dedication to the Town at the cul-de-sac for a potential future road connection. The Chairman stated that the voting members for Windward Passage are: Pritchard, Roper, Kane, Steinford, Sherrard. The Chairman reminded the Commission that non-voting members cannot discuss the application after the public hearing is closed. Munn said that he looked at the site of the offset, and feels that there is no particular safety problem where the road is proposed to be located and he would vote in favor. Fitzgerald stated that he is also in favor of the 125 ft. offset.

Roper asked if Upholz was offered the buffer strip abutting his property, or would it make his property non-conforming. Mr. Chambers said it would put the Upholz property out of conformance.

MOTION: To close the public hearing on the Windward Passage Subdivision, Polaris Street and Crystal Lake Road.

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

III. SUBDIVISIONS

1. Windward Passage, Polaris Street & Crystal Lake Road (13 lots) (CAM)

MOTION: To approve a waiver of Section 4.3(2)(e)(ii) of the Subdivision Regulations for a center line offset of less than 150 feet from Whittaker Lane to Pegasus Drive. The Commission finds that offset of less than the required 150 feet would require retaining walls and guardrails thereby creating a safety hazard. The Department of Public Works recommends this request be granted based upon the particular physical surroundings and topographical conditions specific to this property. The waiver conforms to the criteria specified in Section 1.10 of the Subdivision Regulations.

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

MOTION: To approve the Windward Passage Subdivision (13 lots), 20 Polaris Street and 0 Crystal Lake Road (also known as PIN#178018313753), with the following modifications:

1. Evidence of a permit or finding for no need of permit from the Dam Safety Section of the Department of Environmental Protection shall be submitted prior to the issuance of any building permit.
2. In accordance with Section 4.9(5), a payment in lieu of open space of \$6,270.00, the equivalent of 2.28% of the fair market value of the land prior to the subdivision, shall be made prior to the recording of plans. The remaining 7.72% (1.02 acres) shall be deeded to the Town as open space.
3. Technical items raised by staff shall be addressed.

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

MOTION: To approve the Coastal Area Management application for the Windward Passage Subdivision (13 lots) at 20 Polaris Street and 0 Crystal Lake Road (also known as PIN#178018313753) because it is consistent with all applicable coastal policies contained in CGS 22a-19, and includes all reasonable measures to mitigate adverse impacts and creates no unacceptable adverse impacts.

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

Chairman Sherrard seated Munn to vote for the remainder of the meeting.

2. Obrey Subdivision, 2033 Route 184

Staff said the subdivision has been inspected by the Planning Department and Public Works. The necessary work has been completed.

MOTION: To reduce the performance bond from \$45,280.00 to \$4,500.00.

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

3. Crawford Way Subdivision, 123 Toll Gate Road

Staff said the subdivision has been inspected by the Planning Department and Public Works. The necessary work has been completed.

MOTION: To reduce the performance bond for Crawford Way Subdivision from \$100,885.00 to \$34,500.00.

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

IV. SITE PLANS

1. Groton Landing Self Storage, 290 Gold Star Highway

MOTION: To table Groton Landing Self Storage, 290 Gold Star Highway, until the next regular meeting on December 12, 2006.

Motion made by Roper, seconded by Pritchard.

Munn asked about the outstanding issue of the sidewalks. Staff explained there would be a continuance.

Motion passes unanimously.

2. Grader Multi-Family, 500 Long Hill Road

Ellen Bartlett, CLA Engineers, represented the applicants, Peter and Lorraine Grader. The location of the site is on the corner of Long Hill and Wayne Road, at the existing Grader Jewelers. There are four existing multi-family dwelling units and two storage units and garages. The applicant is proposing to convert one of the garages into a dwelling unit. The existing building does not meet the setback requirements and a variance was granted. The existing driveways, garages and parking were reviewed. The existing paved drive will be removed and a crushed stone surface will replace the pavement. There currently is no drainage system at Wayne Road, and there is a lot of ledge and bedrock. The State of Connecticut Department of Transportation's drainage system starts about 150 ft. south on Route 1. An infiltration system is not practical. The crushed stone surface would decrease the stormwater leaving the site and decrease the impervious area. The parking area is used by the residents only. It is not a public parking area. The landscaping in the area was described. Benches, a picnic table and passive recreation areas were reviewed. All existing units have individual laundry facilities within each unit, and the proposed unit will have its own laundry facilities. There are three garages shared by three units. Two units will have 250 s.f. of storage available. All units have associated storage areas of greater than 100 square feet. No outside storage of garbage.

