



City of Groton, Connecticut

Planning & Zoning Commission MINUTES

Tuesday, May 18, 2021

City Municipal Building
295 Meridian Street
Groton, CT 06340

Municipal Building;
Council Chambers OR
virtually via Zoom

7:00PM

Chair Paul Kunkemoeller, David Rose, Aundre Bumgardner, Susan Bergeron, James Streeter, Irma Streeter, Girard Keeler and Marie Carmenati

Zoom Meeting - Pursuant to State of Connecticut Executive Order No. 7B

FINAL

I. ROLL CALL & ESTABLISH QUORUM

Call to Order: 6:36pm

Present: P. Kunkemoeller,
A. Bumgardner,
S. Bergeron,
G. Keeler,
D. Rose,
Irma Streeter,
James Streeter,

Absent: M. Carmenati, Alternate

Staff: Leslie Creane, AICP, City Planner
Bryan LeClerc, Esq.

II. RECEIPT OF APPLICATIONS

A. APPLICATIONS RECEIVED with EFFECTIVE Date of Receipt May 18, 2021 5-Minute Summary

Item 1:

Description: Map Amendment: rezone from R-8 to R-5.1 Zone Change: #07-21

Applicant: William Bellock, Bellsite Development, LLC

Agent: William Sweeney, Esq.

Owner: Town of Groton / John Burt

R-8 Zone **Action**

Deadline or Date

Notes

Date of Receipt (DOR)

May 18, 2021

Date of 1st regular meeting after
filing

Hearing	Public Hearing Required	Docketed for June 2021 regular meeting. Deadline for Decision is 35 days after commencement of the hearing: 7/20/2021
Notice Required	none	Notice to adjacent municipalities not required
Extension Available¹	See Footnote 1 below	1 st 35-day extension – 08-24-2021 2 nd 35-day extension – 09-28-2021
Notice of Decision²	See Footnote 2 below	Within 35 days after close of hearing

Mr. Bellock briefly introduced his application to change the zone for 120 West Street. The request is to change the zone from R-8 to R-5.1 to allow for development as adaptive re-use.

III. NEW BUSINESS

Ms. Creane, City Planner, explained that, due to technical difficulties, the Conservation Commission had not voted on the application submitted to them prior to the Planning and Zoning Commission having voted. The propose solution is to have the PZC approve a motion to Reconsider their approvals of Site Plan #481, Special Permit #464, and CAM #325 from the May 4, 2021 meeting. Attorney Bryan LeClerc concurred with this proposal. The Conservation Commission has now voted and approved the application for the construction of Building #605, so the PZC can vote on these applications.

Motion: A motion to reconsider the April 20 2021 approval of Site Plan #481 for new construction of Building #605 at Electric Boat, located at 75 Eastern Point Road, so that the Conservation Commission approval of this project on May 14 2021 can be included in the record.

Motion: D. Rose
Second: G. Keeler
Decision: 5-0-0

Motion: A motion to approve Site Plan #481 for new construction of Building #605 at Electric Boat, located at 75 Eastern Point Road, now that the Conservation Commission approval of this project on May 14 2021 has been included into the record.

Motion: D. Rose
Second: G. Keeler
Decision: 5-0-0

Motion: A motion to reconsider the April 20 2021 approval of Special Permit #464 for new construction of Building #605 at Electric Boat, located at 75 Eastern Point Road, so that the Conservation Commission approval of this project on May 14 2021 can be included in the record.

Motion: S. Bergeron
Second: D. Rose
Decision: 5-0-0

Motion: A motion to approve Special Permit #464 for new construction of Building #605 at Electric Boat, located at 75 Eastern Point Road, now that the Conservation Commission approval of this project on May 14 2021 has been included into the record.

Motion: S. Bergeron
 Second: D. Rose
 Decision: 5-0-0

Motion: A motion to reconsider the April 20 2021 approval of CAM #325 for new construction of Building #605 at Electric Boat, located at 75 Eastern Point Road, so that the Conservation Commission approval of this project on May 14 2021 can be included in the record.

