

MINUTES
TOWN OF GROTON
ZONING COMMISSION
JUNE 7, 2017 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Hudecek, Marquardt, Smith, Sayer, Sutherland
Alternate members present: Edgerton, Archer
Absent:
Staff present: Glemboski, Jones Reiner, Gilot

Chairperson Sutherland called the meeting to order at 6:30 p.m.

II. PUBLIC HEARING

1. Special Permit #353, 1352 North Road, PIN 179016737633, RU-40 Zone. Proposal is to convert 504 square feet of an existing barn to a cat kennel business. (Renee Ceil, Applicant) (David Arnold, Owner)

Chairperson Sutherland read the legal notice.

Staff noted that the applicant was not present. Staff explained the applicant applied for a variance but the public hearing was continued because the Zoning Board of Appeals did not have a quorum. Staff suggested that the Commission hold the public hearing tonight and continue it until after the ZBA made their decision.

The public hearing was temporarily postponed until the applicant arrived.

III. CONSIDERATION OF PUBLIC HEARING

1. REGA17-01, Proposed Zoning Regulation Text Amendment to Section 6.12 Water Resource Protection District (WRPD) (Town of Groton Office of Planning and Development Services, Applicant)

Staff said they reviewed all the comments from the public hearing, and the direction the commission gave to staff. Staff said the draft text, Appendix D, and Appendix E, modified and dated June 6, 2017, as well as Appendices A, B, and C (although they weren't modified) will be "Exhibit A". Staff said a few items were modified and addressed in a different way than originally proposed. Hudecek asked the staff about non-ferrous foundries included in the definition of heavy industrial. Staff noted they would look into this for the rewrite.

Section 6.12.-8.C: The commission concurred to keep the 100 ft. non-disturbance area. The commission discussed the modification if a lot is reduced to 75% or less of the lot area and noted that they would like the Planning Commission to have the option to go between 50 and 100 ft., not automatically 50 ft., depending on the developable area. Staff said the way it is written, an applicant automatically goes to 50 ft. in Section 6.12-8.C.1.a), but in Section 6.12-8.C.1.b), the Planning Commission would have to make specific findings. Staff said they would make the language more clear.

Section 6.12-8.C.1.b) – Staff and the commission discussed the intent and interpretation of the section, and staff will rewrite to make the last sentence clearer, but keep the intent as currently written in Exhibit A.

Section 6.12.-10.1.d) - 30% used to 50% used cars – page 33 Staff felt they needed a number in there to differentiate between new dealership and used dealership. If taken out, a car dealership wouldn't be able to have any used cars. The commission concurred that 50% was fine.

Section 6.12-10.B,2. – Outdoor Storage Yards – Appendix E is noted.

MOTION: The Town of Groton Zoning Commission hereby modifies and adopts zoning regulation text amendment application #REGA17-01 for Section 6.12 (Water Resource Protection District) pursuant to the following findings and reasons for approval:

1. This amendment is consistent with the Town's 2016 Plan of Conservation and Development (POCD) with particular regard to goals, objectives, and recommendations for updating the Water Resource Protection District (WRPD) Section 6.12 of the zoning regulations to conserve important natural resources and to encourage sustainable economic development. The amendment is consistent with the 2016 POCD recommendation to update the WRPD regulations to protect the Town's drinking water supply resources and to use creative tools to manage land use in light of current construction and water quality treatment processes.
2. The Commission notes that this action includes adoption of "Exhibit A", as modified this evening, and with modified language for Section 6.12 and Appendices D and E. The text modifications in Exhibit A clarify items raised by the various reviewing departments, agencies, and the public during the course of the application process. These items were discussed with the Zoning Commission and determined to be justifiable during the course of the public hearing.
3. This amendment is consistent with the Town's Municipal Coastal Program with particular regard for protecting coastal resources, protecting water quality, and carefully managing coastal development.
4. This amendment is made in accordance with the comprehensive plan and provides for reasonable consideration of the environment and Long Island Sound in accordance with the provisions of CGS 8-2.

The effective date of this amendment shall be August 1, 2017.

Motion made by Hudecek, seconded by Smith. Motion passed unanimously.

