

MINUTES
GROTON ZONING COMMISSION
JANUARY 3, 2007 - 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Brandt, French, Haviland, Hudecek, and O'Neill
Staff: Murphy, Davis, Cullen, and Silsby

Chairman Hudecek opened the meeting at 7:04 p.m.

II. APPROVAL OF THE MINUTES OF November 1, 2006

MOTION: To approve the minutes of November 1, 2006.

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

III. PUBLIC COMMUNICATIONS

Murphy introduced staff members Matt Davis, Manager of Planning Services, and Robin Silsby, Office Assistant II.

Murphy stated that the July 2006 "Strategic Economic Development Plan" is being distributed to Zoning Commission members and others in the community.

He also referred to a package that was distributed tonight regarding planning issues. Member French had requested that these documents be distributed to all members.

John Sutherland of 32 Neptune Drive spoke on behalf of his wife Sue Sutherland, and submitted a written report to the members. He spoke about "active senior housing" and the tax implications that may exist when some of these units allow children to live there. He believes that this situation needs to be analyzed. He spoke about the Mystic Woods Development and what the requirements are at that location. He noted that some of the units in these developments require only that one person needs to be 55 years or older. He and his wife believe that children living in these adult communities will vastly lower revenues for the town. In the interests of the citizens of the Town, his wife is asking for a moratorium on any building falling under the jurisdiction of "active adult senior housing" zoning until the Planning and Zoning Commissions have addressed this matter. He requested a full build-out analysis of the town, showing the tax revenue from each zoning classification, including "active senior housing". He submitted a petition with 111 signatures. The petition and report are on file in the Planning Department.

O'Neill inquired about Mr. Sutherland's calculations and Sutherland explained. O'Neill noted that he has lived in two such places that included regulations with exceptions. Hudecek inquired about the cost per child calculation.

Jim Furlong of 57 Fishtown Lane, Director of the Groton Open Space Association (GOSA) agreed with the previous speaker and called for moratorium on “active senior housing”. He distributed copies of his statement to committee members. He referred to Mystic Woods. He referred to page 79 of the Groton Plan of Conservation and Development and spoke about permissible densities and protecting open space. He stated that GOSA is seeking technical advice in these areas and strongly recommends that the Zoning Commission impose a moratorium on new applications for active senior housing, including Mystic Woods. He added that if other town bodies need to be brought in then that shall also be pursued. A copy of Mr. Furlong’s statement is on file in the Planning Department.

IV. NEW BUSINESS

1. Certificate of Approval of Location for Consignment Autos, 345 Gold Star Highway (Eugene R. Young, Jr. and Dean Gardiner, Applicants)

Chairman Hudecek stated that applicants Young and Gardiner were not present. Discussion took place and a motion was made to table this application until next month’s meeting.

MOTION: To table this application until the February 7, 2007 regular meeting.

Motion made by Haviland, seconded by Brandt, so voted unanimously.

2. Workshop on Mixed Use Zoning Concepts (Attorneys Tim Bates and Robert Sitkowski, Robinson & Cole, LLP – request dated December 7, 2006)

Murphy stated that Attorney Bates represents various groups considering developing mixed use projects in town. Murphy noted that the Town is also looking at those same concepts, which would require revisions to the Zoning Regulations. Attorney Bates was present to open up a line of communication with the town about the future potential of mixed use. These types of zoning techniques will be pursued in the revision of the zoning regulations, a priority project for the Office of Planning and Development Services, the Planning Commission, and the Zoning Commission.

Attorney’s Tim Bates and Robert Sitkowski distributed copies of their presentation. Bates stated that he represents several clients looking at mixed use development possibilities in the Town of Groton. He stated that these development forms are different than what the Town’s current zoning regulations allow, but are gaining acceptance. He provided a general overview of smart growth mixed use development; the advantages and problems, etc. At some point in the future, he will come forward with an application to the committee for a regulation amendment. He stated that Attorney Sitkowski has much experience in this area of development and they will both be giving their perspectives regarding the pros and cons of mixed use development.

Attorney Bates stated that the two easiest things to permit are site plan approvals and subdivisions but that these may not result in the types of development forms preferred by citizens. He spoke about nodes and greenfield projects. He stated that if the committee wants to protect and enhance community character, they may look positively on the concept of mixed use. He discussed smart growth concepts and open space preservation, noting that larger tracks can be preserved, which means less of an environmental impact.

Attorney Sitkowski spoke of the basic elements of smart growth, noting that the context of smart growth in a large city is different than in a rural community. He spoke about creating a *sense* of place, a *desirable* place, compact design, mixed uses, and open space preservation.

Bates spoke about “infill projects”, adding that most nodes would be infill projects, which would create character and promote sustainability in targeted areas. Bates stated that “Greenfield” projects would create a new neighborhood, which he believes might require a different mixed use approach.

Sitkowski referred to the mixed use aspect when infilling, noting that the challenge is what sort of density is necessary to support the commercial area there.

Sitkowski stated that when you have infill projects, there will be new growth but there is also a potential for several issues to arise. The market will dictate how they come about. He added that the location is very important in regards to market dependence. He said that the project has to be viable; financially and physically.

Bates felt that what is critical is understanding the market study and the realistic buying of the property.

French and Bates discussed neighboring towns looking into mixed use development.

Bates stated that an impact analysis would be critical, in regards to what will help the town and what will increase town services.

