

PLANNING COMMISSION
DECEMBER 12, 2006 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

Chairman Sherrard opened the meeting with roll call at 7:02 p.m.

II. PUBLIC HEARINGS

Chairman Sherrard read the Planning Commission public hearing procedures for the public.

1. Neff Hespeler Subdivision, 1211 Flanders Road (3 lots) – Continued

Gerri Neff Hespeler, the applicant, addressed the outstanding items. Ms. Hespeler said there are overhead lines to the existing house. The utilities to the new lots will be underground. Due to the financial hardship, she is asking for a waiver of the underground utilities to the existing house. The second outstanding item is the open space or the fee in lieu of the open space. Ms. Hespeler stated that the subdivided property, if deeded to the owner's children, exempts the applicant from the open space requirements. The reason the applicants purchased the land was to live on it themselves, or provide for the parents. The applicants would like to deed the three lots to Ms. Hespeler's daughter.

Staff reviewed the application for a three lot subdivision. An appraisal for \$220,600 was submitted to the Planning Department. Staff addressed the outstanding issue of the underground utilities.

Munn said that he is concerned with the applicant substantiating the familial relationship for exemption from the fee in lieu of open space. Staff said the applicant is trying to work out the exemption of the 10% fee in lieu of open space. If the Town does not require the 10% dedication of open space land, the situation warrants the submittal of an appraisal for the record, and the fee is collected at the time of the recording. The applicant cannot convey these lots until the plans are recorded. The Subdivision Regulation was read to the Commission. Staff said the applicant should pay the fee, and she can come back and request the refund if the exemption requirement is met. If, at a future time the land is sold or conveyed, the fee is payable then. Staff said the applicant cannot convey the land until the subdivision is recorded. Staff needs to review the legal issues as well. Mr. Hespeler showed the existing utility poles on the plan. Sherrard advised Ms. Hespeler that ledge, wetlands, or a hardship other than financial is usually the reason for a waiver of underground utilities. Ms. Hespeler said the overhead utility lines have been there since 1950. Emails between Ms. Hespeler and staff were addressed. The Chairman asked for comments from the public regarding this application. There were none. Staff gave an overview of the legislation for open space. Chairman Sherrard explained the history of the open-space requirements and the State statute for the applicant. Staff would like to review with the Town attorney and advise the Commission. Pritchard asked if the appraisal was

acceptable to the Assessor. Staff said they have not heard anything from the Assessor. Staff said there are no other outstanding issues.

MOTION: To close the public hearing for the Neff Hespeler Subdivision, 1211 Flanders Road.

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

2. Pendleton Farm Lane Subdivision, 520 Flanders Road (7 lots)

Bob Schuch, Boundaries LLC, represented the applicant, Pendleton Farm LLC. The applicant has requested a continuance of the public hearing to the January 23rd meeting. Staff said they have received an extension from the applicant to keep hearing open until Jan. 23, 2007. Mark Branse, attorney for the applicant, told the Commission that another extension will be faxed to the Planning Department if necessary due to inclement weather.

MOTION: To accept an extension and continue the public hearing for Pendleton Farm Lane Subdivision, 520 Flanders Road, to the regular meeting on January 23, 2007.

