



Town of Groton, Connecticut

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager
(860)441-6630

Meeting Minutes Town Council

Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., John F. Scott, Paulann H. Sheets, James L. Streeter, and Elissa T. Wright.

Wednesday, November 8, 2006

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

Due to the absence of Mayor Watson, Town Clerk Tarbox requested nominations for the Chairperson pro-tem of the Council. Councilor Bartinik was elected as Chairman pro-tem and called the meeting to order at 7:30 p.m.

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent, Town Clerk Barbara Tarbox, and Office Assistant Elga Concepcion.

Members Present: Councilor Bartinik, Jr., Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Scott, Councilor Sheets, Councilor Streeter and Councilor Wright

Members Absent: Mayor Watson and Councilor Bond

II. SALUTE TO THE FLAG

The Salute to the Flag was led by John Sutherland.

III. RECOGNITION, AWARDS & MEMORIALS

Councilor Bartinik congratulated Councilor Wright on her recent election as State Representative for the 41st District.

IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Anna Barber, 2906 Gold Star Highway, Mystic, discussed her concerns regarding the animal shelter. She feels that a portion of the Town's capital reserve funds should be appropriated towards the shelter.

Genevieve Cerf, 17 Crescent Street, Groton Long Point, RTM member for District 8, supports a phase-in of the 2006 revaluation. She reviewed charts representing the impact of revaluation. The charts on taxes were distributed to the Councilors.

Joan Smith, 58 Mohegan Road, Director of Groton Open Space Association (GOSA), supports a moratorium on active senior housing applications to the Town's land use commissions. The moratorium would provide time for the zoning commission to adopt a town-wide buildable land definition. Ms. Smith reviewed zoning regulations in detail.

Sidney Van Zandt, 3 Front Street, Noank, shares Ms. Smith's views. She discussed the definition of buildable land and feels that a build-out analysis is a valuable tool for informed planning decisions.

Beth Robinson, 25 Lemont Road, cited portions of Groton's 2002 Plan of Conservation and Development, as well as zoning regulations. Mrs. Robinson believes that active adult zoning is a risk to all single family homeowners.

Sue Sutherland, 32 Neptune Drive, believes that active senior housing should give the Town "the best of all worlds-concentrations of relatively affluent people without kids." She stated that the tax implications of active senior housing developments need to be thoroughly analyzed. Ms.

Sutherland referred to the Mystic Woods project.

Wendy Eckholm, 165 Benham Road, discussed her concerns surrounding abandoned and mistreated animals. She stated that a new animal shelter needs to be built as soon as possible. Ms. Eckholm would like the Council to request Animal Control Officer Donna Duso to come back and discuss the problems associated with placing certain functions into the hands of a private organization.

Jack Sebastian, 4 East Shore Avenue, RTM member for District 8, thanked the Council for not using the 2005 revaluation data in calculating property taxes for 2006. He supports a phase-in of the revaluation and asked the Council to give this matter more thought.

John Sutherland, 32 Neptune Drive, provided an overview of his analysis of the impact of a phase-in utilizing Option 2. Mr. Sutherland's data shows that the vast majority of residential and commercial properties will benefit from the phase-in. He urged the Council to consider a proposal for further study of Option 2.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Responding to Councilor Kolnaski, Mrs. Smith stated that she has not gone before any of the land-use commissions to give a presentation at this time.

Responding to Councilor Sheets, Mrs. Smith and Mrs. Robinson confirmed that they will provide the references and/or General Statutes whereby the Town Council or the Planning Commission could effect a moratorium.

2006-0288 Revaluation Phase In - Option 2

REVALUATION PHASE IN - OPTION 2

Referred

Councilor Sheets requested a referral to the Committee of the Whole to further study a phase-in of the revaluation, particularly Option 2.

2006-0287 Moratorium on Active Senior Housing Developments

MORATORIUM ON ACTIVE SENIOR HOUSING DEVELOPMENTS

Referred

Councilor Wright requested a referral to the Committee of the Whole for a moratorium on any new building of active senior housing developments.

VI. CONSENT CALENDAR

a. Approval of Minutes

2006-0285 Approval of Minutes (Town Council)

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of October 17, 2006 are hereby accepted and approved.

