



Town of Groton, Connecticut

Planning & Zoning Commission

Regular Meeting Agenda

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Office of Planning and
Development Services

Town Hall Annex
134 Groton Long Point Road
Groton, CT 06340

860-446-5970

Tuesday, April 28, 2020

7:00 PM

Town Hall Annex - Community Room 2

I. ROLL CALL

I.1. Roll Call

II. PUBLIC HEARINGS

III. CONSIDERATION OF PUBLIC HEARINGS

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

IV.1. April 14, 2020

V. PUBLIC COMMUNICAITONS

V.1. Public Communications

VI. SPECIAL PERMITS

VII. SUBDIVISIONS

VIII. SITE PLANS

VIII.1. SIT20-04 - Susan Lane Residence (CAM), 100 Susan Lane

VIII.2. SIT20-06 - Oyster Club Modification, 13 Water Street

IX. OLD BUSINESS

X. NEW BUSINESS

X.1. New Applications

X.2. Referrals

XI. COMMISSION REPORTS

XI.1. Report of Chair

XI.2. Report of Commission

XII REPORT OF STAFF

XII1. Report of Staff

XII2. April 2020 ASP Report

XII3. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter

XIII. ADJOURNMENT

XIII.1. Adjournment

Next Regular Meeting: May 12, 2020



Town of Groton, Connecticut

Planning & Zoning Commission

Regular Meeting Minutes

Office of Planning and
Development Services

Town Hall Annex
134 Groton Long Point
Road
Groton, CT 06340

860-446-5970

Tuesday, April 14, 2020

7:00 PM

Town Hall Annex - Community Room 2

Chair

Chair Jeffrey C. Pritchard

Members

Member Michael D. Kane

Member Barbara Tarbox

Member Hal Zod

Member Susan K. Sutherland

Alternates

Alternate Kevin Fiftal

Alternate Stephen Hudecek

I. ROLL CALL

I.1. Roll Call (All attended via Zoom)

Members Present: Pritchard, Zod, Kane, Tarbox, Sutherland

Alternates Present: Hudecek, Fiftal

Staff Present: Jones, Glemboski, Hovland

The meeting was called to order at 7:00 p.m.

Staff reviewed the new Zoom procedures.

II. PUBLIC HEARINGS

III. CONSIDERATION OF PUBLIC HEARINGS

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

IV.1. March 24, 2020

MOTION: To approve the minutes of March 24, 2020, as amended.

Moved by: Pritchard, Jeffrey C.		Seconded by: Zod, Hal		
Committee Members	YES	NO	ABSTAIN	RECUSE
Jeffrey C. Pritchard	X			
Michael D. Kane	X			
Barbara Tarbox	X			
Hal Zod	X			
Susan K. Sutherland	X			
APPROVED				

V. PUBLIC COMMUNICAITONS

V.1. Public Communications - None

VI. SPECIAL PERMITS

VII. SUBDIVISIONS

VIII. SITE PLANS

VIII.1. SIT20-02 - Central Hall Carport and Storage (CAM), 18-22 and 36 West Main Street

Gregg Fedus, Fedus Engineering, reviewed the application for a proposed carport off of Gravel Street that will be utilized for vehicle drop-offs and pick-ups, especially during inclement weather and for the elderly residents of the building. A variance for the carport was approved by the Zoning Board of Appeals (ZBA) on December 11, 2019.

Peter Springsteel, Springsteel Architect, discussed the carport structure. It is constructed of a fabric canopy and is 10 feet tall to accommodate larger vehicles. Springsteel noted that a portion of the area will not be covered and can be used to house bicycles. A fence runs along the southern property line and is built out of sections that can be removed so neighbors can still maintain their property and service their equipment located there. The Commission was concerned about backing out onto Gravel Street and asked if some of the fence panels could be lowered or mirrors provided.

Fedus reviewed the 23' x 16' storage addition onto the back of the Tift building. A variance for the storage area was approved by the ZBA on November 13, 2019. Springsteel reviewed the architectural drawings. There is an area in the building that will store flood panels and the building has been designed to mimic the existing architecture in the area. There will be four parking spaces provided for either key employees of the retail units or for some of the residents of the building. The other employees and residents will use the Mystic Museum of Art parking lot.

Kane and Zod expressed concern about the southerly row of parking, stating the two recessed spots are too cramped and will be difficult to maneuver cars into and out of. Fedus agreed to label the most difficult parking spot for compact cars only. Kane stated he would like to see a handicapped spot provided. Fedus noted that the spaces that border the fire access lane could potentially be used as a handicapped space.

Fedus explained that there is fire access from both Pearl Street and Gravel Street, with a hook and ladder truck having access from Gravel Street. The fire marshal has approved this plan.

There will be a total of 24 parking spaces provided for Central Hall at the Gravel Street pump station and 36 West Main and they will be assigned parking. The Commission noted that they would like to see the parking spaces at 36 West Main used for residential.

Fedus reviewed the CAM application and staff noted the need to make sure coastal access signage is appropriate to get the public from Gravel Street through the pump station to the public access deck.

MOTION: To approve SIT20-02 site plan modification for Central Hall for 18-22 West Main Street and offsite improvements at 36 West Main St subject to the following modifications.

1. A minimum of 4 parking spaces for the residential units at 36 West Main Street shall remain onsite.
2. The parking validation for all commercial uses shall meet Section 8.2-6.E at all times, including all signage requirements and annual proof of participation submitted to OPDS.
3. All leased parking spaces shall meet Section 8.2-6.F of the Zoning Regulations at all times, including the submittal of annual renewals to OPDS. The current lease documents for all spaces shall be submitted to the Office of Planning and Development Services within 60 days of this approval.
4. All conditions and requirements of previously approved site plans for 18-22 West Main St and 36 West Main St are still in effect unless specifically modified by SIT20-02.
5. The parking plan for 36 West Main Street requires Fire Marshal approval of appropriate signage and pavement markings prior to start of construction.
6. Staff technical items shall be addressed on the final site plan.

Moved by: Pritchard, Jeffrey C.		Seconded by: Zod, Hal		
Committee Members	YES	NO	ABSTAIN	RECUSE
Jeffrey C. Pritchard	X			
Michael D. Kane	X			
Barbara Tarbox	X			
Hal Zod	X			
Susan K. Sutherland	X			
APPROVED				

MOTION: To approve the Coastal Site Plan application for SIT20-02, based upon the following findings and conditions:

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

1. Coastal access signage shall be incorporated into the project to direct the public onto the public access deck from Gravel Street.

Moved by: Pritchard, Jeffrey C.		Seconded by: Kane, Michael		
Committee Members	YES	NO	ABSTAIN	RECUSE
Jeffrey C. Pritchard	X			
Michael D. Kane	X			
Barbara Tarbox	X			
Hal Zod	X			
Susan K. Sutherland	X			
APPROVED				

IX. OLD BUSINESS

IX.1. Cutler Elementary School Rooftop Equipment Screening, 160 Fishtown Road

Joe Banks, Perkins Eastman, reviewed the changes made to the rooftop screening plan. At the entranceway a 3' high screen was relocated and the engineers reworked the ductwork so that it will all be hidden behind it. The screening on the larger portion of the building was also expanded. Banks played a mock-up video showing the proposed building without trees.

Zod had concerns about the mechanical units still being visible from the service entrance and stated that any trees used as screening won't be mature enough to hide rooftop units for at least a decade. Banks noted that the trees that were chosen are species that will fill out as soon as possible. Zod noted that he is not in favor of the placement, design, or wording of the school sign shown on the plans and stated the signs should be consistent across all Groton schools. Rick Norris stated the sign on the existing plan is a placeholder and a final sign has not yet been decided.

The Commission had concerns about the proposed arborvitae and that it may not be large enough to screen any of the mechanical equipment. Norris noted that the arborvitae will be 8 to 9 feet when planted and will be planted fairly close together. Zod asked that more arborvitae be planted to the south, as well as more evergreen trees. The applicant agreed to revise the landscape plan to address the commission's concerns.

MOTION: To approve the following modification to the roof top screening at Cutler Elementary School, 160 Fishtown Road, that was approved as part of SIT19-15:

1. All rooftop mechanical equipment shall be screened as provided for in the narrative, plans, and videos made part of the PZC 4/10/2020 PZC agenda and presentation. Any roof top equipment that will still be significantly seen from the main parking area or Fishtown Road after construction shall be painted to match the proposed screening, roof, or building façade, as appropriate. Any requested changes to this screening requirement shall be reviewed and approved by the PZC prior to any installation.
2. Technical items as raised by staff shall be addressed.

Moved by: Pritchard, Jeffrey C.		Seconded by: Sutherland, Susan K.		
Committee Members	YES	NO	ABSTAIN	RECUSE
Jeffrey C. Pritchard	X			
Michael D. Kane	X			
Barbara Tarbox	X			
Hal Zod	X			
Susan K. Sutherland	X			
APPROVED				

X. NEW BUSINESS

X.1. New Applications - None

X.2. Referrals

X.3. CGS 8-24 Referral - 13 Fort Hill Road, Land Transfer

Staff reviewed the proposed land transfer to the new owners of the former Poquonnock Bridge Fire Station. The land was given to the Fire Department and ownership was reverted to the Town when it was sold. The Commission agreed that the sale is in accordance with the POCD.

MOTION: The transfer of land at 13 Fort Hill Road is in accordance with the 2016 Plan of Conservation and Development.

Moved by: Pritchard, Jeffrey C.		Seconded by: Tarbox, Barbara		
Committee Members	YES	NO	ABSTAIN	RECUSE
Jeffrey C. Pritchard	X			
Michael D. Kane	X			
Barbara Tarbox	X			
Hal Zod	X			
Susan K. Sutherland	X			
APPROVED				

XI. COMMISSION REPORTS

XI.1. Report of Chair

Chairman Pritchard requested that staff add a revision date or number to pages of any changes made to the new Zoning Regulations so that it does not become confusing in the future.

XI.2. Report of Commission - None

XII REPORT OF STAFF

XII.1. Report of Staff - None

XIII. ADJOURNMENT

XIII.1. Adjournment

MOTION: To adjourn the meeting at 9:18 p.m.