Technical items of a bike rack and a possible dry well or similar treatment to make stormwater improvements to maximize infiltration to the extent possible for the commercial building were discussed.

MOTION: To approve the Grader Multi-Family Site Plan, 500 Long Hill Road, subject to the following modifications:

1. Technical Items as raised by staff shall be addressed.

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

3. Haley Brook Center Shared Parking, 2414 Gold Star Highway

Ken Petrini, DiCesare-Bentley Engineering, represented the applicant and owner, Scott Zelken.

Mr. Petrini described the location. The parking for the retail store, office, car wash and restaurant was approved in 2004 for certain mixed uses. Mr. Petrini said that none of the uses are changing, but there were three fast-food type restaurants planned, and now they are proposing one large sit-down family - style restaurant in lieu of the fast food restaurants. The parking spaces are based on the Urban Land Institute (ULI) analysis. The site currently has 103 parking spaces. The small family-style restaurant will have 1,500 sq. ft. of seating. The video rental retail store's parking requirements remain the same and the office on the second floor remains the same. The only change is the center will now have one restaurant rather than three, with no design changes.

Staff reviewed the proposal. The parking calculation would increase from 27 spaces to 45 spaces. The peak demand requirement calculations were reviewed. Queuing for the Dunkin Donuts and the car wash were reviewed. The car wash has no employees and may not have 15 car wash patrons at any one time parking to vacuum, etc.

Munn asked what the rationale was initially behind the sharing of parking. Staff said the different peak hour generation rates, and to keep the paving down in the WRPD. Fast food restaurants have different trip generation rates, sharing is not just between the restaurants, but also with the office, car wash, retail, etc. Staff explained the shared parking regulations. A revised shared parking analysis has been done by the applicant.

Roper said he is concerned because there are no overflow possibilities if the restaurant is successful. Mr. Petrini explained the peaks for each of the types of businesses. Roper would like to see a diagram of the parking lot, color-coded, with the new uses, the numbers of approved and the new proposal. Roper asked if the restaurant would have take-out. Mr. Petrini said it would be sit-down only. Roper would like a diagram showing the peak times and would like the specifics of each of the businesses. Fitzgerald said he would like more data presented in a graph. Pritchard said he would also like more information.

MOTION: To table Haley Brook Shared Parking, 2414 Gold Star Highway, to the next regular meeting on December 12, 2006.

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

4. Aquarion Pequot Avenue Booster Pump Station Generator, 95 Pequot Avenue

Peter Galant, Tighe & Bond Engineers, represented the applicant, Aquarion Water Company. The application is for a new booster pump station generator at the Pequot Avenue site. Mr. Galant explained the need for the new generator. Aquarion's water system was described. The pressure zones and tank locations were described. The Pequot Avenue tank has a buried pump station with a pump designed to run as a fire pump running during emergencies and peak times if necessary. The applicant is proposing to add a new 250 kw generator outdoors to run that station during a power outage. There would be a standard outdoor enclosure, achieving 55 decibels at the property line in a residential zone which is lower than the state limit of 95 decibels. The location of the generator in relation to the residences was reviewed. Screening at the location was reviewed. Noise and visual impacts were addressed. Additional screening of the equipment was added to the plan. Staff asked if they would be willing to extend the Sidewalk Agreement. Mr. Galant said that Aquarion is willing to do that. The grading has been addressed. A drainage structure was installed about two years ago. There is a gate with no trespassing signs. Aquarion is trying to restrict public access to all of its private property. The public was using the site as a walk-through to Allyn Street.

Staff explained the frontages, one on Allyn Street and one on Pequot Avenue. Once a week someone will come in and manually run the generator for about 30 minutes. The diesel enclosed tank was described. The Sidewalk Agreement was described, and the applicant was asked to extend the agreement until the sidewalk network on the western side is developed.