Motion: G. Keeler
 Second: S. Bergeron
 Decision: 5-0-0

Motion: A motion to approve CAM #325 for new construction of Building #605 at Electric Boat, located at 75 Eastern Point Road, so that the Conservation Commission approval of this project on May 14 2021 can be included in the record.

Motion: G. Keeler
 Second: S. Bergeron
 Decision: 5-0-0

APPLICATIONS RECEIVED with EFFECTIVE Date of Receipt April 20, 2021

Item 1:

Addition of new dock and Removal of existing Dock Coastal Site Plan Permit #326
Applicant: Pine Island Real Estate / Keith Neilson, agent
R-12 Zone

Action	Deadline or Date	Notes
Date of Receipt (DOR)	April 20, 2021	Date of 1 st regular meeting after filing
Hearing	Public Hearing not Required	Docketed for May 2021 regular meeting. Deadline for Decision is 65 days after close of the hearing.
Notice Required	none	Notice to adjacent municipalities not required
Extension Available¹	See Footnote 1 below	Deadline to close hearing 6/24/2021 1 st 35-day extension – 07-29-2021 2 nd 35-day extension – 09-02-2021
Notice of Decision²	See Footnote 2 below	Within 65 days after close of hearing

¹ The applicant may consent to one or more extensions of time to commence a public hearing, complete any such hearing, and make the decision, provided the total period of all such extensions does not exceed 65 days.

² If City does not issue notice to applicant by certified mail and publish legal notice of decision within 15 days, applicant may publish legal notice within the following 10 days.

Mr. Keith Neilson introduced the application for Pine Island Marina and reviewed the drawings. Mr. Neilson explained the swap of area between Pine Island Marina and the City of Groton as well as noting the map showing the swap. The project is a basic dock expansion. The Army Corps of Engineers permit has been granted and the DEEP Permit has been put out to public notice and is expected shortly.

Utilities will be provided to the dock facility that will include trenching and placement of conduits and a water line from the building down to the head of the pier. The utilities will then be distributed along the floating dock facility. There is no need for erosion and settlement controls. The trenching detail are included in the application drawings and those that excavation is the only excavation that will be open, only a minimal amount of time, and the contract will be able to closely control that work.

Mr. Keeler asked what time of the year this work will take place, and what the noise level of the work will be.

Once all of the permits are acquired, the docks will be ordered and are expected to be constructed and delivered during the winter of 2022, and installed as soon as possible given weather conditions - sometime in the early spring so they can be made operational during the boating season. The utility work will take approximately 2-weeks and will be done soon after the docks are installed.

Chairperson Kunkemoeller asked if there is a drawing that shows where the fill will be added, and where the concrete wash down pad will be. The concrete pad at the head of the dock will be at the head of the dock. The small landing where the hinge ramp will emanate from is minimal, approximately 100 square feet.

There were no other questions or comments from staff or commissioners.

I. REGULAR MEETING

A. PUBLIC HEARINGS:

Item 1: Public Hearing left open for traffic discussion.

Five Corners Mixed-Use Design District (MUDD) Master Plan Applications³

- 2 Benham Road / 91 Poquonock Road MD-002; ZC 03-21; TA 02-21; ZMA 03-21**
- 8 Benham Road MD-003; ZC 04-21; TA 02-21; ZMA 04-21**
- 22 Benham Road MD-004; ZC 05-21; TA 02-21; ZMA 05-21**
- 46 Benham Road MD -001; ZC 01-21; TA 02-21; ZMA 01-21**
- 1 Mariani Court MD-005; ZC 06-21; TA 02-21; ZMA 06-21**

Applicant: Loureiro Engineering Associates, Agent for GBU Capital, LLC

Action	Deadline or Date	Notes
Date of Receipt(DOR)	February 17, 2021	Date of 1 st regular meeting after filing

³ MD - Mixed-Use Design District Master Plan Application; ZC – Zone Change Application; TA – Zoning Text Amendment; ZMA – Zoning Map Amendment.

