

MINUTES
TOWN OF GROTON
ZONING COMMISSION
April 5, 2017 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Hudecek, Marquardt, Smith, Sayer, Sutherland

Alternate members present:

Absent: Archer, Edgerton

Staff present: Allen, Jones, Reiner, Gilot

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

II. PUBLIC HEARING

1. Special Permit #352, 5 Water Street, PIN 261918308613, WDD Zone. Proposal is to add the serving of alcohol, outdoor seating and convert second floor living space to a preparation area at an existing takeout bakery. Review is per Sections 6.3 and 8.3 of the Zoning Regulations. (Gregg Fedus, Applicant) (Amfran Estates Inc., Owner)

Vice Chairman Hudecek read the legal notice.

Adam Young, owner of Sift Bake Shop, 5 Water Street, Mystic, presented his proposal for additional outside seating and the serving of alcohol. The proposal is to install tables along the north, west and east sides of the building. Existing sidewalks will not be encroached upon. He is also proposing to serve alcohol. Under a state issued license, wine (mimosas, sangria, etc.) only will be served. The Liquor Commission requires that the tables where liquor is served must be separated from pedestrians by stanchions. The stanchions will be taken in overnight; tables will be left out. There will not be table service; a rollaway service bar at the front will be used to serve liquor, and taken in at the end of the day. One staff member will serve and clean outside. Hours will be 7 am – 7 pm, 7 days a week from October through June, and 7 am to 9 pm July through September.

The top two floors are divided into two units; Mr. Young proposes to occupy one as a non-cooking prep kitchen. There will be no oven and no cooking. The third floor is office space. He is seeking a modification from the State Fire Marshal for the furthest distance required from an exit from 75 feet to 78 feet. The distance is required due to the change of use of the building. The parking requirements have been met for the increased seating.

Staff said the special permit requirements have been met. This is a minor expansion of the use; parking requirements have been met; there would be no threat to public safety, the hours are limited, and the use fits into the neighborhood with Pizzetta and Oyster Club which also have outdoor seating. There are no impacts to the waterfront. Eight seats would be allowed outside without a permit; total outside seating is increasing to 40 outdoor seats. Staff

detailed the back of the lot. A special permit is required for serving of alcohol, outdoor seating, and the location in the WDD.

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

The public hearing was closed at 6:47 pm.

III. CONSIDERATION OF PUBLIC HEARINGS

1. Special Permit #352, 5 Water Street (Gregg Fedus, Applicant) (Amfran Estates Inc., Owner)

MOTION: To approve Special Permit #352, 5 Water Street, Sift Bake Shop to add the serving of alcohol, add outdoor seating, and convert second floor living space to a preparation area at an existing takeout bakery.

Findings and Reasons for Approval:

The Commission finds that this application complies with the objectives of Section 6.3 of the Zoning Regulations in that it will enhance the unique qualities of Mystic, will preserve and enhance the historic features of the existing building, and is in keeping with the goals of the Plan of Conservation and Development.

The Commission also finds that this application complies with the special permit objectives in Section 8.3-8 of the Zoning Regulations in that it does not alter the essential characteristics of the Mystic area, does not cause traffic congestion or safety conflicts, does not conflict with the purposes of these regulations, and will reasonably minimize the potential environmental impacts on adjacent water bodies, including Long Island Sound.

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

Motion to move Items 1 and 2 under “New Business” on the agenda to follow “Public Communications” was made by Sutherland, seconded by Hudecek; motion passed unanimously.

IV. PUBLIC COMMUNICATIONS - None

V. NEW BUSINESS

1. Groton Utilities Walker Hill Tank Replacement, 105 Walker Hill Road – Determination for Height Modification per Section 4.4

David Corallino, Groton Utilities, explained the plan to replace an existing water tank on Walker Hill with a 1.1 million gallon tank. The top elevation will be the same as the existing tank, but the new tank will be larger. The old tank will be demolished after the new one is installed. The height requested is 46.5 feet, which exceeds the requirement for the zone. The height is required to accommodate the water pressure required for the area served. The tank will be constructed of concrete.

