

PLANNING COMMISSION
FEBRUARY 22, 2005 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Gibson, Kane, Pritchard, Roper, Sherrard, and Steinford

Staff: Discordia, Goodrich, Glemboski, Murphy

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

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

II. PUBLIC HEARINGS

1. Great Brook Subdivision, Gales Ferry and Daboll Road, (54 lots) - continuation

Timothy Bates, from the Law Firm of Robinson and Cole, was here to represent the Downes-Patterson Corporation. The proposed subdivision is at the corner of Route 184 and Gales Ferry Road. This subdivision is part of an older subdivision that was developed 15-20 years ago. Mr. Bates stated this was a low-density subdivision of 54 lots on 125 acres. The number of lots has been reduced due to environmental concerns. One year ago this subdivision plan had come before the Commission but couldn't go forward with 104 units because no sewer line was allowed at the location. The applicant tried to reduce the project to 63 units but the 150' buffer around wetlands, that was required by the Inland Wetlands Agency, wouldn't sustain 63 units, so the proposal before the Commission now consists of 54 units. Mr. Bates stated that they are still continuing discussions with GOSA regarding environmental protection of this land and the City of Groton regarding protection of the reservoir. This plan does meet DEP's stated goals for watershed property, which includes an approximate density of one unit per 2 acres. This project is essentially an R-80 cluster design. There are 62.31 acres of dedicated open space with this subdivision. There are proposed paths through this subdivision and it is in proximity to the Copp property, which provides additional recreational opportunity. Mr. Bates stated they are close to an agreement with GOSA on environmental changes to this plan. The State would like to eliminate Daboll Road and the applicant is working on this with the Town and the Seaport Church. The state archaeologist is asking for a survey of the site before construction. Mr. Bates submitted a letter to the Commission and staff from the Public Archaeological Survey Team.

Clint Brown, for DiCesare-Bentley Engineers, 100 Fort Hill Road, also presented for the applicant. Mr. Brown submitted reduced plans to the Commission and staff. Mr. Brown stated that this site is 125 acres and the subdivision has a small amount of frontage along Daboll Road and continuous frontage on Gales Ferry Road in three separate spots. The west and north sides of the property are City of Groton watershed property. On the northeast side, across the street, the frontage is developed for residential properties. The south side is the Seaport Community Church site. Public water is available on Daboll Road from the City of Groton. There is no public sewer nor is any proposed for this site. The proposed subdivision is on a watershed resource protection site. The site is mostly wooded except for an area of road that was never fully developed from the previously approved subdivision. There are 17.3 acres of wetlands on site. The 150-foot buffer that was stipulated by IWA is for the two larger wetland areas numbered 4 and 5 on the plans.

Mr. Brown showed how the subdivision is laid out around the wetland areas. All houses will be single family homes and will be 4-bedroom houses except for three homes which would be 3-bedroom as they didn't stand up to soil testing. This proposed

subdivision would be developed in three phases. The first phase will be 16 lots and the second phase would be the development of 23 lots and a road. The third phase would be 15 lots and the development of the proposed cul-de-sac. The 150-foot buffer area would be subject to a conservation easement. Mr. Brown stated that eight or so lots would have conservation easements. All conservation easements would be marked according to the Town of Groton standards.

There is a limitation being proposed on the number of lots to be excavated at one time. The limitation is 4 lots at a time due to sediment and erosion controls in regards to the wetlands. There will be two levels of clearing activity. Mr. Brown pointed out the three shades of green on the exhibit showing different levels of clearing activity.

All streets would be public and designed in accordance with subdivision regulations. The proposed road from Route 184 and Daboll Road would be 30-foot wide pavement and the two other roads would be developed as village roads at 26 feet across. This proposed subdivision requires two means of access and this plan meets those requirements.

The current proposal is to eliminate the previously designed intersection of Daboll Road and Street "A", based on State DOT comments. Mr. Brown stated they are working with the Seaport Community Church to provide them with a new driveway access off of Road "A". The rest of Daboll Road, going eastward, would be turned into a 12-foot wide bike path. This project also falls under the jurisdiction of the State Traffic Commission, which the applicant will need a certificate from.

