

MINUTES
SPECIAL MEETING
ZONING COMMISSION
JANUARY 21, 2010 - 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Brandt, Cady, Haviland, Hudecek, Marquardt, O'Neill, Sutherland
Absent: French
Staff: Davis, Murphy, Gilot

Meeting was called to order at 7:00 p.m. and Chairman Hudecek seated Sutherland for French.

II. ELECTION OF OFFICERS

MOTION: To nominate Hudecek as Chairman of the Zoning Commission for 2010.

Motion made by Haviland, seconded by O'Neill. Motion passed unanimously.

MOTION: To nominate Haviland as Vice Chairman/Secretary of the Zoning Commission for 2010.

Motion made by Hudecek, seconded by O'Neill, so voted unanimously.

III. PUBLIC HEARING

1. Zoning Regulation Amendments to Section 7.3-6A and Table 5.1-3 "Table of Permitted Uses" in order to allow temporary off-site (non-accessory) "directional" signs in the R, RU & RS (residential) zoning districts (Town of Groton Zoning Commission, Applicant)

Staff gave a brief overview of previous applications to amend the regulations to allow temporary signs, as well as this proposal. Staff said referrals were made to various agencies and staff, as well as those statutorily required. This proposal is for events less than 12 hours in duration, only permitted to be installed on weekends, with a maximum of four temporary signs, and includes a provision to add this regulation into the use table. Haviland said that he drafted this proposed regulation, and his intent was to have something very short to address the issue, but it is his intention to amend this proposal, to include some type of registration requirement, at least five business days before the signs are placed, so that the requirements can be enforced.

Staff stated that Commissioners received most of the following in their agenda packets, and staff entered the following correspondence into the record:

- 1) Memo written by Kevin Quinn and Lee Treadway, dated 1/11/10
- 2) Memo written by Matt Davis dated 1/14/10
- 3) Council of Governments memo dated 12/21/09
- 4) Memo from the Historic District Commission dated 1/6/10
- 5) Planning Commission referral (required by statute) dated 1/14/10, with a negative response and a request that the Zoning Commission keep the public hearing open to allow the Planning Commission to review any new information

- 6) Town Attorney review dated 1/12/10
- 7) Copy of staff's 12/2/09 draft amendment
- 8) Economic Development Commission comments dated 1/21/10
- 9) Copy of proposed and advertised text (emailed to commissioners)

Staff and the Commission discussed review comments received from OPDS, the Historic District Commission and other agencies.

The Chairman asked for comments from the public.

David Evans, Eastern Connecticut Association of Realtors (ECAR), told the Commission that he and Mr. Bolduc met with the Planning Department staff with respect to the specific language of the amendment. He said many of the outstanding issues could be resolved by staff with the input of ECAR. Mr. Evans said many of the concerns of the realtors, staff, and the Historic District Commission could be addressed if the Commission would allow him time to work with staff to improve the language within the parameters of the proposed regulation if the hearing is continued. Brandt asked if the Town Attorney could be involved in that discussion. Staff said everything they propose will be reviewed by the Town Attorney.

Peter Pappas, Chairman of the Groton Economic Development Commission, read into the record the EDC's referral to the proposal, and suggested the Commission should use the Town Attorney for guidance. The Commission explained to Mr. Pappas that the Town Attorney reviewed this proposal.

Jeanne Fellows, regional vice president for Connecticut Association of Realtors, said that limiting the signs to weekends and a maximum of six events is not practical. O'Neill said this is a major breakthrough of the regulations for the Commission, and it may in the future need to be amended. Ms. Fellows said that removing the branding from their open house signs is also a concern for the realtors, as that identification is required by state law. Staff said this proposed amendment is about off-site directional signs; there are no limitations on the number of open houses that can be held at a property; it only addresses off-site signage. Haviland said that one way to address the commercial prohibition on signs might be to add "except as required by state law" to address those statutory requirements.

Bob Kimball, Realtor, expressed concerns about builders or developers who are attempting to sell properties and need signs up for more than 6 events. Kimball said a survey of 55 offices in CT was conducted and as a result of open house signs at end of street, in December, they received 217 leads.

The Chairman asked the average number of open houses held per property. Ms. Fellows said in this market, an average would be 12.

Camille Taylor, Realtor, said she is concerned with how the public is going to view this and suggested the Commission present in a way useful for the public.

John Vincent, Realtor, said he represented four of 266 homeowners with their properties currently listed for sale (exhibit submitted), and spoke against the proposal as presented.

Bill Cheng, owner of Cheng Realty in Killingly, and an alternate on the Town of Killingly Economic Development Commission, said that as a realtor who would be

bringing business to the town, he would not be able to afford the time frame imposed by the Town, so he would not list property here in Groton. He also stated that directional signs are needed for out-of-towners, and reminded the Commission that Groton sets the trend or groundwork that other towns follow.

Haviland moved to continue the public hearing to the February 3rd meeting. Motion seconded by Brandt.

Staff said they will take all the information, have the minutes ready and online in a week, people can refer to them if they have any questions. Staff will take the comments from this meeting and prepare some information for the Commission for the meeting on February 3rd.

Motion passed unanimously.

IV. CONSIDERATION OF PUBLIC HEARING

1. Zoning Regulation Amendments to Section 7.3-6A and Table 5.1-3 "Table of Permitted Uses" (Town of Groton Zoning Commission, Applicant)

The public hearing was continued to February 3, 2010.

Chairman Hudecek offered his opinion regarding what the edits should and should not contain. Staff indicated that he would take all information addressed at the hearing and provide a draft for all Commission members to review at the February 3rd public hearing. The Commission will collectively decide what edits are made to the original proposal.

V. ADJOURNMENT

Motion to adjourn at 8:21 p.m. made by Brandt, seconded by O'Neill, so voted unanimously.

Richard Haviland
Zoning Commission

Prepared by Debra L. Gilot, Office Assistant III