MOTION: To approve a height limit of 47 feet, per Section 4.4 of the Zoning Regulations, for a new Walker Hill Water Storage Tank, 105 Walker Hill Road, based on the following:

1. The Zoning Commission has concurred with Groton Utilities that the tank 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 tank in this location.

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

2. Request for extension of Special Permit #183, Giordano Excavation, Gales Ferry Road

Mr. Giordano explained that he is about 85 percent done with the pond. He anticipates that it would take about another year or two to finish the last 15%. There was a forest fire on the property back in July and seven acres were burned, about a thousand feet behind his house. He has built approximately eight miles of stone walls on the property and he is also building sand roads as a fire lane break.

Staff said Mr. Giordano is requesting an extension of four additional years. His progress was slowed by a bridge that need to be rebuilt, a downshift in the economy, and he is doing the work himself. Staff said the property is quite isolated, there have been no complaints, and it is a clean site. The project is going slowly, but it is a neat worksite, and the pond will be good for fire protection.

MOTION: To grant a four year extension per Section 7.1-10 of the Zoning Regulations for Special Permit #183, Gales Ferry Road, with the same conditions of the original permit. _

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

VI. APPROVAL OF THE MINUTES

1. February 1, 2017

MOTION: To accept the minutes of the meeting of February 1, 2017 as amended.

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

2. March 21, 2017 Special Meeting

Motion to postpone approval of the March 21, 2017 Special Meeting minutes to the May meeting was made by Sutherland, seconded by Hudecek. Motion passed 4-0-1, 1 abstention (Smith).

VII. OLD BUSINESS

1. Zoning Regulations Rewrite Project

a. Goals and Objectives of Regulation Rewrite Project

Staff led a discussion on the Commission's goals and objectives for the regulation rewrite process.

The Commission created the following guidelines as they begin their review of the regulations.

- Maximize economic development opportunities / improve the business climate (i.e. MX zones made simpler). Attempt to capture economic development benefits within our own town, such as EB.
- Simplify the process.
- Clear language
- Online regulations (hyperlinked), forms, documentation
- Predictability – development guide
- Recognize changing demographics and emerging best practices
- Be user friendly, clear and concise.
- Consistency with the POCD
- Promoting health, safety and welfare of the general community

The commission concurred that the above list of goals are only the first list of goals to start the process. It will change as the commission starts working on the actual regulations.

b. Draft Outline – Review

Staff said this is just an outline to start with; it will change as the commission goes forward. It is a guide, or general layout. Staff assured the commission that the consultant will provide paper and electronic versions of the final documents.

Staff and the Commission discussed how the POCD short term goals will tie with the goals and objectives of the regulations. Staff said they are working with Horsley Witten to assure that the POCD goals will be incorporated into the regulations. Staff also noted that the WRPD definitions will also be added to the "Definitions" section of the regulations.

VIII. NEW BUSINESS

2. Report of Commission - None

3. Receipt of New Applications

a. WRPD Regulation Amendment (REGA17-01)

Staff said the public hearing will be held in CR-1. The Chair said she would review all the material covered during the rewrite process and send a list of items for staff to distribute to the commissioners as a refresher. Staff said they will provide a staff report and analysis of the changes. Commissioners can request any material from staff prior to the hearing. The department is receiving comments from outside agencies. Horsley Witten will be present at the public hearing to provide a recap. The Commission requested a map showing all watercourses, etc.

IX. REPORT OF CHAIRPERSON

1. Discussion of Town Council meeting with Zoning Commission and Draft Guidelines for Public Communications

The Chair deferred discussion of the meeting and staff's draft guidelines for public communications until the Commission received the revised draft minutes of the meeting with the Town Council.

X. REPORT OF STAFF

Staff introduced Matt Allen, Planner I, the newest member of the department's planning staff.

XI. ADJOURNMENT

Motion to adjourn at 7:52 p.m. made by Hudecek, seconded by Smith, so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III