

MINUTES
GROTON ZONING COMMISSION
AUGUST 2, 2006 - 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Brandt, French, Haviland, Hudecek, Marquardt, O'Neill, Sergeant, Shirvell
Staff: Cullen, Murphy, Stanowicz

Chairman Hudecek opened the meeting at 7:01 p.m.

II. PUBLIC HEARINGS

1. Special Permit #289, 18-22 West Main Street, 36 West Main Street, 2 Gravel Street and 3 Gravel Street (Historic Mystic, LLC, applicant) (CAM) – Continued

Staff gave an update of the use of the public parking and public access walkway. Copies of the Certificate of Permission issued by the State of Connecticut Dept. of Environmental Protection (D.E.P.) were distributed to the Commission members. Staff met with D.E.P. Office of Long Island Sound Programs (O.L.I.S.P.) at the site to review flood management regulations and clarify the project proposed.

Rod Desmarais representing the applicant, Historic Mystic LLC, summarized the proposal. The retail space has been reduced from seven to six store fronts on the first level. He will encourage owners of the storefronts to participate in the Mystic Art Center parking validation program. Mr. Desmarais showed the Commission a model of the proposed project. He told the Commission that the Historic District Commission required clapboard instead of the brick façade shown in the model.

Mr. Desmarais told the Commission the building heights of each the buildings on Main Street in downtown Mystic. Mr. Desmarais said the rooftop mechanicals will be about three feet above the roof, but they will not be seen from the street. The coastal access walkway would be ten feet wide along the back of the Central Hall building.

Staff discussed the overall impact on traffic and parking this project would present. The parking for the retail stores is “grandfathered”. The new development over the first floor requires additional parking spaces. Staff said that with this proposal, the applicant is improving overall parking between Pearl and Gravel Streets.

Staff reviewed additional responses received since the last meeting. Staff read into the record a letter received from Fire Marshal Hilbert, received July 13, 2006, approving the project.

Staff read into the record a portion of the updated coastal site plan application received from the applicant. The updated application states that no additional structural supports or pilings would be needed for a four story building as opposed to a three story building so there would be no adverse impacts from the latest proposal.

The new parking program proposed by the applicant was reviewed by staff. Hudecek asked if the applicant meets the five-eighths rule for parking spaces. Staff reviewed all the spaces available. Sergeant asked if the parking demanded by the stores at the Tift site are already allocated to other uses and therefore would create a shortage for existing properties. Staff said Mystic Art Center has leases with various applicants. These spaces at Mystic Art Center are not specifically designated for the newly proposed residential units. The Commission needs to decide if the proposed project is too intense as the site cannot accommodate the zoning demands of 32 spaces, or even 21 (5/8ths total), on site. Brandt

asked if the Streetscape Project would provide any gain or loss of parking spaces for the retail shops. Staff said six or seven spaces overall would be lost with the project.

A letter to Joan Hoelzel, Senior Coastal Planner, State of Connecticut D.E.P. from staff was read into the record.

Hudecek asked if a decision has been made regarding the gated access. Staff said the Historic District Commission would have to approve the gates.

Staff said the pilings issue has been addressed. This is an A flood zone only, meaning there is no high velocity wave action in this area. The original Certificate of Permission (C.O.P.) wasn't specific as to the number of stories; it provided a framework. With this proposal, residential units are being added above the public trust area. D.E.P. will require a new C.O.P. because of the additional floor. D.E.P. said additional units may add to the "threat to life and property". The findings for a special permit were discussed. Staff said parking surface treatment, lighting, etc. will be addressed by the site plan. The coastal site plan was discussed. Staff stated the modification to change the public parking is an acceptable impact in his opinion. The site is not suited for recreational boating use. Staff addressed the dedication of the boardwalk to public access. The recommendations for the project were read into the record. O'Neill asked what the State's recommendations were at the meeting with staff. Hudecek asked for the Planning Commission's referral to be read. Staff read the Planning Commission's referral into the record for the second time. Brandt asked if the COP will be affected by the recommendations of the Commission and if the conditions of the special permit would give the State a greater degree of security. Staff was not sure of the impact of the Commission's recommendation on the State's decision.

Chairman Hudecek opened the hearing to the public.

Tricia Barkley, President, Greater Mystic Chamber of Commerce, 30 Avery Court, New London, spoke in favor of the application.

The public hearing was closed.

