

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

I. ROLL CALL

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

Chairperson Sutherland called the meeting to order at 6:30 p.m. and seated Smith as a voting member.

II. PUBLIC HEARING

1. REGA15-02, Proposed Zoning Regulation Text Amendment to Section 5.2. Proposal is to amend the maximum building height in the Waterfront (WF-20) zoning district from 30 feet to 50 feet (Russell Sergeant, Applicant) - Continued

Chairperson Sutherland reread the legal notice.

Russell Sergeant and partners of Mystic Shipyard were present. Jeff Marshall, Mystic Shipyard, 423 Pendleton Hill Road, North Stonington, gave a history of the site. The boatyard was founded in 1843. He presented some pictures which showed the site as it looked in the 1930's and as it looks today. The maximum height in this zoning district is 30 ft. He explained that the boat repair business has changed, and over the years, the size of boats has increased, with a demand for indoor heated space for year-round repair work on these larger boats, which will not fit in the existing sheds. A larger lift is needed to accommodate the larger boats.

Ron Helbig, 750 Groton Long Point Road, one of the principals of Mystic Shipyard, described the business as a premier yacht repair and storage facility, one of the last working waterfront uses. He said the height amendment was requested because customers are turned away as the boatyard cannot accommodate the larger ships. A larger lift would be required to haul the larger boats. The existing lift has been modified and barely fits in the existing building. A larger building would be built to accommodate a larger 100 ton lift, and a 35 ft. door would be required. An amendment of the height to 45 ft. for boat sheds was recommended by the Planning Commission.

Sergeant distributed a handout and discussed the zoning analysis of the district. Mr. Sergeant detailed Willow Point, the properties in the WF district which includes residential properties, and other mixed uses in the district. The flood elevation was discussed. Mr. Sergeant said the 45 ft. height as recommended by the Planning Commission would work for the applicant's shed, so they proposed to modify the amendment to 45 ft. The shed would be a one story building.

Mr. Sergeant discussed the industrial and commercial nature of the business. A commercial building height usually allows many stories. The Waterfront Design District (WDD) allows up to 45 feet with reduced lot coverage. Marinas in the WDD have the opportunity to reduce the lot coverage in order to increase the building height. The applicant is asking for parity with other marinas. In this hybrid mixed use zone, a

shed is specifically for boat yard use. No other lots in the district could probably accommodate a building of that height.

Ron Helbig spoke about the nature of the business in that the quantity of the ships may be shrinking, but the size of the yachts is growing. Winter storage of the boats is provided on the site. Mr. Helbig detailed the new building proposed, which would include impervious surface with floor drains, sprinklered, ventilated and heated, so that they could work on bigger boats during the winter. He stated that the Zoning Official confirmed that the use is allowed. The Commission discussed the definition of "shed".

Staff reviewed her memo to the Commission. Initially, the applicant asked for 50 ft. for sheds for the repair of boats with the maximum height measured to the peak of any structure. The Planning Commission recommended a lower height of 45 ft, but measured as currently described in the zoning regulations, and not as the application initially proposed. The applicant amended their request to what the Planning Commission recommended.

Staff read the Planning Commission referral into the record. The Town Attorney found the request to be legally satisfactory, the Southeastern Council of Governments found no adverse inter-municipal impact. State of Connecticut DEEP Office of Long Island Sound Programs had no comment.

Staff stated that the 2002 POCD and the draft POCD both recommended keeping waterfront sites for water dependent uses.

Staff clarified that "30/45" meant that 30 ft. would be the maximum height for all other uses in the district except for the boat sheds.

The Chair asked for comments from the public and there were none.

The public hearing was closed at 7:17 pm.

III. CONSIDERATION OF PUBLIC HEARING

1. REGA15-02, Proposed Zoning Regulation Text Amendment to Section 5.2. Proposal is to amend the maximum building height in the Waterfront (WF-20) zoning district from 30 feet to 50 feet (Russell Sergeant, Applicant)

MOTION: The Town of Groton Zoning Commission hereby modifies and adopts zoning regulation text amendment application #REGA15-02, amendment to Section 5.2 (Table of Lot, Yard and Building Requirements by Zoning District) for maximum height in the WF-20 Zoning District, pursuant to the following modifications, findings and reasons for approval:

Modifications:

1. Amend Table 5.2 for Maximum Building Height (Feet) in WF-20 district to read "30/45 (12)"
2. Notation (12) in Table 5.2 is added to read:
"(12) A maximum height of 45-feet allowed for sheds used for construction, repair, and storage of boats limited to a single floor

with mezzanines as allowed by the Connecticut State Building Code”

Findings and Reasons for Approval:

1. These amendments are consistent with the Town’s 2002 Plan of Conservation and Development and the Municipal Coastal Program, with particular regard to continuing to place highest priority on waterfront sites for water-dependent uses and continuing to manage coastal activities in conformance with State guidance.
2. The adopted modifications address issues raised by the Planning Commission and during the public hearing process and include text modifications that limit the allowance for an increase in height in the WF-20 district to a specific water-dependent use. The modifications take into account the balance between the physical needs of a water-dependent use and preserving the quality of life of the surrounding neighborhood.
3. These amendments are made in accordance with a comprehensive plan and provide for reasonable consideration of the environment in accordance with the provisions of CGS 8-2. The State of Connecticut Department of Energy and Environmental Protection has reviewed the proposed amendments and has determined that they do not raise coastal resource or coastal use public policy issues and are consistent with the relevant goals and policies of the State’s Coastal Zone Management Act.

The effective date of this amendment shall be April 1, 2016.

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

IV. PUBLIC COMMUNICATIONS

Thomas Potter, 154 Walker Hill Road addressed the Commission. He asked if the commission had any questions or comments on the correspondence he had submitted to the commission which was included in their agenda packet.

The Chair said zoning enforcement issues do not come before the Zoning Commission, and he should be appealing the Zoning Official’s decision to the Zoning Board of Appeals.

Staff said a copy of a letter sent to Mr. Gates regarding the Spicer Mansion at 15 Elm Street was enclosed in their agenda packets.

V. APPROVAL OF THE MINUTES

MOTION: To approve the minutes of the regular meeting of February 3, 2016 as amended.

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

MOTION: To approve the minutes of the special meeting of February 3, 2016 as amended.

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

VI. OLD BUSINESS

1. Zoning Regulation Update

a. Water Resource Protection (WRPD)

Staff distributed a worksheet to the commission with all the uses from the zoning regulations use table listed. Staff and commissioners began reviewing each of the uses, to discuss what the commission would want permitted, not permitted, or permitted with conditions.

b. Zoning Districts and Table of Permitted Uses

The commissioners provided some comments to staff with regard to a table of permitted uses. They thought the table was too busy, difficult to read. If a use is not allowed, it should be left blank. They thought maybe using color to enhance the permitted uses, and color illustrations, and titled tabs. Also, hyperlinks would be useful.

VII. NEW BUSINESS

1. Report of Commission - None

2. Receipt of New Applications – None; the next meeting will have the regulation amendment public hearing.

VIII. REPORT OF CHAIRPERSON - None

IX. REPORT OF STAFF

Staff said the Town Council will discuss the OPDS budget on March 29th. Staff has proposed a large amount for re-writing the zoning regulations. Staff hopes the commissioners will go to the meeting and speak in favor of the budget. The commission discussed possible dates for another special meeting workshop. Staff will check with Horsley Witten for availability.

X. ADJOURNMENT

Motion to adjourn at 8:35 p.m. made by Hudecek, seconded by Smith, so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III