

PLANNING COMMISSION
DECEMBER 14, 2004 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Kane, Munn, Pritchard, Roper, Sherrard, and Steinford
Staff: Discordia, Goodrich, Murphy

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

Chairman Sherrard appointed Munn to vote for Gibson.

II. PUBLIC HEARINGS

1. East Farm Subdivision, Noank Road (6 lots)

Chairman Sherrard opened the public hearing at 7:05 p.m.

Arthur Hayward, of Hayward Engineers of Stonington, presented for the applicants. Mr. Hayward informed the Commission that the Inland Wetlands Commission had approved this subdivision with modifications on November 17, 2004. The Inland Wetlands Agency stipulated that the underground wire be 15 feet from the boundary of wetland and that the driveway be moved 25 feet. The IWA also stipulated that erosion controls be installed along the driveway.

Staff reviewed the issues. The 1.49 acres of open space will be dedicated to the Town of Groton, as per the Subdivision Regulations. Parks and Recreation has requested public access and this will be reflected on the new plans. Signs indicating Coastal Public Access will be placed at the Noank Road entrance to the site as well as marking the “entrance” to the open space area. There is an outstanding question concerning the relocation of the driveway serving the Ianniello lot. This lot is not part of the subdivision but the driveway is proposed to be reconfigured as part of this plan. DOT requests that the existing driveway have only one access to Noank Road. A letter from DOT has been requested. The applicant will submit new plans reflecting this change. Staff pointed out that Lots 5 and 6 are irregularly shaped lots. All staff issues have been addressed except for Public Works, which has technical issues outstanding.

Pritchard asked for a review of how the lots would have access. Mr. Hayward explained that lots 1 and 2 will have a shared common driveway. The rest of the lots will have access from the existing driveway. Pritchard questioned why the applicant was not building a Town road. Mr. Hayward explained that it would have to be widened and include drainage. This work would require filling wetlands and have more environmental impact. Pritchard asked why the utilities could not be put under the road. Mr. Hayward explained that there needs to be a suitable distance between sewer, water and utility lines, but if the Commission insists, the applicant could probably fit utility lines under the road.

Pritchard asked why the lots are so irregularly shaped. The applicant responded that they followed the property lines and they were shaped that way to meet the regulation and provide access. He stated that the building area was regularly shaped.

Roper asked if markers would be established to show wetlands. Staff stated they would. Roper asked if additional monuments could be added. Roper asked if the utilities could be placed above ground from Noank Road to just past the wetlands and then be placed underground.

Steinford asked for clarification of the request for a waiver for underground utilities to the existing house. Mr. Hayward stated that the owner withdrew the waiver and the utilities will be underground from the poles to all the houses.

Kane asked if there could be markers or iron pins installed where the open space backs up to Amtrak property to notify the public. Mr. Hayward stated that iron pins or monuments would be installed.

Chairman Sherrard opened the hearing to comments and questions from the public.

Steve Wakeman owns property on the north side of this proposed subdivision. Mr. Wakeman stated that he approved of this project and thought it was the best utilization of this property.

Pritchard asked if the back lot's access could go right to the road. Mr. Hayward stated that it did not meet the zoning requirements.

General discussion followed on the issue of irregularly shaped lots. Mr. Hayward explained that the siting of the buildings was done to preserve the views of the existing homes. He stated that the wetlands on the property limited lot design flexibility.

General discussion followed on whether a driveway could be built over the access strip in the future. Mr. Hayward described the pond that exists in that area.

General discussion followed on whether a waiver for underground utilities should be limited to within the wetlands impacted area.

Chairman Sherrard asked if there were any issues with the CAM application. Staff stated that there were no outstanding issues. Chairman Sherrard asked if Amtrak was made aware of the proposal for this subdivision and staff stated that Amtrak was not notified nor is the Town required to notify them. The site is substantially more than 100 feet from the railroad line.

MOTION: To close the public hearing for the East Farm Subdivision, Noank Road (6 lots).