IV. PUBLIC HEARING

The public hearing reconvened for Special Permit #353 at 7:19 p.m.

1. Special Permit #353, 1352 North Road, PIN 179016737633, RU-40 Zone. Proposal is to convert 504 square feet of an existing barn to a cat kennel business. (Renee Ceil, Applicant) (David Arnold, Owner)

Staff detailed the location of the site. There is an existing barn on the site, which will be converted to a cat kennel. The parking was reviewed. The regulations do not differentiate between types of animals for a “kennel”. Also, any building must be at least 100 ft. from any property line for a kennel, so the applicants are seeking a variance for that property setback. Staff also noted the nearest home is about 120 ft.

Renee Ceil, 702 Cow Hill Road, Mystic and Paul Campbell, 702 Cow Hill Road presented their application. The location on North Road was detailed. The applicants propose to convert 504 square feet of a barn into a cat-only luxury boarding facility. The accommodations provided were detailed for the commission. There would be no outside access for the cats; cleanup and waste was discussed. The health policy and requirements for updated vaccination records, negative fecal sample for parasites, no fleas, and a visual health exam for upper respiratory infections would be required prior to boarding. The applicants are seeking a special permit upon approval of a variance for the setback of 47 feet from the property line in lieu of the 100 ft. required. That neighboring property is also family-owned. The zoning and licensing required was reviewed. The special permit is required to protect the neighbors from other animals (dogs), smell and noise. There will be cosmetic changes only to the existing structure. Pickup and drop-off for the business were discussed. There would be no outdoor play area. There are no sprinkler requirements, and all electric heating and air conditioning in summer would be provided. The commission asked about expansion of the business. Staff said it would require a modification if the use changes or the size increases.

Staff reviewed the special permit criteria. The applicants would be using an existing building; the existing barn is in a rural setting, and parking requirements have been met. The road is a state road, so it is striped and wide. There are no public safety issues. Utilities are provided by public water and septic. The management of pet waste is using litter boxes and regular garbage. There would be no hazardous waste. The site is located in the Water Resource Protection District, but all activity would be inside, so there would be no impact on water resources. Staff explained that the commission should keep the public hearing open until the variance is granted. Staff said the commission shouldn't condition the special permit on the grant of the variance. It would be safer to leave the hearing open, and then decide after the variance if it is granted. The commission concurred to have a special meeting on June 19th at 6:30 p.m. in CR-1.

The Chair asked for comments from the public and there were none.

Motion to continue the public hearing to a special meeting on June 19, 2017 was made by Hudecek, and seconded by Smith. Motion passed unanimously.

V. PUBLIC COMMUNICATIONS - None

V. APPROVAL OF THE MINUTES

1. March 21, 2017 Special Meeting

Motion to approve the minutes of the March 21, 2017 special meeting as amended was made by Sutherland, seconded by Hudecek. Motion passed 3-0.

2. May 31, 2017

Approval of the May 31, 2017 minutes was postponed to the next meeting.

VII. OLD BUSINESS

1. Zoning Regulations Rewrite Project

Staff said the consultants are working on the draft; they will get an estimate on when it will be ready. Staff said all definitions in Section 6-12 will be pulled out of that section and put with the Definitions section of the new document.

VIII. NEW BUSINESS

1. Report of Commission
2. Receipt of New Applications - None

IX. REPORT OF CHAIRPERSON

Chairperson Sutherland said she did not attend the Town Council meeting last night and noted that Jeff Pritchard, Chairman of the Planning Commission, asked the Town Council to refer the proposed ordinance to the Planning Commission for discussion.

X. REPORT OF STAFF

Staff said the Town Council public hearing to make the Planning Commission the Planning and Zoning Commission was set for June 20th.

Staff distributed a letter of determination from the CT Department of Energy and Environmental Protection for Grasso Tech, and the spring quarterly newsletter from the Connecticut Federation of Planning and Zoning Agencies.

Chairperson Sutherland presented Commissioner Hudecek with his Lifetime Achievement award for his 25 years of service to a land use commission granted by the Connecticut Federation of Planning and Zoning Agencies, and thanked him for his service.

XI. ADJOURNMENT

Motion to adjourn at 7:54 p.m. made by Hudecek, seconded by Sayer, so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III