Mr. Brown explained the erosion control program for the road system. Each phase of development has a specific set of erosion plans. Mr. Brown demonstrated on the exhibit the water bars, chip areas, erosion control blankets, sediment fences and traps for each of the three phases.

Mr. Brown submitted a letter to the Commission from Richard Snarski, a certified erosion control specialist. Mr. Snarski had 25 comments regarding the erosion control program and Mr. Brown stated that they have all been addressed.

Mr. Brown stated that the storm drainage system is in accordance with subdivision regulations and the Road and Drainage Standards regulations. Swale "A" at the southerly end of the project will collect storm water. Basin "D" is in the central portion of the subdivision and Basin "E" is in the northerly section. Mr. Brown stated a P8 Analysis has been done. The DEP recommends these storm water basins perform at 80% removal and they do. He stated the basins are located where they are, to protect the watershed area.

Mr. Brown submitted to the Commission an outline of the stewardship program of water quality management and reviewed it with the Commission. Mr. Brown explained that the homeowners association for this proposed development could adopt this program. There were explanations that the average homeowner would understand such as natural remedies for household cleaning, landscaping and how to maintain a septic system. There will be a monitoring program to monitor the stormwater system long term to make sure facilities are maintained and operate correctly, by either the HOA, Groton Utilities or the Town.

There is a 16" main water line on Daboll Road for water supply connecting to a proposed 12" main and then connecting to an 8" main that will go out to Gales Ferry Road. There is a waiver for public water to two of the proposed lots as they would cut

into the 150-foot buffer required by the IWA. Some homes will need booster pumps to receive adequate water pressure.

Ledge Light Health District commented that they reviewed the test pits data and found the lots can sustain septic systems. All but three of the lots can accommodate 4-bedroom houses; those three will be 3-bedroom houses.

Mr. Brown demonstrated the proposed sidewalks on the exhibit. There will be sidewalks on Roads "A" and "B" and on both sides. On the Road "A" cul-de-sac and Road "C", sidewalks are proposed on one side. The applicant is proposing to extend the sidewalk on Gales Ferry Road to the cul-de-sac on Road "A". There will be approximately 2-miles of sidewalk throughout the subdivision. There will be a trail system at the end of Road "C", down through the open space, and across a portion of the wetlands and it will come back to the Road "B" and "A" intersection measuring about 3,000 feet long. There are waivers for sidewalks on the Road "A" cul-de-sac and the length of Road "C".

A waiver is being requested for the last piece of sidewalk on Gales Ferry Road to Farquhar Park, as there is a 20% slope in that area and it would not be possible without reconstructing Gales Ferry Road. Mr. Brown showed an alternative to connect to Farquhar Park that would make a trail within 600 to 700 feet of Farquhar Park. The applicant is also requesting a waiver for sidewalk on Route 184 as it would be safer to have sidewalk on Daboll Road instead.

Mr. Brown stated the proposal calls for underground utilities in the Groton Utilities service area. The design will be all underground and Groton Utilities has stated there wouldn't be any issues or system problems.

Mr. Brown stated that the actual parcel is about 136 acres, including the originally approved lots, and according to the subdivision regulations requiring 10% be open space, only 13.6 acres would be required. This proposed development is providing over 45% open space including wetlands. He stated that 45 acres is non-wetland area or 72% of that open space. There is also a proposed centrally located recreation facility.

The applicant is in the process of planning to reconfigure an area at the end of cul-de-sac "C". Requests have been made by GOSA to the applicant to shorten the cul-de-sac and eliminate two lots and adjust the lot configuration. This would create a greater distance of over 900 feet to Great Brook and almost 500 feet to the steep bank. The applicant is also considering elimination of lots 23, 34, and 35. There is the possibility that lot 35 could be eliminated and 23 and 34 would be reconfigured. This would maximize the distance from the adjacent wetland system. Mr. Brown stated that on Road "A", the lots on the north side and on the corner are also being evaluated due to some concerns with the drainage system when clearing the fronts of these lots. The applicant will introduce some kind of limited clearing area on the fronts of these lots.

