

MINUTES  
ZONING COMMISSION  
JUNE 2, 2010 - 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Cady, French (left at 7:31), Haviland (left at 7:47), Hudecek, Marquardt,  
O'Neill, Sutherland  
Absent: Brandt  
Staff: Davis, Gilot

Chairman Hudecek called the meeting to order at 7:08 p.m. and seated Marquardt for Brandt.

II. APPROVAL OF THE MINUTES OF May 5, 2010.

MOTION: To approve the minutes of May 5, 2010 as amended.

Motion made by French, seconded by O'Neill. Motion passed 4-0-1, one abstention (Marquardt).

III. PUBLIC COMMUNICATIONS

Steve Woodruff, Woody's Service, corner of Route 12 and Crystal Lake Road, in the Nautilus Memorial Design District (NMDD), presented a petition signed by several business owners in the area requesting the Commission evaluate the zone. This concept had been discussed by the Commission in the past, and a review of the NMDD is recommended in the 2002 Plan of Conservation and Development. Staff indicated that this could be addressed in the regulation update, but that this was not a high priority item in the regulation project or in the POCD. The Commission advised Mr. Woodruff that he had the option to make an application for a regulation and/or zoning map amendment. Staff suggested that the range of options might be considerable, might not necessarily be consistent with Mr. Woodruff's preferred approach, that the proper way to go about this would be to develop and analyze information, and that as the commission has seen, these efforts can be very time and resource intense and can distract from other priority elements of the overall work program. The Chairman asked staff to put this item on the July 7<sup>th</sup> agenda for discussion and Mr. Woodruff indicated that he would contact the petitioners to see if they had any interest in attending that meeting.

Sydney Van Zandt, 3 Front Street, distributed a statement to the Commission regarding clear-cutting regulations and other policy/legislative matters.

Due to illness, Ms. French left at 7:31 p.m. and Chairman Hudecek seated Mr. Cady for Ms. French.

IV. ITEM OF BUSINESS

1. Modification to Special Permit No. 312, 61 West Main Street and 2 Water Street (Chelsea Groton Bank, Applicant)

Richard Strauss, CME Associates, represented the applicant. Mr. Strauss explained the use as approved with Special Permit No. 312 and the need to amend the special permit as a result of the HDC's review.

Staff reported that prior to CME's engagement, staff had suggested to the tenant (Advanced Improvement) on multiple occasions that they proceed to the HDC with their complete program and plans, seeking HDC approval prior to other necessary approvals. Advanced had not taken heed that guidance and had gone forward incrementally with HDC review and approvals, thus when the initial special permit and site plan approvals were issued, the HDC had not seen the entire detailed site plan and had rather focused on building improvements and related treatments.

The HDC has now acted to eliminate the three proposed parking stalls and walkway along the west side of the building. The applicant is asking to modify the special permit to include a lease for two of the required stalls to be located on the adjacent bank property at 2 Water Street.

The commission felt it was unfortunate that the HDC action resulted in the need for these changes.

MOTION: To modify Special Permit No. 312 to permit and require two of the required six parking spaces to be located on 2 Water Street.

Motion made by Haviland seconded by O'Neill, so voted unanimously.

Mr. Haviland left the meeting at 7:47 p.m.

## V. OLD BUSINESS

### 1. Land Use Regulation Update Project

Staff noted that they sent the Commission information in the agenda packet regarding the regulation update and studies that were discussed at the last meeting. Staff encouraged members to remain objective and where possible, to use this type of empirical data in evaluating, developing and adopting public policy. Commissioner Sutherland indicated that she had some questions regarding the sources and perhaps other issues, and that she would contact staff to discuss these.

Staff said the consultant is working on illustratives for three yield options at the sheep farm parcel (Hazelnut Hill Road) and different housing product types. Staff said he hoped to have these as well as some draft language for the Commission regarding lighting, parking ratios, etc. by the next meeting.

In terms of comments received from the general public earlier this evening, staff clarified that the issue discussed at the last meeting and the studies staff provided this evening concerned the danger in making simplistic assumptions about the correlation between unit yield and fiscal impact (population), and that these subjects had nothing to do with the obvious differences in fiscal impact of residential development versus open space.

## VI. NEW BUSINESS - None

VII. REPORT OF CHAIRMAN - None

VIII. REPORT OF STAFF

Staff said the zoning enforcement reports for several months were included in the agenda packets, as requested by the Commission and that OPDS was working on a new format for these reports. Staff and the commission discussed various cases, the delays with the court and other matters. Staff noted that one of the longstanding matters involved Mr. Woodruff and his property on Route 12 and that it was unclear if Mr. Woodruff had disclosed that matter to the commission in his comments earlier this evening or if that outstanding matter had any bearing on his seeking to eliminate the NMDD zone.

IX. ADJOURNMENT

Motion to adjourn at 8:04 p.m. made by O'Neill, seconded by Cady, so voted unanimously.

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Richard Haviland  
Zoning Commission

Prepared by Debra L. Gilot, Office Assistant III