

PLANNING COMMISSION
FEBRUARY 8, 2005 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Munn, Roper, Sherrard, Steinfeld, and Kane (7:12 p.m.)

Staff: Discordia, Goodrich, Glemboski

Chairman Sherrard opened with roll call at 7:03 p.m.

Chairman Sherrard appointed Munn to sit for Pritchard.

Chairman Sherrard appointed Kane to sit for Gibson.

Chairman Sherrard informed the audience that there was a new time to start the public hearings at 7:45 p.m.

Chairman Sherrard opened the public hearings at 7:45 p.m.

II. PUBLIC HEARINGS

1. Lamphere Estates Resubdivision, Lamphere Road (6 lots) - continuation

Staff explained some of the issues from the previous public hearing. Staff reviewed the issue of sidewalk needs in this area relevant to the new school location. Staff demonstrated on a plan to the Commission the potential pedestrian circulation north and south of the cul-de-sac. There is a sewer easement to the north, but no pedestrian easement at this time. The Town may be able to obtain a pedestrian easement at a future time through the sewer easement. The applicant is requesting a waiver for sidewalks around the new cul-de-sac with the proposed subdivision.

Staff spoke with the Town Engineer regarding the status of Newport Street. The Town Engineer stated the Town did not need Newport Street, but would need a sewer easement and the potential for pedestrian access. Staff stated that there are sewer, electrical and water easements that will remain.

Staff would be asking that plot/grading plans be reviewed prior to pulling building permits for the 2 southern lots.

Roper asked if pedestrian access could be developed along the Newport Street easement. Staff reported that it is just an easement at this time as the applicant would need a wetland review. There will be bollards at the beginning of the trail but no sidewalk at this time. Mr. Bennett stated that they would lay down millings to make a hard surface on the emergency access road which would also indicate the beginning of the trail.

Steinfeld asked staff if Newport Street would be eliminated and does it have to go through any committee to do so. Staff replied that it would be eliminated with this resubdivision plan and since it never was an accepted Town road, it did not need to go before a committee.

Kane asked the design of the bollards. Mr. Bennett stated they would provide either bollards or gates depending on what the Fire Marshal and Public Works would require.

Roper noted that he would like to see a pedestrian connection to Farquhar Field.

Chairman Sherrard asked if there were any comments from the public and there were none.

MOTION: To close the public hearing for Lamphere Estates Resubdivision, Lamphere Road (6 lots).

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

2. Great Brook Subdivision, Gales Ferry and Daboll Road (54 lots)

Steinford read the legal ad for the public hearing.

Attorney Timothy Bates, representing the client, stated that they would like to request a continuance as they are working with the archaeologist and intervenor.

Staff handed out a copy of the intervention to Commission.

MOTION: To continue the public hearing until the next regularly scheduled meeting on February 22, 2005.

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

3. Holdridge Resubdivision, Irving Street (3 lots).

Steinford read the legal ad for the public hearing.

Peter Gardner, of Dieter Gardner in Gales Ferry presented for the applicant. This proposal is for a three-lot subdivision, 2 new lots and one lot will remain with the existing house. The existing accessory structures including barn, basketball court and pool will be removed and the lot divided three ways. Mr. Gardner stated the applicant will extend the sidewalk around the cul-de-sac to the proposed driveway and install a sidewalk along part of the frontage on Irving Street in the R.O.W. area created when the road was built.

The applicant is requesting a waiver to allow for overhead utilities to remain to the existing house.

Mr. Gardner stated the existing home on lot 1 will be hooked up to the water lines running in Irving Street and the well will be closed per Ledge Light Health District regulations. The existing home is already hooked up to public sewer.

Staff commented that a boundary adjustment on 141 Irving Street will be required prior to the subdivision to add approximately 3,000 square feet to the Holdridge parcel at 155 Irving Street to support the resubdivision. The Commission reviewed the boundary adjustment map submitted by the applicant. Staff handed out an aerial photo to Commission showing structures on site.

Staff stated that there is no open space proposed in conjunction with this proposed subdivision as it is a small subdivision. Staff recommended that the Commission require the removal of all buildings before the sale of the lots.

Kane asked to review the proposed sidewalks in the area. Staff showed a map of existing sidewalks and pointed out the location of the proposed new sidewalk construction.

Steinford asked why the applicant is keeping the overhead lines to the existing two story house. Discussion ensued over the location of cable, electric, water and sewer lines.