2. Special Permit #290, 516-528 Gold Star Highway (Gold Star Investment Group LLC applicant)

Staff said the applicant's representative was going to withdraw this application, but he has not withdrawn. Staff recommends closing the hearing, but the Commission does not need to act at this meeting. The applicant was not present. Chairman asked for public comments. There were none.

Staff explained the applicant's failure to make proper notice, and lack of information provided.

The public hearing was closed.

3. Special Permit #292, 425 Gold Star Highway (Girard Motors Inc., applicant)

Normand Thibeault, project engineer with Provost and Rovero, represented the applicant, Girard Nissan, Inc. Mr. Thibeault explained the location of the project. It is an existing one-story 30,000 sq. ft. metal building used for auto sales and car repairs. A new 80 x 200 building is proposed to be used for collision care, moving this from the main building. This parcel is located in the WRPD (Water Resource Protection District). An expansion up to 50% is allowed in this district. The expansion of a non-conforming use would allow an

additional 61,289 sq. ft. This project would increase coverage from 122,579 sq. ft. to 169,697 sq. ft., an increase of 47,118 sq. ft., or 38.4%. An expansion of up to 50% is allowed in this district. Impervious coverage is currently 40.1% and will increase to 55%; 70% is the maximum allowed. Mr. Thibeault said there is no threat to water supply resources. Best management practices will be used for stormwater collection and conveyance.

Mr. Thibeault said this project would be in harmony with the existing development. It will be located at an existing car dealership in a commercial zone with other automotive businesses in the area. Regarding traffic circulation, the service center will not create any increase in traffic. There is an existing traffic light at the intersection of Antonino Road and Route 184. The existing entrances at the dealership will be used, and a new roadway from the existing parking lot to the service center will be constructed. There will be no new access to the site. Antonino Road has concrete sidewalks on both sides. There are pedestrian handicapped accessible ramps at the site. Mr. Thibeault said there will be no impact on the environment. This project will not be hazardous to the water recharge area. Storm drainage collection systems and catch basins were described in detail. The sumped catch basins and extended detention time were described. Contaminants associated with auto repair will be stored inside with secondary containment and will be removed by operators licensed for these items.

Chris Marchesi, principal, Triton Environmental Inc., discussed the environmental system. Air quality controls and D.E.P.'s requirements were discussed. The painting will be done in spray booths with a filtration system. If less than 1,000 gallons of combined solvents are used per year, no permit is required. According to D.E.P., this project is a minor source of emissions, and does not impact the surrounding area. O'Neill asked about the calculations. Mr. Marchesi said the 1,000 gallons per year is based on purchase records. D.E.P. uses "permit by rule"; they must maintain purchase records of all solvents, etc. and can be audited at any time. French asked if this controls any potential fumes. Mr. Marchesi said the D.E.P. has thresholds, and this application is considered insignificant. The air filtration system uses reverse suction on the floor so the propensity for these particles or odors to become airborne is minimized and these go through filtering before being discharged into the air.

Mr. Thibeault said the site with the new building would not exceed 70% of impervious area; it meets the requirement with 55%, and more than 20% of the site will remain in its vegetative state. There is a 50 ft. buffer for wetlands and watercourses. Michael Shafer, a certified soil scientist, found no wetlands on the site. There is not and will not be underground storage of hazardous materials. An additional above-ground fuel tank will be added to meet the requirements of the new building. There are currently four above-ground tanks on the site. Batteries, anti-freeze, etc. will be stored inside. Wrecked vehicles will be stored under an overhang so that no stormwater can run onto or off of the vehicles. Floor surfaces will be impermeable with dikes. Covered dumpsters with drain plugs were discussed. There will be no exterior loading docks; overhead doors will be used for deliveries and vehicles accessing the building. To meet the pervious surface requirements, some pavement will be removed, and there will be gravel parking in certain areas. Stormwater drainage from rooftops will be directed to basins and to the detention pond. Utilizing existing pipe, the rate of discharge will not exceed requirements. Drainage calculations were reviewed. "No salt application" is noted on the plans. Containment areas within the building can hold 110% of all materials that may be stored at any one time. The number of parking spaces required by the Town is 155 and the applicant is proposing 240 spaces. Any spaces above the required number have to be constructed with impervious material. There would be 39 new spaces required for the new building and the additional 85 are required to be pervious.