Sitkowski showed images of residential, neighborhood center, and green space that would apply in various settings. He referred to regulations and the percentage of uses, which need to reflect the market. He spoke of a distribution of mixed use with horizontal or vertical orientations. He noted that different modes of transportation could be used in these specific areas.

Bates stated that this type of development is good at slowing traffic so people would feel comfortable walking around in those areas.

Discussion followed about the master plan, which would show where people would walk and bike, and where open space, buildings, streets, and other elements would be located. He noted that the rezoning would include the adoption of the master plan.

O’Neill likes the concept but stated that it would be a lot of work.

Brandt referred to the concerns over senior active housing and asked if this would be considered.

Bates stated that this is a type of residential dwelling, and it would depend upon how that use fits into a given context.

Bates stated that many variables would be involved when the commission was to consider mixed use applications; first the Master Plan and then the final site plan.

Murphy stated that the regulations have promoted mixed use but that we haven't seen significant redevelopment in those areas. This discussion is helping to refine the whole issue with the potential to develop particular projects. He showed the committee a presentation from the Strategic Plan showing the realignment for a new downtown area, which could create a form-based concept on the property. He spoke of a strategic floating zone, creating standards, and the importance of looking at nodal areas. He referred to the six primary recommendations in the Strategic Plan, more specifically about concepts # 26 and #27, mixed use concepts for development. He referred to having mixed usage where some areas are environmentally sensitive, which can allow flexibility, but would need justification. All the legal aspects would need to be reviewed.

Davis stated that for the past 50 years, practitioners have been using conventional zoning tools but that communities are now realizing that the need for better tools is evident. Davis stated that the purpose of this discussion was to start a dialogue and get the ball rolling and not to reach conclusions at this stage. He stated that different variables are involved. He noted that financial institutions and development interests are specialized and organized based on conventional practices, but that they are also evolving.

Murphy spoke about the residential and commercial areas being included in mixed use nodes and the Master Plan for any project.

Brandt stated that it sounds like the market is ahead of policy, and asked how the commission will deal with a mixed use application if received by the Planning Department now. Murphy noted the existence of mixed use zoning districts already in effect such as the Downtown Design District, Nautilus Memorial Design District, and Waterfront Design District.

Murphy stated that the committee will not move forward until this has been evaluated. He noted that legal aspects would need to be reviewed.

Hudecek asked what the advantages to the town would be if nodes were used. Bates said it would enhance the node and spoke about different zones.

Bates stated that the town would have the same legislative power for mixed use zone district applications as for any map or regulation amendment application.

The members were advised that staff would continue to work with Attorney's Bates and Sitkowski to develop draft language for the Commission's review.

V. REPORT OF CHAIRMAN

Hudecek asked if there were any new applications. Murphy stated there are none.

Hudecek asked if the regulations should be amended in regards to a moratorium on senior housing.

Haviland said that someone can come back with a proposal to amend the regulations. He noted that this matter would need to be sent to the Town Attorney for review.

Discussion followed about whether to discuss the concept of a moratorium on senior housing now or to add it to a future agenda.

Hudecek moved to add it to tonight's agenda for the purpose of discussion, seconded by O'Neill. Haviland and O'Neill were opposed. Haviland stated that public notice to discuss this has not been given and in all fairness, the community should know that this subject is going to be discussed because this is a fairly major issue.

Brandt agreed and asked for another Motion to Table this discussion until a formal presentation could be made.

Hudecek revised his motion to add this matter to next month's agenda, under Section 5.

MOTION: To Table the discussion of a moratorium on Senior Adult Housing until the February 7, 2007 next meeting.

Staff will review the GOSA request and prepare materials for the Commission in advance of the February 7, 2007 meeting.

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

Hudecek inquired about revising zoning regulations and questioned the need to hire a consultant. He felt that the committee and Planning staff would be the best people to amend the regulations.

Murphy stated that the Town of Groton has appropriated money to revise zoning and other land use regulations. He noted that though his office is qualified, it would be best to get the assistance of a consultant because of the present work load and complexity of the work necessary to accomplish the anticipated scope of work necessary, including some field work.

Hudecek stated that this would be a long arduous process, referring to his experience with the Economic Development Strategic Plan Committee. He also referred to the Town's Plan of Conservation and Development.

Discussion followed about the length of time it would take to finalize regulation revisions. Staff's goal was to complete the revisions in 2007. He noted that this type of project takes a commitment from staff and the commission.

VI. REPORT OF STAFF

The July 2006 "Strategic Economic Development Plan" was distributed to all members.

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Murphy stated that he recently hired four individuals; Manager Davis and two Building Inspectors, one of which is an inspector for the school project. He referred to hiring a Code Enforcement Officer, Lee Treadway, which now allows the Town to get more involved in zoning enforcement as well as rental housing enforcement. Treadway, a former Zoning Officer in Ledyard, comes to Groton with many years of experience. A code enforcement report will be completed monthly, which can be used by numerous town commissions.

Cullen stated that on March 22, 2007, the Connecticut Federation of Planning and Zoning Agencies will be holding an award reception dinner at the Aqua Turf in Southington, CT. All Commission members are invited and asked to RSVP to Planning staff by mid February.

VII. ADJOURNMENT

Motion to adjourn at 9:13 p.m. made by Hudecek, seconded by Haviland, and so voted unanimously.

Respectfully submitted,

Richard Haviland