

MINUTES
TOWN OF GROTON
ZONING COMMISSION
JANUARY 6, 2016 – 6:30 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

Acting Chair Hudecek called the meeting to order at 6:30 p.m. and seated Smith for Sutherland.

II. APPROVAL OF THE MINUTES

1. December 2, 2015

MOTION: To approve the minutes of meeting of December 2, 2015, as written.

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

III. PUBLIC COMMUNICATIONS – None

The WRPD discussion was moved to next on the agenda.

I. NEW BUSINESS

1. Water Resource Protection district (WRPD) Regulations

Staff welcomed Nate Kelly and Jeff Davis from Horsley Witten Group, Ledyard officials, and members of Groton Open Space Association.

Nate Kelly reviewed his memo that was submitted to staff, addressing watershed supply protection, protection of reservoirs and surface water. Kelly said that besides toxic materials, spills, etc. two other things to be mindful of are: 1) surface runoff (streets, parking lots, etc.) and 2) ground water. He performed a GIS exercise on the characteristics of the watershed. Most is zoned residential, but there is development potential. Most property adjacent to the reservoir is owned by Groton Utilities. He discussed a framework for a potential tiered system, with more than one protection area, based on distance from the reservoir and associated water bodies, with stricter regulations for more sensitive areas. Groton Utilities has classes for their own lands (Class 1 and Class 2, which are defined and regulated through state statutes). Mr. Kelly discussed determining what is base for the mapping, setbacks from the resource. He showed what it would look like on a map to have setbacks of 200 and 250 ft. He showed how the watershed was delineated, and how they may be able to refine the map.

How to regulate specific uses and how to provide more clarity on uses that are conditional, prohibitive, or by right, etc. was discussed. The State aquifer protection program provides good guidance. Discussion continued on those uses that may not be allowed within a 250 ft. setback area, and the need to adapt specific terms/language into Groton's regulations. Discussion ensued on land uses, vs. activities and the need for the activity to be regulated.

Mr. Kelly said that with regard to stormwater runoff, the State has a good stormwater manual and a good E&S manual. What they will do is look at the State recommendations and make sure that Groton chooses the right ones.

Next steps will be to look at the map; they have not yet mapped setbacks on wetlands that feed the reservoir. They will bring some of this information with them to the next meeting. The Commission discussed the regulation rewrite and the table of uses. Sayer asked if there was any direction from FEMA with regard to climate change, etc., that may affect the watershed, and if staff considered protection of additional land as open space to further protect the watershed. Staff said they believe Groton Utilities has already identified those areas best left as open space for the watershed. Mr. Kelly feels the biggest problem is deciding what is regulated and what is prohibited. Staff said Rick Stevens of Groton Utilities has been working closely with staff.

Rick Stevens, Groton Utilities, spoke about watershed class lands, expanding protection with vegetative buffers, detention and mitigation. Staff asked if there was any particular problem area for inspectors at Groton Utilities. Stevens said the Poheganut Reservoir is shallow; it needs light to let plants grow. They are sensitive to the ecology of the Hempstead Brook watershed and production of turbidity. They also are interested in construction practices (sediment and erosion control), and maintenance of basins.

Mike Cherry, Town of Ledyard Planning and Zoning Commission Chairman, said pre-existing non-conforming uses are a bigger issue at this time for Ledyard.

Mr. Kelly said here may be some opportunities to potentially allow certain things now prohibited by special permit with conditions, and vice versa.

Rick Stevens, Groton Utilities, said salinity is a problem. Salt levels have increased dramatically since the Connecticut Department of Transportation (CONNDOT) switched to brine to de-ice roads. CONNDOT is going to recalibrate trucks on a regular basis to regulate the rates of pre-salting applications and drivers will have maps so they know what the watershed corridor is. CONNDOT has also cleaned outlets on Interstate 95.

The Commission discussed what would be a reasonable setback. Mr. Kelly thinks a 200 ft. minimum for streams is warranted; maybe 300 ft. to the actual reservoir. That will need to be decided.

Staff reviewed the options, discussed changes in technology since the late 80's.

Zell Steever commented that inland wetlands are very important to this, and he hopes they are considered, as well as tidal wetlands. He didn't see anything with regard to flooding and water quality. He thinks looking at the FEMA maps would be

important, as well as the consideration of climate change, which may affect the size of the setback areas.

II. OLD BUSINESS

1. Draft Zoning and Subdivision Regulation Audit – Discussion

Staff said that at the December meeting, the Commission discussed the recommendations they didn't like in the regulation audit, and discussed creating a priority list of what they do want. The focus group will be meeting next Monday. Staff will combine all the comments from the Zoning Commission and the focus group and forward them to the consultant. The next draft will include specific roles for each recommendation; the entire burden will not be on the Zoning Commission.

Hudecek said that the zoning regulation updates have been piecemeal, and he does not want to do that with the new document. He endorsed a wholesale rewrite by an expert that will incorporate all of the recommendations. Staff is asking for funding in the next budget to do the entire rewrite. Some are already ongoing, such as the WRPD. Staff will be asking for about \$150,000 in addition to funds already set aside. The regulations haven't been done in over 30 years. It would be better to have experts write the new document, rather than staff. The commission concurred. They said diagrams, colors, etc., in the new design and form of the document is very important, in addition to the content. Staff said recommendations for a zoning update are incorporated within the POCD. Staff thinks the Planning Commission will have a full POCD document in 2 months. The POCD must be adopted by July 1st.

The commission asked staff to send copies or links of some samples of various regulation documents that they think are good.

Marquardt said she is not a fan of overlays, they are confusing. She liked their list of definitions.

Hudecek said there will be challenges with combining boards. Some decisions may need a public forum rather than administrative approval.

Sayer said she prefers the use of performance standards rather than specific uses.

Jim Furlong commented on septic lagoons. He said these areas may be resources that should have a setback around them. Staff said they want to make sure they are really protecting actual water bodies.

Sayer would like a discussion of combining boards, defining the roles, looking at the charter, maybe modifying the roles.

Priorities discussed by the Commission:

1. Definitions
2. Use table
3. The use of special districts (i.e. WDD, NMDD, MX)
4. Format – would it be better to have workshop with staff, or discussions at regular commission meetings. Staff said that would depend on how busy the

Commission is with applications. There may be a need for some special meetings

5. WRPD can be done before the entire rewrite; some of the special districts may also be done before the rewrite.

6. Put specifics on agenda: preliminary review of document, final review, action taken, etc., so that the commission knows what the expectations are.

Staff said they will take any additional comments for the next two weeks.

Staff will send examples for the next meeting, or send out samples electronically.

III. NEW BUSINESS

2. Report of Commission – None

3. Election of Officers

MOTION: To nominate Susan Sutherland as Chairperson.

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

MOTION: To nominate Steve Hudecek as Vice Chair.

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

MOTION: To nominate Susan Marquardt as Secretary.

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

4. Receipt of New Applications

Staff said there are no new applications. There is a public hearing scheduled for the February meeting.

IV. REPORT OF CHAIRPERSON - None

V. REPORT OF STAFF - None

VI. ADJOURNMENT

Motion to adjourn at 8:14 p.m. made by Sayer, seconded by Hudecek, so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III