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

3. Montali Subdivision, 77 Candlewood Road (2 lots)

Clint Brown, DiCesare-Bentley Engineers, represented the applicant, Joanne Montali. Mr. Brown explained the location of the two lot subdivision. The total land area is 4.81 acres with two existing houses on the property, 77-79 Candlewood Road, and a shared driveway. The residences share a common water service from Candlewood Road with an on-site septic system. The property is located in the WRPD. The wetlands area on the property was shown on the map. There are no sewers in the immediate area. The slopes were described. The applicant proposes to create two residential building lots. Lot 1, the larger lot, consists of 3.7 acres and encompasses the two existing houses. Lot 2, the rear lot, will be 1.18 acres with an easement to Candlewood Road and will share the driveway with the other two houses on Lot 1. Utilities will include a new independent water line to 79 Candlewood Road, and each house will have conforming septic as shown on the plan. The new house on Lot 2 will have its own municipal water connection and its own on-site septic. The existing drainage problem on the driveway was discussed. A swale will be constructed to drain to the wetland area. A waiver of underground utilities is requested due to the location of the septic disposal system for 77 Candlewood Road. Each of the houses on Lot 1 has existing overhead power from Candlewood Road to an existing pole. The new service to Lot 2 would be underground. The applicant is also requesting a waiver to allow the issuance of the last building permit prior to the completion and acceptance of public improvements, and a waiver of a 4 ft. concrete frontage sidewalk along Candlewood Road. The Inland Wetland Agency felt a sidewalk was too much of a potential impact and the Public Works Department has not approved a sidewalk in this area because there is a drain culvert on Candlewood Road allowing the road to drain, and they do not want to maintain a sidewalk in that location. The applicant is also requesting a waiver of the street lighting. There is an existing light just to the east of the property on Candlewood Road, and no agency has requested any additional lighting. Due to

the septic system, driveway and wetland review area, the applicant would like a waiver of the shade trees. The Town Parks & Recreation Department does not want the half acre of open space, so the applicant will pay the 10% fee in lieu of open space. Mr. Brown said the appraisal has been submitted, but the value of the structures is included with the land value, so that information will have to be adjusted by the appraiser. A wetlands permit has been received for the project with no activity within 50 ft. of the wetlands except the drainage swale. Driveway widening was requested by the Planning Department.

Staff said the waiver for the building permits is acceptable. The only public improvements involve the apron and setting of the property markers. The sidewalks were addressed. The Inland Wetlands Agency is only allowing grading for the swale to ease drainage on Candlewood Road. The Master Trails Plan calls for a sidewalk for Candlewood Road, but the sidewalks in this residential neighborhood are limited, and none immediately adjacent to this property, so there would be no benefit to building a small section of sidewalk with no connection. This area is a low-priority area for sidewalks for the Town right now because it is a mostly residential neighborhood. If the Town decides to add sidewalks, it would have to be a capital improvement project and the whole road would have to be reworked by Public Works. Staff would like to wait for the addendum to the appraisal to comment on the 10% fee in lieu of open space. Staff is still waiting for Ledge Light Health District comments. The only physical improvements requested by staff are pull-off areas on the existing driveway to accommodate additional trips with the new house. A sketch showing the improvements was entered into the record. A waiver letter was entered into the record. Mr. Brown will be granting an easement for the drainage swale for the Town to maintain from that point on.

Pritchard asked about an easement to get utilities to the back lot. Mr. Brown described the utilities and water main extension. Steinford asked if the driveway would affect the drywells for the lots, and if it is legal to have a driveway abutting the property to the west so closely. Mr. Brown said the driveway would not affect the wells and there are no buffer requirements for driveways. Mr. Brown addressed requirements of the WRPD and the wetland permit. Chairman Sherrard asked for comments from the public regarding the Montali Subdivision. There were none.

MOTION: To continue the public hearing for the Montali Subdivision until the next regular meeting on January 9, 2007.

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

III. APPROVAL OF THE MINUTES of November 14, 2006

MOTION: To approve the minutes of November 14, 2006 as amended.

Motion made by Steinford, seconded by Pritchard. Motion passed 4-0-1, 1 abstention (Steinford).

IV. PUBLIC COMMUNICATIONS

Roper received a letter from COG regarding the Regional Transportation Plan update on December 22nd.

Staff said the comment period on Thomas Road Bikeway project is still open until December 18th.

The Commission acknowledged George Finn, a former Commission member.

V. SUBDIVISIONS

1. Neff Hespeler Subdivision, 1211 Flanders Road

The public hearing was closed and discussion was tabled until staff seeks advice of Town counsel regarding the fees in lieu of open space.

