

PLANNING COMMISSION
DECEMBER 13, 2005 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Sherrard, Pritchard, Roper, Steinfeld, Munn
Alternate members present: Kane
Staff present: Glemboski, Goodrich, Murphy, Stanowicz

Chairman Sherrard opened with roll call at 7:05 p.m. Chairman Sherrard announced the death of former Commissioner Bill Carlebach.

II. PUBLIC HEARINGS

1. Obrey Resubdivision, Route 184 (7 lots) - continued

Chairman Sherrard opened the public hearing at 7:49 p.m.

Chairman Sherrard read an opening statement describing the public hearing procedures and guidelines.

Secretary Steinfeld read the revised legal ad.

Scott Deledda, DiCesare Bentley Engineers, represented the applicants, NL-D and K, LLC and Nancy Lozier. Mr. Deledda presented the Commission with reduced scaled copies of the overall development plan. He reviewed the history of the subdivision. The original approved subdivision was 5 lots on 7.24 acres. Two lots have been developed. Additional land was purchased and added to the original subdivision. This proposal is for the reconfiguration and resubdivision of 3 lots from the original subdivision and the additional acreage to create four new lots for a total of 7 lots. Some features of the new application include a 100 ft. development free area applied to the subdivision to buffer the residential development from Whittle's gravel pit. The buffer runs along the southerly and easterly property lines. The new lots include on-site septic, underground utilities, onsite wells and new driveways, including 2 shared driveways. A new 450 linear ft. roadway, 20 ft. in width, with 4 ft. sidewalks is also proposed. A 6 ft. wide bike path along Gold Star Highway which was part of the original subdivision will be constructed as part of this resubdivision.

The applicant is requesting a waiver of the concrete sidewalk on the easterly side of the new road as there is no development on that side. Mr. Deledda reviewed the slope in this area and stated a guardrail would be required. If the sidewalk is waived in this area, no galvanized chain link fence would be required.

No open space is proposed, but the development free area, if along the entire south and east boundary, includes 3.5 acres, or 28% of the site. Lot sizes range from 1 to 3 acres. Mr. Deledda reviewed the drainage system which includes a stormceptor to control stormwater velocity and quality. The plans have an Inland Wetlands permit. There is an intermittent water course on the site. The plan has also been approved by CT Department of Transportation (CTDOT) except for some minor technical issues.

Staff stated that they have been working with the applicant and engineer to deal with the wetlands and conservation easement areas. All development is at least 50 ft. away from wetlands. There will be little disturbance to the intermittent watercourse.

Staff also noted that the project abuts the Whittle's gravel mining to the south. There is a very steep dropoff from the subdivision property to the gravel operation. The applicant has placed a 100 ft. development free area along the property line to buffer the houses from the mining operation. Staff is requesting a conservation easement be placed over this development free area. Staff reviewed the issue of the potential for any future road access to the interior land from this subdivision. The Whittle's land and gravel operation has access in three directions. No additional road extension is recommended. Staff supports the sidewalk waiver due to low auto and pedestrian traffic. Ledge Light Health District has approved the wells on the site. The Fire Marshal has approved the access to this site. Staff reviewed the storage of explosives on the Whittle property. This will be reviewed by the local and state Fire Marshals at the time building permits are issued and this storage area may have to be reduced or relocated to meet all state and local regulations.

Staff will also be asking for the erosion control plan to show an onsite staging area. The 6 ft. wide bike path was originally submitted with the Obrey Subdivision and is bonded for. Staff reviewed the timing for completing the public improvements and bike path.

Pritchard questioned what portions of the original subdivision are completed and which are modified. He asked that a note be added to the plans to explain the interface between the original subdivision and this resubdivision.

Roper commented that he would like to have the bike path completed before the last 4 lots are developed.

Steinfeld questioned where the sidewalk on the east side of the cul-de-sac should end. Discussion ensued as to whether the sidewalk should end at the guardrail, stone wall or driveway of Lot 9.

Steinfeld was in agreement with staff's recommendation that a note is put on the plans that prospective purchasers be advised of the operation of the gravel pit and the potential for dust and noise.

Sherrard questioned the sight lines on Gold Star Highway. Staff stated they were good. Sherrard asked if the stone walls would be saved. Staff stated that the plans state they will be saved to the extent possible.

Staff noted that all necessary approvals have been received from all agencies.

Chairman Sherrard asked for comments in favor or opposed. David Kagan, owner and applicant, spoke in favor of the resubdivision.

MOTION: To close the Obrey Resubdivision public hearing.

Motion made by Roper, seconded by Munn, so voted unanimously.

III. APPROVAL OF THE MINUTES OF November 17, 2005

MOTION: To approve the minutes of November 17, 2005 with the following modifications:

1. Page 4, 3rd from last paragraph, last line, change “frontage” to “setback” to 35 feet.
2. Page 2, next to last paragraph, add special permit from Zoning Commission
3. Page 2, last sentence, should be changed to “traffic from this expansion would not affect the level of service”.
4. Page 3, 5th paragraph, revised to read “sidewalk from Sandy Hollow Road to Allyn Street”.

