



CITY OF GROTON, CT
PLANNING & ZONING COMMISSION
MEETING MINUTES
Tuesday 6:30pm; February 15, 2022
 MUNICIPAL BUILDING, COUNCIL CHAMBERS
 295 Meridian Street
 Groton, CT 06340-4012

I. ROLL CALL & ESTABLISH QUORUM

Call to order 6:30PM

Present: Chair P. Kunkemoeller, A. Bumgardner, S. Bergeron, J. Streeter, I. Streeter, M. Carmenati, T. Rice, Alternates C. Jenkins, Robert Boris and Conrad Heede. Staff: Leslie Creane. AICP, City Planner, Cierra Patrick. Economic Development Specialist. Jill Rusk, Executive Assistant to the Mayor.

II. APPROVAL OF: January 19, 2022 Meeting Minutes

Motion: Aundre Bumgardner

2nd: Susan Bergeron

Approved 7-0-0

III. RECEIPT OF APPLICATIONS: None

IV. REGULAR MEETING

V. OLD BUSINESS

A. FIVE CORNERS PROJECT – MUDD 002

MUDD MASTER PLAN, 46 BENHAM RD

MD # 002 = ZC # 07-21, TA # 03-21, ZMA # 07-21

Action	Deadline or Date	Notes
Date of Receipt (DOR)	November 16, 2021	Date of 1 st regular meeting after filing
Hearing	Public Hearing Required	Docketed for December 2021 regular meeting. Deadline for Decision is 35 days after commencement of the hearing: 1/25/2022. Applicant agreed to 35 day extension to 03-01-2022.
Notice Required	Yes	Notice to adjacent municipalities is required
Extension Available¹	See Footnote 1 below	1 st 35-day extension – 03-01-2022 2 nd 35-day extension – 04-05-2022
Notice of Decision²	See Footnote 2 below	Within 35 days after close of hearing

MUDD MASTER PLAN, 2 BENHAM RD & 91 POQUONNOCK RD.

**MD # 002 = ZC # 08-21, TA # 03-21,
ZMA # 08-21**

Action	Deadline or Date	Notes
Date of Receipt (DOR)	November 16, 2021	Date of 1 st regular meeting after filing
Hearing	Public Hearing Required	Docketed for December 2021 regular meeting. Deadline for Decision is 35 days after commencement of the hearing: 1/25/2022. Applicant agreed to 35 day extension to 03/01/2022.
Notice Required	Yes	Notice to adjacent municipalities is required

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.

Extension Available³	See Footnote 1 below	1 st 35-day extension – 03-01-2022 2 nd 35-day extension – 04-05-2022
Notice of Decision⁴	See Footnote 2 below	Within 35 days after close of hearing

MUDD MASTER PLAN, 8 BENHAM RD MD # 002 = ZC # 09-21, TA # 03-21, ZMA # 09-21

Action	Deadline or Date	Notes
Date of Receipt (DOR)	November 16, 2021	Date of 1 st regular meeting after filing
Hearing	Public Hearing Required	Docketed for December 2021 regular meeting. Deadline for Decision is 35 days after commencement of the hearing: 1/25/2022. Applicant agreed to 35 day extension to 03/01/2022.
Notice Required	Yes	Notice to adjacent municipalities is required
Extension Available⁵	See Footnote 1 below	1 st 35-day extension – 03-01-2022 2 nd 35-day extension – 04-05-2022
Notice of Decision⁶	See Footnote 2 below	Within 35 days after close of hearing

MUDD MASTER PLAN, 22 BENHAM RD MD # 002 = ZC # 10-21, TA # 03-21, ZMA # 10-21

Action	Deadline or Date	Notes
Date of Receipt (DOR)	November 16, 2021	Date of 1 st regular meeting after filing
Hearing	Public Hearing Required	Docketed for December 2021 regular meeting. Deadline for Decision is 35 days after commencement of the hearing: 1/25/2022. Applicant agreed to 35 day extension to 03/01/2022.
Notice Required	Yes	Notice to adjacent municipalities is required
Extension Available⁷	See Footnote 1 below	1 st 35-day extension – 03-01-2022 2 nd 35-day extension – 04-05-2022
Notice of Decision⁸	See Footnote 2 below	Within 35 days after close of hearing

MUDD MASTER PLAN, 1 MARIANI CT MD # 002 = ZC # 11-21, TA # 03-21, ZMA # 11-21

Action	Deadline or Date	Notes
Date of Receipt (DOR)	November 16, 2021	Date of 1 st regular meeting after filing
Hearing	Public Hearing Required	Docketed for December 2021 regular meeting. Deadline for Decision is 35 days after commencement of the hearing: 1/25/2022. Applicant agreed to 35 day extension to 03/01/2022.
Notice Required	Yes	Notice to adjacent municipalities is required
Extension Available⁹	See Footnote 1 below	1 st 35-day extension – 03-01-2022 2 nd 35-day extension – 04-05-2022
Notice of Decision¹⁰	See Footnote 2 below	Within 35 days after close of hearing

³ 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.

⁴ 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.

⁵ 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.

⁶ 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.

⁷ 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.

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⁹ 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.

¹⁰ 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.