French asked if all damaged vehicles will be inside. Mr. Thibeault said there is space for five vehicles to be protected and curbed outside. Every potentially hazardous vehicle will be protected. French asked if there is a filtering system prior to the roof venting, and if there will be any fumes from the roof vents. Mr. Thibeault said that he could not guarantee there would never be any fumes out of roof vents. The closest building is 450 ft. away, the rest are well over 500 ft. away. Primer coat, paint and clear coat may become airborne. Any materials that flow into the floor drains inside, or a leak from the outdoor covered vehicle storage area, go to a sealed tank with a vent. This tank will be regularly pumped out. Brandt asked if there would be any increase in the number of repairs. Paul Provost, Provost and Rovero, said there would probably be a 25% increase. French asked how often the tank would be pumped out. Mr. Thibeault said it would be inspected semi-annually and pumped out at least once a year.

Staff addressed how the expansion will affect the water resources. This is a permitted use in the underlying heavy commercial zone. The commercial activity is not an issue, but the effect on the water supply is the issue. The air quality is regulated by other agencies. Mr. Thibeault said the building will be well below the tree line. Sergeant asked the height of the new building. Mr. Provost said the new building would be 24 ft. high in front and will have decorative windows, masonry exterior, and a storefront – type appearance. Marquardt asked if the detention basin is on this property. Mr. Thibeault said no, the detention basin is on abutting property owned by the applicant. Marquardt asked if the owner would be granting an easement to himself. Haviland asked if they are merged properties. Staff said the owner will have to modify this before he can sell the property.

Staff said the Planning Commission had no comment regarding this application.

Linda Lucetti, 15 Crown Knoll Court called staff to speak against the application.

Staff reviewed the parking requirements. Specialized items and containment systems have been added, and the Town requirements were reviewed. The expansion in the WRPD poses no greater threat to the water supply. Both sites are being tied into new systems, so both sites will be upgraded. Thresholds and minimum standards were reviewed. Staff said the extensive number of mailings have been double-checked by our staff.

Chairman Hudecek called for a five minute recess at 9:00 p.m. The meeting resumed at 9:07 p.m.

Chairman Hudecek asked for public comments in favor of the application. There were none.

Chairman Hudecek asked for public comments against the application.

Lonny Brown, 67 Leafwood Lane, spoke against the application for the following reasons: lighting concerns, visibility of the building from the condominiums, noise, increase in traffic, paint and chemical fumes, and tow truck noise. The Nissan dealership is using their access road for demos.

Bill Jeffcoat, 110 Leafwood Lane, spoke against the application, because of concerns with noise, traffic, spillage, increase of abandoned inoperative vehicles. He said the residential area is entitled to protection.

Chairman Hudecek clarified the context of the application for the public.

Alan Berry, 74 Crown Knoll Court, spoke against the application.

David Barry, 91 Crown Knoll Court, spoke against the application.

Darrell Lupo, 83 Leafwood Lane, spoke against the application, because of concern with property values.

Lisa Klevenow, 87 Leafwood Lane, spoke against the application.

Gopal Sarma, 67 Leafwood Lane, spoke against the application. He said that the added pollution will worsen his health.

Mary Rhodes, 59 Leafwood Lane, spoke against the application.

Gail Barry, 91 Crown Knoll Court, spoke against the application.

Barbara Kent, 98 Leafwood Lane, spoke against the application.

Dorrie Murray, 82 Crown Knoll Court, spoke against the application.

Ed Flanagan, 75 Crown Knoll Court, spoke against the application.

Dawn Lewis, 90 Crown Knoll Court, spoke against the application. She said she would like to see a traffic light at the intersection of Winding Hollow and Route 184.

Haviland asked if there are outstanding issues with the Zoning Enforcement Official. Staff said there are outstanding site plan compliance issues and the Town is holding a performance bond for completion. Those items are unrelated to this application. These are site plan modification issues that need to be addressed separately. Staff said these are public concerns, but these are not valid to the Special Permit process, which addresses environmental practices and stormwater quality. The traffic, lighting, landscaping, etc. are issues that will be dealt with by the Planning Commission. Harmony with development is relative to the zone it is in. There is residential zoning nearby. Sergeant said he has an issue with retention basin being on adjacent property, and asked staff about buffering requirements. Staff said that landscape buffers are more restrictive in residential zones. There is commercial zoning to the west and south of this property, and a commercial business could be built even closer to those residences than this application. Hudecek asked the applicant if a formal traffic study had been done. Mr. Thibeault said no. Hudecek asked if the existing collision service in the existing building is going to be shut down. Mr. Thibeault said it will be shut down and moved to the new building. He is not sure of the future use of the existing collision service area. Sergeant asked the applicant if they will be bringing in collision work from other sites. Mr. Provost said they will not be taking in vehicles from their other dealerships. O'Neill said it appears the existing traffic problem is from the sales part of this business, not the collision repair.