This Matter was Adopted on the Consent Calendar.

b. Deletions from the Town Council Referral List

2006-0208 Revaluation Phase In

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2006-0269 Title V Delinquency Prevention Program Grant

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

- 2006-0057 Land Use Application Fees**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2006-0130 Community Human Service Needs**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2006-0239 Animal Shelter**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2006-0252 2007 Rates for Shennecossett Golf Course**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2006-0268 Homeland Security Grant Funding (2006)**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2006-0270 2007 Expanded DUI Enforcement Program Grant**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2006-0272 Groton Education Foundation Grant**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2006-0284 Adoption of an Ordinance Concerning Land Use Fees**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

c. Special Trust Fund Contributions

2006-0271 Special Trust Fund Contributions

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Fred W. Palm Family - \$1,000.00 - Parks & Recreation Revolving

State of Connecticut Judicial Branch for Anthony Nguyen - \$500.00 - Parks and Recreation Skate Park

Jerry Lokken - \$100.00 - Parks & Recreation Revolving

This Matter was Adopted on the Consent Calendar.

Passed The Consent Calendar

A motion was made by Councilor Scott, seconded by Councilor O'Beirne, Jr., to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.

The motion carried unanimously

VII. COMMUNICATION REPORTS (Other than Committee Reports)

a. Town Councilors

Several Councilors received emails regarding the revaluation and concerns about increased traffic on Kings Highway due to the construction of a new Wal-Mart.

Councilor Kolnaski volunteered at two flu clinics on November 1 and attended the Martin Luther King Award banquet on October 19. She attended the Town Council Board of Education RTM Liaison Committee meeting on October 18 at which time the No Child Left Behind program, student enrollment, and the increase in cost of school lunches were discussed. Councilor Kolnaski attended the Senior Coordinating Council meeting on October 24 at which time expansion of the Senior Center, voting machines, the Groton Fall Festival, and the need for a new animal shelter were discussed.

Councilor Scott attended the Town Council Board of Education RTM Liaison Committee meeting on October 18 and the Martin Luther King Award banquet on October 19.

Councilor Sheets received an email regarding options for construction of a new animal shelter. She also received a call requesting an update on the status of the Environmental Review Team (ERT) with respect to the Mystic Woods project which has been withdrawn. Responding to Councilor Sheets, Town Manager Oefinger confirmed that the Zoning and Planning Commissions have arranged for an ERT.

b. Representative Town Meeting

Town Clerk Tarbox stated that the RTM meeting scheduled for tonight was cancelled.

c. Clerk of the Council

The Town Clerk reported that over 10,000 residents voted in yesterday's State election. There were 688 citizens who voted by absentee ballot. The canvass for Groton is scheduled for November 13. Responding to Councilor O'Beirne, the Town Clerk stated that one voter utilized the telephone system for visually impaired individuals.

d. Town Manager

Town Manager Oefinger stated that his office will re-issue an amended agenda for next week's Committee of the Whole agenda to include tonight's new referrals. Mr. Oefinger reported that this will be a special meeting as it will begin at 6:00 p.m., with Group I and Group II meetings cancelled. He provided an overview of the bond rating information which was forwarded to the Council and noted that the Town has received the Distinguished Budget Award for the 13th year. Mr. Oefinger reminded viewers that Town offices will be closed on November 10 in observance of Veterans' Day. He stated that the Town will be working with volunteers to clean up the Subase sign which was defaced. This week's Weekly Status Report will include an update on the Governor's Diversification Committee activities.

e. Town Attorney

No report.

VIII. COMMITTEE REPORTS

a. Community & Cultural Development - Chairman O'Beirne

No meeting; no report.

b. Economic Development - Chairman Bond

No meeting; no report.

c. Education/Health & Social Services - Chairman Kolnaski

No meeting; no report.

d. Environment & Recreation - Chairman Sheets

No meeting; no report.

e. Finance - Chairman Wright

No meeting; no report.

f. Personnel/Appointments/Rules - Chairman Scott

No meeting; no report.

g. Public Safety - Chairman Streeter

No meeting; no report.

h. Public Works - Chairman Bartinik

No meeting; no report.

i. Committee of the Whole - Mayor Watson

There is no report at this time.