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

2. Mount Kineo Subdivision, New London Road (4 lots)

Secretary Steinford read the Notice of Public Hearing.

Mr. Pat Lafayette with Development Solutions presented the proposed subdivision. This is an undeveloped lot that is located adjacent to the Bel-Aire Subdivision. It is zoned RS-12. The applicant is requesting a waiver from Section 5.4(1) for not issuing building permits for the last 2 lots prior to completion of all public improvements.

Applicant is also asking that open space not be required due to the small size of the parcel and the proximity of other open space. The applicant explained the additional vegetative buffer that was proposed on the eastern property boundary. The applicant stated that the DOT requested the two, shared driveways.

Staff reviewed the issues. The plan shows 2 poles (#G501 & SNET 258) within the sidewalk area. The poles should be relocated to the snow shelf. The plan also shows a 5-foot pedestrian easement for the sidewalk. The easement should extend from the Route 1 highway line to a line one foot off of the back of the sidewalk. Staff stated that the poles should be moved and that the sidewalk should not be maneuvered around them.

Mr. Lafayette stated that the poles shown in the current location were a mistake. The applicant could have the poles moved, but would rather move the sidewalk. The applicant is concerned with the timeliness of SNET approval.

Staff stated that handicapped ramps at the intersection of the sidewalk and the driveways should be shown. The quality of the stone wall along Route 1 is poor and is to be removed on the plan. A note should be added that the stone wall along the western property line is to remain.

Staff reviewed the distances between driveways (west to east). The distances are 110, 165, and 70 feet and DOT has approved the 2 shared driveways.

Kane asked staff to show him photos of deteriorated stone walls.

Steinfeld asked the status of the closed gas station and how it is zoned. Staff explained that it is zoned residential but is a commercial, non-conforming use. It can still be opened as a gas station.

Pritchard asked if there was a buffer between the proposed houses and Route #1. Mr. Lafayette stated that the houses are setback on the lots and he showed the clearing limits along Route 1. Mr. Lafayette stated that only the driveways would be visible from Route 1.

Chairman Sherrard asked if they could complete all the public improvement work instead of placing a bond. Staff replied yes. Chairman Sherrard asked the applicant what Mount Kineo is in reference to. Rob Holtfelter replied that it is a mountain on Moosehead Lake in Maine.

Chairman Sherrard suggested that the hearing be kept open so the applicant could resubmit plans showing the sidewalk going behind the SNET poles instead of relocation of the poles.

Roper recommended that the Commission members visit the site with an eye to the potential sidewalk configuration.

MOTION: To continue the public hearing for the Mount Kineo Subdivision, New London Road (4 lots) to the next Planning Commission Meeting on January 11, 2005.

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

Chairman Sherrard called for a short break at 8:20 p.m.

The Planning Commission reconvened at 8:25 p.m.

III. APPROVAL OF THE MINUTES OF November 3, 2004 Special Meeting, November 9, 2004 and November 18, 2004 Special Meeting

MOTION: To approve the minutes of the November 3, 2004 Special Meeting

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

MOTION: To approve the minutes of the November 9, 2004, Planning Commission meeting with the following modifications:

1. Page 1, 4th paragraph under PUBLIC HEARING, insert "around" after "turn" in last sentence.
2. Page 2, 2nd paragraph, insert "the" between "access" and "back".
3. Page 2, under 2. 1st paragraph, insert "width" after "required 50".
4. Page 2, under 2. 1st paragraph, change "cape cod" to "Cape Cod".
5. Page 3, under APPROVAL OF THE MINUTES, 1., change "established" to "present".
6. Page 5, 1.; change "rd" to "Rd".
7. Page 6; last paragraph on page, change "110-degree" to "110-foot".
8. Page 7, 1st paragraph, change "100-degree" to "110-foot".
9. Page 7, 3rd paragraph, in last sentence, change "113" to "213".