2. Pendleton Farm Lane Subdivision, 520 Flanders Road (7 lots)

The public hearing was continued to January 23, 2007.

3. Montali Subdivision, 77 Candlewood Road (2 lots)

The public hearing was continued to January 9, 2007.

VI. SITE PLANS

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

Clint Brown, DiCesare-Bentley Engineers, represented the applicants, Mystic Oil Co., and introduced Scott Zelken, a principal of Mystic Oil. Mr. Brown presented a graph plotting the weekday and weekend utilization of the parking spaces by uses. Mr. Brown discussed the numbers, uses, etc. The weekend has two periods of time, midday, that approach the peak. Even though the uses have changed by converting three take-out restaurants to one sit-down restaurant, the parking variations have not changed much. Parking in proximity to each of the businesses, at peak usage time, was shown. The Town Zoning Regulations allocate 15 parking spaces to the car wash, but it is highly unlikely that 15 will be utilized at once. Seating at the restaurant will be about 100; one space per three seats, as is the standard; 33 needed, 45 allocated during peak usage times. The site is in the WRPD, so paving should be limited.

Staff said the site plan says 104 parking spaces, but there are only 103. Under the original approval, 85% of the parking would be used at peak. The sit-down restaurant will require more spaces than the three take-out restaurants, so 90 – 95% will now be used. Assuming all the businesses are at their peak for business, there are still enough spaces. Staff feels if the aggregate stays at no greater than 90%, the applicants should not exceed 98 out of the 103 available. Staff suggested the threshold stay at 95% maximum. Every 5% adds five spaces with this scenario. Staff suggests the Commission review the parking in two years from today, when the center is in full occupancy. An administrative process can be written into the plan if there are any changes to the site. The applicant will have to slightly reduce the size of the restaurant, reducing the seating. Staff doesn't want to add any more parking or paving because of the paving already used for the car wash and restaurant.

Fitzgerald asked if there is seating in the Dunkin Donuts located in the convenience store. Mr. Zelken stated that the Dunkin' Donuts has no seats at this time. All patrons will park and walk in, or go through the drive-thru. Pritchard asked the applicant to explain the validity of the estimates and percentage of error margin. Mr. Brown said they rely on Urban Land Institute (ULI) models, experience in shared parking studies, and observations in the Town of Groton, specifically the shopping centers in downtown. Mr. Brown said the estimates are conservative, and the accuracy of the estimate is probably within the 5% range. Discussion followed on the use of the handicapped spaces. Roper asked if there is a marked fire lane and how the applicants will stop people from parking in the fire lane or the landscaping, creating a hazard. Mr. Zelken reviewed the fire lane locations. The car wash has 15 spaces allocated but Mr. Zelken said he doesn't think they will ever need more than 4, where the vacuum cleaners are. The peaks for the car wash on weekdays and weekends were reviewed. Mr. Zelken described the uses for each of the retail stores. Steinford asked if the Commission requires a review in two years, and the parking is insufficient at that time, what kind of changes can take place, and who makes that decision. Staff said the Planning Commission would make that decision and they could require a change in the hours or a change in the uses. Staff said the Commission could request quarterly reports once the applicant reaches 100% occupancy. The parking for the convenience store was discussed. Staff said parking requirements for convenience stores are handled differently than regular retail in the Town of Groton. Munn asked how other shared parking arrangements approved in the past have worked out. Staff said he hasn't seen any problems with any of them to date. Mostly they are in shopping centers, like Big Y. Sherrard asked the applicant if there is a plan to accommodate snow removal, as snow can take up a lot of spaces. Mr. Zelken said that if there is too much snow, they have a company and a plan in place that will haul the snow off-site. Sherrard thinks there should be a definite time period for the applicants to return for a review of the parking situation.