Moved by: Pritchard, Jeffrey C.		Seconded by: Tarbox, Barbara		
Committee Members	YES	NO	ABSTAIN	RECUSE
Jeffrey C. Pritchard	X			
Michael D. Kane	X			
Barbara Tarbox	X			
Hal Zod	X			
Susan K. Sutherland	X			
ADJOURNED				

Hal Zod, Secretary
Planning and Zoning Commission

Prepared by Kara Hovland
Office Assistant II

Staff Summary Sheet

APPLICATION #: SIT19-04		APPLICATION TYPE: Coastal Site Plan (CAM)	STAFF PLANNER: BL
PROJECT NAME: 100 Susan Lane			
ADDRESS / LOCATION: 100 Susan Lane			
CAM: Yes	WRPD: No		WETLANDS: No
TERMINAL ACTION DATE: 4/29/2020		SUMMARY DATE: 4/22/20	
PUBLIC HEARING CLOSED:		SITE AREA: # .85 AC # SQ FT	
EXISTING LAND USE / ZONING: Vacant / RS-12			
SURROUNDING LAND USE / ZONING DISTRICT(S):			
NORTH: Residential / RS12 SOUTH: Open Water / RS			
EAST: Vacant Open Space / RS-12 WEST: Residential / RS 12			
HISTORY: The site is comprised of two vacant parcels of land approximately .85 acres in size. One of lots (parcel Id # 260816944551) was shown on a 1907 subdivision map as a street known as Susan Lane. This parcel has been used as access to the residence to the north for several decades. The other parcel (parcel ID#260816943473) abuts Beebe Cove and was recently cleared in 2019. Unauthorized clearing of tidal wetlands has occurred on this lot and a Notice of Non-Compliance was issued by DEEP in December 2019.			
PROJECT DESCRIPTION: The applicant is proposing to legally merge both parcels and construct a 40' x 40' dwelling with a 14' x 20' rear deck. The deck, at its closet point, will be located approximately 82' from the coastal resource. Associated site grading, driveway construction, and sewer and utility installations are also proposed. A silt fence line backed with hail bails will be established along the limit of disturbance. No land disturbance will occur seaward of the silt fence limit. The closest point of proposed land disturbance to the coastal resource will be approximately 64'. As previously mentioned, this site has an ongoing and unresolved Notice of Non-Compliance with DEEP. The applicant is in communication with DEEP and a restoration plan will be finalized in the coming months.			
LIST AGENCIES WITH OUTSTANDING COMMENTS: None			
LAND USE / DEVELOPMENT ISSUES ANALYSIS:			
CAM: Section 9.5-5 in the Zoning Regulations state that new single family dwellings within 100' of the coastal resource require a Coastal Site Plan Review. The site is currently vacant and a single family dwelling is proposed to be, at its closest point, approximately 82' from the coastal resource. The coastal resource on this site is a rocky shoreline associated with the Beebe Cove to the south and Coastal Flood Hazard Areas.			
Storm water and Erosion Controls: A silt fence backed with hail bails is proposed to be installed during construction. This line will also be the limit of disturbance line and no land alterations will take place seaward of this demarcation.			

Parcel Merger: As previously mentioned the site is currently comprised of 2 parcels of land. In order to avoid the need for a front-yard setback variance, the applicant must merge the properties before a zoning permit is issued.

**ATTACH ANY RECOMMENDED ACTION, INCLUDING MODIFICATIONS AND/OR CONDITIONS
AND TECHNICAL ITEMS.**



TOWN OF GROTON

LAND USE APPLICATION

Part One

PLEASE CHECK THE APPROPRIATE BOX(ES) AND ATTACH THE REQUIRED APPLICATION(S):

- | | |
|---|--|
| <input type="checkbox"/> SUBDIVISION OR RESUBDIVISION | <input checked="" type="checkbox"/> COASTAL SITE PLAN REVIEW (CAM) |
| <input checked="" type="checkbox"/> SITE PLAN | <input type="checkbox"/> SPECIAL PERMIT |
| <input type="checkbox"/> ADMINISTRATIVE SITE PLAN | <input type="checkbox"/> ZONE CHANGE |
| <input type="checkbox"/> INLAND WETLANDS PERMIT | <input type="checkbox"/> REGULATION AMENDMENT |
| <input type="checkbox"/> VARIANCE/APPEAL | |

PROJECT NAME: N/A
STREET ADDRESS OF PROPERTY: Warren Avenue & Susan Lane
IF ADDRESS NOT AVAILABLE, LOCATION: _____
PARCEL IDENTIFICATION NUMBER: 260816943473 ACREAGE: 0.9 ZONE: RS-12

PROJECT DESCRIPTION: Construction of a single family home with associated grading and utilities installation

CORRESPONDENCE WILL BE SENT TO THE PRIMARY CONTACT AS CHECKED BELOW:

☒ APPLICANT: Reagan Homes TELEPHONE: 860-460-4857
ADDRESS: 197 Long Wharf Road, Mystic 06355 EMAIL: dreagan@reaganhomes.com
☒ APPLICANT'S AGENT: Killingly Engineering Assoc. TELEPHONE: 860-779-7299
ADDRESS: P.O. Box 421, Killingly, CT 06241 EMAIL: nthibeault@killingyea.com
☐ OWNER/TRUSTEE: _____ TELEPHONE: _____
ADDRESS: _____ EMAIL: _____
☒ ENGINEER/SURVEYOR/ARCHITECT: Same as Agent
ADDRESS: _____
EMAIL: _____ TELEPHONE: _____

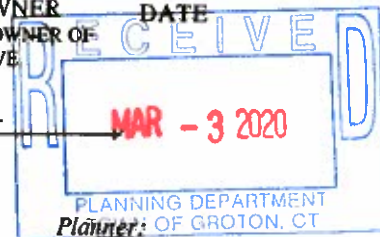
- Note:
- 1) To be accepted by the Planning Division, this entire application must be completed, signed, and submitted with the required fee(s) and map(s) prepared in accordance with the applicable regulations.
 - 2) The submittal of this application constitutes the property owner's permission for the commission or its staff to enter the property for the purpose of inspection.
 - 3) The applicant hereby agrees to pay all additional fees and/or address such costs deemed necessary by the Office of Planning and Development Services as described in Part Three of this application.

SIGNATURE OF APPLICANT OR APPLICANT'S AGENT _____ DATE _____

PRINTED NAME OF APPLICANT _____

SIGNATURE OF RECORD OWNER _____ DATE 19 FEB 2020
I HEREBY, CERTIFY THAT I AM THE OWNER OF THE PROPERTY STATED ABOVE

Thomas Krysil
PRINTED NAME OF OWNER



Project #: _____ Work Type: _____ Fee Received: _____ Init. _____

Killingly Engineering Associates

Civil Engineering & Surveying



P.O. Box 421 Dayville, CT 06241
Phone: 860-779-7299

Application for Review of Coastal Site Plans Warren Avenue & Susan Lane Groton, CT

In accordance with P.A. 79-535 and the Connecticut Coastal Management Manual, Planning Report No. 30, we offer the following written project information.

1. Plans

A survey plan certified to Class A-2 standards is included with this submission. On the plan, Killingly Engineering has shown the proposed residence, property boundaries, the proposed site development and descriptions and distances to applicable coastal resources.

2. Description of Proposed Project

The project proposes to construct a single-family home on a 0.9-acre parcel with access from Warren Avenue to Susan Lane. The southern boundary of the property is the mean high-water mark of Beebe Cove and land owned by the Avalonia Land Conservancy borders the property to the west. The site exhibits evidence of previous development activity with 2 sets of stone steps leading to the waterline and a concrete retaining wall at the waters edge. The site is moderately sloped down gradient from the northeast to southwest and is littered with large surface boulders.

It is anticipated that the construction will commence in late spring of 2020 and continue throughout the summer and fall of 2020. To construct the house, approximately 275 cubic yards of earth materials will be excavated for the foundation; approximately half of that will be utilized on site for grading purposes. The remainder will be removed from the site. The site plan also calls for the use of on-site boulders to be utilized for retaining walls to minimize the need for excessive grading. Clean gravel or crushed stone will be brought to the site to be placed beneath the foundation slab and for the driveway base. The site is substantially cleared of woody vegetation and 2 maple trees are proposed to be removed to construct the house and driveway. The total area of disturbance proposed for the house, driveway and required grading is approximately 9,000 square feet (0.2 acres). Of this, approximately 325 square feet of activity is proposed within the "VE" flood hazard zone; elevation 14.0 or less.

Under Section 1 of the Connecticut Coastal Management Manual, interior modifications and minor modifications to existing structures are considered exempt from coastal site plan review. The construction of an entirely new home will require Coastal Site Plan review.

3. Identification and Description of Coastal Resources (as defined in Section 2 of the Connecticut Coastal Management Manual) at and adjacent to the site

The coastal resource is characterized as a tidally influenced intermittently rocky shoreline dominated by a narrow fringe of low to high marsh vegetated habitat.

4. Identification and Description of Significant Natural Features Occurring at and Adjacent to the Site

The low marsh areas flooded daily are dominated by *spartina alterniflora*, transitioning to a high marsh zone dominated by marsh elder (*Iva frutescens*). The regulated jurisdictional limit of the tidal wetlands along the shoreline of Beebe Cove is established by the CTDEEP defined as the Coastal Jurisdictional Line (CJL) set at elevation of 2.0'(NAVD88) for the Town of Groton. The vegetated limits of the tidal boundary is defined by the remnants of a stone wall and extent of saltmarsh cordgrass (*Spartina alterniflora*) and marsh elder (*Iva frutescens*).

The soils identified on the site are a refinement of the Natural Resources Conservation Service (NRCS) Websoil survey and New London County Soil Survey. The upland soils are mapped and classified as well-drained extremely stony Canton and Charlton fine sandy loams. Large surface stones are commonly observed throughout the property. Canton and Charlton soils are well suited to residential development. The existing soil conditions are stabilized and pose a low erosion hazard risk.