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

MOTION: To approve the minutes of the November 18, 2004 Special Meeting, with the following modifications:

1. Page 1, under ITEMS OF BUSINESS, 1., 1st paragraph, change "I-96" to "I-95".
2. Page 1, under ITEMS OF BUSINESS, 1., 2nd paragraph, after "Option A" insert "(open space adjacent to lot 11)".
3. Page 2, last paragraph, insert "the" after "asked" and before "Commission".

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

IV. PUBLIC COMMUNICATIONS

Staff handed out brochures to Commission members regarding a Saturday, Land Use Education course.

Edith Fairgrieve, a member of GOSA, read a statement that had been presented to the Committee of the Chairpersons. A copy was submitted for the record.

V. SUBDIVISIONS

1. East Farm Subdivision, Noank Road (6 lots).

MOTION: To table East Farm Subdivision, Noank Road (6 lots) to next regularly scheduled Planning Commission meeting on January 11, 2005.

Motion made by Pritchard, seconded by Steinford so voted unanimously

2. Mount Kineo Subdivision, New London Road (4 lots).

The Public Hearing for Mount Kineo Subdivision, New London Road (4 lots) will be continued to the next regularly scheduled Planning Commission meeting on January 11, 2005.

3. Neal Subdivision, New London Road (3 lots) - Schedule Public Hearing.

MOTION: To schedule a public hearing for the next regularly scheduled Planning Commission meeting on January 11, 2005.

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

4. Lamphere Estates Resubdivision, Lamphere Road (6 lots) – Schedule Public Hearing.

MOTION: To schedule a public hearing for the Planning Commission meeting on January 25, 2005.

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

5. Crawford Way Subdivision, Tollgate Road – Request for Extension for recording subdivision plans.

MOTION: To grant a 90-day extension for Crawford Way Subdivision, Tollgate Road to record subdivision plans.

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

VI. SITE PLANS

1. The Ledges, Drozdyk Drive – Preliminary Plan Review

Steinford explained that he felt he did not need to excuse himself for this discussion as there was no conflict.

Gary Craig and Jim Psacki, of Groton Multifamily LLC, presented a preliminary proposed plan for the project. The preliminary plan showed three building complexes that contain some buildings that lie outside the 110-foot radius from the center of the complex.

Mr. Craig reviewed the package of graphics presented to the Commission. He demonstrated to Commission members how the proposed building could be viewed from different angles of travel along Drozdyk Drive. He explained how people visually connect information using the 40-degree cone of vision as presented by an Optometrist they consulted. He demonstrated how different portions of the buildings would be visible at different distances from the project. He argued for relief from the 110-foot radius regulation due to; the amount of green space they were providing, the staggered facades, the compact plan and limited surface parking.

Mr. Craig stated that they would provide an all weather road for Groton Utilities so they will have access to their easement.

Staff explained that the applicant is not meeting the exact letter of the law if you read the regulation as it pertains to a single plane of a building, but they are trying to show why it would be beneficial to exceed the 110-foot radius in this case. Staff

recommends considering this design change. One quarter of the space will be developed whereas most of the site, three-quarters of it, will remain undeveloped.

Pritchard stated that he believes the regulation was adopted to protect against the construction of long barracks style buildings. He believes this project does that. Staff concurred.

Roper stated that the T-shaped building still is very long and he would prefer more breaks in the façade. He feels the regulations are to protect from the bulk of massive buildings and these are bulky.

Steinford stated that the T-shaped building is very big and should be broken-up to view some open space. Steinford questioned the elevations of the buildings. Mr. Craig stated the first floor would be at the original grade. Steinford asked how much higher it would be than AHEPA. Craig responded 32' vs. 52'.

Kane asked how the 110-foot radius was established. General discussion followed on the intent of the regulation.

Munn asked what environmental protective measures were afforded with this plan. Munn stated that the foliage was minimal at this site.