In ongoing discussions with the church staff, Mr. Brown stated they have reconfigured the driveway to be more of a direct entry. They are also proposing new landscaping, moving the hydrant and maybe creating access to the rear of the church lot. There is a proposed 40-foot wide access easement over two of the proposed lots to the church.

Chairman Sherrard asked for clarification of the number of waivers. Mr. Brown replied there is one for the sidewalks and one waiver for public water supply to two lots.

Mr. Bates stated that it's been a positive experience in the ongoing discussions with GOSA and the Church benefiting both the environment and the community. Mr. Bates stated, as discussions are still ongoing, they would have their final proposals in a few weeks, possibly by the next hearing.

Staff reviewed comments from different agencies. The Town Engineer for Public Works, is working with minor design issues on Daboll Road. The engineer is asking for a drainage easement to the new proposed driveway to the Church. The Town Engineer has also requested that the sidewalk waiver for Road "A" not be approved as it is only a short distance, maybe the length of two lots. Staff stated the sight lines on some of the driveways need to be reviewed. The Town Engineer also stated that based on the updated traffic report, there would be no significant traffic change with these proposed roads.

Staff stated that they received comments back from Groton Utilities and they did not support the waiver of public water to lot 53.

The Fire Marshall has not commented back on the specific hydrant locations.

Ledge Light Health District commented that all the test pits looked satisfactory, but they still need separation distances between buildings, septic systems, and footing drains.

The environmental planner is reviewing the stewardship program for quality water management and has reviewed the erosion control plan and finds it meets regulations.

Staff wanted to note that the Inland Wetlands Agency recommended in their motion that the Planning Commission only allow clearing of lots necessary for lot development in order to reduce pesticides and herbicides.

Staff stated they are still reviewing the proposed names of roads.

The State commented that the updated Nitrogen Loading Analysis shows the proposed design still meets the standard of being less than 10 mg/liter.

Staff reported that Richard Snarski did a search of the proposed site for Snowy Aster, which is on the endangered list, and reported there wasn't any to be found.

Staff submitted a letter to the Commission from a neighbor of the proposed subdivision, Virginia Bousquet of 185 Gales Ferry Road.

Staff couldn't recommend a connection to Farquhar Park at this time as they are still reviewing the status of a previously approved subdivision on an adjacent property. Staff stated they would review the older approved subdivision to see what area was dedicated open space and come back with recommendations on a sidewalk connection to Farquhar Park after reviewing the regulations.

Staff stated there are still questions concerning any monitoring program proposed by the applicant and they will be addressed at a future Planning Commission meeting.

Chairman Sherrard opened up the hearing for questions from the Commission.

Gibson asked for the list of the 25 environmental items that were noted by Richard Snarski and supposedly met by the applicant. Staff asked that Mr. Snarski have his comments typed up and formerly submitted to the Commission for the record.

Pritchard asked why would the proposed homeowners association conform to, and follow this plan. Mr. Bates stated that anybody that purchases a lot is automatically in the homeowners association and that it is similar to belonging to a condominium association. Mr. Bates stated it's a corporation and it would be in the deeds.

Roper inquired as to whether the Public Archaeological Survey Team would look at the entire property or just the lots. Mr. Bates stated they don't have to look at steep slopes, wetlands, property that won't be developed or property that has been previously disturbed. There is a protocol between the State and the survey team if anything is found, and in most cases the artifacts are removed from the site and placed in a museum.

Steinford stated that lot 53 should receive public water. Steinford asked if the proposed Route 184 and Road "A" intersection would need a traffic light and what was the protocol for the State to decide. Mr. Brown replied that the State looks at peak traffic periods and there are 8 or 12 warrants that have to be met to warrant a traffic light. The traffic count would have to be 3 to 4 times larger than what it is now to warrant a traffic light. Steinford asked about possible access to the back of the church property and is there a potential for future development. Mr. Brown stated that there is a 40-foot right-of-way and couldn't say if there would be future development.