Chairman Sherrard asked if there were any issues with the CAM application. Staff replied there weren't any. Chairman Sherrard asked if underground utilities would be going to lot B even though it's not part of this proposed subdivision. Mr. Gardner stated it will be and it's shown on sheet 2 of the plans.

MOTION: To close the public hearing for Holdridge Resubdivision, Irving Street (3 lots).

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

III. APPROVAL OF MINUTES of January 25, 2005

MOTION: To approve the minutes of the January 25, 2005 meeting.

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

MOTION: To approve the minutes of the January 25, 2005, Planning Commission meeting with the following modifications:

1. Page 1, under ROLL CALL, replace "as a regular member" with "to sit for Steinford".
2. Page 2, in the 2nd full paragraph, replace "buffer" with "separation between water and sewer".
3. Page 2, 3rd paragraph, insert "clearance" after "14' high".
4. Page 3, 3rd paragraph, replace "western" with "northern".
5. Page 3, 3rd paragraph, replace "eastern" with "southern".
6. Page 8, under NEW BUSINESS, 1., replace "8 p.m." with "8 a.m." and "9:30 p.m." with "9:30 a.m.".
7. Page 8, under NEW BUSINESS, 1., insert "Shuttle Committee" between "Group" and "will".
8. Page 8, under NEW BUSINESS, 1., change "8 a.m. on Monday" to "9 a.m. on Friday".
9. Page 8, change "Margil Steinford" to "Jeff Pritchard".

IV. PUBLIC COMMUNICATIONS

Staff informed the Commission of the annual meeting of the Connecticut Federation of Planning & Zoning Agencies scheduled for March 24, 2005 in Southington, Connecticut. Staff requested that any Commissioners interested in attending should contact the OPDS office.

Chairman Sherrard asked the public for any communications and there were none.

V. SUBDIVISIONS

1. Lamphere Estates Resubdivision, Lamphere Road (6 lots).

Staff reviewed the options outlined in the draft motion.

MOTION: To approve a waiver of Section 4.7(1)a) of the Subdivision Regulations to not require a sidewalk on the newly constructed portion of Lamphere Road for the following reasons:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare or have a significant adverse effect on adjacent property.
2. The waiver will not conflict with the Zoning Regulations or the Plan of Conservation and Development and is consistent with the Groton Bicycle, Pedestrian, and Trails Preliminary Master Plan.

Motion made by Roper, seconded by Munn, passed 4 in favor, one abstention, Steinfeld.

MOTION: To approve the Lamphere Estates Resubdivision, Lamphere Road, with the following modifications:

1. The proposed pedestrian easement across Lot 5 to the Open Space shall be eliminated.
2. Newport Street, as an existing unimproved paper street approved as part of Fieldcrest Estates Section V, shall be eliminated as part of this resubdivision. This resubdivision shall maintain all existing public utility rights, title, and interest thereto across the 50' width of the former Newport Street. Documentation to this effect shall be approved by the Town Attorney and recorded with the resubdivision plan, if necessary.
3. Nothing in this resubdivision shall relinquish any existing legal rights, title, and interest of access and utilities of N/F Marcia L Beebe & Thomas A. Beebe, N/F Carole A. Brescia, and N/F Frederick R. Block & Carole A. Block across the 50' width of the former Newport Street.
4. Relinquishment of rights, title, and interest of property formerly identified as Newport Street, owned by N/F Gold Investments shall be in accordance with this plan. Appropriate legal documents shall be approved by the Town Attorney and recorded with this resubdivision plan.
5. A 25' wide pedestrian easement shall be shown on the plan for the western half of the former Newport Street in which the applicant has interest and shall be deeded to the Town at the time of recording of the resubdivision plan.
6. A note shall be placed on the plans stating "Individual plot/grading/drainage plans for development of and access to Lots 5 and 6 shall be reviewed by staff prior to the issuance of a building permit."
7. A note shall be placed on the plans stating "Any portion of a driveway over 10% slope shall be paved."
8. Signs and markers for open spaces and trails shall be placed to the satisfaction of the Planning Department.
9. Technical items raised by staff shall be addressed.

Open Space

The Planning Commission notes that this resubdivision reconfigures the 10 acres of natural park land that was shown on the Fieldcrest Section V Subdivision plan and maintains access to the natural park/open space land from the Lamphere Road Right-of-Way.