Hearing	Required	Docketed for March 16, 2021 regular meeting. Deadline for Decision is 65 days after close of the public hearing.
Notice Required	Bldg./Zoning, SECOG, Sewer/Water, Police, Fire,	Notice to adjacent municipalities required
Extension Available⁴	See Footnote 3 below	Deadline to close public hearing 4/23/2021 1 st 35-day extension – 5/28/2021 2 nd 35-day extension – 7/2/2021
Notice of Decision⁵	See Footnote 4 below	Within 65 days after close of public hearing

Applications are being heard together, however, each application must be voted upon separately.

The public hearing was left open only for traffic issues and for the Police Chief to weigh in on traffic matters. Ms. Creane reported that a meeting was held since the last PZC meeting where Attorney Heller, Seamus Moran, PE, Kermit Hua, PE, Mayor Hedrick, Police Chief Spellman, and Ms. Creane discussed traffic issues. Chief Spellman submitted a letter for the record as did Mr. Hua. Both of those letters have been posted online and are part of the official record. Each commission member also received these letters.

Chairperson Kunkemoeller read the rules governing public hearings into the record as part of the continuation of the public hearing for traffic matters only.

The Master Plan is comprised of the Zone Change, Text Amendment and Zoning Map Amendment. Ms. Creane read Chief Spellman's letter into the record.

Attorney Harry Heller introduced the team in attendance for the 5-Corners applications, and then reviewed the traffic analysis, noting the consistency between Mr. Hua's conclusions and Chief Spellman's.

Chairperson Kunkemoeller opened the floor to members of the public that wished to speak about the traffic issues only as they relate to this application.

Frank Jennette asked what would happen during the time of demolition and remediation in terms of traffic. Will traffic at the corner be shut down? Seamus Moran, PE, stated that the logistics of construction have not been worked out at this point. This is a Master Plan application, not the site plan application.

Attorney Harry Heller offered closing comments. He reviewed the criteria for approval and stated that for each item, the applications before them comply with the floating zone regulations, the Comprehensive Plan and the Plan of Conservation and Development.

Mr. Kunkemoeller asked about the regulation that concerns the 30'-0" minimum setback for this application. Mr. Heller confirmed that these applications do comply with this requirement. Mr. Heller pointed out that the Five Corners zone is not a residential zone and therefore the 30'-0" does not apply to such borders.

Mr. Kunkemoeller asked City Planner Creane about the level of influence that the Commission can exercise with regard to building design and placement on the site. Ms. Creane responded that they have the same amount of

⁴ The applicant may consent to one or more extensions of time to commence a public hearing, complete any such hearing, and make the decision, provided the total period of all such extensions does not exceed 65 days

⁵ If City does not issue notice to applicant by certified mail and publish legal notice of decision within 15 days, applicant may publish legal notice within the following 10 days.

influence as with any other site plan application, but cautioned the commission to refrain from exerting authority over areas such as architectural style, materials, or color: those are not within the Commissions purview.

Chairperson Kunkemoeller asked for a motion to close the public hearing.

Motion: Motion to close the public hearing.

Motion: D. Rose

Second: G. Keeler

Decision: 7-0-0

Item 2: Continued from May 4, 2021

New Construction: Multi-Family Residences

Applicant: MMR III Development, LLC / Birgit Stevenson-Loureiro

128-138 Meridian Street

Site Plan #482

Special Permit #465

RM Zone

Action	Deadline or Date	Notes
Date of Receipt (DOR)	March 16, 2021	Date of 1 st regular meeting after filing
Hearing	Required	Docketed for April 2021 regular meeting. Deadline for Decision is 65 days after close of the public hearing.
Notice Required	Bldg./Zoning, Sewer/Water	Notice to adjacent municipalities required, 3 rd Party Review
Extension Available⁶	See Footnote 3 below	Deadline to close public hearing 5/20/2021 1 st 35-day extension – 6/24/2021 2 nd 35-day extension – 7/29/2021
Notice of Decision⁷	See Footnote 4 below	Within 65 days after close of public hearing

Attorney Bryan LeClerc clarified that the Commission should only attach conditions to this application that are relevant to the current application.

