

MINUTES  
PLANNING COMMISSION  
MAY 22, 2007 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Roper, Steinfeld  
Alternate members present: Fitzgerald, Kane  
Staff present: Cullen, Davis, Glemboski, Murphy, Stanowicz

Acting Chairman Pritchard opened the meeting with roll call at 7:08 p.m. Acting Chairman Pritchard seated Kane for Sherrard.

II. APPROVAL OF THE MINUTES of May 8, 2007

MOTION: To approve the minutes of May 8, 2007 as amended.

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

III. PUBLIC COMMUNICATIONS

Pritchard received a letter from Jim Furlong asking if he or GOSA could make a statement at tonight's meeting regarding the Zoning Commission referral, and Pritchard told him they could make a statement during Public Communications, but not during the Commission's discussion of the referral.

Attorney Tim Bates, representing the applicant for the "MX" referral, told the Commission he would respond to GOSA's statement during his presentation of the referral. The request was granted.

Priscilla Pratt, president of Groton Open Space Association, presented a written statement regarding the referral from the Zoning Commission, which Jim Furlong, 57 Fishtown Lane, on the GOSA Board of Directors, read to the Commission. The statement spoke against certain parts of the proposed regulation amendment in the application of L & L Groton LLC for mixed use zone regulations.

IV. SUBDIVISIONS

1. Pendleton Farm Lane Subdivision, 345 Hazelnut Hill Road – Request for extension for recording of mylars

Staff said the check prints have been submitted and are being reviewed.

MOTION: To grant a 90 day extension for recording of mylars to Pendleton Farm Lane Subdivision, 345 Hazelnut Hill Road.

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

2. Prospect Hill Subdivision, 108 Prospect Hill Road – Request for bond release

Staff indicated this was not ready for action.

MOTION: To table a request for a bond release for Prospect Hill Subdivision, 108 Prospect Hill Road.

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

V. SITE PLANS

1. Tercentennial Legacy Playground, 150 Fort Hill Road

John Silsby, Director of Groton Parks & Recreation and chairman of the Tercentennial Playground Committee explained the project, a playground which will be located in the Poquonnock Plains Park on Fort Hill Road. The playground is designed to be inclusive, allowing children of all ages with abilities and disabilities to play and interact together.

Nuria Stockman, DiCesare-Bentley Engineers, reviewed the project and the playground equipment. A gazebo and sand area will be added in the future as funding becomes available. A rubberized surface will be poured in certain areas of the playground, for ease of wheelchair access. Additional handicapped parking has been added. The connection of the handicapped parking spaces to the walkway and the connection of the stone dust path to the concrete sidewalk were reviewed.

Staff reviewed the project's drainage and the elevation of the playground surface. He also noted staff's recommendations for sidewalk connections and inclusion of handicapped parking.

The safety and the material of the playground surface were described. There will be trash containers and benches provided at the site. No lighting is proposed.

MOTION: To approve the site plan for the Tercentennial Playground at Poquonnock Plains Park, Route 1 with the modification that technical items of staff be addressed.

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

VI. PUBLIC HEARINGS

1. Candy Lane Subdivision, 0 Bonnie Circle (10 lots)

Fitzgerald recused himself from the public hearing.

Donald Gerwick, Gerwick-Mereen, discussed the acoustics report by Brooks Acoustics Corp., which recommended that there be a consistent barrier. Mr. Gerwick explained that the previous application had no sound barriers, where this one does.

Staff reviewed the outstanding items: the width requirements for lots 8 & 9, which will be met at the front setback line; the playground equipment proposed to be installed on adjacent Town-owned open space, and the timber noise barriers with a cut for Town maintenance of the drainage system, as required by the wetlands permit granted to the applicant.

Staff asked Mr. Gerwick if the appeal of the previous approval will be withdrawn if this application is approved. Mr. Gerwick said yes.

Staff explained the 100' development-free area from the right-of-way line, as shown on this application and the previously approved application.

The Commission and staff discussed the fee in lieu of open space and reducing the fee by the amount of the playground equipment to be provided on the Town-owned open space.

The reduction of sound in the houses was discussed. The applicant stated that they were not planning any specific construction measures to reduce sound. The 6' high stockade fence, used to separate the access road from the subdivision, was reviewed.

Staff explained that the applicant will be deeding a portion of land to the Town for maintenance of a section of the sound barriers, the utilities and the evergreen screening. The Town Parks & Recreation requested a 40 ft. x 40 ft. active play area. Parks & Recreation had required an active open space for this development.

Dawn Aguiar, asked the Commission to request information from the developer regarding the acoustical report which only addressed Pamela Avenue and not the houses on Candy Lane.

John Aguiar, 42 Pamela Avenue, noted for the record that he has a BS in civil engineering from the University of Connecticut, and currently employed by GNCB Consulting Engineers. Mr. Aguiar distributed and discussed excerpts from a highway noise barrier design handbook written by the Federal Highway Administration. Mr. Aguiar presented some diagrams disputing the sound attenuation provided by the barriers and the vegetation, yet also said he feels this subdivision would not maintain the characteristic of the neighborhood.