Kane stated that the homeowners association needs more incentives to be assured that potential owners would take part in these environmental guidelines.

Chairman Sherrard inquired as to whether there would be roadwork in regards to a left-hand turn at the proposed Route 184 intersection. Mr. Brown stated that there will be bypass capability but there isn't enough traffic to warrant another turn lane. Chairman Sherrard inquired about booster pump stations and who would be responsible for their maintenance. Mr. Brown replied that certain homes would receive a booster pump and he couldn't say who would be responsible, but would research it and have an answer in a few weeks.

Gibson asked about the passive recreation area. Mr. Bates stated that the City of Groton might want to receive this open space area around the reservoir but it is still being discussed.

Chairman Sherrard asked for comments from the public.

Priscilla Pratt, president of GOSA, was concerned over this proposed development, as Great Brook is an AAA stream, a great resource, and feeds into the reservoirs. She agrees that the discussions between GOSA and the applicant's engineer have been beneficial and they are making progress.

Adam Spreccace, of 184 Gales Ferry Road, submitted a letter and packet of information to the Commission. Mr. Spreccace read bulleted items on the handout to the Commission.

Roper asked that the applicant flag where the trail would be that would connect to Farquhar Field so the Commission members could drive by for a visual inspection.

MOTION: To continue the Great Brook Subdivision public hearing until the next regularly scheduled Planning Commission Meeting, on March 8, 2005.

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

2. Emerald Estates at Mystic Subdivision, Lambtown Road (7 lots)

Due to the legal notice missing a second PIN # for the parcels, the public hearing will begin at the next regularly scheduled meeting on March 8, 2005.

III. APPROVAL OF MINUTES of February 8, 2005

MOTION: To approve the minutes of the February 8, 2005 meeting.

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

MOTION: To approve the minutes of the February 8, 2005, Planning Commission meeting with the following modifications:

1. Page 1, under PUBLIC HEARINGS, 3rd paragraph from bottom of page, insert "pavement" between "down" and "millings".
2. Page 1, under PUBLIC HEARINGS; last paragraph insert "about" between "asked" and "the".
3. Page 2, move first line, "Roper noted..." under 2. After "Staff handed out a copy of the intervention to Commission".

IV. PUBLIC COMMUNICATIONS

Chairman Sherrard noted that the Chairpersons meeting with the Mayor has been cancelled. Chairman Sherrard will not be able to attend but Kane stated he may be able to and will confirm at next meeting. Staff noted that the Chairpersons meeting is tentatively rescheduled for March 24th at 7 p.m.

Staff handed out a SCCOG reference noting our Commissions and it's members.

Staff noted it was the last chance to sign up for the Connecticut Federation of Planning & Zoning Agencies scheduled for March 24, 2005 in Southington, Connecticut.

Staff handed out information regarding Copp/Burrows property to be discussed under New Business.

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

V. SUBDIVISIONS

1. Emerald Estates at Mystic Subdivision, Lambtown Road (7 lots).

Due to the legal notice missing a second PIN # for the parcels, the public hearing will begin at the next regularly scheduled meeting on March 8, 2005.

2. High Street Subdivision, High Street (3 lots) – Schedule a Public Hearing

The public hearing for High Street Subdivision, High Street (3 lots) is scheduled for the Planning Commission meeting on March 22, 2005 at 7:45 p.m.

3. Porter Subdivision, Route 117 (5 lots) – Schedule a Public Hearing

The public hearing for Porter Subdivision, Route 117 (5 lots) is scheduled for the Planning Commission meeting on March 22, 2005 at 7:45 p.m.

VI. SITE PLANS - None

VII. OLD BUSINESS - None

VIII. NEW BUSINESS

1. Report of Commission

Roper stated that the Mystic Cooperative Task Group would meet on February 28th at 8 a.m. at the Mystic Chamber of Commerce.

2. Town Council Referral of potential land acquisition of the Burrows/Copp property, Military Highway.

Gibson recused herself and Chairman Sherrard appointed Kane to sit for Gibson.