Chairperson Kunkemoeller read the procedures for a public hearing.

Ms. Creane recommended that the Commission consider including two conditions should they decide to vote in favor of this application. First, the applicant shall complete the retaining wall, as originally designed, or demonstrate why they should not be required to do so; second, the applicant should be required to re-pave with a final paving course, repairing any wear and tear due to construction activity.

Clinton Brown stated that the Site Plan portion of the current application is to re-approve and existing site plan where the timeframe has lapsed. It is essentially the same application. Additionally, the applicant is requesting that three parking spaces in the existing parking lot be re-stripped for use as compact parking spaces.

⁶ The applicant may consent to one or more extensions of time to commence a public hearing, complete any such hearing, and make the decision, provided the total period of all such extensions does not exceed 65 days.

⁷ If City does not issue notice to applicant by certified mail and publish legal notice of decision within 15 days, applicant may publish legal notice within the following 10 days.

The fire department has requested a wider radius of the cu-de-sac: this has been done. Five parking spaces have been added to the proposed town house units to meet the current parking regulations, and the proposed stormwater management system complies with the current regulations.

Hearing no comments from commissioners, Chairperson Kunkemoeller opened the floor to members of the public. Hearing no comments from the public, the following motion was made:

Motion: Motion to close the public hearing.

Motion: G. Keeler
Second: J. Streeter
Decision: 7-0-0 approved

B. DELIBERATIONS

Addition of new dock and Removal of existing Dock
Applicant: Pine Island Real Estate / Keith Neilson, agent
R-12 Zone

Coastal Site Plan Permit #326

Brief discussion ensued.

Motion: Motion to approve.

Motion: S. Bergeron
Second: I. Streeter
Decision: 7-0-0 approved

Five Corners Mixed-Use Design District (MUDD) Master Plan Applications⁸

2 Benham Road / 91 Poquonock Road	MD-002; ZC 03-21; TA 02-21; ZMA 03-21
8 Benham Road	MD-003; ZC 04-21; TA 02-21; ZMA 04-21
22 Benham Road	MD-004; ZC 05-21; TA 02-21; ZMA 05-21
46 Benham Road	MD -001; ZC 01-21; TA 02-21; ZMA 01-21
1 Mariani Court	MD-005; ZC 06-21; TA 02-21; ZMA 06-21

Applicant: Loureiro Engineering Associates, Agent for GBU Capital, LLC

Brief discussion ensued.

1 MARIANI COURT

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zone Change Application ZC-06-21

Motion: D. Rose

Second: J. Streeter

Decision: 4-3-0 to deny

Motion: For the purpose of approving Master Plan MD-001, I move to approve Zoning Text Amendment TA-02-21.

⁸ MD - Mixed-Use Design District Master Plan Application; ZC – Zone Change Application; TA – Zoning Text Amendment; ZMA – Zoning Map Amendment.

Motion: S. Bergeron
Second: G. Keeler
Decision: 3-4-0 to approve, motion fails

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zoning Map Amendment ZMA-06-21.
Motion: D. Rose
Second: A. Bumgardner
Decision: 4-3-0 to deny

22 BENHAM ROAD

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zone Change Application ZC-05-21
Motion: D. Rose
Second: A. Bumgardner
Decision: 4-3-0 to deny

Motion: For the purpose of approving Master Plan MD-001, I move to approve Zoning Text Amendment TA-02-21.
Motion: S. Bergeron
Second: G. Keeler
Decision: 3-4-0 to approve, motion fails