MOTION: To approve the site plan modification, "Haley Brook Center Shared Parking," 2414 Gold Star Highway, Scott Zelken, applicant/agent, request to modify the shared parking approved by the Planning Commission on December 12, 2004, subject to the following modifications:

1. All uses other than the standard restaurant area (1,500 square foot seating) are to be as per the December 12, 2004 approval. This shall apply to the convenience store with its ancillary fast food use (coffee/donuts), to the business office, to the car wash and to the retail area.
2. The peak hour aggregate parking demand of all uses shall not exceed 95% of approved/available on-site parking, and for no longer than a two-hour duration. 103 spaces are available on site; maximum use at the 95th percentile is therefore 98 spaces.
3. Any combination of uses that exceed the performance threshold established by condition #2 above shall require review and approval by the Planning Commission.
4. The applicant shall be required to return to the Planning Commission for review of actual conditions generated by the

development within two years from this approval or two months after 100% occupancy is attained, whichever occurs sooner. If it is determined that the actual experience of the uses involved creates peak hour aggregate parking demand exceeding the 95th percentile established under condition #2 above, the Planning Commission expressly reserves the right to enforce the provisions of this approval and/or to revoke, rescind or modify this shared parking approval, including but not necessarily limited to, lowering the peak hour aggregate demand threshold, limiting the nature of uses, and/or pursuing any other lawful measures deemed necessary to assure that adequate parking is available for all uses at all times within the subject site. In this regard the Commission may require reduction/elimination of uses based on the provision of parking required in section 7.2.

5. Item #1 above notwithstanding, staff shall be authorized to approve via the Administrative Site Plan process, changes to occupancies, subject to the performance threshold established pursuant to condition #2 above, and the review and approval of the following:
 - a. Detailed, scaled floor plans depicting the proposed use of all interior space, accompanied by a written narrative describing all existing and proposed uses in all buildings.
 - b. Graphic and tabular data, indicating the parking and trip generation characteristics for all existing and proposed uses within all buildings, for both weekdays and weekends, individually and in the aggregate, and for the period beginning at 6:00 am through and including 12:00 am. Such data shall be derived from the most recent empirical studies available from approved sources, including but not necessarily limited to, ITE and ULI (Institute of Transportation Engineering and Urban Land Institute).
6. Technical items as raised by staff shall be addressed.

Motion made by Sherrard, seconded by Pritchard.

Roper asked if there will be designated employee parking. Mr. Zelken said no, that is difficult to control. Roper asked if there is a bike rack anywhere on the site. Mr. Zelken said no, but he would agree to put a bike rack in. Staff said they would add a bike rack to the technical items.

Munn moved to change the motion from “95th percentile” to “100th percentile” in paragraphs 2 and 4. There was no second. The original motion stands.

Motion passed unanimously.

2. Gordon Daycare, 314 Noank-Ledyard Road

Staff reviewed the application. The only outstanding items were from Ledge Light Health District. Ledge Light Health District approved the plan on

December 6, 2006, and the changes will need to be made on the check prints. A waiver request for the public water hookup was reviewed. The existing bituminous sidewalks, installed as part of the Wolff Subdivision, were reviewed and the applicant is asking for the sidewalk requirement to be reduced from concrete to bituminous.

Roper asked if there will be signage. Staff said signage would have to be addressed as a separate application. Munn asked if a buffer is necessary. Staff said the applicant originally asked for a reduction of the buffer to accommodate the septic system but it is no longer necessary because of where the septic system is to be placed. Gary Winalski, Engineer, showed the Commission the location of the septic system and the wells on the plan. Steinfeld asked if there are any stipulations on periodic testing of well water for a daycare. Mr. Gordon, the applicant, said the State daycare procedures require periodic testing of the well. State licensing requirements and inspections were discussed. Fitzgerald said he believes concrete should be used by the Town for all sidewalks.

