

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

I. ROLL CALL

Present: Gibson, Roper, Steinfeld, Pritchard, Kane, Munn, and Sullo
Staff: Murphy, Glemboski, Moulding and Discordia

Steinfeld will be acting Chairman and Sullo will be voting for Sherrard.

II. PUBLIC HEARING

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

The application has been withdrawn as of July 9. Staff read the letter from the applicant formally withdrawing the application. Public hearing is cancelled.

2. Subdivision Regulation Amendments for administrative changes regarding application and review procedures, requirements for connection to sewer facilities and completion and maintenance of improvements (Town of Groton, applicant).

Acting Chairman Steinfeld opened the public hearing at 7:06 p.m. and Roper read the legal ad for Great Brook Subdivision.

Staff explained the recommendations for modifications since reviewing them with the Town Attorney and explained the adjustments he suggested.

Staff explained changes proposed to the regulations. (Changes are marked as crossed thru and new are in Italics.) Staff went through the proposal and explained the clarifications needed, including recommendations for additional modifications.

In Section 4.1(3) Pritchard recommended that the sentence read: This information shall be relayed by the subdivider to the Director of Planning and Development, whose approval for such additional construction techniques shall be obtained.

In Section 2.3(3) line #3, Pritchard recommended that “subdivision” be inserted before applications.

In Section 2.3(3) Pritchard questioned public hearing always being mandatory.

In Section 4.6(1)b) Pritchard recommended changing Ledgelight Health District to applicable Health District.

In Section 5.1(2)c) Steinfeld questioned the appropriateness of \$1,000 or 1% cash bond for emergency street maintenance.

Staff presented correspondence because these are legislative actions that need to be reviewed by SE CT Council of Government and DEP. Joan Hoelzel from OLISP called on July 8th and confirmed that DEP had no concerns with the subdivision regulation amendments of the Town of Groton that are the subject of the Public Hearing on July 13, 2004. Staff read from Chairman Gene Lohrs letter dated June 24 from the Southeastern Connecticut Council of Government and noted based on a review of the information submitted, it was determined that the proposed amendments were administrative in nature and would not have any adverse inter-municipal.

Priscilla Pratt, of 75 Front Street in Noank, questioned the Commission on procedures to change subdivision regulations and if the Town Council was involved. Staff explained if someone petitioned the commission and staff, staff would consult the Town attorney in regards to legal process and that this is not an issue for the Town Council. The application would go through review process and there could be a hearing, if petition warrants, before the Planning Commission.

In Section 2.3(3) Pratt supported public hearings for all subdivision applications and inquired if 10% open space only applied to 10 lots or more. Staff responded Open Space applies to any subdivision application and 10% can be asked of any lot including 1 or 2 lot subdivisions.

In Section 4.6(1) Ms. Pratt recommended changing “shall” to “may” in the 1st sentence in light of water shed areas. Staff explained that each site should be examined individually due to watersheds that may be in area and the regional health district could request changes to accommodate each individual site. Staff also responded that subdivision would not be allowed in Class 1 water shed area and the Residential Performance Standards in Zoning codes are in place to protect these areas.

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

III. APPROVAL OF THE MINUTES OF June 22, 2004

MOTION: To approve the minutes of June 22, 2004 as written.

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

IV. PUBLIC COMMUNICATIONS

Roper submitted agenda for Thames River and stated he had received a phone call from Betty Talaska concerning the Candy Lane Subdivision. Roper left message with Ms. Talaska of public hearing on August 10. Roper submitted unopened letter he received. Staff accepted letter from Roper to be read during Public Hearing on August 10, 2004.

Steinfeld received call from Ms. McCloud. Steinfeld stated he couldn't communicate about Candy Lane and gave her the August 10 public hearing date.

Staff requested any correspondence directly mailed to commission be forwarded to staff to be submitted accordingly, into the hearing record.

Staff read a letter written to Jim Sherrard by Mr. Furlong, which requested that plans be placed so they are easily viewed by the audience. Staff noted his concern about this as well and explained the rearrangement of seating and easel orientation to better accommodate commission and audience members.

Staff distributed flyers to the Commission regarding walkable communities. Increasing connection between city planning and health and walkability. Staff also distributed a June 30th letter from Virginia Brussette, which referred to a withdrawn subdivision (Great Brook). Staff explained that she would have to submit a new letter if application is resubmitted.