Staff noted that the information distributed by Mr. Aguiar was from the federal standard for barrier design. Staff noted that CONNDOT's standard should be used.

MOTION: To close the public hearing on the Candy Lane Subdivision, 0 Bonnie Circle.

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

Acting Chairman called a short recess and the meeting resumed at 9:01 p.m.

## VIII. SUBDIVISIONS

1. Candy Lane Subdivision, 0 Bonnie Circle (10 lots)

MOTION: To table the Candy Lane Subdivision to the next meeting on June 12, 2007.

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

IX. SITE PLANS

1. Groton Village Condominiums, 10 Fort Hill Road (CAM)

Ed Wenke, P.E., represented the applicant, Mike Defano. Mr. Wenke described the location and site for the proposed project. Conservation easements on the site were detailed. A building which houses Flat's Tattoos is currently on the site. The proposal is for development of the remainder of the parcel with 19 two-bedroom condominiums in three buildings. A garage will be provided for each unit. Passive recreation and a conservation easement located at the rear of the property were reviewed. The sewer system will be privately owned and maintained by the homeowners' association. A wetlands permit was granted to collect and treat all drainage, including roof drainage, and discharge to an existing pond on the site. Mr. Wenke described the parking, the two dumpster areas, and the mail boxes which have been approved by the postmaster.

Staff said an open area with picnic tables, etc., is being provided for recreation. A conservation easement was granted by the applicant in an earlier site plan approval and is recorded in the land records. Staff reviewed the internal sidewalk system, the sidewalks to the office building and along Route 1, including handicapped ramps. The units will not be sprinklered; each unit will be constructed with two hour fire separation walls. Mr. Wenke explained the firewalls.

The landscaping, facades, elevations and rooflines were reviewed. The possibility of trails in the open space was discussed. Dumpster areas were described. Site lighting, street lighting, storage areas and basements were discussed. Site signage will be a separate application. The concern of increased traffic was discussed. Mr. Wenke said DOT has reviewed the application.

**MOTION:** To approve a site plan for Groton Village Condominiums at 10 Fort Hill Road, subject to the following modifications:

1. A note shall be placed on the plans stating "Any modifications required by any State or Federal permitting process, shall be reviewed by Town staff. Any required modifications to the site plan shall be approved by the appropriate agencies, as necessary."
2. A minimum 50' length of double yellow center line marking shall be installed at the driveway entrance to the site unless an alternate design is approved by the Connecticut Department of Transportation.
3. The underground water and other utility lines shall be located on the site so as to allow for the placement of the shade trees in front of the units as shown on Sheet S-09.
4. The buildings shall meet all applicable Connecticut State Fire Safety Code requirements including either an approved UL-

Listed 2- hour wall assembly separation between units or the installation of a sprinkler system.

5. The buildings shall comply with Section R 322.1 of the International Residential Code.
6. All Inland Wetland Permit No. 07-02 requirements shall be met and appropriate details shown on the final plans.
7. A note shall be placed on the final plans stating “The final building plans shall show compliance with Section 6.6 of the Zoning Regulations. The applicant shall provide to the Office of Planning and Development the as-built elevations (in relation to mean sea level) of the lowest floor (including parking/storage area) or to the level that the structure was flood proofed prior to the issuance of the Certificate of Occupancy”.
8. A minimum 20’ x 50’ public access easement shall be provided along the west property line from the Town property to the conservation easement area. The easement shall be shown on the final plans and shall be recorded at the time of recording the final plans.
9. All technical items by staff shall be addressed.

The Planning Commission notes that the natural vegetative buffer along the northern portion of the property and within the conservation easement area is acceptable in meeting the intent of Section 7.4.4 of the Zoning Regulations.

The Planning Commission notes that the recreational requirements of Section 7.7-6 for multi-family projects will be met by providing 2 lawn areas on the site with amenities including a gazebo, picnic tables and barbecue grills and by the previous dedication of a conservation easement over the northern portion of the site.

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

**MOTION:** To approve the Coastal Area Management application for the Groton Village Condominiums, 10 Fort Hill Road, because as modified, 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 made by Pritchard, seconded by Steinford, so voted unanimously.

#### IX. OLD BUSINESS

1. Discussion regarding Oh Boy Diner (143 Gold Star Highway) site plan condition (crosswalk)

Staff reviewed the discussion from the previous meeting on Mr. D'Angelo's best effort to install a crosswalk on King's Highway from the Oh Boy Diner to the adjacent hotel. Staff explained that the crosswalk installation would be a huge expense for Mr. D'Angelo. An exclusive phase would need to be added to the signal, so push buttons to control pedestrian movement across King's Highway would not be permitted. Staff said it was not their intention to have the diner solely bear the cost of this crosswalk when this condition was established on the original site plan approval. The other crosswalks at that intersection were described. Staff feels the applicant has made their best effort, and they have satisfied the condition of the approval, in his opinion.