Motion made by Roper, seconded by Kane, passed 4 in favor, one abstention, Steinfeld.

2. Holdridge Resubdivision, Irving Street (3 lots).

MOTION: To grant a waiver of section 4.8 (1) of the subdivision regulations to allow overhead utilities from existing pole (SNET 939) to existing home on Lot 1 for the following reasons:

1. The request meets the requirements of section 1.10 of the Subdivision Regulations.
2. The waiver will not have an adverse effect on any other adjacent property.

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

MOTION: To approve the Holdridge Resubdivision, 155 and a portion of 141 Irving Street with the following modifications:

1. Boundary Line adjustment, as shown on boundary adjustment plan, will be recorded prior to recording the re-subdivision plan.
2. Show existing sewer connection to existing lot 1 on the plans to the satisfaction of the Town Engineer.
3. Show the proposed water connection location for existing lot 1 on the plans and appropriate details for water connection to the satisfaction of the Town Engineer.
4. Prior to conveyance of lots 1, 2 and/or 3 to individual and separate owners the existing out buildings, including pool, barn and basketball court will be removed.
5. Technical items as raised by staff shall be addressed.

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

MOTION: To approve the Coastal Area Management application for Holdridge Resubdivision, 155 and a portion of 141 Irving Street, because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts and causes no unacceptable adverse impacts.

Motion made by Chairman Sherrard, seconded by Roper, so voted unanimously.

3. Great Brook Subdivision, Gales Ferry and Daboll Road (54 lots)

The public hearing for Great Brook Subdivision, will be continued at the next regularly scheduled meeting, February 22, 2005 at 7:45 p.m.

4. Oat Subdivision, Elm Street South (3 lots) – Request for Bond Reduction

MOTION: To reduce the bond for the Oat Subdivision, Elm Street South to the 10% maintenance bond of \$1,895.

Motion made by Chairman Sherrard, seconded by Munn, so voted unanimously.

VI. SITE PLANS

1. Mystic Industrial Park, Lot 5, Poheganut Drive – Request for one year start of construction extension.

MOTION: To approve a one-year start of construction extension for Mystic Industrial Park, Lot 5, Poheganut Drive.

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

VII. OLD BUSINESS

1. Discussion of public hearing procedures and guidelines.

Chairman Sherrard stated this is being reviewed by the Town Attorney.

2. Subdivision Regulation Amendment to Section 4.9 – Schedule a Public Hearing

The Planning Commission scheduled a public hearing on the proposed amendment for April 26th.

VIII. NEW BUSINESS

1. Report of Commission

Roper stated that the Mystic Cooperative Task Force Shuttle Committee will be meeting sometime in February. SEAT may run a leg in Groton and Stonington and provide funding.

Chairman Sherrard discussed dates and locations for a special meeting to review the draft Capital Improvement Program.

MOTION: To schedule a Special meeting for the CIP review process on Monday the 28th of February at 7 p.m., with location to be determined. If no room is available, the Commission will discuss a new meeting date at the next regularly scheduled PC meeting on the 22nd.

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

2. ZBA Referral for February 9, 2005 Public Hearing

#05-01 – 178 Pequot Avenue, Michael J. Alonge, owner/applicant, for a variance to Section 5.2 to allow an 11-foot high fence 1.5' from a side property line in lieu of 20', for a maximum length of 48'.

The Commission had no comment.

3. New Applications:
 - a. Leonard Drive Industrial Subdivision, Tower Avenue (14 lots)

IX. REPORT OF CHAIRMAN

Chairman Sherrard cannot attend the Committee of Chairpersons meeting on February 24th. This meeting might not take place but he will ask if another Commission member can attend in his place at the February 22, 2005 Planning Commission meeting.

X. REPORT OF STAFF

Staff reviewed the status of the Ledyard Zoning Regulation Amendment for Age Restricted Housing and Golf Course Development with the Commission. The application was denied without prejudice. The Town of Ledyard staff will work with the applicant to work on a more reasonable amendment.

Staff stated that the proposed upcoming meeting with the Conservation Committee on the Open Space theme of the POCD would not be held until March.

XI. ADJOURNMENT

Motion to adjourn at 9:02 p.m. made by Steinfeld, seconded by Munn, so voted unanimously.

Respectfully submitted,

Margil Steinfeld