

MINUTES
TOWN OF GROTON
ZONING COMMISSION
FEBRUARY 4, 2015 – 6:30 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

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

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

II. PUBLIC HEARING

1. Zoning Map Amendment #ZCH 14-02, 90 Welles Road, PIN 271014344077, RU-80 Zone. Proposal is to change the zoning district of one lot on Welles Road from RU-80 Zone to CB-15 Zone. Review is per Section 8.2 of the Zoning Regulations. (Silver Oak, LLC, Applicant)

Chairperson Sutherland read the legal notice.

Peter Gardner, Dieter & Gardner, introduced Matthew McCormack, Principal of Silver Oak LLC.

Mr. Gardner detailed the history and uses of the site, and the uses of the surrounding sites.

The applicant is requesting the zone change for this property only. The property is a tennis club at this time. This use is allowed in RU-80 as a private club only. The applicant has a desire to develop the site with additional sports facilities and to open it to the public. The draft POCD recommends this site to be a commercial land use. The development of the property is constrained by the current zone's requirement as a private club; with the zone change, the applicant would be able to make the club open to the public. Mr. Gardner does not consider this spot zoning but an extension of the existing zone across the street, which is CB-15. There are municipal uses, a Department of Transportation garage and a town landfill, adjacent to the site.

Matt McCormack, 23 Borodell Avenue, Stonington, explained the plans for future expansion to include indoor soccer, lacrosse, and flag football. If the zone change is approved, the business would be open to the public.

Mr. Gardner will provide proposed site changes on the site plan. The height of future buildings proposed was discussed. Parking, relocation of the curb cut, slope of the site, and site drainage were reviewed.

Staff said the mailings were in order, and reviewed the application. The Planning Commission referral, in support of the zone change, was entered into the record.

Staff reviewed the attachments which were included with the staff report in the agenda packet.

Staff explained the current zone of CB-80 and the private club requirement. The definition of "private club" was discussed. The applicant chose to apply for a zone change rather than a variance, based on the zones and uses of surrounding properties. The Planning Commission will recommend that the west side of Welles Road be shown as commercial on the Future Land Use map in the 2015 POCD. The Commission discussed private membership vs. open to the public. Staff explained that because it is currently in a residential zone, there are restrictions on the uses of the zone. The allowed uses and height allowances of the CB-15 zone were discussed. This site is also in in the WRPD (Water Resource Protection District).

The Chairperson noted that the Town has granted tax incentives to Mr. McCormack for this business.

The Chair asked for comments from the public. There were none. The public hearing was closed at 7:03 p.m.

III. APPROVAL OF THE MINUTES OF meeting of January 7, 2015

MOTION: To approve the minutes of meeting of January 7, 2015, as written.

Motion made by Sayer, seconded by Marquardt.

Chairperson Sutherland recommended a clarification.

Motion to approve, as amended, was made by Sayer, seconded by Hudecek. Motion passed 5-0-1, 1 abstention (Bancroft).

IV. CONSIDERATION OF PUBLIC HEARING

1. Zoning Map Amendment #ZCH 14-02, 90 Welles road (Silver Oak, LLC, Applicant)

The Commission concurred that they were opposed to spot zoning, but this expansion of the zone made sense.

MOTION: To approve the Zoning Map Amendment (ZCH14-02) to change 90 Welles Road from RU-80 to CB-15 pursuant to the following findings and reasons for approval:

The Commission finds that the zone change is consistent with the Planning Commission's intent to designate the north side of Welles Road as commercial use, as represented on the Draft Future Land Use Plan dated April 2014, as revised.

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

Amendment will be effective March 1, 2015.

MOTION: To move the Groton Utilities request to next on the agenda.

Motion made by Bancroft, seconded by Hudecek; so voted unanimously.

V. NEW BUSINESS

1. Groton Utilities Water Treatment Plant, 1268 Poquonnock Road – Determination for Height Modification per Section 4.4

Ray Valentini, Groton Utilities, presented the request for a height modification. Groton Utilities is upgrading the water treatment site, and propose to build two new steel storage tanks, which will be used for backwash to remove particles from the water. Each tank has a one million gallon storage capacity. Mr. Valentini reviewed the location and height of the tanks, The height of the tanks would be a maximum of 47 feet. The height is required to use gravity to backwash.

Staff explained the RS zone, which allows a maximum height of 30 ft. However, Section 4.4 of the regulations allows for water storage tanks owned and operated by a water supply company to be erected to a reasonable and necessary height as determined by the Zoning Commission.

MOTION: To approve a height limit of 47 feet, per Section 4.4 of the Zoning Regulations, for two new 1MG Water Storage Tanks at the Groton Utilities Water Treatment Plant at 1268 Poquonnock Road based on the following:

1. The Zoning Commission has determined that the tanks will be erected to a reasonable and necessary height for the proposed use and location.
2. The Zoning Commission has determined that there is a need for the water storage tanks in this location.

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

VI. PUBLIC COMMUNICATIONS – None

VII. OLD BUSINESS

1. Discussion of Land Use and Zoning Regulation Review and Update of Sections 5.2, 6.3, 6.4, 6.6, 6.10 and 6.11

Staff distributed a draft of Sections 6.3, 6.4, 6.6, and 6.11 and explained the revisions made based on the discussions in the January meeting.

In addition to the modifications discussed in January, staff also proposed modifications to Section 6.10-4 of the NMDD for reduction of front yard and side yard setbacks in certain circumstances to create a more walkable, pedestrian friendly environment.

Staff showed the Commission the proposed Crystal Lake Road and Military Highway streetscape renovations.

The Commission discussed the determination of uses that are allowed in the NMDD district, the goal to make the district easier for businesses but not limit the

opportunity for the Commission to condition applications. Design standards will be reviewed by the Planning Commission. The only intensification of uses that require a special permit will now be intensification of the use, which would be additional multi-family residential units, or additional required parking for non-residential uses. Staff said allowing more uses but upgrading the design requirements would be preferable for the district.

The Commission concurred that one application for zoning regulation text amendments will be submitted for all the sections reviewed.

Staff would like to schedule a public hearing for the April meeting.

2. POCD Update

Staff is still working with the Planning Commission and the consultants.

VIII. NEW BUSINESS

2. Report of Commission - None

3. Receipt of New Applications

Staff said there are no new applications, but there will be a public hearing in March for the Fields of Fire special permit application.

IX. REPORT OF CHAIRPERSON

The Chairperson met with Town Councilor Frink who provided her with a summary of the consultants that submitted an RFQ for the market analysis and zoning audit. She asked staff to scan and email the summaries to the commissioners.

X. REPORT OF STAFF

Staff distributed the CFPZA quarterly newsletter. Staff said there is a "Save the Date" on the back for the CFPZA's annual conference, to be held on March 26th in Southington. Staff will send the agenda when it is received.

Staff said there is now Wi-Fi in the building for the public. The password is noted at the room entrances.

XI. ADJOURNMENT

Motion to adjourn at 7:57 p.m. made by Hudecek, seconded by Sayer; so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III