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

2006-0239 Animal Shelter

RESOLUTION ON A NEW ANIMAL SHELTER

WHEREAS, the Groton Town Council has considered citizen concerns about the current Town animal shelter, along with information from the Department of Public Works concerning the facility's condition and the potential cost of a full replacement, and information from the Town Police Department on the normal and peak levels of animal occupancy in the present facility, and

WHEREAS, the Town Council would like to see an improved animal control facility provided, but it does not feel comfortable proceeding with the financing of a new Town of Groton facility as presented and in light of recent cost estimates, and

WHEREAS, several residents have, under Citizens Petitions, expressed an interest in making donations toward a new animal facility, and

WHEREAS, the Town Council has been advised that the local chapter of the Humane Society may be able to erect a new animal shelter if there is sufficient regional interest among a number of towns, now therefore be it

RESOLVED, that the Town Council wishes to have a letter sent to the Humane Society to inform the society of the Town of Groton's potential interest in a shared regional facility that would fully meet Groton's needs, and be it

FURTHER RESOLVED, that the Town Council directs staff to identify alternative concept designs and funding alternatives for the construction of a more reasonably priced replacement facility.

A motion was made by Councilor Streeter, seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously

2006-0252 2007 Rates for Shennecossett Golf Course

RESOLUTION SETTING 2007 RATES FOR THE SHENNECOSSETT GOLF COURSE

WHEREAS, the Town of Groton's Shennecossett Golf Course operates as an enterprise fund, separate from the Town's general fund budget, and

WHEREAS, the Golf Advisory Board and the Parks and Recreation Commission have recommended a schedule of fees for calendar year 2007, now therefore be it

RESOLVED, that the municipal golf course rates for the year 2007 shall be the rates as attached to this resolution.

A motion was made by Councilor Scott, seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously

2006-0268 Homeland Security Grant Funding (2006)

RESOLUTION AUTHORIZING GRANT FINANCING FOR HOMELAND SECURITY COSTS

RESOLVED, that the Groton Town Council may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems necessary or appropriate; and

FURTHER RESOLVED, that Mark R. Oefinger, as Town Manager of the Town of Groton, is authorized and directed to execute and deliver any and all documents on behalf of the Town Council for the Town of Groton and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

A motion was made by Councilor Sheets, seconded by Councilor Streeter, that this matter be Adopted.

The motion carried unanimously

2006-0270 2007 Expanded DUI Enforcement Program Grant

RESOLUTION APPROVING A GRANT APPLICATION FOR EXPANDED DUI ENFORCEMENT

WHEREAS, the Town of Groton customarily makes use of state or federal grant funds to allow the Town to provide enhanced police presence and public safety efforts to assist motorists and to prevent fatalities arising from substance-impaired driving, and

WHEREAS, the Connecticut Department of Transportation's Division of Highway Safety will provide grants for a concerted year-round program for field sobriety checkpoints and other DUI enforcement, with this program to run until September 30, 2007, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of Federal funds in the amount of \$12,000, to be matched by Town budgeted funds of \$4,000 that have been appropriated, for a total program funding of \$16,000.

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously

2006-0272 Groton Education Foundation Grant

RESOLUTION APPROVING AN APPLICATION FOR A GRANT FROM THE GROTON EDUCATION FOUNDATION

WHEREAS, the Groton Education Foundation provides grants to advance projects based on ideas from teachers and other educators, and

WHEREAS, the Groton Senior Center and the Claude Chester Elementary School have engaged in intergenerational educational experiences for students and seniors, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of \$429 from the Groton Education Foundation, to be utilized for a program called "Exploring Music."

A motion was made by Councilor Kolnaski, seconded by Councilor Scott, that this matter be Adopted.

The motion carried unanimously

2006-0284 Adoption of an Ordinance Concerning Land Use Fees

ADOPTION OF AN ORDINANCE AMENDING ORDINANCE NO. 194 CONCERNING FEES FOR THE PROCESSING OF LAND USE APPLICATIONS AND PERMITS

An Ordinance Amending Town Ordinance No. 194 Concerning Fees for the Processing of Land Use Applications and Permits.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. Enabling Provisions and Purpose. C.G.S. Section 8-1c provides for the Town Council to adopt fee schedules for land use applications and reviews associated with the work programs of the Planning Commission, Zoning Commission, Inland Wetlands Agency, and Zoning Board of

Appeals. An ordinance, when adopted, supersedes any specific fee schedules established by respective agencies.

