

MINUTES
TOWN OF GROTON
ZONING COMMISSION
JANUARY 7, 2015 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

Chairperson Sutherland called the meeting to order at 7:00 p.m. and seated Smith for Bankroft.

II. APPROVAL OF THE MINUTES OF Meeting of December 3, 2014

MOTION: To approve the minutes of meeting of December 3, 2014, as written.

Motion made by Sayer, seconded by Marquardt. Motion passed 3-0-1, 1 abstention (Hudecek).

III. PUBLIC COMMUNICATIONS – None

IV. OLD BUSINESS

1. Discussion of Land Use and Zoning Regulation Review and Update

#1. Waterfront Design District WDD (Section 6.3)

Staff discussed potentially loosening up the requirements for a special permit in the WDD and came up with a draft of what the commission may want to consider.

- Staff attempted to address what intensification really meant, and what the Commission may want to considered as intensification:
 - seating in the state or local rights-of-way
 - music or the serving of alcohol outdoors
 - change of use
 - expansion that requires over five additional parking spaces
- The Commission debated “hours of operation” rather than “serving of alcohol outside”. The Commission decided to keep “serving of alcohol outdoors”, for now. Staff reminded them that the Planning Commission, typically, cannot institute conditions through the site plan review process. The Zoning Commission has a little more ability to condition a special permit.
- The Commission discussed “change in use to a restaurant” to “change in use to a restaurant **or** bar”. Staff noted that the use table of the Zoning Regulations has bars under “nightclubs, discos and cabarets”) and this use has different parking requirements than a restaurant. Staff noted an updated

definition may be needed. Commission discussed using “change in use to a restaurant or the serving of alcohol” as one intensification.

- Small restaurants vs. larger restaurants were discussed. Commission noted that it could be prohibitive for smaller restaurants to get a permit. Discussion took place on what concerns the Commission may have with restaurants such as increase in square footage, take-out vs. sit down, outdoor vs. indoor, parking, queuing on public sidewalk for uses such as a hot dog cart.
- Meeting the intent of the WDD zone and the zoning regulations was discussed and how a special permit allows conditions to be added by the Zoning Commission. A special permit also provides for notifications in the area of the WDD where there are residences mixed with businesses.
- The Commission noted that hours of operation and the use of outdoor music are important issues for businesses in this mixed use area.
- Outdoor dining and the impacts to the neighborhood were discussed and the Commission decided that “greater than 8 seats of outdoor dining” would be considered an intensification.
- The future of the Waterfront Design District was discussed and staff noted that additional review of this district will be undertaken with the updating of the Plan of Conservation and Development.

#2. Lot, Yard and Building Requirements by Zoning District (Section 5.2) and Open Space Subdivisions (Section 6.4)

Staff explained the history of the open space subdivisions, and the regulations instituted in 1991, which does not address lot coverage. The maximum lot coverage recommended by staff is 25%, which includes decks over 30” high.

- The Commission concurred that they preferred staff’s recommendations.

#3. Flood Protection Regulations (Section 6.6)

The CT State Building Code was changed in 2014 to require the lowest floor in residential structures to be elevated to 1-foot higher than base flood elevation in Coastal AE and VE Zones.

- The Commission discussed the options for determining flood elevation and the different flood zones. Staff recommends “Base Elevation + 1 foot” in the Coastal AE and VE zones at the time.
- The Commission accepted staff’s recommendations of Base Flood + 1 foot. The Commission noted they will address what has to be done at this time to meet the State Building Code, but may want to make other changes to other flood zones in the future.

#4. Erosion and Sediment (E &S) Control Plan (Section 6.11)

Staff explained the modified language, as requested by the Zoning Commission. The Commission supported staff's recommendation as written.

#5. Nautilus Memorial Design District NMDD (Section 6.10)

The Commission discussed the district overall and what changes could be done at this point to make it easier to do business in the district. Staff reviewed the recommended changes. Staff noted that the Planning Commission has discussed the NMDD during the Plan of Conservation Development (POCD) update workshops and they do not want to eliminate the district at this time but may want to update design standards or allowed uses. Staff noted the Zoning Commission may want to loosen up what requires a special permit at this time. This would allow current businesses to do minor exterior and interior changes to their sites without the need for a special permit. The Commission noted they may want to go further and completely loosen up the need for a special permit for other uses such as drive-up windows and other automobile related uses. The upcoming redesign of Crystal Lake Road was noted. The Commission continued to discuss allowing the uses currently not allowed in the district under Section 6.10-3 and if residential uses should still require a special permit. Allowed uses in the district, storage of vehicles and the allowance of car dealerships were discussed.

- The Commission recommended adding the recommendations of staff as highlighted in the draft presented. They wanted to continue to discuss eliminating the paragraph in Section 6.10-3 that states what uses are specifically not allowed in the NMDD, and if residential structures require a special permit.

Staff will review the Commission's comment and provide some additional recommendations at the February meeting, and the Commission can then decide if they are ready to submit an application. The commission wants to keep all five sections together for one public hearing.

V. NEW BUSINESS

1. Report of Commission – None
2. Election of Officers

MOTION: To nominate Sutherland as Chairperson of the Zoning Commission.

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

MOTION: To nominate Hudecek as Vice Chairperson of the Zoning Commission.

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

MOTION: To nominate Marquardt as Secretary of the Zoning Commission.

Motion made by Smith, seconded by Sayer, so voted unanimously.

3. Receipt of New Applications

Special Permit #344 application was submitted yesterday for an existing paintball facility on Noank Ledyard Road to add some uses, including a mountain bike track, remote control vehicle track, and zip lines. A public hearing date was set for March 4, 2015.

VI. REPORT OF CHAIRPERSON

Chairperson Sutherland said she appreciated receiving the department's monthly report, and noted staff's hard work on the regulations.

VII. REPORT OF STAFF

Staff distributed copies of *On Common Ground* magazine, which is produced by the National Real Estate Association.

VIII. ADJOURNMENT

Motion to adjourn at 8:33 p.m. made by Smith, seconded by Hudecek; so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III