Staff reviewed the information handed out to the Commission. The selling price for the Burrows/Copp property is 2 million dollars at this time. The Conservation Commission will be meeting on this matter on March 7th, 2005. The Town Council referred this to all the agencies for a preliminary review. Staff is going to send a report to the Town Manager; who would then forward it to the Town Council regarding environmental issues and how it fits into our open space plan. Staff reported that there is a group called the “Trust for Public Land” who acts as a facilitator to enable a town to write grants and acquire funds from State and federal resources to acquire land for open space.

Chairman Sherrard asked if we needed to move quickly to secure State and/or federal grants. Staff stated that there is no immediate need to act on it tonight or before February 28, 2005.

Roper stated that this property would be more valuable as open space than to be developed. Discussion continued over the steepness of some of the slopes on the site. Roper stated he would like to see open recreation areas and trails.

Steinford is interested in it being used for passive open space and read and submitted a statement for the Commission. He stated that he feels there are needs for a recreational park in this part of Town. The location and views are spectacular and need to be kept for public use.

Steinford stated even though a Town Councilor described the property as pristine, his opinion is the present condition is deplorable like many other undeveloped properties in town. Invasive vines and brambles have taken over the entire property and are killing off the good trees and growth.

He stated he would vote for the Town of Groton to purchase the property providing the referendums wording included the use to be recreational and not undeveloped open space.

Steinford suggested the offered price by the developer of 2 million dollars is more than taxpayers can afford. However, should federal and State grants become available, he believed a referendum would have a good chance of passing.

Steinford stated that if a referendum were passed as a passive/recreational park, he and his wife each would contribute a good sum of money toward the Town's share of the purchase price. He would also work to solicit other private donations.

Kane and Pritchard would like to reserve comments until they've studied this parcel of land more.

Chairman Sherrard cited that the Burrows/Copp property is in our current plan as a desirable piece of open space.

Staff commented that this area has potential for protected open space as well as development.

MOTION: The Planning Commission recommends the Town take the appropriate steps to acquire this important property as Town open space. This property is specifically cited in our current Plan of Conservation and Development as desirable future open space. A detailed recommendation will be developed at a future Planning Commission meeting.

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

3. Zoning Commission Referral for March 2, 2005 Public Hearing

Gibson recused herself and Chairman Sherrard appointed Kane to sit for Gibson.

Staff reviewed Special Permit #278, Pleasant Valley Road and Route 12 with the Commission. The plan proposes 118-unit, 3-story townhouse condo with a lighthouse theme.

MOTION: The Planning Commission recommends against, because this does not meet the harmony and traffic criteria required by the special permit test nor does it comply with Sections 6.10-2.b and f. of the zoning regulations or NMD District of the zoning regulations.

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

4. ZBA Referrals for February 23, 2005 Public Hearing

Staff reviewed ZBA 05-02 for 24 Anne Avenue, owner Roseanne E. Kotowski. The applicant is trying to build a garage on the side of her house.

The Commission had no comment.

Staff reviewed ZBA 05-03 at 10 Heath Street, owners Dominick and Kathleen Celtruda. The applicant is asking for a variance to construct a single car garage, which would be within 12 feet of one of the fronts, as the applicant would like to keep the stone wall and driveway intact.

The Commission had no comment.

5. New Applications:

- a. Library Hill Subdivision, 102 & 104 Library Street (3 lots)

IX. REPORT OF CHAIRMAN - None

X. REPORT OF STAFF

1. CIP update

Staff handed out the draft CIP to the Commission members. The CIP meeting is still scheduled for Monday, February 28th at 7 p.m. at the Groton Town Library.

2. POCD update – Schedule joint meeting with Conservation Commission

Staff still needs to confirm date with the Conservation Commission for sometime in March.

XI. ADJOURNMENT

Motion to adjourn at 10:32 p.m. made by Roper, seconded by Steinford, so voted unanimously.

Respectfully submitted,

Margil Steinford