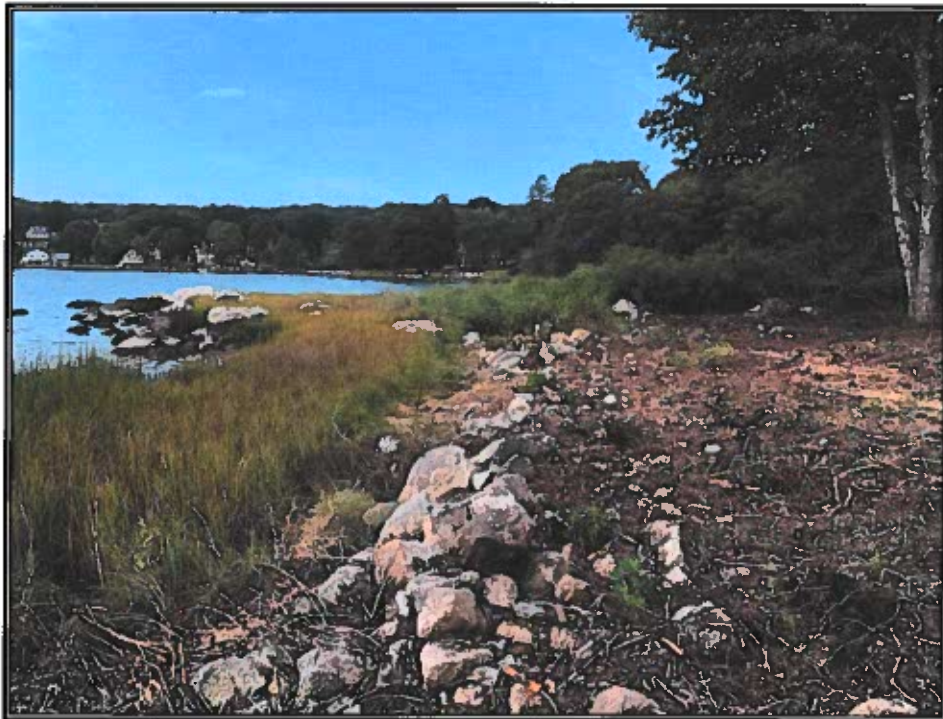


Photo 1: Beebe Cove shoreline – Limits of tidal wetland demarcated by stonewall



Photo 2: Recently cleared lot, view to the south, overlooking Beebe Cove

a. Dominant species of flora (marine, wetland, upland); occurrence of any rare or endangered species.

The majority of the previously wooded uplands have recently been cleared of trees and new ground cover (grasses) is now well established. The adjacent properties include developed residential properties including water front developments and open space property owned by the Avalonia Land Trust. Adjacent wood lands consist of a mixed hardwood overstory favored by oak (*Quercus* spp.) and hickory (*Carya* spp.), with a thick understory intermingled with greenbriers (*Smilax* sp.) and honeysuckles (*Lonicera* spp.). The vegetation is typical of the eastern coastal hardwood eco-region and the Long Island Sound coastal low-lands.

The Project site is within a CTDEEP designated NDDB Polygon (2019 Mapping). Within this 500' diameter polygon CTDEEP has identified habitat that hosts state listed species.

- Assessment of value and quality of plant and animal habitat.

The surrounding lands provide habitat that is suitable for a wide range of wildlife common to developed residential shoreline of Connecticut. These generally include a wide range of wildlife tolerant to developments. The property abuts open space land and direct water frontage along Beebe Cove. The tidal wetlands and shallow estuary provide high quality habitat for marine and water dependent wildlife.

- Identification and description of type, extent, and condition of significant geologic and hydrologic features (such as aquifer recharge areas, deposits of sand and gravel, unique geologic features etc.

The geologic map of Connecticut characterizes the underlying geologic features belonging to the Avalonia (Continental) Terrane, consisting of gneiss, schist and quartzite of the Hope Valley Belt. Pink gneiss commonly known along the Connecticut coastline is a geological highlight.

5. Identification and Description of Significant Historical and Cultural Features occurring at and adjacent to the Site

None

6/7. Applicable Coastal Policies per Sections 2, 3 & 5 of the Connecticut Coastal Management Manual & Consistency

Section 2 – Coastal Resources

The shoreline of the parcel is consistent with the definition of a “Rocky Shorefront” where bedrock, boulders, and cobbles that are highly erosion resistant and are an insignificant source of sediments for other coastal landforms. The project is not anticipated to have any detrimental effect on these resources

Section 3 – Coastal Uses

The residential use of this site is possible due to the availability of public water and sanitary sewer. Based upon the rocky nature of the soils and the proximity to mean high water line, installation of an on-site septic system would be difficult and costly. The photographs submitted earlier with this summary show a vegetated buffer between the development and the mean high-water line.

Stormwater - No point discharges of stormwater are proposed for the developed site.

Section 5 – Connecticut Coastal Management Act

The project does not conflict with these policies.

8. Identification of potential beneficial and adverse impacts on the condition, character, function and value of the coastal resources

No direct impacts to the coastal resources are proposed and the residence will require minimal activity within the VE Hazard Zone. The single-family home will not generate excessive runoff, air pollutant discharges or the potential for sedimentation after the site has been stabilized after construction.

9. Mitigation of Adverse Impacts

- The project will not degrade water quality. Any potential for sedimentation during construction will be diminished or alleviated by providing recommended sedimentation controls at existing stormwater catch basins.
- There will not be any degrading of circulation patterns of coastal waters.
- There will not be any degradation of natural erosion patterns.
- There are no modifications that will cause degradation of existing drainage patterns.
- The proposed improvements will not alter the shoreline and cause increases in coastal flooding.

- Construction of a single-family home will not alter natural features of vistas.
- No essential wildlife, fin fish or shellfish habitat will be altered or degraded.
- The project will have no effect on any future water-dependent uses in the area nor will it prohibit any current access.

10. Identification and Description of Potential Beneficial and Adverse Impacts on Opportunities for Future Water Dependent Uses on and adjacent to the site

None Anticipated

11. Description of Proposed Measures to Mitigate Adverse Impacts on Opportunities for Future Water Dependent Uses on and adjacent to the site

Not Applicable

12. Description of any Adverse Impacts that Remain after Employing All Reasonable Mitigation Measures and Explanation Demonstrating Why the Remaining Impacts are Acceptable

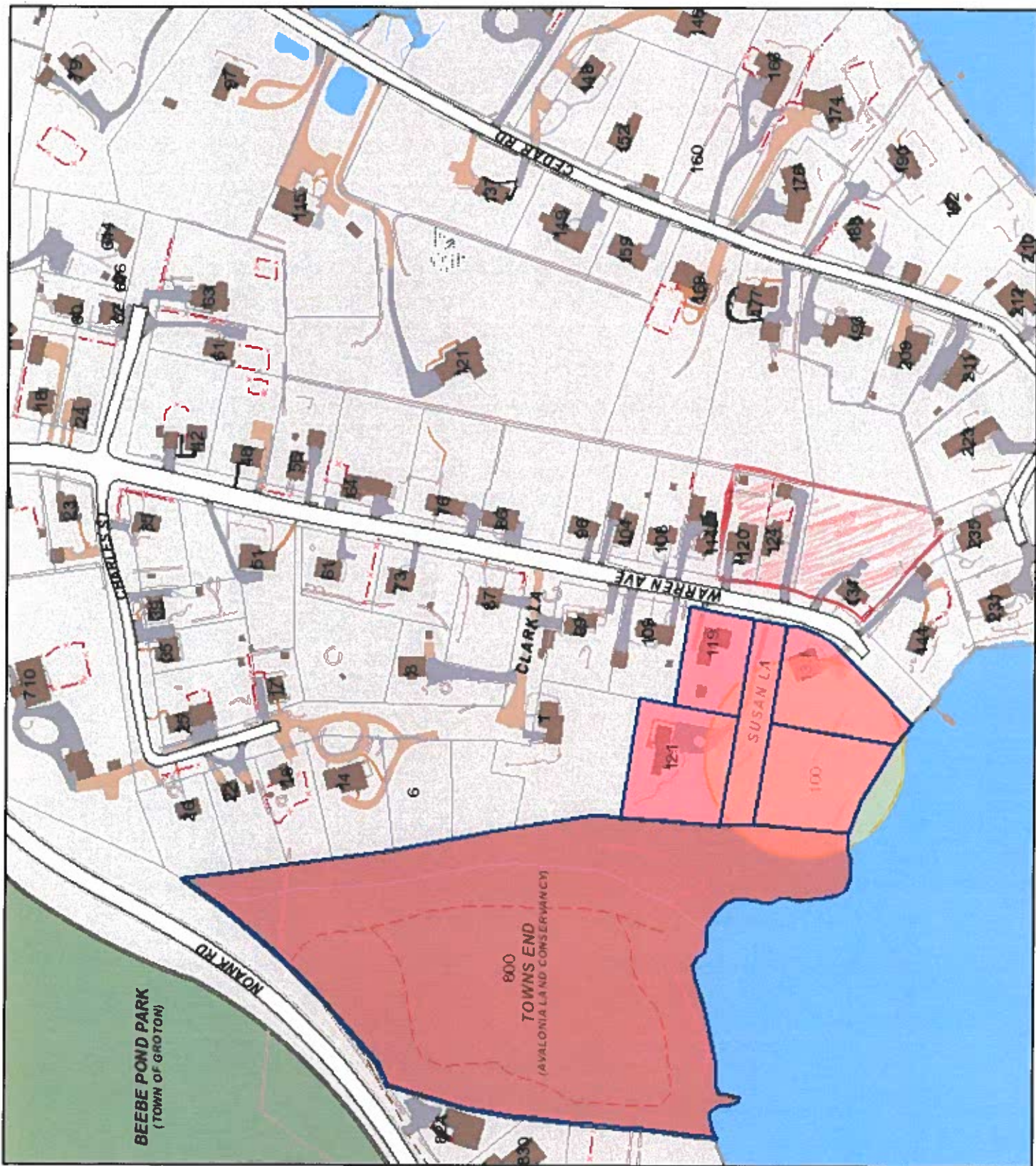
Not Applicable

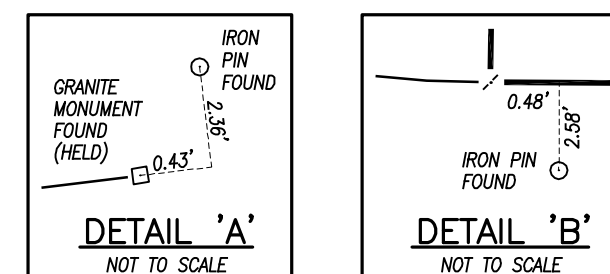
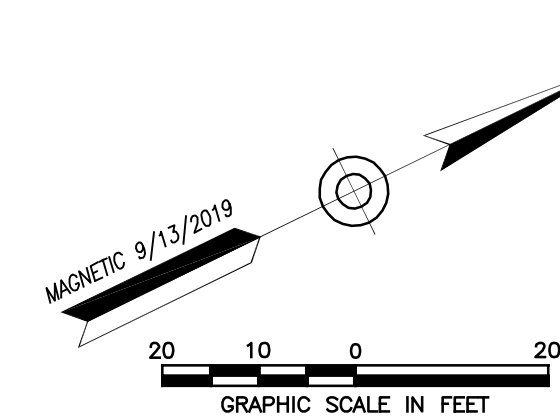
GIS Map

[illegible]

1 inch = 206 feet

Date: February 18, 2020





- NOTES:**
1. TOWN STAFF SHALL BE NOTIFIED TO INSPECT INSTALLATION OF EROSION AND SEDIMENTATION CONTROLS PRIOR TO ANY DISTURBANCE ON SITE.
 2. NO DISTURBANCE IS PROPOSED SEAWARD OF THE SILT FENCE LINE.
 3. ROAD PARCEL AND BUILDING LOT SHALL BE MERGED PRIOR TO DEVELOPMENT.