Chairman Sherrard asked that the applicant do more work on the building from a visual perspective. He asked if the applicant could consider different layouts. He stated it was difficult to visualize. He stated he would like more visual breaks on the large T-shaped building.

Mr. Craig explained the difficulty of breaking the complex up and the problem of isolating buildings.

General discussion followed on the bulk of the buildings and providing visual variety, including the addition and/or retention of mature landscaping at particular locations.

2. Groton Square (Stop & Shop), Route 12/184

Tim Bates, an attorney with Robinson & Cole of New Haven, introduced the applicant's representatives. The site is the existing Stop & Shop in the Groton Square Shopping Center on Route 12. The center was approved in 1985 and constructed in 1986. There are several minor modifications that have been approved for the site since 1986. Recently, a variance was approved (ZBA #04-22) for impervious surface coverage and landscaping. The site is in the Water Resource Protection area.

Melissa Mintz, Director of Real Estate for the Connecticut Division, presented to the Commission. The proposed development includes the expansion of the existing Stop & Shop into the Grand Liquor store and the addition of space on the rear of the liquor store space, the relocation of the liquor store to existing space in the center, and the demolition of an existing 2,800 square foot bank building. The existing loading docks at the rear of the store will also be enclosed. The net increase to the center will be 4,600 square feet.

Ms. Mintz showed the Commission a drawing demonstrating what the front of the store will eventually look like and the color schemes involved. She also demonstrated how the converters on the top of the store would be painted the same color as the front

and a few of them will be hidden behind the new design of the roofline. She stated that the improvements are upgrades to the function and aesthetics of the building and parking area.

Ben Kato, an Engineer for Langan Engineering and Environmental Services of New Haven, explained how the goal of Stop & Shop was to improve the appearance of their existing store. Landscaping will be added to the front and back of the store. The loading docks will be made enclosed to comply with the WRPD zone. The proposed improvements provide for 891 parking spaces and include upgrading landscaping; adding an underground grease trap, and adding two oil-water separators for enhanced treatment of run-off from the site. He stated that traffic trip generation calculations were done and the project resulted in negligible change in traffic to all intersections that were analyzed.

Crosswalks to the handicapped spaces will be widened. The Fire Marshall has approved the internal sprinkler system and gas line extension.

Mr. Bates reviewed the other staff comments. Cart storage will be outside of the 6' sidewalk area.

Staff explained the border of the WRPD zone, which divides the site. Staff endorsed the POCD recommendation of the re-investment in the existing site rather than in new development. The project relates well to the POCD. Staff reviewed the reconfiguration of the proposed remote parking area at the current bank site. Groton Utilities comments are outstanding.

Munn asked if the expansion of the front of the store would compromise the sidewalk and force people into the road. Ms. Mintz demonstrated on diagram that it would not compromise the sidewalk use by pedestrians.

Steinford suggested that the shrubbery in the islands is very high and visibility is poor. Ms. Mintz stated that they have alerted the landlord to this and she believes they have been trimmed. Staff noted the need for better enforcement in this case.

Roper expressed concern about the location of the bottle return. It should be connected to the main store. He noted that the border of the parking lot collects litter. Ms. Mintz stated that this is a good opportunity to notify the landlord and that there is a maintenance program but maybe it needs to be fine-tuned and maintained.

MOTION: To approve a site plan application for Groton Square Modification (Stop & Shop), Route 12, with the following modifications:

1. Provide note on the plan that "A pre-construction meeting shall be required prior to any site disturbance."
2. Provide note on plan that "Sidewalk in front of building shall not be used for cart storage unless sidewalk width is a minimum of 10' wide." The dimension of the sidewalk width in front of the store shall be corrected on the site plan.
3. Provide a minimum 50' – wide striped pedestrian crossing in front of both entrances to the store.