Pritchard asked about the diesel storage. Mr. Galant said it is integral to the generator. Roper asked if some of the trees are deciduous. Mr. Galant said they are. Roper said that when it was originally approved, the property was supposed to be open to the public, and he is very upset that it is now blocked out. Roper said he would like Aquarion to reconsider opening the site. Steinfeld asked if there is an adequate drive to maintain and refuel. Staff said there is an existing driveway. Steinfeld asked about the frequency of refueling the generator. Mr. Galant said it would not need refueling unless the generator is used for a prolonged outage. Sherrard said that he would also like the applicant to reconsider the screening or buffering trees.

MOTION: To approve the site plan modification for the Aquarion Pequot Avenue Booster Pump Station Generator, 95 Pequot Avenue, with the following modifications:

1. The owner shall enter into a written, binding agreement with the Groton Planning Commission pursuant to Section 7.5-5 A., whereby the owner agrees to appear before the Planning Commission when development conditions change in this area, or within a period not to exceed five years, whichever occurs sooner, to allow for a determination to be made as to the need for installation of a 5' concrete sidewalk within the property frontage along the west side of Allyn Street. Said determination as to the need for the installation of this sidewalk shall be at the sole discretion of the Planning Commission. The agreement shall be recorded in the land records with the site plan. Prior to the initiation of any construction of the sidewalk, the owner shall have prepared and will have approved a construction plan for said sidewalk, which shall meet the requirements of the Town of Groton, including necessary information for location, grades, elevation and other details.
2. Technical Items raised by staff shall be addressed.

Motion made by Sherrard, seconded by Steinford. Motion passes 5-0-1, 1 abstention (Roper). Roper abstained because of the no trespassing signs.

5. Luther Fence, 145 Leonard Drive (CAM)

MOTION: To accept a 30 day extension and table Luther Fence, 145 Leonard Drive, until the next regular meeting on December 12, 2006.

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

IV. NEW BUSINESS

1. Inland Wetland Agency referral for December 13, 2006 public hearing

LEARN/Marine Science Magnet School, 155 Thomas Road

Staff explained the referral. The Commission had the following comment:

MOTION: The Planning Commission recommends the approval of the Magnet School for this site.

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

2. Town of Ledyard referral for December 21, 2006 public hearing (Founder's Reserve)

Staff explained the referral. The application is for a 40 lot subdivision with wells and on-site septic systems. There are two accesses to the subdivision, one

through Groton, allowing more of an impact to Groton. Sherrard asked staff to send to the Commission a copy of the formal letter sent from the Town. Trails, active and passive open space, and the two accesses to the proposed subdivision were discussed. Commission members also expressed concern with the culvert under Pumpkin Hill Road, stormwater quality, ground water supplies and the impact on Groton Utilities' Haley Brook watershed. Staff said the goal in the past was to connect these subdivisions, (Deerfield), and the connection gives another access for fire safety for the Groton subdivision.

The Commission tabled the referral until the next meeting. Staff will have a draft motion.

3. Proposed Thomas Road Bicycle/Pedestrian Improvements

Staff explained the history of the funding for the Thomas Road bikeway project. The Town is hosting a public meeting on December 4, 2006 at 7:30 p.m. at the Town Hall Annex. The latest cost estimates for the project are about \$800,000.00, and the Town must pay 20% of the total. Staff suggested that the Commission could make the recommendation to support the continued funding and continued development of this project for the public information meeting.

MOTION: The Planning Commission once again strongly supports the proposed Thomas Road Bicycle Plan for the following reasons:

- 1) it is a priority in the Plan of Conservation and Development;
- 2) it is identified on the Master Trails and Bikeway Plan;
- 3) the plan connects the City of Groton with the Town of Groton;
- 4) the plan is endorsed by the Council of Governments;
- 5) it is a benefit to the Town of Groton; and
- 6) the plan will improve pedestrian access to the proposed Marine Science Magnet School, to be located on Thomas Road.

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

V. REPORT OF STAFF

Staff distributed a small brochure, "The a-b-c's of Parliamentary Procedure" to the Commission members.

Staff said the Town is currently advertising for a new Planner II, who will be working in the Community Development area.

IX. ADJOURNMENT

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

Respectfully submitted,

Margil Steinford