

PLANNING COMMISSION  
APRIL 13, 2004 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Pritchard, Roper, Steinfeld, and Alternates Munn, Kane and Sullo  
Staff: Murphy, *Glemboski*, Moulding

Acting Chairman Steinfeld appointed Munn to sit for Sherrard and Kane to sit for Gibson.

II. PUBLIC HEARINGS

1. Mystic Weigh Subdivision, Flanders Road (76 lots) - continued

Acting Chairman Steinfeld re-opened the public hearing at 7:03 p.m. Staff read a letter from William Wall who is concerned with the location of his northern property boundary on the applicant's plan. He believes they are trespassing on his property. Staff read an email from Nick Bellantoni to Dan Delaney regarding the archaeological and historical significance of this site. A field review conducted by the state archaeologist indicated that the area contains a series of stone walls and a large stone cellar ruin, probably associated with a barn complex. He stated that these resources should be either mitigated or preserved in place and gave recommendations on how this could be handled. Staff read into the record comments from the fire marshal that stated the subdivision would require extension of municipal fire alarm system from Bel-Aire Subdivision. Staff stated that two street names will be changed. Anchor road will be Mariners Lane and Knotts landing will be Knotts Landing Circle. Staff spoke with Claire Reeves from the Board of Education Transportation Department who stated that during construction all buses will stop on Flanders Road and after completion only the kindergarten bus will enter the development. Staff read a letter from Mr. and Mrs. O'Connell, 31 Ridgewood Drive who are concerned about the road connection to the new development. Captain Kelly Fogg of the Police Department reviewed the traffic information and stated that traffic from the proposed development is not significant and will not have a significant impact. Staff stated that some potential adjustments might be able to be made in the Bel-Aire Subdivision by the traffic authority in the future if there is an unsafe situation. Potential streets must be in harmony with the Plan of development. The commission can and normally does require that developments with an excess of 25 lots, be accessible by two full service connections. The arrangement of streets shall provide for efficient traffic. Staff read the policies for subdivisions in the Subdivision regulations.

Dan Delaney, Fuss & O'Neill reviewed the changes that have been made on the plan as a result of Town comments. These include the Regatta Circle note being changed, the intersection having a 250' line of site, updating the grading for the sidewalk area and changing the location of a handicap ramp to a better area. Drainage will be shown on the plan near the Knotts Landing Circle and concrete curbing and additional street lights are now shown on the plan.

Staff had asked for survey information from Mr. Wall but this has not been received. The surveyor would have to address the boundary issue with Mr. Wall as a private law matter. Staff met with Bill Beaman from Parks & Recreation who came up with a proposal for the park which would add a playscape, benches, and possibly bike racks and two parking spaces. The equipment would be placed in an area that would take up as little space as possible and preserve the field. The equipment would go in when half of the lots are developed or at the end of phase one. Staff noted that the Commission

would appreciate input from the public regarding retaining an open field at the park, the benefits of parking spaces there, and sidewalks.

Attorney William McCoy stated that the A-2 survey indicates the correct boundary locations. He has performed a search of the deeds to verify the accuracy. The 10-ft discrepancy is on the southern boundary line and there is an error in Mr. Wall's deed. The deed states that fences and stone walls are to be maintained which would not be necessary if it was not the boundary line. Groton public utilities are in agreement with the water line being extended at the developer's expense. The requests for waiver of sidewalks are two distinct waivers. The first waiver would be for sidewalks on *Noank Ledyard Road* and the second waiver for sidewalks on one side of the interior roads. Attorney McCoy stated that there may be a wetland at risk if sidewalks are required on *Noank Ledyard Road*. Staff described the sewer connection with the Delaporta property.

Dan Delaney stated that the survey of the property was done independently. Dan Delaney will do a field location with the State archaeologist and will be photographing any walls that are to be taken down.

Acting Chairman Steinfeld asked for comments in favor or opposed.

Gretchen Newsome, 56 Hilltop Road has concerns regarding narrow roads in the Bel-Aire subdivision and how they would handle the extra traffic.

Maureen Ryan, 37 Ridgewood Drive spoke with Captain Fogg who stated that the Planning Commission makes the decision as to the number of exits or access points in the subdivision.