The schedule herein is intended to establish reasonable fees for the processing of all land use applications in a manner that funds the approximate actual municipal administrative costs of reviewing, evaluating, processing, and advertising land use applications as is necessary. These administrative costs shall further be defined to include additional payment(s) by the applicant for direct costs of materials and services associated with work performed by professionals, other than Town employees, including but not limited to professional/consultant reports, third party professional certifications, stenographic and transcription services associated with an application, and such other required certifications as the case may be.

Section 2. The following fees and/or charges for permits, applications and related administrative actions shall be as follows:

A) SUBDIVISION OR RESUBDIVISION REVIEW

Base Fee		\$400
1- 4 lots	\$225 per lot, plus base fee	
5- 49 lots	\$150 per lot, plus base fee	
50 lots or over	\$125 per lot, plus base fee	
Subdivision Modification		\$250

B) SITE PLAN REVIEW

Site Plan modification		\$150
Building size of 25,000 square feet or less		\$150
Building size of 25,000 - 100,000 square feet		\$250
Building size over 100,000 square feet		\$350
Administrative Site Plan		\$ 50

C) COASTAL SITE PLAN REVIEW

Non-Exempt Activities		\$150
Combined with Subdivision, Variance, Site Plan, Special Permit		\$ 75

D) SPECIAL PERMIT REVIEW

		\$400
--	--	-------

E) INLAND WETLANDS REVIEW

	Minor	Major
1 Lot/1-2 dwelling units	\$150	\$400
2 or more lots/3 or more dwelling units	\$150	\$400
1 lot/1 commercial or industrial building	\$150	\$400
Permit amendment, modification, renewal or extension	\$150	\$400
Regulation or map amendment		\$400
Permitted or non-regulated activity		No charge

F) ZONING AND SUBDIVISION AMENDMENT REVIEW

Regulation Amendment		\$400
----------------------	--	-------

Map Change	\$400
G) VARIANCE/APPEAL	\$400
H) ZONING COMPLIANCE CERTIFICATION	\$ 25
I) CERTIFICATE OF LOCATION	\$ 150

All fees include a \$30 State Land Use Fee where applicable.

Section 3. Complex Application Fee: If an application is deemed by the Town staff or Board or Commission to be complex, the Town may charge an additional fee sufficient to cover the cost of reviewing and acting on complex application. Such fee may include, but not be limited to, the cost of retaining experts to analyze and review reports submitted by the applicant as part of the complex application. The Town staff and/or designated agent as the case may be shall estimate the Complex Application Fee within 21 days of the official receipt of the application by a respective Board or Commission. The fee shall be paid prior to the respective Board or Commission taking action on the complex application. Any portion of the Complex Application Fee in excess of the actual costs incurred shall be refunded to the applicant after publication of the Board or Commission's decision as required by law. Failure to pay as aforesaid shall be grounds for denial of the application.

Section 4. Other Requirements. The Office of Planning and Development Services is authorized to create and implement reasonable and necessary procedures to address such necessary administrative costs and requirements noted in Sections 1 and 3 above to accomplish the provisions of this ordinance.

Section 5. Boards, commissions, councils, and departments of the Town of Groton are exempt from all fee requirements under this ordinance.

Section 6. This Ordinance hereby supersedes Ordinance No. 194 and any other Ordinance or measure concerning fees for the purposes specified in this Ordinance heretofore adopted.

Section 7. This Ordinance shall become effective on the forty-fourth (44th) day after publication of notice of its passage pursuant to Charter Section 4.6.1.

Refer to RTM.

A motion was made by Councilor Bartinik, Jr., seconded by Councilor O'Beirne, Jr., that this matter be Adopted and referred under Rule 6.5.3 to the Representative Town Meeting.

This item will be considered at the RTM meeting in December.

The motion carried by the following vote:

Votes: In Favor: 7 - Councilor Bartinik, Jr., Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Scott, Councilor Sheets, Councilor Streeter and Councilor Wright

XI. OTHER BUSINESS

None.

XII. ADJOURNMENT

A motion to adjourn at 9:00 p.m. was made by Councilor Kolnaski, seconded by Councilor Scott and so voted unanimously.

Attest:

Barbara Tarbox, Town Clerk

*Elga Concepcion
Office Assistant*