Motion made by Pritchard, seconded by Roper, so voted unanimously.

IV. PUBLIC COMMUNICATIONS

Roper handed out the new storm water management brochure prepared by the Town.

Sherrard informed the Commission that the Stonington Planning and Zoning Commission was hosting a meeting on Housing Affordability on Thursday, December 15, 2005, at 7 p.m.

Staff passed around the newest SCCOG newsletter.

Staff passed out the quarterly newsletter from the CT Federation of Planning and Zoning Agencies.

V. SUBDIVISIONS

1. Obrey Resubdivision, Route 184 (7 lots)

Chairman Sherrard opened discussion on where the sidewalk should end. Pritchard, Steinfeld and Munn preferred the sidewalk to end at the driveway of Lot 9, Roper would like the sidewalk to extend to the guardrail, the narrowest part of the cul-de-sac.

MOTION: To approve a waiver of Section 4.7(1) and to not require a sidewalk on the easterly side of Brey Lane cul-de-sac, northerly from the driveway of Lot 9, for the following reasons.

1. The cul-de-sac would be subject to a low volume of vehicular and pedestrian traffic.
2. The granting of the waiver would not be detrimental to public safety, health, or welfare or have significant adverse effect on adjacent property.
3. The waiver will not conflict with the provisions of the Zoning Regulations, or the Plan of Conservation and Development.

Motion made by Sherrard, seconded by Pritchard. Motion carried 4 votes in favor, 1 against (Roper).

MOTION: To approve a resubdivision plan for Obrey Resubdivision, Route 184 (7 lots) with the following modifications:

1. The Erosion Control Plan shall be modified to show an onsite staging area for parking and storage of materials/equipment.
2. A conservation easement shall be placed over the 100 ft. wide non-developable area with boundary markers posted every 50 ft.
3. The developer shall notify the Fire Marshal when the 1st building permit is obtained for any of the lots.
4. All technical staff technical items shall be addressed.

The Planning Commission notes that the Commission has not required any dedication of public open space on this property in accordance with Section 4.9 of the Subdivision Regulations (prior to Amendment effective 11/1/05) due to the fact that there is no directly adjoining open space on the surrounding parcels, the area is not identified in the 2002 Plan of Conservation and Development as an area of future open space. In addition, the conservation easement placed over the "development free area" will encompass over 10% of the area of the subdivision.

The Planning Commission notes that the 6-foot bituminous path on the Route 184 frontage shall be completed prior to the issuance of the last four building permits for this resubdivision.

The Planning Commission notes that the extension of the new street and/or easements to the southerly boundary line has not been required in accordance with Sections 4.2 and 4.3 of the Subdivision Regulations due to the location of an existing intermittent water course, the change in topography between the two sites, and the ability to access the large property to the south from three existing streets.

Motion made by Sherrard, seconded by Pritchard, so voted unanimously.

2. Hickey Subdivision, Briar Hill Road (5 lots) – request for extension of statutory time for recording plans.

MOTION: To approve a 90 day extension for recording of the Hickey Subdivision, Briar Hill Road.

Motion made by Roper, seconded by Steinfeld, so voted unanimously.

3. O & C Subdivision, 120 Godfrey Road (4 lots) – request for extension of statutory time for recording plans.

MOTION: To approve a 90 day extension for recording of the O & C Subdivision, 120 Godfrey Road.

Motion made by Roper, seconded by Steinfeld, so voted unanimously.

4. Mystic Ice House Subdivision, New London Road – request for bond reduction.

Staff stated the applicant has requested to reduce the bond to 10%. There are still some sidewalk and road repairs needed. Steinfeld asked if the Route 1 work was completed. Staff responded that it is, and has been inspected by Public Works.

MOTION: To approve a bond reduction to 10%, or \$29,600 for the Mystic Ice House Subdivision.

Motion made by Pritchard, seconded by Steinfeld, so voted unanimously.

Roper stated he is pleased with the sidewalk construction at this site.

5. Deerfield at Mystic, Pumpkin Hill Road – request for bond release, Phase VIII.

MOTION: To release a \$53,500 bond for Deerfield at Mystic, Pumpkin Hill Road, Phase VIII.

Motion made by Roper, seconded by Pritchard, so voted unanimously.

VI. SITE PLANS

1. Precious Memories Modification – 195 Sandy Hollow Road – continued

MOTION: To table discussion of the Precious Memories Modification until after the public hearing.

Motion made by Roper, seconded by Pritchard, so voted unanimously.

Precious Memories Modification discussion resumed after the public hearing.

Ed Wenke, Engineer, presented for the applicants. He stated that the outstanding issue was the possible construction of a sidewalk. The Commission reviewed the sidewalk regulations. General discussion followed regarding the construction of sidewalks on Allyn Street.