BEEBE COVE

TOTAL
AREA = 0.9± ACRES
(40,950± S.F.)

Jane E. Severinsen
ID# 260816945410

AREA = 0.5± ACRES
(19,600± S.F.)

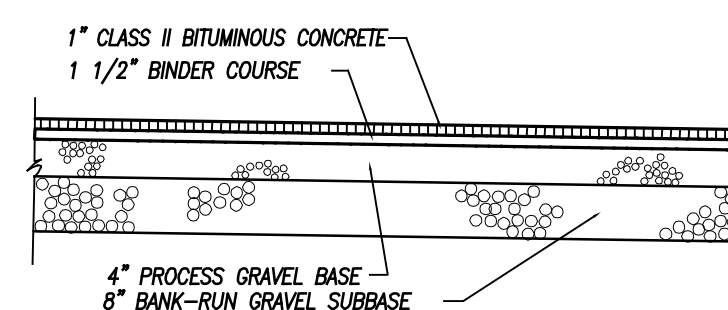
Avalonia Land Conservancy Inc.
ID# 260816940787 E

Jean B. Pearson
ID# 260816943692

Kathryn Montalbano
ID# 260816945557

LEGEND

- IRON PIN SET
- IRON PIN FOUND
- DH DRILL HOLE SET
- DH DRILL HOLE FOUND
- GRANITE MONUMENT FOUND
- UTILITY POLE
- CATCH BASIN
- MH MANHOLE
- DMH STORM DRAIN MANHOLE
- SMH SANITARY SEWER MANHOLE
- TIDAL WETLANDS
- BUILDING SETBACK LINE
- OHW OVERHEAD WIRES
- STONE WALL

BITUMINOUS CONCRETE PAVEMENT

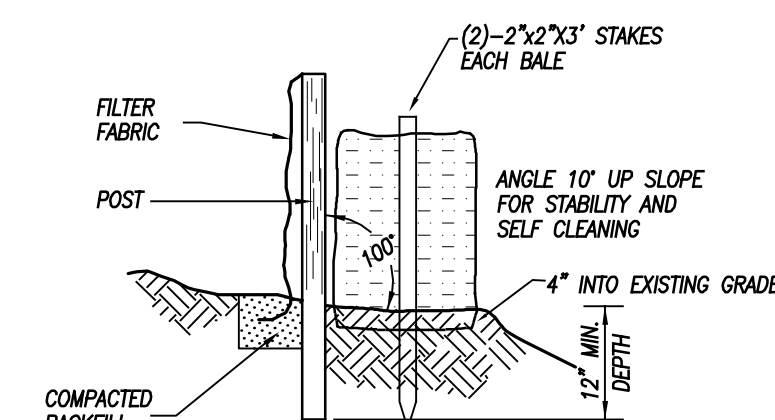
NOT TO SCALE

WARREN AVENUE

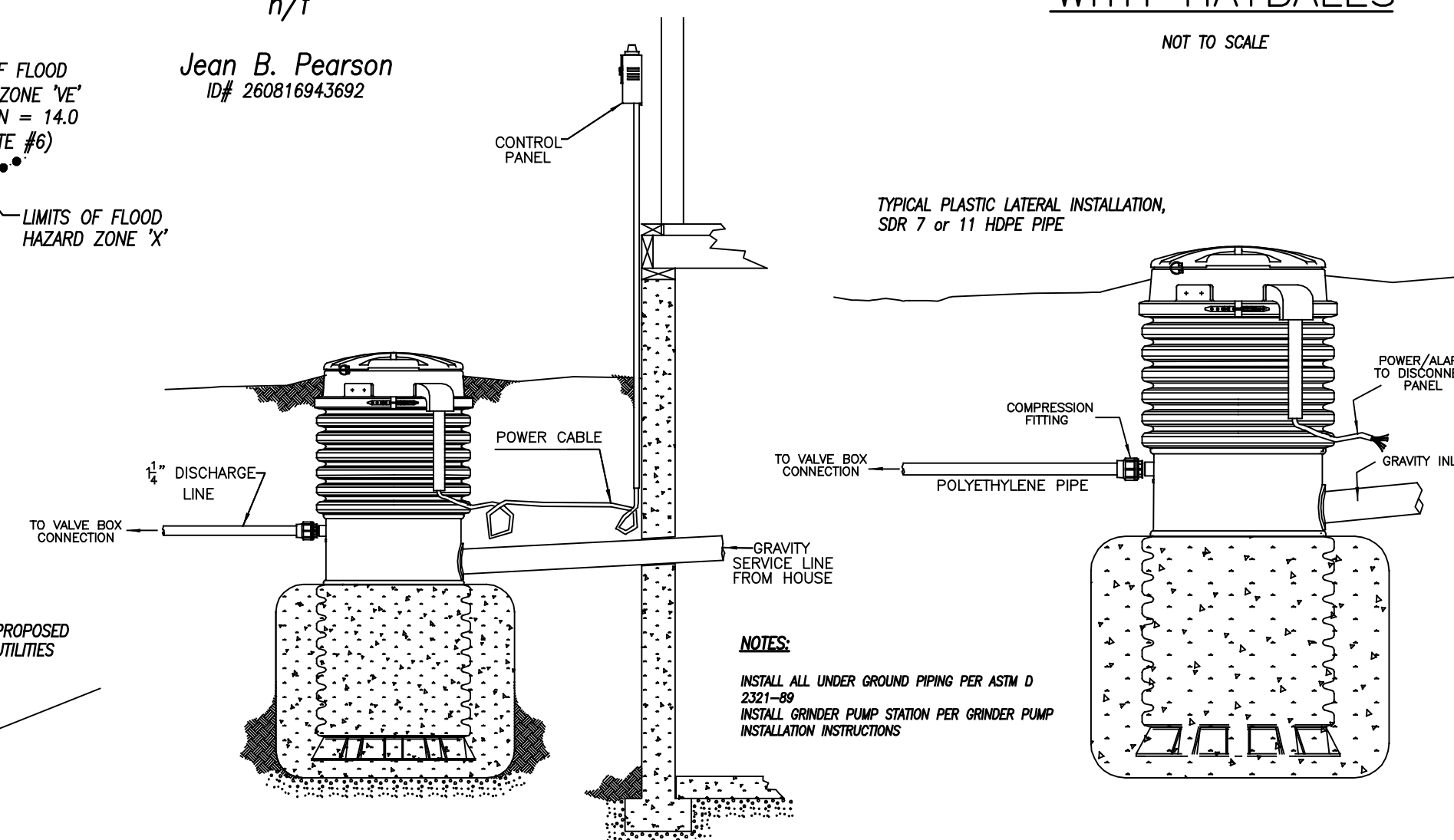
NORMAND THIBEAULT, JR., P.E. No. 22834 DATE

SILT FENCE — BACKED WITH HAYBALES

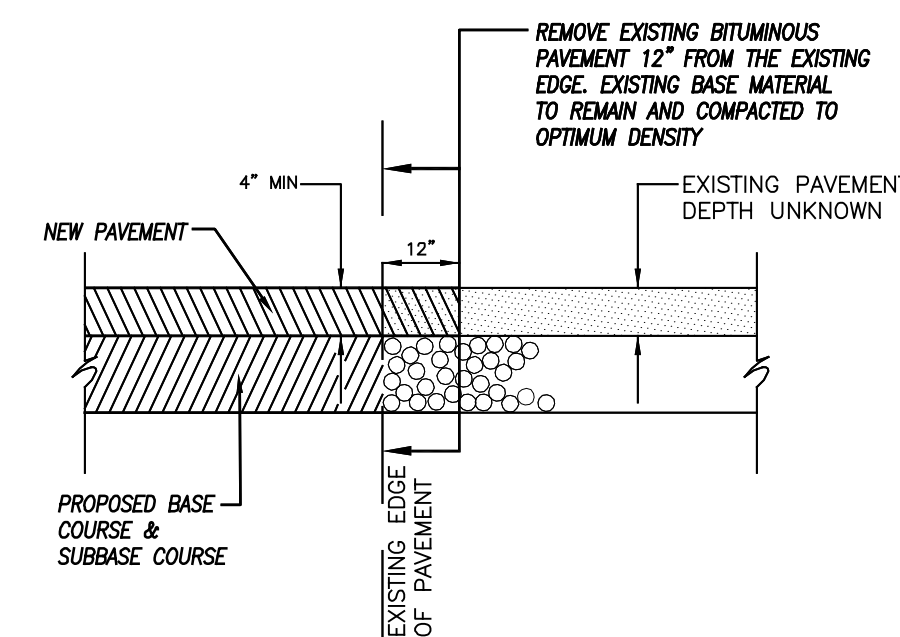
NOT TO SCALE

**RESIDENTIAL LOW PRESSURE GRINDER PUMP SYSTEM**

NOT TO SCALE

**NOTES:**

1. INSTALL ALL UNDER GROUND PIPING PER ASTM D 2241-99
2. INSTALL GRINDER PUMP STATION PER GRINDER PUMP INSTALLATION INSTRUCTIONS



1. SAW CUT PAVEMENT WITH POWER DRIVEN SAW 12" FROM THE EXISTING EDGE. SAW CUT TO BE PERPENDICULAR TO THE EXISTING SURFACE.
2. REMOVE ENTIRE WIDTH OF PAVEMENT.
3. CLEAN JOINT WITH COMPRESSED AIR HAVING A MINIMUM RATED CAPACITY OF 90 PSI.
4. APPLY TACK COAT TO THE SAW CUT EDGE AND MATCH THIS EDGE WITH THE PROPOSED EDGE.

