

SPECIAL MEETING
MINUTES
GROTON ZONING COMMISSION
OCTOBER 15, 2007 - 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 1

I. ROLL CALL

Present: Brandt, Cady, French, Hudecek, Haviland, O’Neill
Staff: Murphy, Davis, Silsby
Absent: Marquardt and Sutherland

Chairman Hudecek opened the meeting at 7:14 p.m.

II. PUBLIC HEARING

Special Permit #298, Fort Hill Road/Flanders Road, (Hawthorne Development Partners, LLC/applicant) - Continued

Staff gave a recap of the initial public hearing on September 19, 2007. It was noted that the Inland Wetlands Agency (IWA) approved the application with conditions and a design has been presented. Interventions have been received. The final report from the traffic consultant has not yet been received. Staff indicated that an updated set of plans have been received but have not yet been reviewed. A request to extend the public hearing until the November 7, 2007 Zoning Commission meeting was received.

Attorney Harry Heller, representing the applicant Hawthorne Development Partners, LLC., summarized the project. The proposal is to build 211 active senior housing units on 104.84 acres on the northerly side of Fort Hill Road and the westerly side of Flanders Road; located in the RU-20 zone. He noted that approval has been granted with conditions by the IWA. Due to these conditions, numerous modifications have been made to the plan, one of which resulted in the deletion of 7 units. He spoke about cutting on the site and referred to conservation easements. He spoke about a Notice of Intervention that was submitted by Groton Open Space Association (GOSA). He spoke of watercourses, wetlands and other criteria that fall under the jurisdiction of the IWA. Connecticut General Statutes in regards to the “Scope of Authority” were mentioned. He noted that Dr. Roseen would later speak about environmental impacts, storm water erosion, and ground water quality.

Andrew Bevalocka of Diversified Technologies gave a power point presentation showing changes made since the initial public hearing on September 19, 2007, and provided the Commission with revised plans. He stated that 4 revisions have been made which include a modification to the Flanders Road intersection, setbacks being modified at two wetland areas, and a proposed roadway being eliminated.

Mike Errikson of Diversified Technologies spoke of Cross Sections A, B, and C. He referred to and spoke about property lines, proposed grates, storm water renovation basins, and wetland areas. Referring to the plans, he stated that the 25 foot scale blocks were representative of true scale. He referred to buffers, a community garden, town green area, property lines, and the main entrance road to the site off of Flanders Road.

Dr. Robert Roseen, a Professor of Water Resource Management at the University of New Hampshire and director of the University of New Hampshire's Storm Water Center, gave a summary of the Mystic Woods Storm Water Management Strategy. A power point presentation was given showing the various strategies being proposed for storm water treatment and he explained its importance. He spoke of pollutant removal, cooling, and stream channel protection. The two classes of strategies to be used would be rooftop runoff and general site runoff from pervious and impervious surfaces. He gave the details and benefits of each strategy. He referred to a bio-retention system and infiltration chambers, and spoke about gravel wetlands. He believes that this storm water management system is well above the standard.

A discussion ensued about regular cleanings on these types of systems. It was noted that a reduced salt application of 20% salt and 80% sand would be used at the proposed site.

Discussion followed about thermal impacts, sedimentation of coastal waters, storm water control, and storm water management practices. It was noted that there would be 7 years of post construction monitoring of water quality.

Staff spoke about future monitoring of water quality going beyond traditional zoning jurisdiction.

Heller noted that this project would be supervised by a professional management company. He referred to GOSA's Notice of Intervention and explained what the duties of the town are. Attorney Heller thanked the Commission for their time. Due to the fact that the final traffic report has not yet been received, he requested a continuation of the public hearing until the November 7, 2007 Zoning Commission meeting. His written request has been received by Town Staff.

At this time, Chairman Hudecek opened the floor up for public comment on this special permit application.

Priscilla Pratt, 75 Front Street, President of GOSA, referred to GOSA's Notice of Intervention and stated that GOSA would be making a 4-part presentation tonight. Included would be a reading from Gosa's Attorney Peter Cooper, a Synopsis of Verified Notice of Intervention by GOSA, a report from an engineer, and various comments from Board members. She noted that Attorney Cooper was not able to attend tonight's meeting but his letter would be read into the record.

Robert Schneider, 3 Main St., Noank, a GOSA Board member, read into the record the letter from Attorney Peter Cooper dated October 12, 2007. The letter refers to various sections in the zoning regulations, special permit objectives, a lack of harmony with the neighborhood, severe slopes, wetland issues, and the number of units being proposed. He spoke of environmental responsibilities, storm water impacts, statutory requirements, and deficiencies. He feels that this application fails to meet the special permit standards. There are also regulatory deficiencies. This application should be withdrawn or the Zoning Commission should deny the application.

Pratt presented a synopsis of issues raised by the Interveners. She added that the Notice of Intervention was submitted to the Town on October 9, 2007.

Lorraine Santangelo read the Synopsis of Verified Notice of Intervention by GOSA. GOSA's mission is to protect wetland areas and water courses. She spoke about wetlands concerns, vernal pools, sediment, water runoff, and explained why amphibians are critical to the maintenance of water quality. She also raised concerns about storm water treatment. She explained why she feels this application should be denied.

Steven Trinkaus of Trinkaus Engineering, LLC., gave his credentials and submitted a report for the record. He referred to Section 8.38 of the zoning regulations, explaining why this development does not meet harmony standards. He spoke of his concerns with wetlands, setbacks, grading limits, and cuts and fills. He expressed a need to consider a greater buffer of undisturbed land. Regarding cross sections, he felt it was important to revisit the 25 foot scale going horizontally and vertically. He does not believe there is sufficient evidence regarding the environment and feels that the proposed treatment system is flawed.