MOTION: To waive the requirement for public water supply under Section 4.5(1) because the quality of the water would be adversely impacted, based on the recommendations of Groton Utilities dated October 12, 2006.

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

MOTION: To approve a site plan for Gordon Daycare, 314 Noank Ledyard Road for a Child Day Care Center (maximum 19 children), with the following modifications:

1. No signage is indicated on this plan. A separate sign permit will be required to add signage to this site.
2. All technical items by staff shall be addressed.

The Planning Commission finds that the reduction in requirements from concrete to the existing bituminous sidewalk is appropriate and consistent with the Plan of Conservation and Development.

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

3. Hersant Utility Building, 22 Fort Rachel Place (CAM)

Staff reviewed the history of the request. A site plan was approved in 1999 but not recorded. All construction has been done at the site. A marina is located on the adjacent property.

David Hersant represented his brother Doug Hersant, the owner. The original site plan approval and permits were described. An adjustment was needed to correct the boundary lines on the side setback. An agreement on the property line has finally been reached. Mr. Hersant distributed a summary of the project. A retaining wall parallel to Fort Rachel Place has been added, and a picket fence will be constructed atop the stone wall. Mr. Hersant said staff is concerned with outside storage, but the marina needs to use outside storage. The State DEP is monitoring the site for stormwater and non-stormwater discharge.

The fuel tanks and CAM were discussed. A 275 gallon tank for home heating oil, double-walled, is on the site and above the high-water mark.

Staff addressed the previous site plan from 1999 that was approved but never recorded. The previous approval did not approve a fuel tank, the driveway was to be shifted, and the building was to have a cement floor and floor drains. Some of these items have not been addressed. The entrance has not been changed. Staff showed the preferred changed entrance. Staff recommends clean-up of the site and curbing extended from the catch basin to the driveway apron. Due to overhead utility wires, staff prefers bushes as a substitution for trees. Since some outdoor storage may be required, a fence atop the retaining wall will provide some screening. Due to the topography, there is no real view of the property. Staff is asking for any outdoor storage to be covered to create less of a threat to coastal resources. The paved area in front of the site was discussed. There is no landscaping on the site. Staff suggested the applicant leave the driveway, take the pavement out, put in some mulching and small bushes. Parking was discussed. Fort Rachel Place is not a Town accepted road; it is owned by the Hersants. The Hersants want to convey this parcel. Mr. Hersant built the shed without prior approvals. The boundary has been corrected, there are no setback requirements in WDD, and the site is above the water line. Staff requested a clean curb-line along the catch basin. Mr. Hersant said they are using metal containers, sealed and watertight for storage. The site needs to be cleaned up. On the site currently are a snow plow, an air compressor for water lines on the docks, and a rusty piece of steel that is a fifth-wheel trailer being fabricated to move equipment off-site. A four ft. fence will screen the area. Staff said the outdoor storage should be indicated on the plan. If the equipment is stored outside for any length of time it should be covered, staff said. Conveyance of the property, storage, and parking were discussed. The owners do not go off-site to fix boats, etc. The building at the site supports Fort Rachel Marine 99%. Customers park near their boat; seldom do people park in the parking lot. Staff said that the two spaces need to be shown on the plan, and storage must be marked.

Sherrard said he does not feel comfortable acting on this tonight. Earlier Zoning Commission and Historic District Commission approvals were reviewed. Staff said they have approvals for this building and copies are in the file. Staff said the Zoning Commission approved the intensity of the use. Staff recommendations were discussed. There will be no signage and anything stored outside more than 24 hours will be covered. The plan must be finalized and recorded in the next couple of months, and site work done by June 2007. Pritchard asked if this application is a modification to an existing site, or is it a new site. Staff said this is a new site plan because the previous site plan was not recorded. The applicant may or may not convey the parcel in question, although the property does conform to zoning requirements for land area, access, etc.