Wendy MacFarland, 48 Bel-Aire Drive commented that the public hearing ads are too small and vague. She read comments from Fire Marshal, Fritz Hilbert regarding the number of full service roads. She compared this proposed development to the Stanton Farms development. She would like her neighborhood to stay the way it is.

Staff stated that Stanton Farms had a suitable loop road which was a different type of access than this proposed subdivision. Staff stated that this has more homes than Stanton Farms but the Commission can have only one full service road if it feels that it is the right thing to do. Staff stated that Mr. Hilbert addressed the fact that if the Commission went the route of emergency access it is possible for it to work but he also approved the plans presented with the road connection.

George Collier, 235 Ridgewood Drive is concerned with the character of his neighborhood changing if Oakwood is made a full service road.

Andrew Siminare, 876 Noank Ledyard Road feels traffic safety is a real concern. He cannot back out of his driveway at the present time because of the traffic flow. He asked the Commission to look into the number of traffic accidents.

Barbara Montgomery, 37 Oakwood Road voiced concerns regarding traffic.

Karen Mason, 94 Hilltop Road feels Flanders road is wider than Route 1 because of the breakdown lane and feels that emergency access would be a wise decision.

Bill Mencer, 69 Bel-Aire Drive feels this development is a good use of the land. He feels that the connection would be an intensification of use and it should be for emergency use only. He also lives near the park and does not feel there should be a parking lot there.

Carl Clausen, 180 Ridgewood Drive asked how the new students in the school system are reviewed. He asked questions regarding sewer and water and the Flanders Road entrance.

Staff stated that the Public Works Department acting for the Water Pollution Control Authority indicates that there is sufficient capacity in the sewer system to handle the 76 homes. Groton Utilities has no concerns regarding the water system. Staff stated that in Connecticut the Planning Commission cannot use the fact that a student may be produced from this development in their deliberations. Staff and the Town agencies that this is referred to look at all the possible affects. Staff stated that there is a plan underway to look at Economic Planning for the future through the Economic Development Commission, the staff and the elected bodies of the Town.

Dave Moukawsher 88 Oakwood Road would like to see the access road an emergency access only. He asked the commission to grant relief from requiring sidewalks on Noank Ledyard Road. He does like the interior sidewalks.

Virginia Miller, 261 Ridgewood Drive would like see emergency access only to Bel-Aire.

Byron Steward, 90 Ridgewood Drive would recommend using the road as emergency access only. He would suggest a better mode of communication that would allow residents and the Town to communicate by various media or technology, i.e. the internet.

Charles Ivins, 62 Oakwood Road is very concerned with excess traffic and would like to see emergency access only. He would like to see the plans put on line when possible. He is also concerned with where his children will go to school.

Bill Wall, 206 Flanders Road is concerned with where his property boundary is located on the plan. He submitted a tax map of his property created off the GIS system. Staff stated that the Town's GIS system is not an accurate survey of the property.

Wendy MacFarland stated that as Mystic/Groton gets more developed the Town should look at zoning for larger lots. She thanked the developer for all the open space near Eccleston Brook.

Staff read a provision in the regulations that would give the Commission some discretion to remove the full street connection. Staff stated that residents would be going both ways through the developments. If the Commission feels that this would create such a through-traffic problem, then the Commission could make it emergency only. But staff noted that the traffic distributions do not support this. Staff stated that the legal ad has to state the PIN numbers because there is no address for this subdivision. Staff is currently addressing eliminating duplexes in the RU 40 and RU 20 zones. Mystic is getting the brunt of single family development because it is a desirable place to live. Staff clarified that the neither Commission nor staff sent anyone to the Traffic Authority. Staff stated that they are going by the regulations. Staff stated that the final design for the water

system from Groton Utilities has not been received yet but it is not needed for deliberations because it is a technical matter.

Attorney McCoy thanked the Commission and asked them to look at the Plan of Conservation and Development and how this meets with the objectives. He suggested caution with making an emergency access because it could lead to more traffic on Flanders Road. He also stated that there is no way to figure how many children will be living in this subdivision.

Staff stated that there is another alternative that still allows for a future connection; however, if the direct north/south connection between Bel-Aire and Mystic Weigh Subdivision is eliminated a long (+/-4500 foot) length of road could result from Flanders Road to the north entrance to Bel-Aire

George Collier feels there is an adversarial relationship between the Planning Department and the public. He feels the traffic is still an issue with this proposal.