4. All parking space striping shall be white.
5. Provide Note on plan that “Roof-top equipment shall be screened or painted to match the building, if visible from surrounding streets.”
6. Provide Note on plan that “Documentation shall be submitted to the Planning Department prior to issuance of a Certificate of Occupancy for the site that all stormwater structures, including the detention basin, have been inspected and cleaned out in accordance with the original approvals.”
7. All Fire Marshal requirements for sprinkling the building shall be met by the issuance of the building permit.
8. The underground propane tank to the rear of Stop & Shop shall be removed in accordance with Fire Marshal requirements prior to the issuance of a Certificate of Occupancy.
9. All Groton Utilities requirements shall be addressed.
10. Documentation shall be submitted to the Office of Planning and Development prior to issuance of a building permit that a modification to the existing State Traffic Commission (STC) permit has been obtained or that there is no need for a permit modification.
11. Technical items by staff shall be addressed

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

3. Hendel’s Convenience Store, Route 12 – Modification

Art Lunt reviewed the history of the site with the Commission. The Commission approved the site plan but the issue now is the change in the interior of the convenience store with the addition of a Dunkin’ Donuts. Dunkin’ Donuts requires two more parking spaces as per the regulations. Mr. Lunt explained the constraints of the site. There is no room for additional parking and he proposes to share parking between the two uses under 7.2-6(A) (2).

Staff explained that if the shared parking did not afford sufficient supply, the Commission has the right to revoke this approval, but there is no safe way to add more parking on site, in staff’s opinion.

Roper would like to see the parking spaces added, as there seems to be room in the parking lot. He also stated he didn’t want the Commission to set a precedent for other similar situations and maybe the lot should be reconfigured.

Steinfeld stated that the applicant did a nice job of renovating the site. He also stated that he couldn’t ever recall driving by and the parking lot being full.

MOTION: To approve a site plan modification utilizing 7.2-6 shared parking for Hendel's, 639 Route 12, with the modification that all technical items shall be addressed.

The Planning Commission notes that this approval constitutes a reduction of the requirements of Section 7.2-3 J as provided by Section 7.2-6 Shared Parking that allows the Planning Commission the discretion to reduce the parking requirements in cases where the uses are geared for the same users thus reducing the demand for parking spaces. The Commission notes that this approval does not reduce the parking to less than originally approved. The Commission notes that the four spaces within the gasoline islands are not counted for parking purposes within the Town of Groton. The Commission also notes that it may revoke the application of this shared parking provision if it determines that the actual experience of the uses involved or a change in use will result in the demand for more parking than what is supplied.

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

VII. NEW BUSINESS

1. Report of Commission

Pritchard discussed Thursday's meeting of the Committee of Chairpersons. Pritchard submitted the 3 ordinances that GOSA referred to regarding developers paying the fees for experts hired by the Town.

a. Report of Subcommittee – Public Hearing Procedure Review

The Commission tabled the Public Hearing Procedure Review until the next regularly scheduled Planning Commission meeting on January 11, 2005.

2. Discussion of Town initiated Subdivision Regulation Amendment to Section 4.9 to add provisions for payment in lieu of open space.

The Commission tabled the Public Hearing Procedure Review until the next regularly scheduled Planning Commission meeting on January 11, 2005.

3. New Applications:

- a. Windward Passage Subdivision, Polaris Street (20 lots)
- b. Holdridge Resubdivision, Irving Street (3 lots)
- c. Pleasant Valley Elementary School, Pleasant Valley Road - modification
- d. Great Brook Subdivision, Gales Ferry and Daboll Road (54 lots)

VIII.

REPORT OF CHAIRMAN

Chairman Sherrard notified the Commission that the Candy Lane Subdivision applicant is challenging the Town of Groton Planning Commission's approval in court.

IX. REPORT OF STAFF

The Commission noted that due to the lateness of the hour, Report of Staff items would be discussed at the January 11, 2005 meeting.

X. ADJOURNMENT

Motion to adjourn at 10:40 p.m. made by Munn, seconded by Steinford so voted unanimously.

Respectfully submitted,

Margil Steinford