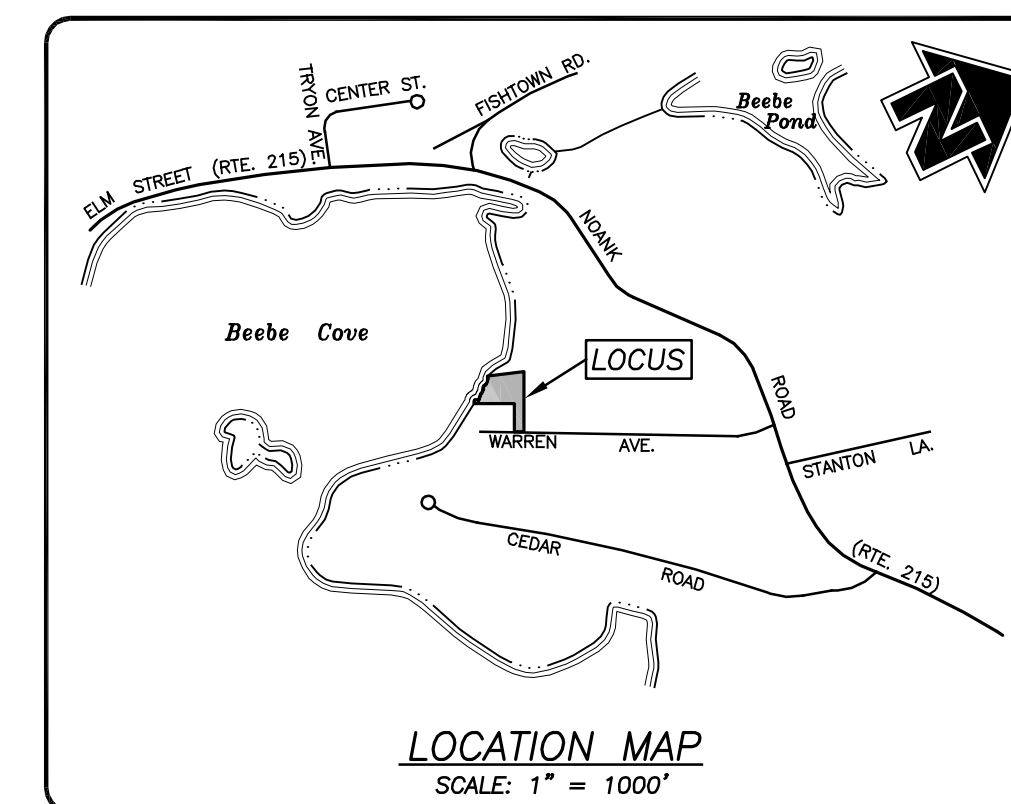
TYPICAL CROSS SECTION FOR MATCHING EXISTING AND PROPOSED PAVEMENT

NOT TO SCALE

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON,

GREG A. GLAUDE, L.S. LIC. NO. 70191 DATE

NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE LAND SURVEYOR.

**NOTES:**

1. This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996;
 - This survey conforms to a Class "A-2" horizontal accuracy.
 - Topographic features conform to a Class "T-2", "V-2" vertical accuracy.
 - Survey Type: Improvement Location Survey.
 - Boundary Determination Category: Dependent Resurvey.
2. Zone = RS-12.
3. Owner of record: Thomas Krysil & Molly McNamara
1037 Redgate Drive, Norfolk, VA 23507
See Vol. 1225, Pgs. 683-685
4. Parcel ID#s 260816943473 & 260816944551.
5. Elevations shown are based on North American Vertical Datum of 1988 (NAVD 88). Contours taken from actual field survey. Contour interval = 2'.
6. Portions of this parcel lies within Flood Hazard Zone "VE" (coastal flood zone with velocity hazard — wave action — base flood elevations determined), Flood Hazard Zone "X" (areas of 0.2% annual chance flood) and Flood Hazard Zone "A" (areas of 1% annual chance flood) as shown on FIRM Map #09011C0528J Map Revised: August 5, 2013.
7. A closing line is a random line used for technical purposes. It is not to be construed as a boundary line.
Closing Line (A)-(B) = S 86°19'52" W 37.10'
Closing Line (B)-(C) = N 37°07'27" W 163.58'
8. The tidal wetlands shown were flagged in the field by Ian Cole, Certified Soil Scientist on September 23, 2019.
9. Susan Lane is shown as an unnamed "Paper Street" on the 1907 Plat Map referenced below. Subject to rights of others.
10. Before any construction is to commence contact "CALL BEFORE YOU DIG" at 1-800-922-4455 or 811.

MAP REFERENCES:

1. "Plan of Cedar Crest — West Mystic Conn. — Belonging to — Capt. M.L. Gilbert — Scale: 1" = 50' — Date: 1907 — Revised to: 12/10/1912 Prepared by: Daboll & Crandall." On file in the Groton Land Records as Map #36.
2. "Property Survey — Prepared for— Reagan Homes — Warren Avenue & Susan Drive — Groton, Connecticut — Scale: 1" = 20' — Date: 9/18/2019 — Sheet 1 of 1 — Prepared by: Killingly Engineering Associates." On file in the Groton Land Records.

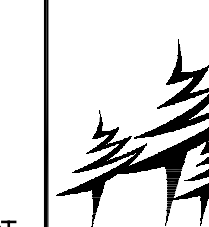
DATE	PER TOWN STAFF REVIEW
03/25/2020	DESCRIPTION
DATE	REVISIONS

**IMPROVEMENT LOCATION SURVEY
SITE PLAN**

PREPARED FOR

REAGAN HOMES

100 SUSAN LANE
GROTON, CONNECTICUT



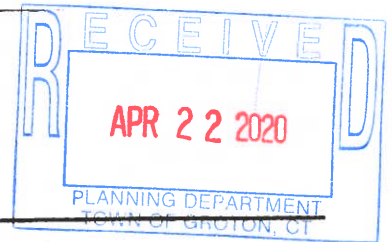
Killingly Engineering Associates
Civil Engineering & Surveying

114 Westcott Road
P.O. Box 421
Killingly, Connecticut 06241
(860) 779-7299
www.killinglyengineering.com

DATE: 12/10/2019	DRAWN: AMR
SCALE: 1" = 20'	DESIGN: NET
SHEET: 1 OF 1	CHK BY: ---
DWG. No: CLIENT FILE	JOB No: 19090



TOWN OF GROTON
LAND USE APPLICATION
Part One



PLEASE CHECK THE APPROPRIATE BOX(ES) AND ATTACH THE REQUIRED APPLICATION(S):

- | | |
|---|--|
| <input type="checkbox"/> SUBDIVISION OR RESUBDIVISION | <input checked="" type="checkbox"/> COASTAL SITE PLAN REVIEW (CAM) |
| <input checked="" type="checkbox"/> SITE PLAN | <input type="checkbox"/> SPECIAL PERMIT |
| <input type="checkbox"/> ADMINISTRATIVE SITE PLAN | <input type="checkbox"/> ZONE CHANGE |
| <input type="checkbox"/> INLAND WETLANDS PERMIT | <input type="checkbox"/> REGULATION AMENDMENT |
| <input type="checkbox"/> VARIANCE/APPEAL | |

PROJECT NAME: Oyster Club

STREET ADDRESS OF PROPERTY: 13 Water Street, Mystic, CT 06355

IF ADDRESS NOT AVAILABLE, LOCATION: _____

PARCEL IDENTIFICATION NUMBER: 261918306235 ACREAGE: 0.187 ZONE: MDD

PROJECT DESCRIPTION: Site Plan Modification to add 4.6' x 28.6' foot dining room addition walk-in cooler (6.6' x 15.6'), second set of exterior stairs from upper level, and removal of encroachments on adjacent property.

CORRESPONDENCE WILL BE SENT TO THE PRIMARY CONTACT AS CHECKED BELOW:

☒ **APPLICANT:** 85th Day Restaurant, LLC, Dan Meiser TELEPHONE: 860-983-9217

ADDRESS: 13 Water Street, Mystic, CT 06355 EMAIL: danielmeiser3@gmail.com

☒ **APPLICANT'S AGENT:** Gregg Fedus, Fedus Engineering, LLC TELEPHONE: 860-536-7390

ADDRESS: 70 Essex Street, Unit 2C, Mystic, CT 06355 EMAIL: gfedus@fedusengineering.com

☐ **OWNER/TRUSTEE:** Mystic Ledge Real Estate LLC, Meiser TELEPHONE: 860-983-9217

ADDRESS: 6 Saddle Rock Lane, Loganton, PA 17747 EMAIL: danielmeiser3@gmail.com

☒ **ENGINEER/SURVEYOR/ARCHITECT:** Julia M Leeming Architect

ADDRESS: 16 Cutler Street, Stonington, CT 06378

EMAIL: jleemingarchitect@gmail.com TELEPHONE: 917-400-4272

- Note:
- 1) To be accepted by the Planning Division, this entire application must be completed, signed, and submitted with the required fee(s) and map(s) prepared in accordance with the applicable regulations.
 - 2) The submittal of this application constitutes the property owner's permission for the commission or its staff to enter the property for the purpose of inspection.
 - 3) The applicant hereby agrees to pay all additional fees and/or address such costs deemed necessary by the Office of Planning and Development Services as described in Part Three of this application.