Gretchen Newsome, 56 Hilltop feels the future connection would add more traffic to the Bel-Aire Subdivision.

*Steinford stated that if the hearing is continued only new information should be included.*

MOTION: To continue the public hearing to April 29, 2004.

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

2. Ceravolo Subdivision, 177 Briar Hill Road (2 lots)

Acting Chairman Steinford opened the public hearing at 9:37 p.m. and Roper read the legal ad. The applicant, Dominick Ceravolo stated that this is a two-lot subdivision with a home already on one of the lots.

Staff stated that there was a first split that did not need Planning Commission approval. The owner now proposes to subdivide the remaining acreage into two lots. There is an existing house on lot 2. The two new lots will be served by on-site septic systems and by municipal water. The existing gravel drive will be relocated to the southern property line and will serve lot 2 and the lot created in 2003. A new curb cut at the north property line will serve lot 1. The Plan of Conservation and Development does not recommend open space in this area nor does staff. The applicant is asking for a waiver for underground utilities to the existing house on lot two. Staff would suggest that the utilities go underground from GWE10 to relocated pole 01-2. This would get rid of a pole and some of the overhead wires. The Town Engineer has stated that 250' of site visibility is needed at the road. Mr. Ceravolo stated that Groton Utilities will remove one pole for free but he would have to pay for the other one. Staff stated that there are no specific recommendations for sidewalks in this area. Another alternative would be to go underground from GWE 10 to pole 01-1.

Pritchard feels that the utilities should be either all overhead or underground. Steinford is concerned that there is another lot that could be developed in the future.

Steinford asked for comments in favor or opposed and there were none.

MOTION: To close the Ceravolo Subdivision public hearing at 10:13 p.m.

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

III. APPROVAL OF THE MINUTES OF March 23, 2004 Special Meeting and March 31, 2004

MOTION: To approve the minutes of March 23, 2004 with the following modification:

1. Page 3, last paragraph (a minimum of 4.11 acres to meet “open space requirement”)
2. Page 2, second to last line weary should be “wary”

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

MOTION: To approve the minutes of March 31, 2004 *as written*.

Motion made by Roper, seconded by Kane. The motion passed 4 votes in favor, 1 abstention (Pritchard).

IV. PUBLIC COMMUNICATIONS

Staff noted that Mr. Sherrard received a letter from Mr. Furlong regarding issues in the Office of Planning and Developments monthly reports.

V. SUBDIVISIONS

1. Mystic Weigh Subdivision, Flanders Road (76 lots)

The public hearing was continued to April 29, 2004.

2. Ceravolo Subdivision, 177 Briar Hill Road (2 lots)

MOTION: To table the decision

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

3. Great Brook Subdivision, Gales Ferry Road/Daboll Road (63 lots)

A public hearing was scheduled for May 11, 2004.

4. Crawford Way Subdivision, 123 Toll Gate Road (7 lots)

A public hearing should be scheduled for April 29, 2004 unless an extension is received from the applicant.

5. Chrissos Subdivision, Capstan Avenue

Staff stated that this is a minor modification to an approved subdivision. Two building permits are being held in this three-lot subdivision and only one can be released until all improvements are done. Dave Reagan, Pier One Development stated that they would like to get the excavation and crane work done before the road is put in so the road

wouldn't be torn up. The southern most lot will be done last after the road is finished. Staff stated that the applicant would be putting up a sufficient bond for the public improvements.

MOTION: To approve a waiver of Section 5.4 (1 ) to allow release of two building permits in lieu of one in the Chrissos Subdivision with the understanding that the last building permit will be held until all public improvements have been fully completed and offered for acceptance by the Town.

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

MOTION: To approve the modification of the Chrissos Subdivision.

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

## VI. SITE PLANS

### 1. Haley Brook Congregate Care, 2590 Gold Star Highway

Newton Brainard, Haley Brook Associates stated that this application *is* for a 62 unit residential care development on Route 184 and Pumpkin Hill Road. It is for independent living as well as aging in place.

Ed Wenke, Engineer explained the location as the last lot of the Deerfield Subdivision and a small lot purchased from the Town. Route 184 and Haley Brook border the site. Municipal water and sewer will serve the site. Drainage will be the same under developed conditions. The site is in the water resource protection district. There will be 102 parking spaces with impervious pavers. There will be walking trails, a footbridge and a ten-station fitness trail. The trail will also be used as an emergency entrance.

