

MINUTES
TOWN OF GROTON
ZONING COMMISSION
APRIL 1, 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: Middleton, Smith

Absent:

Staff present: Glemboski, Reiner, Gilot

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

II. PUBLIC HEARING

1. REGA15-01, Proposed Zoning Regulation Text Amendment to Sections 5.2 (Lot, Yard and Building Requirements); 6.3 (Waterfront Design District); 6.4 (Open Space Subdivisions); 6.6 (Flood Protection Regulations); 6.10 (Nautilus Memorial Design District) and 6.11 (Erosion & Sediment Control Plan). (Town of Groton Zoning Commission, Applicant)*

Secretary Marquardt read the legal notice.

Staff recommended discussing each section individually.

Section 6.3: (Waterfront Design District)

Staff reviewed the items that the Commission felt were important, and the uses that would still require a special permit in the district. Staff said the Zoning Official has had people interested in opening a small restaurant, or retail that may also want to serve some food items or beverages. Staff said the Commission could consider adding the changes shown Exhibit 1-B in the packet, the second bullet would add “with over 100 square feet of seating area, or with the serving of alcohol”. The calculation of the seating area, kitchen requirements, dumpsters, and deliveries were discussed. Staff said most of these items would be reviewed through the fire marshal, zoning, or site plan review. Any restaurant with seating area under 100 feet could be allowed without a special permit if the Commission chose to make this minor change. It was recommended to break the new item into two bullets. Counter service without tables was discussed.

Section 5.2 & 6.4: (Open Space Subdivisions)

Staff reviewed the proposed change of the building lot coverage for open space subdivisions.

Section 6.6: (Flood Hazard Areas)

Staff reviewed the proposed changes. The Commission had no comments.

Section 6.11: (Erosion and Sediment Control Plan)

Staff reviewed the proposed change. The Commission had no comments.

Section 6.10: (Nautilus Memorial Design District)

Staff reviewed the changes the Commission previously recommended. The new setback and any potential new non-conformity were discussed.

The Commission discussed the options presented with the language suggested by staff, and the language recommended by the Planning Commission.

The Chair asked for comments from the public.

Michael Collins, 45 Elderkin Avenue, spoke in favor of Sections 5.2 and 6.4 for open space subdivisions.

Ann Keller, 25 Windward Drive, Westerly, an owner of the Mystic Weigh Subdivision, spoke in favor of Sections 5.2 and 6.4 for open space subdivisions.

Staff reviewed the referrals. The referrals from the SCCOG and the Town Attorney were read into the record. The State DEEP and the Department of Public Works had no comments.

The public hearing was closed.

III. APPROVAL OF THE MINUTES OF meeting of March 4, 2015

MOTION: To approve the minutes of meeting of March 4, 2015, as written.

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

IV. CONSIDERATION OF PUBLIC HEARING

1. REGA15-01, Proposed Zoning Regulation Text Amendment to Sections 5.2 (Lot, Yard and Building Requirements); 6.3 (Waterfront Design District); 6.4 (Open Space Subdivisions); 6.6 (Flood Protection Regulations); 6.10 (Nautilus Memorial Design District) and 6.11 (Erosion & Sediment Control Plan). (Town of Groton Zoning Commission, Applicant)*

MOTION: The Town of Groton Zoning Commission hereby modifies and adopts zoning regulation text amendment application #REGA15-01, for Section 6.3 (Waterfront Design District), Section 5.2 (Lot, Yard and Building Requirements) and Section 6.4 (Open Space Subdivisions), Section 6.6 (Flood Protection Regulations), and Section 6.11 (Erosion & Sediment Control Plan), pursuant to the following findings and reasons for approval:

1. These amendments are consistent with the Town's 2002 Plan of Conservation and Development with particular regard to promoting and enhancing existing nodes, simplifying business procedures, promoting good design, allowing a variety of housing types which will allow people to age in place in their homes, and the enhancement of community character and quality of life for the residents of the Town of Groton.
2. The modification proposed with this approval addresses issues raised by the Zoning Official and the Zoning Commission during the course of the public hearing and includes a limited text modification to Section 6.3-3 to address allowing a small restaurant in the WDD without a special permit. The Commission notes that this action includes adoption of the "Exhibit #1-B" as modified for Section 6.3-3.
3. These amendments are consistent with the Town's Municipal Coastal Program with particular regard for protecting coastal resources, protecting water quality, and carefully managing coastal development.
4. These amendments are made in accordance with a comprehensive plan and provide for reasonable consideration of the environment and Long Island Sound in accordance with the provisions of CGS 8-2.

The effective date of this amendment shall be May 1, 2015.

Motion made by Hudecek, seconded by Bancroft.

Commissioner Sayer amended the motion to add to Item 1 that "the modification to open space subdivisions is important because it allows a variety of housing types which will allow people to age in place in their homes". Staff said it will added to Item 1 after "promoting good design".

As amended, motion passed unanimously.

The Commission discussed the various language options for the Nautilus Memorial Design District, and the recommendations of the Department of Public Works and the Planning Commission.

MOTION: The Town of Groton Zoning Commission hereby modifies and adopts zoning regulation text amendment application #REGA15-01 for Section 6.10 (Nautilus Memorial Design District), pursuant to the following findings and reasons for approval:

1. The amendment to Section 6.10 is consistent with the Town's 2002 Plan of Conservation and Development with particular regard to promoting and enhancing existing nodes and simplifying business zoning and procedures within the Town of Groton.

2. The modifications proposed with this approval address issues raised by the Public Works Department and includes some limited text modifications to Section 6.10-4 to address setback issues for easement areas. The Commission notes that this action includes adoption of the “Exhibit #5-B” modified language for Section 6.10-4.
3. The amendment to Section 6.10 is consistent with the Town’s Municipal Coastal Program with particular regard for protecting coastal resources and managing coastal development.
4. These amendments are made in accordance with a comprehensive plan and provide for reasonable consideration of the environment and Long Island Sound in accordance with the provisions of CGS 8-2.

The effective date of this amendment shall be May 1, 2015.

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

V. PUBLIC COMMUNICATIONS - None

VI. OLD BUSINESS

1. POCD Update

Staff said they met with consultant and provided the consultant with an outline; additional funding is required for the additional work. The timeline was discussed.

VII. NEW BUSINESS

1. Report of Commission

Commissioners Sayer and Smith attended the “Land Use Law for Municipal Land Use Agencies” training session held on March 21st, sponsored by the CT Bar Association. Sayer said conflicts of interest was discussed at the seminar, and asked about the status of the Town’s ethics statement. Staff will check on the status of the ethics statement.

2. Receipt of New Applications – None

VIII. REPORT OF CHAIRPERSON - None

IX. REPORT OF STAFF

Staff said the May meeting may be cancelled since there are no applications. Staff will begin working on some new draft regulation amendments for the Commission to consider in the coming months.

The Market Analysis and Zoning Audit is tentatively scheduled for a kickoff meeting on Monday, May 4th. Staff said the entire commission is invited, but one person will represent the Zoning Commission as part of the focus group, which will be

approximately 15 members. Sutherland said she will represent the Commission, and Hudecek will be the alternate.

X. ADJOURNMENT

Motion to adjourn at 7:43 p.m. made by Bancroft, seconded by Hudecek, so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III