The combined frontage for the Precious Memories site is 642 ft. There is 340 ft. of frontage on the east side of Allyn Street and 302 ft. of frontage on Sandy Hollow Road. The decision to allow a sidewalk on Sandy Hollow Road rests with the Town Council because it is a scenic road. There are no sidewalks on the east side of Allyn Street. Continuing the sidewalk network on the west side of Allyn Street is a priority for the Town.

Sherrard suggested the applicant consider constructing 340 ft. of frontage sidewalks on the west side of Allyn Street. This would continue the existing sidewalk network that now ends at Stony Hill Drive. Ed Wenke stated the applicants are willing to install the equivalent length of Allyn Street frontage sidewalks on the west side of Allyn Street. The Commission discussed the conditions of the sidewalk agreement that is in place for this property.

MOTION: To approve the site plan modification for Precious Memories Preschool, 195 Sandy Hollow Road, with the following modifications:

1. The two trees that are to be removed from the existing play area for the expansion shall be replaced with two deciduous trees within the vicinity of the expansion.
2. As agreed to by the applicant, 340 linear feet of 5-foot wide concrete sidewalk shall be installed along the western side of Allyn Street extending from Stony Hill Drive northward in lieu of frontage sidewalks along the east side of Allyn Street.
3. Technical Items raised by staff shall be addressed.

The Commission finds that the provision of this sidewalk fulfills the sidewalk agreement between the applicants and the Commission dated January 24, 1999 and recorded in Town of Groton Land Records.

Motion made by Sherrard, seconded by Steinford, so voted unanimously.

2. Fox Residence, 2 Essex Street (CAM) – continued

MOTION: To table Fox Residence, 2 Essex Street, to January 10, 2006.

Motion made by Pritchard, seconded by Steinford, so voted unanimously.

3. Groton Plaza Shopping Center, (Goodwill Drive-Up), 670 Long Hill Road

The application has been withdrawn.

VII. OLD BUSINESS

1. The Commission and staff reviewed the State Office of Policy and Management's approval of the interim change to the Locational Guide Map for Colonel Ledyard Highway from "Rural" to "Growth". The Town's POCD includes the site in an area for possible future service. Staff recommended the State plan be changed to the "Neighborhood Conservation Area" designation and recommended against the "Growth" designation at the State's public hearing. Staff stated that the change by the state will allow sewers to this area, but also will allow an east to west road connection as part of future development.

VIII. NEW BUSINESS

1. Report of Commission

Roper stated that he is concerned that Stonington is not proceeding with the \$50,000 multi-modal transportation study. The Mystic Cooperative Task Force Committee Chairman endorsed sending a letter to Stonington to ask how to move the study forward.

2. ZBA Referrals

ZBA #05-31 – Apple Tree Lane (Andrew, Applicant). Staff explained the referral. The Commission had no comment.

ZBA #05-32 – 24 Overlook Ave. (Russell, Applicant). Staff explained the referral. The Commission had no comment.

3. Zoning Commission Referral

Zoning Regulation Amendments to Sections: 5.1-3 Table of Permitted Uses, to allow elementary and secondary schools, college or university as a conditional use in the IA District and 7.1-8 Elementary and Secondary School, College and University to provide for additional conditions for said institutions in the IA-40- zone district (Jeter, Cook & Jepsen Architects, Applicant)

Staff reviewed the proposed regulation amendments to Sections 5.1-3 and 7.1-8 to allow schools in the IA-40 zone. It is the only industrial zone that does not allow schools. The regulation amendment also will allow an increase in building height from 40 ft. to 60 ft. Staff reviewed the need for additional height in possible flood areas. The application has been referred to the airport for review for the height increase. The Commission had no comment.

4. 2006 Planning Commission Meeting Schedule

It was the consensus of the Commission to adopt the proposed 2006 Planning Commission meeting schedule.

5. New Applications

a. Subdivision Regulation Amendment
Digital Data

A public hearing was scheduled for Subdivision Regulation Amendment – Digital Data for January 24, 2006.

IX. REPORT OF STAFF

1. Staff reported that the new land use fee proposal is going to the Town Council when it is drafted.

2. The Conservation Commission has completed its work with the update to the POCD.

3. The start of the Mystic Streetscape project has been pushed to the fall of 2006.

4. The Planning Department participated in Student Mentoring Day. The Students were taught about planning, building and economic development.

5. The draft Economic Development Strategic Plan has been received. The meeting to review the draft has been scheduled for January 19, 2006.

6. The SCCOG has agreed to do an access management study for Route 12.

7. An application was submitted to the Historic District Commission for the Allyn-Bohlander building with a public hearing scheduled for December 20, 2005.

8. The CT Massage Therapy Center received an Economic Development award from CEDAS.

X. ADJOURNMENT

Motion to adjourn at 9:53 p.m. made by Roper, seconded by Steinford, so voted unanimously.

Respectfully submitted,

Margil Steinford