MOTION: To approve the site plan for Hersant Utility Building, 22 Fort Rachel Place, with the following modifications:

1. New bituminous curbing shall extend from the catch basin south across the frontage of the lot to the edge of the driveway apron. Between the curbing and the retaining wall an area of low profile shrubs shall be placed and the existing pavement removed.

2. Future signage shall meet the zoning regulations.
3. Outdoor storage of marine equipment shall be allowed in limited areas as designated on the plan.
4. Plans shall be recorded by March, 2007.
5. Site plan work shall be done by June, 2007.
6. Technical Items raised by staff shall be addressed.

Motion made by Roper, seconded by Pritchard. Motion passes 4 – 1, 1 opposed (Sherrard).

MOTION: To approve the Coastal Area Management application for the Hersant Utility Building, 22 Fort Rachel Place, because as conditioned, it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts and causes no unacceptable adverse impacts.

1. All marine equipment in limited storage areas left outside in excess of twenty four hours shall be covered.

Motion made by Roper, seconded by Steinford. Motion passes, 4-0-1, 1 abstention (Sherrard).

Steinford asked what the equipment would be covered with. Staff said they could use canvas or tarp. The purpose is to prevent water from bleeding through, and to keep greasy solvents out of drainage.

4. Advance Auto Parts, 184 Route 12

David Sherwood, Attorney, Alter and Sherwood LLC, represented the applicant, Primax Properties, the developer of the Advance Auto Parts stores. The application is for an Advance Auto Parts store at the site of the former International House of Pancakes. The property is in the WRPD and there are no wetlands within 100 ft. of the site. No repairs, no oil changes, no work at all will be done on the premises. It is strictly a retail store. The applicant is requesting a waiver of a 15 ft. landscape buffer. They will provide a 10 ft. landscape buffer. There will be grass between the property line and the street. The parking spaces will be oversized. Some are 10 ft. x 19 ft., and the aisles are 30 ft. vs. 24 ft. to accommodate their customers who drive trucks. The impervious is being reduced by 9%. Another concern is the tractor trailer that delivers to the Advance stores in Connecticut. The truck must be able to get in and out of the site safely without stopping or occupying the left lane when it turns into the site. The applicant is proposing stamped concrete rather than an island to get the trailer in. Deliveries are usually made before the store opens or immediately after opening, in the early morning. One truck makes all deliveries in the state.

Jim Cranston, Bohler Engineering, reviewed the project. The proposed redevelopment utilizes the existing utility infrastructure. All utilities are underground. The stormwater system and drainage were reviewed. A waiver is requested for 5 ft. of buffer. The lighting meets all regulations. There will be two signs, conforming to the Town regulations. The loading dock and truck maneuvering were described.

Staff reviewed the application. Staff said this application improves the landscaping on Route 12. The connector from Cory's and other connectors along Route 12 were described. The applicant will put landscaping along the front of the building. The existing driveway is 28 ft. wide. The State Department of Transportation (DOT) is reviewing the application. The applicant is proposing stamped pavement. The State DOT is concerned with anything raised, causing the delivery truck to stop on the way into the site. Staff suggests that an island be included on the plan. Staff's concern is to protect the edge of the first parking space at the intersection. Staff suggested installing a shorter island at the tip, as short as 13 ft., and designating the end parking space for smaller vehicles only. Sherrard asked if staff is proposing this to protect one parking space. Staff said yes. Staff said the Commission could restrict their truck deliveries as part of the approval. Staff would like to leave the island at 30 ft., and the applicant wants it at 40 ft. A mountable curb could be done, but DOT could have issues, because they don't want the truck to slow as it pulls in. Staff is also recommending a straight concrete apron to transition the sidewalk into ramp. Staff is recommending a shade tree at the southwest corner of the building. Staff said a mountable island could be considered, but he doesn't know if the applicant wants that and he is not sure DOT will approve it. Mr. Sherwood said the applicant has no problems with any of the conditions, except the entrance. They would like the entrance approved as proposed. Parking was reviewed; 22 spaces are necessary, the applicant wants 32. Sherrard said to eliminate three spaces if they aren't required, paint the spaces, and specify no parking there. Staff said patrons will still use that area as parking spaces.