SIGNATURE OF APPLICANT
OR APPLICANT'S AGENT

4/21/2020
DATE

SIGNATURE OF RECORD OWNER
I HEREBY, CERTIFY THAT I AM THE OWNER OF
THE PROPERTY STATED ABOVE

4/21/2020
DATE

Daniel Meiser
PRINTED NAME OF APPLICANT

Daniel Meiser
PRINTED NAME OF OWNER

Project #: SIT20-06 Work Type: _____ Fee Received: _____ Init. _____ Planner: _____

TOWN OF GROTON
LAND USE APPLICATION – SITE PLAN

PART TWO
(Attach to Part One)

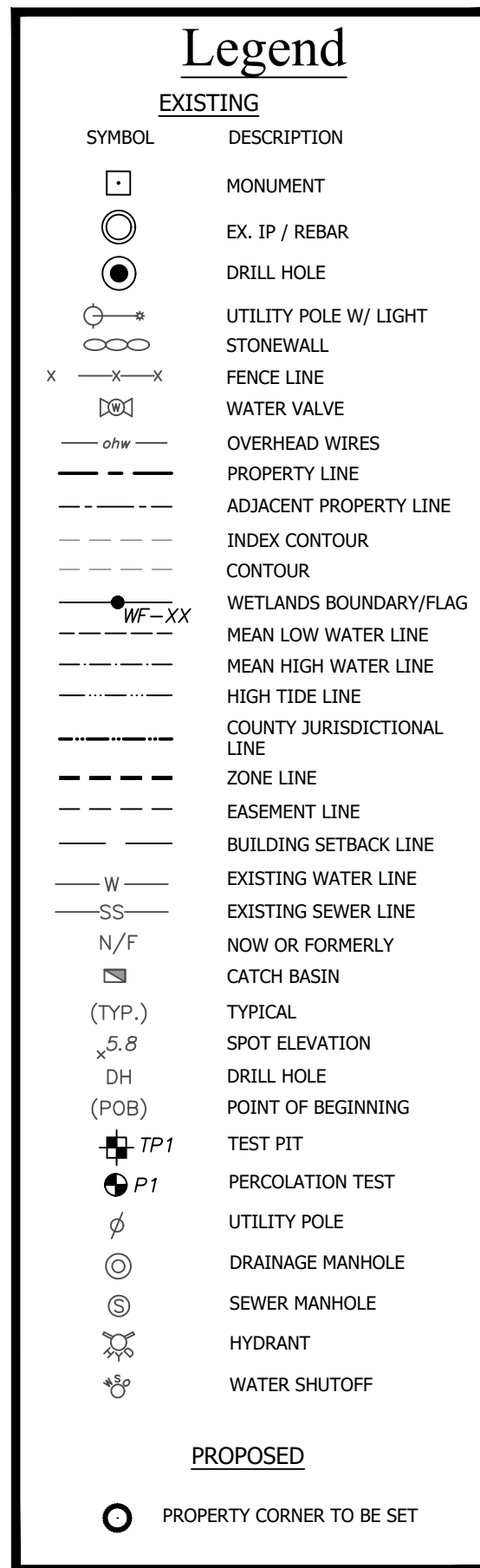
SITE DATA TABLE

	Required/Allowed	Provided
Lot Area (sq. ft. and ac.)	8000 SF/0.18 Acres	8183 SF/0.19 Acres
Lot Width	60,	89.96'
Area of Site (sq. ft. and ac.)	8000 SF/0.18 Acres	8183 SF/0.19 Acres
Front Setback	0'	0.3' Existing, 4.4' 2nd floor
Rear Setback	10'	52.8'
Side Setback N/E	10'	11'
Side Setback S/W	10'	5.7'
Building Area	NA	2504 SF
Floor Area	NA	3341 SF
Building Height	35'40'	23.35'
Building Coverage (%)	80%	42.3%
Total Lot Coverage (including impervious surfaces) (sq. ft. and %)	NA	6898 SF, 84.3%
Existing Impervious Surface (sq. ft.)	NA	6654 SF, 81.3%
Change in Impervious Surface (+/- sq. ft.)	NA	244 SF
Area of Outdoor Sales	NA	1180 SF
Area of Open Space/Recreation	NA	NA
Area of Interior Landscaping	NA	98.2 SF Existing
Parking (# of spaces)	32 Min, 43 Max	0 - Validation
Truck Loading Area	NA	Existing - Street
Area of Signs By Type	12 SF	Existing - No Change

IS PROPERTY WITHIN THE CAM BOUNDARY? ☒ YES ☐ NO
IF YES, A COASTAL SITE PLAN APPLICATION MAY BE REQUIRED.

ARE THERE REGULATED WETLANDS? ☐ YES ☒ NO
A WETLAND APPLICATION HAS BEEN SUBMITTED OR PERMIT OBTAINED? ☐ YES ☒ NO

WATER: ☐ ON SITE WELL OR ☒ PUBLIC **WASTE:** ☐ ON SITE SEPTIC OR ☒ PUBLIC SEWER



1. "PROPERTY SURVEY MAP DEPICTING EXISTING CONDITIONS OF 13 WATER STREET, GROTON, CONNECTICUT", PREPARED FOR MYSTIC LEDGE REAL ESTATE, DATED JUNE 25, 2019, SCALE 1"=10'.



1. BASED ON THE 50% RULE ESTABLISHED IN 2019 IN THE MDD, THE REQUIRED NUMBER OF PARKING SPACES HAS BEEN CALCULATED TO BE 32-43 SPACES.
2. THE RESTAURANT IS AN ACTIVE PARTICIPANT IN THE DOWNTOWN VALIDATION PROGRAM, IN WHERE A COMMERCIAL USE MAY SUBSTITUTE THE CONTINUOUS PARTICIPATION IN A PARKING VALIDATION PROGRAM FOR 100% OF THE PARKING SPACE. THE ONLY REQUIREMENT FOR THE COMMERCIAL USES/DESIGNS SHALL CONTINUE TO PARTICIPATE IN THE DOWNTOWN MYSTIC VALIDATION PROGRAM WITH THE MYSTIC ART CENTER AS LONG AS THE SITE IS OCCUPIED.
3. SIGNAGE LOCATED IN THE RESTAURANT WINDOWS, ON ALL MENUS, REAR REGISTERS, AND IN OUTSIDE SEATING AREAS TO NOTIFY CUSTOMERS OF PARTICIPATION IN THE VALIDATION PROGRAM AND TO DIRECT CUSTOMERS TO THE OFFSITE LEASED PARKING LOT.
4. THE OFFSITE LEASED PARKING SPACE FOR THE VALIDATION PROGRAM SHALL BE PROVIDED TO THE OFFICE OF PLANNING AND DEVELOPMENT EACH JANUARY FOR THE PREVIOUS YEAR.
5. THE RESTAURANT ALSO RELIES ON PEDESTRIAN TRAFFIC FROM THE OFFSITE LEASED PARKING SPACE IN THE VALIDATION PARKING LOT (MYSTIC MUSEUM OF ART).

CATEGORY NAME AND NUMBER	MINIMUM SPACES	MAXIMUM SPACES	SIZE (SF OR SEATS)	REQUIRED RANGE	50% REDUCED PARKING
12. DRINKING ESTABLISHMENT	1 / 50 SF OF PATRON FLOOR AREA (3)	1 / 30 SF OF PATRON FLOOR AREA (4)	114.75 SF	3-4 SPACES	1.5-2 SPACES
14. RESTAURANT, STANDARD	ONE (1) SPACE PER 4 SEATS, PLUS 20% FOR EMPLOYEES (34)	ONE (1) SPACE PER THREE SEATS, PLUS 20% FOR EMPLOYEES (45)	116 SEATS	35-47 SPACES	17.5-23.5 SPACES
14. RESTAURANT, STANDARD - SEASONAL	ONE (1) SPACE PER 4 SEATS, PLUS 20% FOR EMPLOYEES (26)	ONE (1) SPACE PER THREE SEATS, PLUS 20% FOR EMPLOYEES (35)	86 SEATS	26-35 SPACES	13-17.5 SPACES
TOTAL				64-86	32-43

THE PROPOSED USE OF THIS ESTABLISHMENT IS TO MAINTAIN THE CURRENT DINING OPERATIONS. THE PROPOSED WORK TO BE PERFORMED SHALL CONSIST OF CONSTRUCTING A TWO FLOOR ADDITION AT THE REAR OF THE BUILDING. THE FIRST FLOOR WILL INCLUDE A KITCHEN AND A WALK IN COOLER. THE SECOND FLOOR WILL INCLUDE RESTROOMS AND A PRIVATE DINING AREA. LEDGE WILL BE REMOVED IN AREAS IN THE BACK TO ALLOW ROOM FOR THESE ADDITIONS.

OWNER:	MYSTIC LEDGE REAL ESTATE LLC C/O MARTY L MEISER
PARCEL ADDRESS:	13 WATER STREET GROTON, CT 06355
MAILING ADDRESS:	6 SADDLE ROCK LANE LOGANTON, PA 17747
MBL	261918/167/6235
DEED:	VOLUME 1090 PAGE 443
AREA:	8183 SF = 0.19 AC
FLOOD ZONE:	ZONE X 0.2% PER FIRM MAP # 09011C05263 EFFECTIVE DATE: 08/05/2013

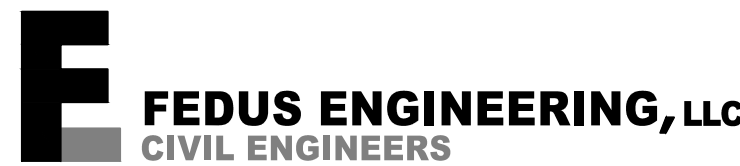
Zoning Table (MDD)			
	ZONING REQUIREMENTS	EXISTING	PROPOSED ADDITION
MINIMUM LOT SIZE (SF AND AC)	8,000 SF/ 0.18 AC	8,183 SF/ 0.19 AC	8,183 SF/ 0.19 AC
MINIMUM LOT WIDTH	60'	89.96'	89.96'
FRONT SETBACK	0'	0.3'	4.4'
REAR SETBACK	10'	59.3'	52.8'
SIDE SETBACK, NORTH	10'	10.0'	11.0'
SIDE SETBACK, SOUTH	10'	4.0' *	5.7' **
BUILDING AREA	NA	1,929 SF	2,504 SF
FLOOR AREA	NA	2,260 SF	3,341 SF
BUILDING HEIGHT	35'/40'	19.87'	23.35'
BUILDING COVERAGE (%)	65%	35.2%	42.3%
TOTAL LOT COVERAGE (INCLUDING IMPERVIOUS SURFACES) (SF AND %)	NA	6,654 SF 81.3%	6,898 SF 84.3%
CHANGE IN IMPERVIOUS SURFACE (+/- SF)	NA	-	244 SF
AREA OF OUTDOOR SALES	NA	1,180 SF	1,180 SF
AREA OF OPEN SPACE/RECREATION	NA	NA	NA
AREA OF INTERIOR LANDSCAPING	NA	98.2 SF	98.2 SF
PARKING (# OF SPACES)	31-42	***	***
TRUCK LOADING AREA	NA	****	****
AREA OF PROJECTING SIGN	12 SF	*****	NA
AREA OF WALL SIGN	TOTAL AREA = 1 SF OF SIGNAGE FOR EVERY 1 LF OF FRONTAGE	*****	NA
BIKE PARKING	5% OF THE NUMBER OF VEHICULAR PARKING SPACES PROVIDED.	NA	3+

* PARTY LINE AGREEMENT WAS SIGNED AND DATED ON 4/4/2011 AND HAS BEEN FILED
IN THE TOWN OF GROTON LAND RECORDS
** PARTY LINE AGREEMENT WAS SIGNED AND DATED ON 10/22/2019 AND WILL BE
FILED IN THE TOWN OF GROTON LAND RECORDS
*** PLEASE SEE PARKING COMMENTARY ON THIS SHEET
**** DELIVERIES WILL BE MADE IN THE FRONT OF THE BUILDING BEFORE 10:00 AM
CONSISTENT IN THE NEIGHBORHOOD
***** ALL SIGNS HAVE BEEN REVIEWED AND APPROVED BY HDC

