

**THE CITY OF GROTON  
ZONING BOARD OF APPEALS  
SPECIAL MEETING MINUTES  
TUESDAY, JANUARY 29, 2019**

**MUNICIPAL BUILDING  
COUNCIL CHAMBERS  
7:30 P.M.**

**I. ROLL CALL**

Present: Kathleen Harkins, Dave Hale, Barbara Frucht, Susan Hewitt-Bennett and Paula Zeppieri  
Also Present: Staff Carlton Smith and Attorney Brian LeClerc  
Call to order: 7:31 p.m.

**II. APPROVAL OF MINUTES**

Zoning Board of Appeals Special Meeting Minutes of the October 18, 2018, meeting.  
Motion: Barbara Frucht  
Second: Dave Hale  
Decision: Approved

**III. PUBLIC HEARING**

Chairperson Kathleen Harkins opened the public hearing at 7:34 p.m.  
Dave Hale read the Call of the Meeting as published in The Day 1-18-19 and 1-24-19.

ZBA Application # 504, Applicant Kristen Solloway, Fuss & O'Neill, property located at 75 Eastern Point Road, Groton, CT seeks relief in the Electric Boat facility South Yard from Section 5.3. G (2), 5.3 H.(2) and 5.3.H.3 of the City of Groton Zoning Regulations  
Chairperson Harkins read the following into the record:

1. Agenda
2. Notice of Hearing
3. Application-Plan CS-101, Dated November 16, 2018
4. Abutters Certified Return Receipt/Notice of Hearing copy 1-16-19
5. Publication in The Day Paper 1-18-19 and 1-24-19
6. Dept. Head Review Sheet-Parks & Recreation Dept
7. Dept. Head Review Sheet- Fire Department
8. Dept. Head Review Sheet-GU Electric
9. Dept. Head Review Sheet-GU Water Approved for Variance only
10. Referral from Planning
11. Email from DEEP- Carol Szymanski
12. Review of CAM-BL Companies
13. Revised Review of CAM-BL companies

14. Email/letter – Mary Paecht opposing the project
15. Email from- Robert DeRonck supporting the project
16. Joint Permit Application
17. Attachment M4

John Casey, Attorney Robinson & Cole opened the powerpoint presentation giving an overview of the project and the 3 variances being requested.

The following individuals spoke about the various aspects of the project that are within their field of expertise including the engineering of the building, the 100 year flood standards, electrical elevation, utility tunnel below the deck, construction sequence, traffic and noise control and that all elements of code requirements considered.

Paul Harren, Groton FMP EB, Margaret Parvlis, Project Management South Yard Assembly EB,

Kristen Sollowy, Fuss & O'Neill Engineer and VP, Josh Wilson, Ecologist Fuss & O'Neill,

John Ososkie, Senior Project Manager Jacobs Engineering Group

John Harrington, Director Facilities Construction EB and Al Hanbridge, Project Executive Gilbane were present but did not speak.

Attorney Casey asked Mr. Ososkie the following questions:

- Would granting the variance cause an increase in flood heights?

Mr. Ososkie said it would not.

- Would there be additional threats to public safety?

Mr. Ososkie said it would not.

- Would there be any extraordinary public expense?

Mr. Ososkie said there would not.

- Would it create a nuisance?

Mr. Ososkie said it would not.

Attorney Casey summarized the testimony given.

Chairperson Harkins read the following items into the record:

#18 Powerpoint

Presentation-EB and

#19 Green Return Receipt Cards-60 Mailed out.

She noted the presentation was through and complete and said they are awaiting confirmation from the Army Corp of Engineers.

Attorney Casey said public comment expired on January 28, 2019 for the Army Corp of Engineers. DEEP will publish public notice of the scope of work to be done. Due to the delays caused by the government shutdown the EPA and ACE are waiting to publish.

Barbara Frucht said they have covered all the variables and that this is important to our community and the defense of our country.

Dave Hale said the presentation was done well for the understanding of a layperson.