Staff said the traffic and speeding concerns of the neighbors should to be brought to the Police Chief and the Town Manager. Winding Hollow is a Town-owned road. Hudecek said the Commission is addressing the expansion of a non-permitted, non-conforming use in the WRPD. The public's issues will be addressed at the site plan stage. This application must meet the criteria for a special permit, and is subject to the objectives of Section 8.3. The public hearing was closed.

III. APPROVAL OF THE MINUTES OF July 5, 2006

MOTION: To approve the minutes of July 5, 2006 as amended.

Motion made by Haviland, seconded by Brandt, so voted unanimously.

IV. PUBLIC COMMUNICATIONS

Jim Furlong, a Board Member of Groton Open Space Association (GOSA), read a letter encouraging public involvement in the rewriting of the Town Zoning Regulations. O'Neill and Hudecek asked the time frame of this project. Staff said it should begin in the next six months to one year. Staff said the Town's process is always open and will involve public meetings and the ability to comment.

V. CONSIDERATION OF PUBLIC HEARINGS

1. Special Permit #289, 18-22 West Main Street, 36 West Main Street, 2 Gravel Street and 3 Gravel Street (Historic Mystic, LLC, Applicant) (CAM)

MOTION: To approve Special Permit #289, 18-22 West Main Street, 36 West Main Street, 2 Gravel Street and 3 Gravel Street per Section 8.3 of the Zoning Regulations with the following conditions:

- 1) Organized and dedicated pedestrian access from 36 West Main Street across 3 Gravel Street to 18-22 West Main Street shall be designed to facilitate movement during all hours of the day, providing consideration for lighting and appropriate surfaces.
- 2) The parking areas on 36 West Main Street and 3 Gravel Street shall be reorganized and upgraded to current standards as outlined in the Zoning Regulations. This site(s) layout shall promote both pedestrian and vehicular traffic to and from these sites that will not be hazardous or inconvenient, so that the project is in harmony with the normal traffic of the neighborhood and the orderly development of the district.
- 3) The carriage house/shed at the rear of 36 West Main Street will be removed to allow for additional parking spaces to be accommodated. This shall be addressed in the site plan application to ensure the accomplishment of the overall coordinated plan for parking.
- 4) In consideration of the health, safety, and welfare of the public, and historic downtown Mystic in particular, the applicant shall implement the Parking Program submitted herewith in conjunction with the application for site plan approval and the Groton Zoning Regulations. Any parking spaces required to be maintained as part of a lease with the Mystic Arts Center and any subsequent lease with the Town of Groton, shall also be in accordance with section 7.2-5 of the zoning regulations.
- 5) The resident parking authorized at 2 Gravel street on the pump station property shall not exceed the existing number of spaces now available at the site (9 spaces).

Motion made by O'Neill, seconded by Brandt.

Sergeant asked about the spaces at the pump station, and perpendicular parking. Staff said the standard parking design would apply. One or two of those spaces have to be handicapped accessible. Sergeant asked if the proposed gated parking lot would be in harmony with the development.

Motion passes unanimously.

Haviland recited the findings.

FINDINGS

The Commission notes that the project meets the objectives of Section 8.3 and Section 6.3 of the Zoning Regulations for the following reasons:

- 1) The project gives primary consideration to the creation and preservation of public views, historic character of the area, and provision of significant pedestrian public access opportunities at the river's edge.
- 2) The proposal provides for appropriate and orderly development of the area through a coordinated pattern of land use, safe access and movement of pedestrians.
- 3) The proposal is consistent with the objective that it will not have a negative impact on the environmental and natural resource areas on or adjacent to the site.

MOTION: To approve the Coastal Site Plan application for Special Permit #289, 18-22 West Main Street, 36 West Main Street, 2 Gravel Street and 3 Gravel Street, with the following conditions:

- 1) Additional improvements such as benches, coastal public access signage and other amenities which will give priority to pedestrian movement along the public access walkway will be provided by the applicant.
- 2) The applicant shall provide the opportunity to create future linkages to adjoining properties for the purpose of public waterfront access.
- 3) The public pedestrian access easement shall be clearly defined on the plan and dedicated in favor of the Town of Groton in perpetuity and shall also provide for protection of visual access to the River.
- 4) The applicant shall incorporate a deed restriction for the property at 18-22 West Main Street to prevent conversion of any portion of the first floor commercial use(s) to any residential use.