Continuation of Public Hearing from the January 19, 2022 meeting:

Applicants Attorney William McCoy read into the record a letter requesting that Commissioner J. Streeter recuse himself with regard to the approval of the Five Corner MUDD application for the following reasons:

- a. Comments made by Commissioner Streeter at the January 19, 2022 meeting, and
- b. Commissioner J. Streeter and spouse I. Streeter and are both members of the Planning and Zoning Commission and reside together.

Commissioner Bumgardner voiced opposition to the letter being included in the minutes.

Commissioner J. Streeter declined to recuse himself and will continue in the meeting.

Attorney McCoy presented designs of the building that could currently be built under City of Groton zoning regulation if the MUDD application is not approved. The design, which could be built without the MUDD zoning change, consisted of four (4) floors as to the current design of five (5) floors.

Meeting was opened to comments by the public and the Commission.

The public voiced the following concerns:

- Dave Costello - agreed with a four floor design but has concerns regarding the setbacks.
- Ian Thomas - concern regarding public not informed when MUDD zoning was approved. (Public hearing was held for the MUDD zoning approval).
- Michael Boucher - agreed new plans more appropriate for area but shows failure of MUDD regulations.
- Frank Jennette - public safety while project under construction.
- Tristian Taylor - voiced confusion regarding what was being voted on tonight (a) the MUDD zone change or, (b) traffic, safety and impact?

City of Groton Attorney LeClerc clarified that the vote tonight is only on the approval of the MUDD floating zone.

Applicants Attorney William McCoy reiterated that only the MUDD zone change was being voted on at this time and that the zone change is consistent with the City's Plan of Conservation and Development.

Chairman Kunkemoeller opened the floor to comments by the Commissioners.

Leslie Creane, City Planner, clarified Dave Costello's concern and stated that the setbacks proposed per the MUDD regulations would be larger than currently required by City of Groton zoning regulations.

Commissioner C. Jenkins again asked for clarification regarding what was being voted on tonight, the building or just the MUDD zone change as there seems to be confusion amongst the public. The MUDD zone change is the only application before the Commission tonight.

Commissioner Bumgardner voiced that he felt businesses currently flourished in the 5 corner area and that the neighbors took care of each other. He is concerned that this would change with the new building.

There were no further comments from the public.

S. Bergeron made motion to close the public meeting.

2nd I. Streeter

Motion approved 7-0-0

Chairman Kunkemoeller called for vote.

46 BENHAM ROAD

A. Bumgardner made motion to **deny** application MD #002 Zone Change Application ZC #07-21

2nd I. Streeter

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice

Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZC #07-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to **deny** MD #002 application Zoning Text Amendment TA #03-21

2nd T. Rice

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice

Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application TA #03-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to **deny** MD #002 application Zoning Map Amendment ZMA #07-21

2nd S. Bergeron

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice

Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZMA #07-21 by a vote of 4 – 3 – 0

2 BENHAM ROAD / 91 POQUONNOCK ROAD

A. Bumgardner made motion to **deny** MD #002 application Zone Change Application ZC #08-21

2nd T. Rice

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice

Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZC #08-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to **deny** application Zoning Text Amendment TA #03-21

2nd I. Streeter

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice

Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application TA #03-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to deny application Zoning Map Amendment ZMA #08-21

2nd T. Rice

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZMA #08-21 by a vote of 4 – 3 – 0

8 BENHAM ROAD

A. Bumgardner made motion to deny MD # 002 application Zone Change Application ZC #09-21
2nd I. Streeter

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZC #09-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to deny application Zoning Text Amendment TA #03-21
2nd T. Rice

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application TA #03-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to deny application Zoning Map Amendment ZMA #09-21
2nd I. Streeter

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZMA #09-21 by a vote of 4 – 3 – 0

22 BENHAM ROAD

A. Bumgardner made motion to deny MD # 002 application Zone Change Application ZC #10-21
2nd T. Rice

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZC #10-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to deny application Zoning Text Amendment TA #03-21
2nd T. Rice

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application TA #03-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to deny application Zoning Map Amendment ZMA #10-21

2nd T. Rice

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZMA #10-21 by a vote of 4 – 3 – 0

1 MARIANI CT

A. Bumgardner made motion to deny MD #002 application Zone Change Application ZC #11-21
2nd M. Carmenati

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZC #11-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to deny application Zoning Text Amendment TA #03-21
2nd I. Streeter

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application TA #03-21 by a vote of 4 – 3 – 0

A. Bumgardner made motion to deny application Zoning Map Amendment ZMA #11-21
2nd I. Streeter

In favor: A. Bumgardner, I. Streeter, J. Streeter, T. Rice
Opposed: P. Kunkemoeller, S. Bergeron, M. Carmenati

Motion passed to deny application ZMA #11-21 by a vote of 4 – 3 – 0

- A. **REPORT OF COMMISSION - None**
- B. **PUBLIC COMMUNICATIONS (WRITTEN ONLY) - None**
- C. **REPORT OF STAFF - the Board should plan on reviewing the zoning regulations at the March meeting.**
- D. **EXECUTIVE SESSION – None.**
- E. **ADJOURNMENT**

Motion to adjourn: S. Bergeron
2nd. A. Bumgardner

Meeting closed: 8:30 PM

*** THE COMMISSION, AT ITS DISCRETION, MAY CHOOSE NOT TO CONSIDER NEW BUSINESS OR AGENDA ITEMS AFTER 9:30pm**