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zoning Map Amendment ZMA-05-21.
Motion: D. Rose
Second: A. Bumgardner
Decision: 4-3-0 to deny

8 BENHAM ROAD

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zone Change Application ZC-04-21
Motion: D. Rose
Second: J. Streeter
Decision: 4-3-0 to deny

Motion: For the purpose of approving Master Plan MD-001, I move to approve) Zoning Text Amendment TA-02-21.
Motion: S. Bergeron
Second: G. Keeler
Decision: 3-4-0 to approve, motion fails

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zoning Map Amendment ZMA-04-21.
Motion: D. Rose
Second: J. Streeter
Decision: 4-3-0 to deny

91 POQUONNOCK ROAD

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zone Change Application ZC-03-21
Motion: D. Rose
Second: I. Streeter
Decision: 4-3-0 to deny

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zoning Text Amendment TA-02-21.
Motion: D. Rose

Second: A. Bumgardner
Decision: 4-3-0 to deny

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zoning Map Amendment ZMA-03-21.

Motion: D. Rose
Second: I. Streeter
Decision: 4-3-0 to deny

2 BENHAM ROAD

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zone Change Application ZC-02-21

Motion: A. Bumgardner
Second: J. Streeter
Decision: 4-3-0 to deny

Motion: For the purpose of approving Master Plan MD-001, I move to approve Zoning Text Amendment TA-02-21.

Motion: S. Bergeron
Second: G. Keeler
Decision: 3-4-0 to approve, motion fails

Motion: For the purpose of approving Master Plan MD-001, I move to approve Zoning Map Amendment ZMA-02-21.

Motion: S. Bergeron
Second: G. Keeler
Decision: 3-4-0 to approve, motion fails

46 BENHAM ROAD

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zone Change Application ZC-01-21

Motion: D. Rose
Second: I. Streeter
Decision: 4-3-0 to deny

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zoning Text Amendment TA-02-21.

Motion: D. Rose
Second: J. Streeter
Decision: 4-3-0 to deny

Motion: For the purpose of denying Master Plan MD-001, I move to deny Zoning Map Amendment ZMA-01-21.

Motion: D. Rose
Second: A. Bumgardner
Decision: 4-3-0 to deny

New Construction: Multi-Family Residences
Applicant: MMR III Development, LLC / Birgit Stevenson-Loureiro
128-138 Meridian Street

Site Plan #482
Special Permit #465
RM Zone

Brief discussion ensued.

Motion: Motion to approve Site Plan #482 with two condition:

1. The retaining wall shall be completed;
2. Preserve and repair to maintain the integrity of the driving surface of the existing pavement.

Motion: D. Rose (Accepted Condition 1 as proposed by S. Bergeron)
(Accepted Condition 2 as proposed by G. Keeler)
Second: J. Streeter (Accepted Condition 1 as proposed by S. Bergeron)
(Accepted Condition 2 as proposed by G. Keeler)
Decision: 7-0-0 approved

Motion: Motion to approve Special Permit #465 with two condition:

1. The retaining wall shall be completed;
2. Preserve and repair to maintain the integrity of the driving surface of the existing pavement.

Motion: J. Streeter
Second: S. Bergeron
Decision: 7-0-0 approved

II. REPORT OF STAFF

Item 1: Administrative approvals given for the following:

- Coastal Area Management Exemption Request for Pfizer, Soil Remediation Project on West Campus. No construction involved.
- Oral permission granted for Pfizer to add temperature controlled storage containers to be put in an area that had most recently been used for storage.

Item 2: Would like to set aside some time next month to discuss the existing regulations and ways to revise the current regulations.

J. Streeter asked Attorney LeClerc if there is anything new on issues that have been raised in previous executive sessions. Mr. LeClerc stated that there is nothing to report, but should there be anything, the Commission will be notified and called into executive session.

III. ADJOURNMENT at 9:12pm