

MINUTES
TOWN OF GROTON
ZONING COMMISSION
JULY 5, 2018 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

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

Chairperson Sutherland called the meeting to order at 6:30 p.m. Edgerton seated for Hudecek.

II. PUBLIC HEARING - None

III. CONSIDERATION OF PUBLIC HEARING - None

IV. PUBLIC COMMUNICATIONS

V. APPROVAL OF MINUTES

1. June 6, 2018

MOTION: To approve the minutes of June 6, 2018 as written.

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

2. June 20, 2018

MOTION: To approve the minutes of June 20, 2018 as written.

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

VI. OLD BUSINESS

1. SPEC356 – 32 West Main Street, Chapter One – Special Permit Extension

Staff stated that Chapter One no longer had interest in providing outdoor seating and therefore would not be requesting an extension of the special permit. The owners of Chapter One had not complied with the restrictions of the special permit and there were often noise complaints. From this point forward, if there is a noise complaint it will be considered a police matter.

Smith questioned if the Zoning Official should pursue the allegation that Chapter One is operating as a night club. Staff noted that OPDS Director, Jon Reiner, has stated that staff will be undertaking that investigation.

Smith inquired whether or not the adoption of a noise ordinance could help. Town Council is hesitant to adopt a noise ordinance because of the cost of purchasing necessary equipment, calibration of said equipment, and the cost of training staff to use it. Currently there is nothing to prohibit noise from this establishment or any other.

2. Commission Workshop – Zoning Regulations Rewrite Project

a. Sign Regulations

- New definitions have been added for clarity.
- The Commission wanted to allow people signs as temporary signs due to what they perceived as 1st Amendment issues.
- The Commission discussed the option of the posts included in sign area calculation for freestanding signs. Staff believes it would discourage shop owners from using decorative posts and would create a monotone sign image throughout town. Staff will review and come back with suggestions.
- New general requirements have been added regarding what constitutes a temporary and permanent sign.
- Sections have been restructured by what types of signs are permitted in what districts.
- Commission decided that yard signs are not to be allowed in non-residential districts because of the abundance of other signs allowed.
- Additional signs are allowed without condition within 30 days before an election and must be taken down 15 days after the election.
- Commission decided two yard signs will be allowed in residential districts and cannot exceed 8 square feet.
- Two flags will be allowed per residential lot; content of the flags will not be regulated.
- Interior trail signs (e.g. educational plaques and trail markers) will not be included in size restrictions.
- Commission decided that window signs will be allowed to make up a maximum of 50% of the total window space.

- Discussion of digital signs being prohibited in certain zones due to illumination standards.

b. Conditional Uses

- Staff recommended that zoning permits be required for home offices. Edgerton expressed concern about necessitating a new expense for residents to pay. Staff advised that a zoning permit is not expensive at only \$25 and that it would be helpful to be aware of home offices because an ASP may be necessary for public health and safety- potential issues would have a better chance of being addressed if the Town is made aware of all home offices. The Commission decided that a home office will require no zoning permit, a minor home occupation will require an ASP, and a major home occupation will require a special permit.
- Stipulations were added regarding animal waste.
- The Commission decided that subordinate accessory buildings must meet front yard setback and should be set back farther than the main building, but is not a requirement.
- There will be no limit on indoor display and sales areas for commercial nurseries and greenhouses.
- Campground will be left at a minimum of ten acres.
- The Commission agreed on scaled lot minimums for clubs and lodges.
- Accessory outdoor facilities for clubs and lodges will be subject to conditions for outdoor commercial recreation, setbacks will be increased.
- The Commission wanted decibel numbers to be left in the regulations regarding outdoor uses regardless of being unable to enforce them.

- Outdoor commercial recreation areas will not be allowed to have on-going music concert venues. Sayer questioned whether that includes the marina.
- Conditions for fuel storage and wastes have been added to marinas and yacht clubs to help protect surface waters.
- New conditions have been created for public recreation regarding buffer and setbacks, parking and drop off areas, lighting and noise. Departments of Public Works and Parks and Recreation still need to review these proposed standards.
- New conditions have been created for temporary events regarding waste and recycling, sanitary facilities, lighting and noise, and emergency management.
- New conditions have been created for outdoor theatre and cinema one-time events regarding lighting and noise.
- Conditions for child, adult, and group day care have been changed to be similar and consistent. Outdoor areas will be required for all adult daycare and safe drop off locations for children and pedestrian access.

c. Open Space Subdivision

The draft minutes of the June Conservation Commission meeting were included in the agenda packet. A finalized memorandum regarding their recommendations for open space subdivisions will be provided in the future.

VII. PUBLIC COMMUNICATIONS

VIII. NEW BUSINESS

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

Staff stated that there is a hearing scheduled for Valvoline Oil Special Permit on July 18th.

IX. REPORT OF CHAIRPERSON - None

X. REPORT OF STAFF

1. Attachment on Legal Issues for P&Z Commissions

The Commission decided to discuss this attachment at the next meeting.

XI. ADJOURNMENT

Motion to adjourn at 8:40 p.m. was made by Sayer, seconded by Smith; so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Kara Hovland
Office Assistant II