[illegible]

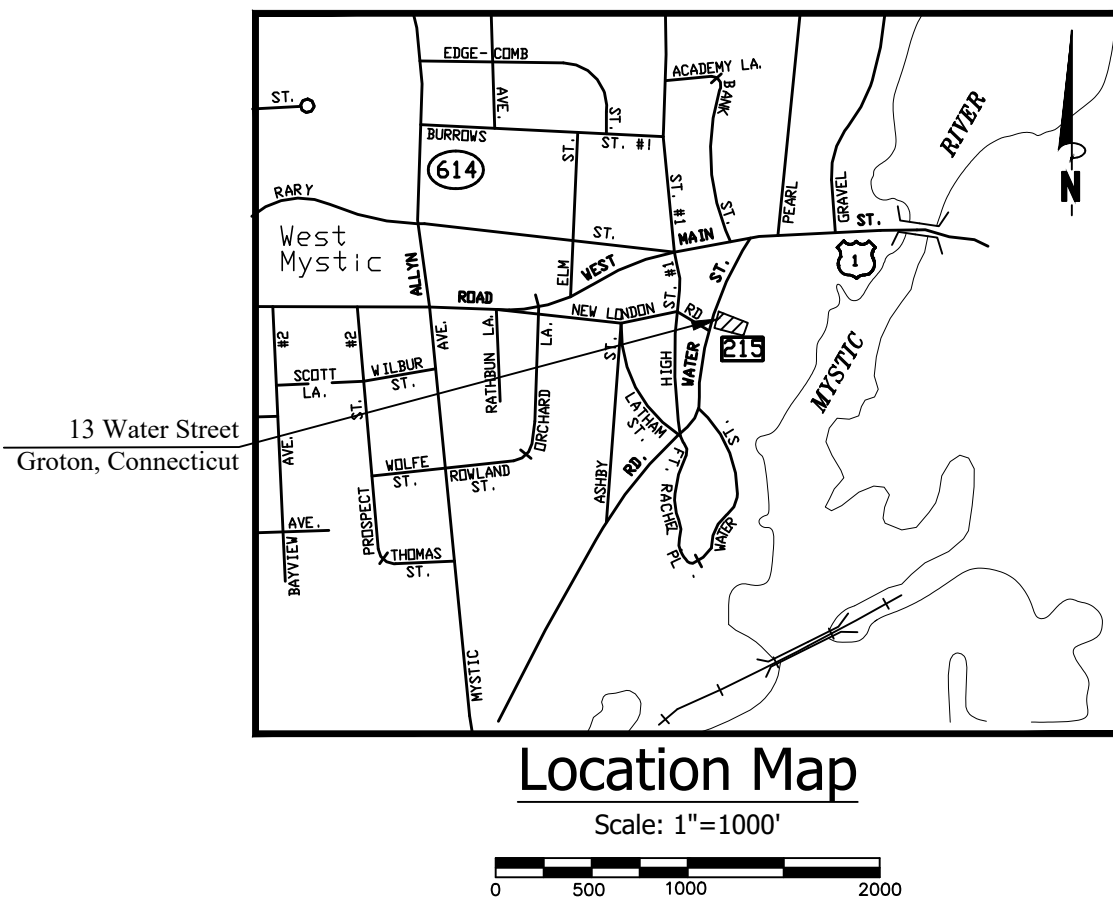
Site Plan
of
3 Water Street
Hartford, Connecticut
Prepared For:
Ledge Real Estate LLC
April 21, 2020

DRAWING SCALE: 1"=10'

A horizontal graphic scale bar with alternating black and white segments. Below the bar are numerical markings at 0, 5, 10, and 20, representing feet.

Mailing Address: 70 Essex Street Mystic, Connecticut 06355
Office: (860) 536-7390 Fax: (860) 536-1644

SHEET NO.	1 OF 1	JOB NO.	19-000815	DRAWN BY:	CAC
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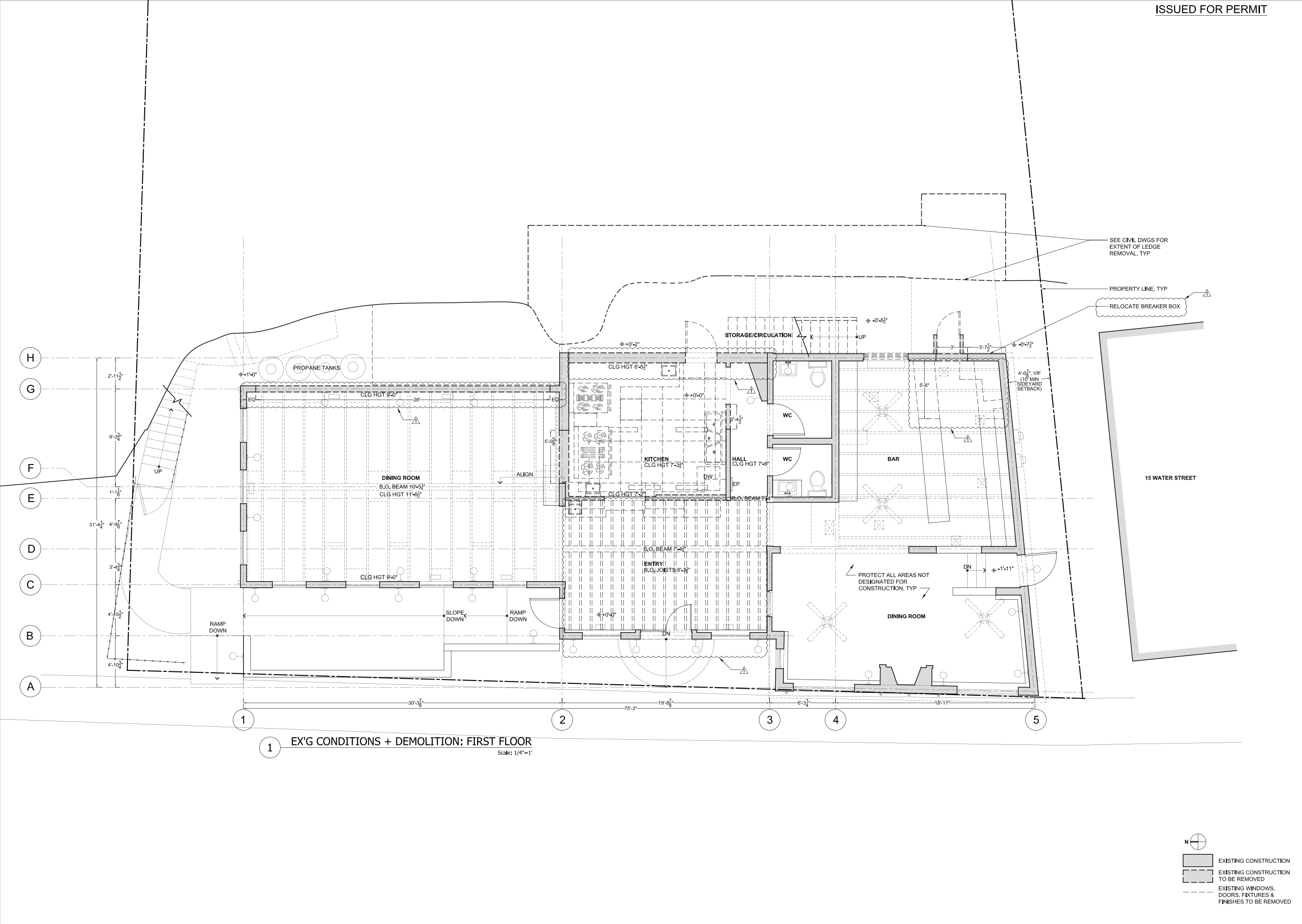