Susan Hewett-Bennett said it was a great presentation and addressed her concerns regarding parking. She feels this will be great for the future EB.

Paula Zeppieri was very impressed with how comprehensive the presentation was.

Barbara Frucht said there was only 1 letter in opposition and that EB has given every opportunity to the residents.

Carlton Smith said the task is on the 3 items and perhaps Mr. Novak could speak.

Attorney LeClrc gave direction to the board on what they must do to proceed and what will happen if the variances are approved. He said all 3 may be rad at the same time.

Stan Novak, Engineer BL Companies gave an overview of the CT Coastal Area Management Act and stated review of the application for the CAM and finds it is consistent with applicable coastal use policies. He noted why it must come before the Planning and Zoning Commission, Inland Wetlands Commission, DEEP and EPA. Chairperson Harkins thanked Mr. Novak for giving the board greater understanding of the CAM.

Carlton Smith said EB has been very forthcoming will all information and presentations.

Chairperson Harkins invited any member of the public who would like to speak in favor of the application.

There was no one present.

Chairperson Harkins invited any member of the public who would like to speak in opposition.

There was no one present.

Chairperson Harkins asked if there was anything further to add from the applicant.

They said there was nothing more.

Chairperson Harkins asked if the board was satisfied.

They all agreed they were.

PUBLIC HEARING CLOSED AT 9:34 p.m.

Chairperson Harkins asked for a motion from the board on the variance.

Motion: Dave Hale

Madam Chairman, I move that the application of General Dynamics, Electric Boat Corporation for a variance of Sections 5.3.G.2, 5.3.H.2 and 5.3.H.3 of the Zoning Regulations of the City of Groton be granted for the following reasons:

- an exceptional hardship will result from the failure to grant the variances;
- granting the variances will not result in increased flood heights, additional threats to the public safety, extraordinary public expense or the creation of a nuisance;
- the development proposed is for the conduct of a functionally-dependent use, and the structure and development is protected by methods that minimize flood damage and create no additional threats to public safety;
- the variances sought are in harmony with the general purpose and intent of the Regulations;
- the variances sought will not affect substantially the comprehensive zoning plan of the City;
- adherence to the strict letter of the Zoning Regulations will cause unusual hardship unnecessary to the carrying out of the general purpose of the zoning plan; and
- because of the peculiar characteristics of his property, the strict application of the Zoning Regulations produce an unusual hardship, as opposed to the general impact which the regulation has on other properties in the zone.

Second: Barbara Frucht

Discussion: Dave Hale, it is a matter of national security, they need this elevation in order to accomplish the desired work.

Motion carried 5-0-0

Chairperson Harkins asked for a motion from the board on the CAM site plan.

Motion: Dave Hale

Madam Chairman, I move that the Coastal Area Management site plan of General Dynamics, Electric Boat Corporation be approved, and that the following findings be made:

- the project and proposed activity is compliant with all applicable goals, policies and provisions of Connecticut General Statutes Section 22a-92;
- the project and proposed activity incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities;
- that there is no inconsistency between the project and Coastal Area Management policies;

-that the site plan incorporates all reasonable measures that would mitigate any adverse impacts of the proposed activity on both costal resources and future water-dependent development activities, and such are acceptable; and

-that these findings are based upon the application submitted and review by the City's independent engineer, Stanley C. Novak, P.E., BL Companies.

Second: Paula Zeppieri

Discussion: Dave Hale said they did a great job presenting.

Motion carried 5-0-0

Chairperson Harkins read the variances 5.3.G.2; 5.3.H.2 and 5.3.H.3 noting they were unanimously approved.

Chairperson Harkins noted the CAM site plan was unanimously approved.

**IV. OTHER BUSINESS**

Carlton Smith asked the members of the commission if they would want to change the start time for the meetings.

There was some discussion and all agreed to 7:00 p.m.

**V. ADJOURNMENT**

Motion to adjourn: Susan Hewitt-Bennett

Seconded by: Paula Zeppieri

Decision: Approved

Meeting adjourned at 9:41 p.m.

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Secretary