Edith Fairgrieve of 8 Rowland Street and a member of the Groton Open Space Association addressed the Planning Commission as to why the Four Winds site plan application is being reviewed.

Staff responded that when a site plan application is submitted it must be acted on within 65 days according to State statutes or it is automatically approved.

V. SUBDIVISIONS

1. Great Brook Resubdivision, Daboll Road/Gales Ferry Road (63 lots)

The application was withdrawn as noted under public hearings.

2. Subdivision Regulations Amendments for administrative changes regarding application and review procedures, requirements for connection to sewer facilities and completion and maintenance of improvements (Town of Groton, applicant).

MOTION: To adopt the proposed Subdivision Regulation Amendments of Sections 2 – Application Procedure and Approval Process, 4 – Requirements for Improvements, Reservations, and Design and 5 – Assurance for Completion and Maintenance of Improvements, effective August 1, 2004, as modified below:

1. In Section 2.3(9), eliminate new language referring to “provide payment to the town”.
2. In Section 2.3(10), line #7, change “phases” to “phase”.
3. In Section 4.2(6) d) ii), change “Plan of Development” to “Plan of Conservation and Development”.
4. In Section 4.6(2) e), line #3, add a comma (,) between “Authority” and “prior”.
5. In Section 5.1(2) a), eliminate all new language qualifying provision of the performance bond.
6. In Section 2.3(3) line #3, add “subdivision” before applications.
7. In Section 4.6(1) b) line #2, change “Ledge Light” to “applicable”.
8. In Section 4.1(3) line #7, change “and” to “whose”, thus revising the 2nd sentence to read “This information shall be relayed by the subdivider to the Director of Planning and Development, whose approval for such additional construction techniques shall be obtained.”

The amendments, as modified and adopted, will continue to allow the Planning Commission to exercise its power and authority to review, modify and approve, and disapprove subdivision and resubdivision plans, and provide for the most efficient design and layout of land and utilities, while maintaining reasonable standards and procedures for subdivision applications. In addition, said changes meet the criteria for revisions to municipal coastal regulations as required by the Connecticut Coastal Management Act and protect the integrity of the Town's sewer avoidance policy.

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

3. Boulder Heights LLC, Colver Ave

MOTION: To approve a 90-day extension of the statutory time for recording the subdivision plan.

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

V. SITE PLANS

1. Mystic Oil Co., 2414-2440 Gold Star Highway

MOTION: To approve a request for a 35-day extension of the Mystic Oil Co., 2414-2440 Gold Star Highway

Motion made by Gibson, seconded by Pritchard, so voted unanimously to approve.

VI. NEW BUSINESS

1. Report of Commission

Roper reported we have a shuttle working in Mystic (\$.25 per ride).
No meeting next Monday for the Regional Planning Commission.

2. Zoning Board of Appeals referrals for July 14, 2004 public hearings.

#04-24 - 11 Gravel Street (Frew)

MOTION: The Commission sees no justification to support the request before the Zoning Board of Appeals. There is sufficient room on site to meet setback requirements and protect the view easement.

Motion made by Gibson, seconded by Pritchard. Motion passed unanimously.

3. Town of Stonington Referrals for Zoning Regulation Amendments for August 3, 2004 public hearing.

PZ0440RA - Michael Connery (Winery) - Regulation Amendment to add *Wineries* to the M-1 zone as a use allowed by Special Use Permit (4.7.3.9); in Section 4.7.1, add as a Permitted Use: 4.7.1.9 Aquaculture/Agriculture. A 200' setback for manure storage and stables is required; & under Section 1.2.2, add a definition for *Wineries*.

The Planning Commission had no comment.

PZ0446RA Ralco Realty, LLC. (POKO Partners) – Regulation Amendment to create an Industrial Heritage (IH) Re-use District (Section 7.19) in support of Mill Redevelopment.

The Planning Commission had no comment.

VII. REPORT OF CHAIRMAN - None

VIII. REPORT OF STAFF

Staff received notice of Smart Growth Seminar for a \$10 fee for Sept. 17th from 8:15 a.m. to 11 a.m. in Norwich at the Comfort Suites.

Channel 8 interviewed staff regarding downtown Mystic and the streetscape project.

IX. ADJOURNMENT

Motion to adjourn at 9:12 p.m. made by Roper, seconded by Munn, so voted unanimously.

Respectfully submitted,

Margil Steinfeld