Motion made by Haviland, seconded by O'Neill, so voted unanimously.

Hudecek recited the findings.

FINDINGS

The Commission hereby finds that the application as conditioned is consistent with all applicable goals and policies in Section 22a-92 and incorporates all reasonable measures which would mitigate adverse impacts of the proposed activity on both coastal resources, and existing and future water dependent activities.

The Commission further finds that a careful review of the proposed activity described in the application has been made with respect to water dependent development opportunities and the proposal therefore constitutes an acceptable adverse impact on said water dependent development opportunities for the following reasons:

- 1) A dedicated pedestrian coastal public access easement is stipulated for 18-22 West Main Street. The adjacent pump station property site itself is not physically suited to intensive water dependent use for fishing, kayaking, or boat launching due to shallow water depths and a sloped embankment. The project will not reduce any

scenic views to, or meaningful pedestrian public access to, the Mystic River, at either site.

- 2) The modification to the parking area at 2 Gravel Street still provides sufficient area for both public and private uses on the Town of Groton site in the form of a dedicated public access boardwalk and anticipated private resident parking, respectively.
 - 3) This project, along the Town's Mystic Streetscape Project, will actually expand the pedestrian accessway area at 2 Gravel Street and significantly improve the area with the new boardwalk, lighting, benches and landscaping, that further mitigates the modification to the public parking use.
 - 4) The Town of Groton Pump Station meets the definition of a National Interest Resource based on its function as a water pollution control facility. The future needs of the community with regard to improvements needed in the interest of the Clean Water Act and the possibility of an expanded/improved facility will be accounted for in any lease agreement for this area authorized by the Town, without sacrificing coastal pedestrian public access.
 - 5) There are a significant number of alternative public access points along the Mystic River on the Groton side, several of which include parking for free or at minimal rates. Two of these sites are within a few hundred feet of the Gravel Street site.
2. Special Permit #290, 516-528 Gold Star Highway (Gold Star Investment Group LLC, Applicant)

Haviland said the motion should be denied based on the applicant not presenting the application, and based on input during the hearing.

MOTION: To deny Special Permit #290, Gold Star Investment Group, LLC, 516-528 Route 184, to assign the non-permitted use of automotive service operations from 141 Gold Star Highway to 516-528 Route 184 for the following reasons:

- 1) The applicant has failed to provide evidence of proper notice as per Section 8.3-5 of the Town of Groton Zoning Regulations.
- 2) The application is incomplete and lacks information as to how it meets the objectives of Section 6.12-7 of the Town of Groton Zoning Regulations (Relocation of Non-Permitted Uses).
- 3) The application is incomplete and lacks information as to how it meets the objectives of Sections 8.3-2 (c) and 8.3-8 (a,b,c).

FINDINGS

The Commission notes that the project does not meet the objectives of Section 8.3 and 6.12-7 of the Zoning Regulations for the following reasons:

- 1) Lack of information to compare the application to appropriate objectives within the regulations.
- 2) Lack of evidence of proper notice to the owners within 150 feet at least ten but no more than 30 days in advance of the hearing.

Motion made by Haviland, seconded by Sergeant, so voted unanimously.

3. Special Permit #292, 425 Gold Star Highway (Girard Nissan Inc., Applicant)

MOTION: To approve Special Permit #292, Girard Nissan Collision Center, 425 Route 184, to expand the non-permitted use by 38.4% of automotive service operations per Sections 6.12-6 and 8.3 of the Zoning Regulations with the following conditions:

- 1) All parking in excess of the 155 required spaces will be pervious surface.
- 2) The utilization of NaCl is not permitted within the Water Resource Protection District.
- 3) A note will be added to the plan to reflect that an emergency spill contingency plan will be provided at the time of the site plan.

Motion made by Sergeant, seconded by O'Neill.

Haviland said he opposes the motion because the retention basin is off of the actual site with no guarantee that the adjacent site will not be sold in the future, and access to that basin would be cut off. Haviland said the applicant should obtain a permanent easement for the detention basin for the adjoining property and because of the existing zoning code violations, he is opposed. Staff said they would require an easement or conveyance to modify the lot line to include the basin property at this site. A condition can be included in the motion.

Brandt stated that this is not a new use of the applicant's property, but would like to assure the residents that the traffic, lighting, and other issues addressed in the public comments will be addressed. Staff said they will note the public's issues and they will be addressed before the application is made to the Planning Commission. Hudecek asked if there should be a limit of operating hours. Staff said it is not recommended in any commercial zone unless there is a threat to public health and safety.