Jim Furlong, 57 Fishtown Lane, Mystic, Director of GOSA, referred to Attorney Cooper's letter dated October 12, 2007 and entered his documents into the record. He felt that Mystic Woods was too big for the proposed location. He referred to the active senior housing regulations, the special permit process, and traffic constraints. He spoke about the Town's 2002 Planning of Conservation and Development (POCD). He believes this development is not in harmony with the neighborhood and requested that the Zoning Commission deny this application.

Pratt concluded GOSA's comments by referring to the numerous concerns about the Fort Hill exit and traffic congestion.

Francis J. Williams, 149 Seneca Dr., Noank, inquired as to how many acres 204 units constitutes. Attorney Heller stated it constitutes 47 acres. He referred to the natural watershed and explained why he felt that traffic would be impacted on Route 1. Though he is in favor of developments for older people, he is against this proposed location.

Thomas Morris, 20 Affeldt Dr, has lived in this low density neighborhood for 46 years. He expressed his concerns with the traffic and the flow of cars on Fort Hill. He referred to an Inland Wetland's member giving his opinion about the project. He spoke about wetlands and vernal pools, and feels this project should be denied. He believes there are better locations elsewhere. He inquired about soil and nitrogen.

Lloyd Hutchins, 21 Stonecrest Rd, submitted his statement into the record. He spoke about traffic concerns on Flanders Rd and Route 1, and referred to a blind spot on Route 1. He pointed out the difficulties with enforcing a no left exit out of the development and questioned what would stop drivers from turning in to the exit-only road. He spoke about slope issues and believes that the development is too dense. He requested that the Zoning Commission reject this application.

Jim O'Donnell, 16 Brook St., Noank, spoke on behalf of Jim Zamzes of 248 Fort Hill Road. He spoke about traffic impacts and referred to vehicles speeding on Fort Hill Road. He noted that inclement weather can make Fort Hill a treacherous driving experience for motorists. He felt it was important to get traffic reports from the local Police Department. On a personal note, he referred to having spoken to the IWA about environmental issues and believes that high maintenance is required for the type

of treatment system that is being proposed. He believes that this development is not in harmony with the surrounding neighborhood.

Mike Jasenak, 81 Hemlock Rd, is a 22-year resident of this quiet neighborhood and is a direct abutter to this project. He has concerns with project density and the proposed location. He referred to the Town's GIS map and believes that this development is not in harmony with what he has enjoyed. He spoke about guest parking, construction blasting, noise pollution, air pollution, property values, sewers, and quality of life issues. Others concerns were raised about impacts to town services and emergency operations. He requested that the Zoning Commission deny this application. For the record, he submitted pictures of his property, noting that his neighborhood would be the most affected.

Patricia Olivier, 75 Hemlock Rd, an abutter, explained that she testified at the IWA meeting and stated that this development is too dense and is too close to neighbors. She spoke of the many traffic impacts, vernal pools, speed bumps, and the amount of buildings being proposed. She believes that these units are not compatible to the existing area and that buffer zones should be written in to each land deed. She spoke of possible drainable problems and noise impacts. She suggested that the applicant revisit the plan.

Ann Sullivan, 81 Flanders Rd., an abutter and intervener in the Inland Wetland application, spoke against this project. She has many traffic concerns about Route 1 and referred to emergency access, drainage issues, and accidents on Flanders Road. She referred to the Dark Sky Association and spoke of her concern about the sky; a precious natural resource. She requested that the Commission deny this application. Documentation was submitted.

The meeting recessed at 9:20 p.m. and reconvened at 9:27 p.m.

Attorney Heller called upon Dr. Roseen to answer questions from the audience relating to storm water impacts on the environment.

Dr. Roseen, referred to the Connecticut State Storm Water Quality Manual. He stated that the proposed storm water management systems are not experimental. He spoke of the benefits of these types of systems, explained why a 3-year study was a tremendous effort, and stated that these types of systems are a way of the future. After listening to peoples concerns, he believes that land conservation is the real issue in their minds. Relating to GOSA's comments, he stated that redundancy is built into this system. Roseen explained why lower velocity slopes are better. He stated that rooftop runoff is a great source control and gave the benefits of gravel wetlands. He spoke about infiltration and the importance of soil. He explained about the bio-retention system and wetlands.

In regards to a concern about rock effect, Heller stated that JGI Eastern was retained by the applicant, to make sure that these systems will work. The study has been done and JGI indicated that they did not encounter any depth to bedrock that would require blasting.

In regards to a speaker's question, George Logan of REMA Ecological Services, a registered soil scientist, stated that he found non-hard pan soils.

In light of the fact that there were a lot of issues raised tonight about traffic concerns, Heller stated that he would like to wait for the final traffic report. He referred to modifications that have been made concerning wetlands and storm water management. In answer to a question from a member of the audience, he stated that the total project is 104 acres and 48 acres will be disturbed, with the remainder being protected with conservation easements.

Staff explained that they would be evaluating the application updates before the November 7, 2007 public hearing continuation. Jurisdiction issues will be addressed at that meeting.

MOTION: To continue the public hearing, per written request from the applicant, until November 7, 2007.

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

A commission member requested a traffic report from the local Police Department.

III. ADJOURNMENT

Motion to adjourn at 9:52 p.m. by Hudecek, seconded by Haviland, so voted unanimously.

Richard Haviland, Secretary
Zoning Commission

Prepared by Robin M. Silsby, Office Assistant II