Attorney Granville Morris, representing John D'Angelo of the Oh Boy Diner, told the Commission that there shouldn't be a lot of new generated walking traffic at this site.

Striping only of the crosswalk was discussed. Staff believes that people will presume they are protected from traffic with the white lines on the roadway, which could put them in danger. Staff explained that this is an STC issue, and the Commission discussed the possibility of the State Traffic Commission opening this item again.

**MOTION:** Due to the unforeseen cost to install a crosswalk associated with the Oh Boy diner site plan application, the site plan approval is met without the installation of the pedestrian crosswalk and the upgrade of the signalization.

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

It is the consensus of the Planning Commission that this item should be referred to the Town's Traffic Authority for monitoring and/or action regarding the crosswalk issue. The Commission concurred that they would like to see a crosswalk at this intersection at some point.

## X. NEW BUSINESS

1. Town Council referral under CGS 8-24 regarding additions and renovations to the Groton Senior Center

Staff gave an overview of the referral from the Town Council for additions and renovations of the Groton Senior Center.

Mary Jo Riley of the Groton Senior Center detailed the results of a needs assessment by the senior citizens, the reasons for the expansion, and the renovations proposed for the Senior Center.

Gary Schneider, Director of Public Works, described the site design.

Staff said this referral is not a referral of a site plan, but a positive report would be an endorsement that the proposal is consistent with the long term needs of the community as per the POCD.

The award winning architecture of the original building was discussed.

The Commissioners expressed concern over the lack of a dog pound, community center or beach, and the expense of the new schools. Staff said this project meets the objectives of the POCD. Phasing of the project was discussed. Mr. Schneider said they could still build the space, but leave the pool out and build that later, if necessary for budgetary reasons.

**MOTION:** To support the expansion of the Senior Center in this location and provide a favorable report to the Town Council.

Motion made by Pritchard, seconded by Steinford. Motion passes 5 - 1, 1 opposed (Roper).

The Commission suggests that the Council look at phasing this project, specifically the aquatherapy pool.

Roper left at 10:55 p.m.

#### XI. OLD BUSINESS

1. Zoning Commission referral for June 6, 2007 public hearing (L & L Groton LLC, Applicant)

Staff said the Zoning Commission has postponed the public hearing scheduled for June 6<sup>th</sup> to a special meeting on June 27<sup>th</sup>.

Tim Bates, attorney for the applicants, explained the mixed use zone concept of village type zoning, interactive communities and creating places where people want to live, work, walk, and not have to get in the car to do everything, similar to Mystic or Noank. Seven neighborhood nodes are identified in the POCD. Rather than large commercial zones, the new mixed use zones would combine housing and retail in a community that relates to the rest of the community with appropriate density. Greater density would create more open space.

A map amendment, project master plan and a special permit will be required to rezone any particular area. The site plan must meet the form approved by the Zoning Commission. Mr. Bates said this concept is form-based zoning with approved road configurations and building locations, as in a design district area.

Staff said the Commission's referral to the Zoning Commission should focus on the consistency with the Town's plan of conservation and development. Staff discussed the concepts of providing incentives, using density as an affirmative tool for achievement. The relationship between the Zoning and Planning Commissions relative to the mixed use concept was discussed.

The discussion was tabled to the next meeting on June 12, 2007.

3. Discussion on drive-through zoning/stacking requirements

The discussion was tabled to the next meeting on June 12, 2007.

X. NEW BUSINESS

1. Report of Commission

Steinford attended the business caravan for the new schools on Saturday, May 19<sup>th</sup>.

2. Zoning Board of Appeals referrals for May 23 , 2007 pubic hearings

ZBA #07-06 – 1280 Gold Star Highway, JJMA Realty, LLC/Applicant

Staff explained the referral. The Commission recommends denial of the application.

ZBA #07-07 – 4 Woodland Drive West, Edward Jacobson/Applicant

Staff explained the referral. The Commission had no comment.

XI. REPORT OF CHAIRMAN - None

XI. REPORT OF STAFF

Staff said the budget and CIP presentations went fine with RTM and the Planning Department is fully staffed. Staff is concerned with the ex parte communication various interest groups such as GOSA are making with Commission members. Any letters or communication received by any of the Commissioners should be kept in the records in the Planning Department. Staff said any contact from outside parties on items on the Planning Commission's agenda is inappropriate and potentially jeopardizes those items on the Commission's agenda. Any records of the Commission should be in the file and should be disclosed. Staff suggested that the time allowed for public speaking should be limited.

XIII. ADJOURNMENT

Motion to adjourn at 11:38 p.m. Motion made by Pritchard, seconded by Steinford, so voted unanimously.

Margil Steinford, Acting Secretary  
Planning Commission

Prepared by Debra Stanowicz, Office Assistant II