Sergeant withdraws the motion, seconded by O'Neill.

MOTION: To approve Special Permit #292, Girard Nissan Collision Center, 425 Route 184, to expand the non-permitted use by 38.4% of automotive service operations per Sections 6.12-6 and 8.3 of the Zoning Regulations with the following conditions:

- 1) All parking in excess of the 155 required spaces will be pervious surface.
- 2) The utilization of NaCl is not permitted within the Water Resource Protection District.
- 3) A note will be added to the plan to reflect that an emergency spill contingency plan will be provided at the time of the site plan.
- 4) Measures will be taken by staff to ensure that the detention basin on the adjacent parcel is maintained with the project by way of dedication of a permanent drainage easement or conveyance of the property. The basin shall not be altered without proper review by the Town.

Motion made by Sergeant, seconded by Haviland, so voted unanimously.

Sergeant recited the findings.

FINDINGS

The Commission notes that the project meets the objectives of Section 8.3 and 6.12-6 of the Zoning Regulations for the following reasons:

- 1) The application contains relevant features regarding containment for spills, appropriate rooftop discharge and utilization of stormwater best management practices. The application contains floor drains tied to separation systems as a pre-treatment to discharge into the sewerage system.
- 2) The application contains specific action items to preserve the stormwater quality generated from the site.
- 3) The application does not in any way pose more of a threat to existing or future water supply because of the measures for mitigation and prevention utilized on the site.

VI. OLD BUSINESS - None.

VII. NEW BUSINESS

1. Special Permit #293, 108 Groton Long Point Road (Town of Groton DPW, Applicant)

Staff explained the application. A public hearing was scheduled for September 6, 2006.

VIII. REPORT OF CHAIRMAN

Chairman Hudecek read a letter received from State Representative Lenny Winkler. Representative Winkler was contacted by Mr. Jim Pavelski, 1165 Flanders Road, indicating that a neighbor of his has been running a landscaping business out of his home, but the street is zoned for residential use and there are landscaping waste materials on the neighbor's property. Mr. Pavelski said he has gone to the Zoning Commission several times in the past three years. Staff and Commission members said Mr. Pavelski must have talked to the Zoning Official, not the Zoning Commission. Staff said they will investigate.

Hudecek also noted that he is getting a lot of comments on the Mystic Woods project and he placed a reduced copy of the project site plan on the table, asking staff about the project. He said that staff had stated that the Town initiated revisions to the regulations for active senior housing communities would have allowed maybe two (2) active senior projects to be developed.

Staff noted that was not the case, noting that this is in fact the project called Mystic Woods, an active senior housing now before the Inland Wetlands Commission for a permit. It was on land that is on the north side of Route 1, which wraps around to Flanders Road. It is a good sized parcel and will require special permit approval from the Zoning Commission. Staff went on to explain that he would show the commission the map of the areas that were designated and shown to the Zoning Commission during the public hearing. He also clarified that the map was only a locator that identified areas and parcels that would meet the regulation in terms of location along collector and arterial roads. He said the same plan is in his office and is available for review at any time.

Hudecek stated that staff proposed the amendments to the regulations. He then expressed that he did not want to have a project that met the regulation changes or one that could take advantage of the amendments in front of the Zoning Commission six months after the regulations took effect. He did not think it looked good for a company to put together a

project that utilized the Town initiated regulations. He then mentioned that he remembered like three (3) or four (4) little properties might be eligible.

Staff noted that the applicant apparently put several pieces of property together for the project, and that the Commission does not approve projects based on what one commission member or one individual prefers. He reminded them that the map of potential parcels was reviewed in depth with them, and while there are limited areas that would probably be developed, our regulations permit this use. If applicants apply and they meet the requirements the Commission approves them, otherwise it denies them.

Commissioners O'Neill and Sergeant discussed the analogy of landowners either getting together or a developer making arrangements to get control of necessary parcels, referencing practices in larger cities like New York where parcels are combined to construct larger developments.

Staff provided his opinion that it would not be prudent for the Commission or staff to discuss this project any further at this time. Staff would show the Commission the map it used and how the regulations were developed.

VII. REPORT OF STAFF

X. ADJOURNMENT

Motion to adjourn at 10:38 p.m. made by Haviland, seconded by O'Neill, so voted unanimously.

Respectfully submitted,

Richard Haviland