Fitzgerald asked if the delivery truck could enter through a connector road. Mr. Sherwood said the applicant cannot modify those entrances, the owners of those properties would not allow the cuts to be modified. Staff said storage tanks are the issue. Steinfeld asked if the delivery truck could exit without going to the left lane. Mr. Cranston said no, it crosses. Turning radii widths and grading changes were discussed. Staff would recommend eliminating the stamped curb and replacing it with a full-length mountable curb.

MOTION: To approve the site plan for Advanced Auto Parts Store, 184 Route 12, with the following modifications:

1. An 8 foot wide concrete curbed island with low profile landscaping shall be installed immediately north of the entrance drive to protect the first parking stall. The length of the island must be either a minimum of 13 feet with the remaining portion striped to the length of the adjacent stall or a full length island with mountable concrete curbing. This stall shall be posted as parking for compact cars only.
2. A concrete apron shall be installed in the state right-of-way and the stamped concrete driveway divider shall be installed from the property line east into the site. A detail that meets both state and town standards showing the transition of the existing walk to the new apron shall be placed on the plan.

3. A shade tree shall be planted in the landscaped island adjacent to the handicapped parking stalls and the southwest corner of the building.
4. A note shall be placed on the plan that indicates that the existing driveway connectors are to remain as required by the Planning Commission.
5. Technical items as raised by staff shall be addressed

The Commission notes that it is modifying the landscaped parking requirement under section 7.4-5 to eliminate the 5 foot additional landscape area along the perimeter of the parking lot along Route 12 because the Commission finds that requiring the landscaping would restrict the driveway connector to the north and because the applicant is providing 10.5 feet of landscaping as part of the front landscape area requirements under section 7.4-3.

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

5. Carriage Park Multi-Family, Colver Avenue

Staff explained that the required information has been received, and the applicant is requesting an extension for the start of construction to May 10, 2007.

MOTION: To grant an extension for the start of construction for Carriage Park Multi-Family to May 10, 2007.

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

6. The Ledges East, 375 Drozdyk Drive

Tim Bates, Attorney, represented the applicant. Mr. Bates said the applicant is still working with the mortgage company, and until a release is received from them, the property line cannot be moved. The applicant is asking for an extension for filing the site plan. Staff said the recording of the plans doesn't need to be identified by filing date and construction start date. Staff agrees the extension for recording the plans should be March to match the construction date.

MOTION: To grant an extension to The Ledges East, 375 Drozdyk Drive, to March 1, 2007 for recording of plans to March 1, 2007 to match the construction date.

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

Steinfeld asked about the plan to deal with the rock pile by March 1st. Attorney Bates said that plan is being worked on, and will be in place by March 1st.

VII. OLD BUSINESS

VIII. NEW BUSINESS

1. Report of Commission

Roper attended a meeting of a citizen's group regarding the replacement and availability of funds for the animal control facility.

Roper also attended a Mystic Cooperative Task Group meeting yesterday.

IX. REPORT OF CHAIRMAN

Chairman Sherrard received a brochure for a half-day seminar taking place on Tuesday, January 23, 2007 in Cromwell, titled "What the U.S. Census Bureau Can Do for You and Your Municipality".

X. REPORT OF STAFF

Staff distributed a color map and list of the Conservation Commission's recommendations for properties desirable for protection.

Staff told the Commission that a stipulated judgment was received from the court against Mr. Berg regarding unauthorized activity at 715 Meridian Street Extension.

IX. ADJOURNMENT

Motion to adjourn at 11:30 p.m. Motion made by Steinford, seconded by Roper, so voted unanimously.

Respectfully submitted,

Margil Steinford