Michael Herlands, Architect described the project as a three story building, with 62 condo senior housing units and multiple activity spaces throughout the building. There would be six one-bedroom, fifty-four two-bedroom and two three-bedroom units. There will be two major entrances into the building. Multiple facades and roofing changes have been made to the building as a result of the Special Permit from the Zoning Commission approval. Storage space will also be available.

Newton Brainard stated that they are in compliance with the zoning regulations and will be requesting two waivers. The first waiver will be for decks and the second for 5.2% recreational space in lieu of 7%. There are nine separate common areas inside the building. Ledge and wetlands restrict the property so staff recommended linking the development with a footbridge to the recreational space in the subdivision. Submitted list of services and programs to the Commission. The buildings will be handicap accessible, two entrances with elevators on both sides to all floors, indoor and outdoor recreation, fitness trail system, socialization events, health care needs.

Staff stated that there are not many outstanding issues on this site. Staff worked with Parks and Recreation to see if benches could be added along the fitness trail. The water issues have to be coordinated with the Fire Marshal, who is out of Town. Staff would ask that this be continued so they can get additional information on where the water connections and hydrant(s) need to go. The building official commented that the railings on the roof be 42" high. The Town Engineer had no outstanding comments. It is

consistent with the Inland Wetland Permit. Notes need to be added to see that the legal documents for residential life care are transferred with any new ownership. Staff noted that it was difficult to get to the 7% recreation area requirement, which is normally required, for multi-family housing areas under section 6.7-6. There are sidewalks along the front of the site and interior ones connecting to Deerfield. Parks and Recreation will maintain the fitness stations. Roper suggested bike racks be added.

Mr. Brainard stated there would be a 24 square foot sign. Steinfeld asked if the chain length fence would be removed. Brainard stated that it is not on his property. Staff stated there are different ways to deal with the impervious surface that will be looked at to address the needs of the aging population there.

MOTION: To table further discussion to April 29, 2004.

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

## VII. OLD BUSINESS

1. Zoning Board of Appeals referral for March 24, 2004 public hearing

Staff stated that this has been withdrawn.

2. Grove Avenue Resubdivision, Starr Hill Road/Grove Avenue – update

Chairman Steinfeld moved into executive session at 11:26 p.m. and invited Michael Murphy, Diane Glemboski, and Robin Moulding to join the Commission.

MOTION: To move into executive session.

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

Chairman Steinfeld stated that the executive session closed at 11:30 p.m. No votes were taken and no action taken.

## VIII. NEW BUSINESS

1. Report of Commission

*Roper stated that the Mystic Cooperative Task Group will be meeting on April 19, 2004 at 7:30 a.m. at the Greater Mystic Chamber of Commerce Office.*

2. Zoning Board of Appeals referrals for April 14, 2004 and April 28, 2004 public hearings

ZBA# 04-06 0 82-84 Midway Oval; William D. Shipman, Owner

The commission had no comment.

ZBA #04-07- 441 Long Hill Road, Beazley Company Realtors

MOTION: To recommend against the application; in light of redevelopment of the site, the signage should conform to regulations.

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

ZBA#04-08-441 Long Hill Road, Ace Cellular Inc.

MOTION: To recommend against the application; in light of redevelopment of the site, the signage should conform to regulations.

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

ZBA#04-09-441 Long Hill Road, Groton Music Center

MOTION: To recommend against the application; in light of redevelopment of the site, the signage should conform to regulations.

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

ZBA#04-10-441 Long Hill Road, The Supply Depot

MOTION: To recommend against the application; in light of redevelopment of the site, the signage should conform to regulations.

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

ZBA#04-11-441 Long Hill Road, Shalett's Cleaners

MOTION: To recommend against the application; in light of redevelopment of the site, the signage should conform to regulations.

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

3. Town of Stonington referral of site plan application

The Commission had no comment.

4. New Applications

a. Pizza Palace, 944 Poquonnock Road

IX. REPORT OF CHAIRMAN

X. REPORT OF STAFF

Staff distributed the Office of Planning and Development monthly reports for January and February. Staff stated the OPDS budget process is going well.

XI. ADJOURNMENT

Motion to adjourn at 11:40 p.m. made by Roper, seconded by Steinford, so voted unanimously.

Respectfully submitted,

Margil Steinford