1. CALL BEFORE YOU DIG AT 1-800-922-4455 WILL BE CONTACTED PRIOR TO PROJECT INITIATION.
2. ALL NEW UTILITIES, INCLUDING CATV, WILL BE LOCATED UNDERGROUND.
3. ALL WORK TO CONFORM TO TOWN OF GROTON SITE PLAN STANDARDS.
4. ALL CURB/HANDICAP RAMP DESIGNS SHALL CONFORM TO ANSI STANDARDS OR TOWN OF GROTON STANDARDS, WHICHEVER IS MORE RESTRICTIVE.
5. ALL WORK TO CONFORM TO TOWN OF GROTON NON-CONTRACT SEWER CONSTRUCTION STANDARDS.
6. A STATE TRAFFIC COMMISSION PERMIT WILL BE REQUIRED, OR FINDING OF NO NEED FOR PERMIT, BEFORE ISSUANCE OF BUILDING PERMITS WHERE A DEVELOPMENT INVOLVES OVER 200 PARKING SPACES OF 100,000 SQUARE FEET OF FLOOR AREA.
7. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH TOWN OF GROTON ROAD AND DRAINAGE CONSTRUCTION STANDARDS AND ANSI STANDARDS, WHICHEVER ARE MORE RESTRICTIVE.
8. FIRE LINES, IF REQUESTED BY THE LOCAL FIRE MARSHALL, SHALL BE INSTALLED AND MAINTAINED ON SITE IN ACCORDANCE WITH TOWN OF GROTON ORDINANCE #223.
9. DEBRIS AND WASTE - NO CUT TREES, TIMBER, DEBRIS, JUNK, RUBBISH OR OTHER WASTE MATERIALS OF ANY KIND SHALL BE BURIED IN ANY LOT OR LEFT OR DEPOSITED ON ANY LOT, STREET, OR OTHER AREA WITHIN THE SUBDIVISION UNLESS THE DISPOSAL AREA IS INSPECTED BY THE TOWN SANITARIAN AND IS CERTIFIED AS BEING SAFE. REMOVAL OF SAME FROM A LOT SHALL BE REQUIRED PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR THAT SUBDIVISION LOT. NO SUCH MATERIAL SHALL BE LEFT OR DEPOSITED IN ANY AREA OF THE SUBDIVISION AT THE TIME OF DEDICATION OF PUBLIC IMPROVEMENTS.
10. THE CONTRACTOR WILL NOTIFY THE TOWN OF GROTON TREE WARDEN BEFORE REMOVAL OR PRUNING OF ANY TREES THAT STAND ON TOWN PROPERTY AS PER STATE OF CONNECTICUT GENERAL STATUTES CHAPTER 451 SECTION 23-5B, AS AMENDED.
11. A DIGITAL COPY OF THE APPROVED FINAL PLANS WILL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO RECORDING THE PLAN IN THE LAND RECORDS.
12. A CT STATE DOT ENCROACHMENT PERMIT AND PERMITS REQUIRED FOR CONNECTION INTO THE STATE'S STORMWATER SYSTEM SHALL BE OBTAINED AS NECESSARY.
13. ALL REQUIRED PERMITS FROM THE FIRE MARSHALL SHALL BE REQUIRED PRIOR TO ROCK REMOVAL. ONLY BLASTING REQUIRES A PERMIT FROM THE FIRE MARSHALL. NO BLASTING IS BEING PROPOSED AT THIS TIME.
14. ALL WORK NOT PERMITTED UNDER X16/J30 SHALL BE REMOVED FROM THE SITE, RECEIVE APPROVAL BY THE PLANNING AND ZONING COMMISSION, OR OTHERWISE DEMONSTRATE ZONING COMPLIANCE, PRIOR TO APRIL 1, 2020 OR THE REOPENING OF THE TREE HOUSE IN 2020, WHICHEVER IS SOONER.
15. EXISTING EXTERIOR STAIRWELL TO BE MAINTAINED TO ALWAYS BE AVAILABLE FOR EMERGENCY EGRESS.
16. SANITARY AND WATER SERVICES TO BE USED ARE EXISTING
17. A PROFESSIONAL ENGINEER HAS REVIEWED THE PLANS AND DETERMINED THAT NO ADDITIONAL STORM DRAINAGE SYSTEM IS REQUIRED
18. BICYCLE RACKS WILL BE ANCHORED TO THE GROUND IN A MANNER THAT WILL RESIST REMOVAL AND CONSTRUCTED OF MATERIALS THAT WILL RESIST RUST OR CORROSION. BICYCLE PARKING WILL BE LOCATED WITHIN 100 FEET OF THE MAIN ENTRANCE.
19. ALL PLANTERS SHALL BE CONTINUALLY PROVIDED AND MAINTAINED.
20. ON DECEMBER 10, 2019 THE PLANNING AND ZONING COMMISSION APPROVED A COSTAL SITE PLAN FOR OYSTER CLUB ADDITION, 13 WATER STREET, BECAUSE IT IS CONSISTENT WITH ALL APPLICABLE COSTAL POLICIES AND INCLUDES ALL REASONABLE MEASURES TO MITIGATE ADVERSE IMPACTS ON COSTAL RECOURESES
21. A C.T.E. SHALL CERTIFY THE SAFETY OF THE LEDGE PRIOR TO CERTIFICATE OF OCCUPANCY FOR THE NEW ADDITION.

HISTORY

1. DECEMBER 10, 2019 - SITE PLAN APPROVAL FOR FIRST AND SECOND FLOOR ADDITIONS.
2. ON JANUARY 26, 2016 A SITE PLAN WAS APPROVED FOR AN ADDITION TO THE OYSTER CLUB. THE SITE PLAN WAS FOR THE CONSTRUCTION OF A 305 SQUARE FOOT BUILDING ADDITION IN THE LOCATION OF THE EXISTING STRIKE SIDE PATIO DINING AREA.
3. NOVEMBER 18, 2015 THE TOWN OF GROTON ZONING BOARD OF APPEALS GRANTED A VARIANCE FOR SECTION 5.2 OF THE GROTON TOWN ZONING REGULATIONS TO ALLOW ZERO FEET INSTEAD OF 10 FEET FOR THE FRONT YARD SET BACK AND 4.1 FEET INSTEAD OF 10 FEET FOR SIDE YARD SET BACK.
4. ON APRIL 7, 2015 THE TOWN OF GROTON HISTORIC DISTRICT COMMISSION GRANTED A CERTIFICATE OF APPROPRIATENESS FOR THE PROPOSED SOUTHEASTERN ADDITION.
5. ON JUNE 12, 2012 THE PLANNING COMMISSION APPROVED A WAIVER TO SECTION 7-2.3 FOR OFF-STREET PARKING REQUIREMENTS IN ACCORDANCE WITH SECTION 6.3-4.H, SECTION 7.2-5(A) OF THE ZONING REGULATIONS BASED ON THE FOLLOWING:
 1. THE APPLICANT SHALL CONTINUALLY RENT A MINIMUM OF 4 SPACES AT THE MYSTIC ART CENTER.
 2. THE APPLICANT SHALL CONTINUALLY PARTICIPATE IN THE MYSTERY ART CENTER'S SPONSORED PARKING VALIDATION PROGRAM.
 3. THE APPLICANT SHALL CONTINUE TO PROVIDE BOTH VERBAL AND SIGNAGE INFORMATION INFORMING CUSTOMERS OF ALL PARKING OPTIONS.
6. ON JUNE 12, 2012, THE PLANNING COMMISSION NOTED THAT THE SITE INCORPORATES PLANTER BOXES ALONG THE FRONT PATIO WALLS IN LIEU OF THE PATH TREES REQUIRED UNDER THE PREVIOUS SITE PLAN APPROVAL AND THIS DESIGN MEETS THE INTENT OF THE FRONTAGE LANDSCAPE REQUIREMENTS OF SECTION 7-4.5 OF THE ZONING REGULATIONS AND THE WATERFRONT DESIGN DISTRICT

1. ON JULY 14, 2011, THE TOWN OF GROTON PLANNING COMMISSION APPROVED WITH MODIFICATIONS, THE SITE PLAN FOR 80TH DAY RESTAURANT, THE COASTAL SITE PLAN FOR 85TH DAY RESTAURANT, AND A WAIVER TO SECTION 7.2-3 FOR OFF-STREET PARKING REQUIREMENTS IN CONFORMANCE WITH SECTION 6.2-4, AND SECTION 7.2-5(A) OF THE ZONING REGULATIONS.
2. ON APRIL 6, 2011, A SPECIAL PERMIT (#320) WAS GRANTED FOR THE 11-13 WATER STREET ADDRESSES FOR A FIRST FLOOR RESTAURANT AND A SECOND FLOOR STORAGE AREA.
3. ON APRIL 4, 2007 THE ZONING COMMISSION OF THE TOWN OF GROTON GRANTED SPECIAL PERMIT #296 UNDER SECTIONS 613 AND 8.3 OF THE ZONING REGULATIONS WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WAS REQUIRED TO INSTALL AN AUTOMATIC FIRE SUPPRESSION SYSTEM IN THE FIRST FLOOR RESTAURANT. 2. BE UTILIZED AS THE RESTAURANT AND THE SECOND FLOOR UTILIZED AS STORAGE. ANY CHANGES IN THESE USES WOULD REQUIRE A NEW SPECIAL PERMIT TO BE OBTAINED FROM THE ZONING COMMISSION. 3. THE DESIGN AND USE OF THE PROPOSED PARKING LOT AT 11 WATER STREET (PIN#26191830647) WOULD BE SUBJECT TO SITE PLAN REVIEW AND APPROVAL.
4. ON JULY 10, 2007, A SITE PLAN WAS APPROVED FOR PARSIPAN POMME FRIES AT THE 13 WATER STREET ADDRESS. THE PROPOSAL WAS FOR USE AS A TAKEOUT/RESTAURANT WITH 4 TABLES AND 16 SEATS FOR SEASONAL USE. THE EXISTING UPSTAIRS APARTMENT WAS TO BE CONVERTED TO STORAGE.
5. ON JUNE 26, 2001, A SITE PLAN WAS APPROVED FOR MYSTIC STONES AT THE 13 WATER STREET ADDRESS. THE PROPOSAL WAS FOR FIRST FLOOR RETAIL AND SECOND FLOOR RESIDENTIAL (ONE BEDROOM APARTMENT). EACH FLOOR IS APPROXIMATELY 500 SQUARE FEET. THE PLANNING COMMISSION REQUIRED THE APPLICANT TO LEASE ONE PARKING SPACE FROM THE MYSTIC ART ASSOCIATION FOR USE BY THE RESIDENT OF THE APARTMENT. THE PARKING FOR THE RETAIL COMPONENT WAS WAIVED.
6. ON MARCH 1, 1989, A SPECIAL PERMIT (#113) WAS GRANTED FOR THE 13 WATER STREET ADDRESS FOR THE PROPOSAL WAS FOR FIRST FLOOR RETAIL AND SECOND FLOOR STORAGE AREA. THE RESTAURANT HAD 10-12 INTERIOR TABLES AND 20 OUTDOOR SEATS. THE PARKING REQUIREMENT WAS WAIVED BY THE PLANNING COMMISSION.
7. ON MARCH 5, 1986, A SPECIAL PERMIT (#99) WAS GRANTED FOR THE 13 WATER STREET ADDRESS FOR A FIRST FLOOR RETAIL (JEWELRY STORE) AND A SECOND FLOOR RESIDENTIAL (APARTMENT). AT THE TIME THE OWNER OF THE STORE WAS OWNING THE APARTMENT AND THE PARKING WAS WAIVED BY THE PLANNING COMMISSION.



ISSUED FOR PERMIT

Julia M Leeming Architect LLC
16 Cutler Street
Stonington CT 06378
917.400.4272
jmleemingarchitect@gmail.com

Project
Oyster Club Restaurant
13 Water Street
Mystic, CT 06355

Civil Engineer
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70 Essex Street,
Mystic, CT 06355
860.536.7390

Architect
Julia M Leeming Architect
16 Cutler Street
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917.400.4272

Interior Designer
Kierstan Field Interior Design
12 Ivy Road
Mystic CT 06355
917.353.7109

Structural Engineer
Modern Structural Engineering, PLLC
17 Parker Road
Marlborough, CT 06447
860.298.3818

Revisions

2020.04.20 REVISION 1



Phase
ISSUED FOR PERMIT

Sheet Title
EXISTING CONDITIONS AND
DEMOLITION FIRST FLOOR PLAN

Scale
AS NOTED

Date
November 25, 2019

Drawn by
JML
Sheet no

A-2



ISSUED FOR PERMIT

Julia M Leeming Architect LLC
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Modern Structural Engineering, PLLC
17 Parker Road
Marlborough, CT 06447
860.298.3818

Revisions
2020.04.20 REVISION 1

PROPERTY LINE, TYP



Phase
ISSUED FOR PERMIT

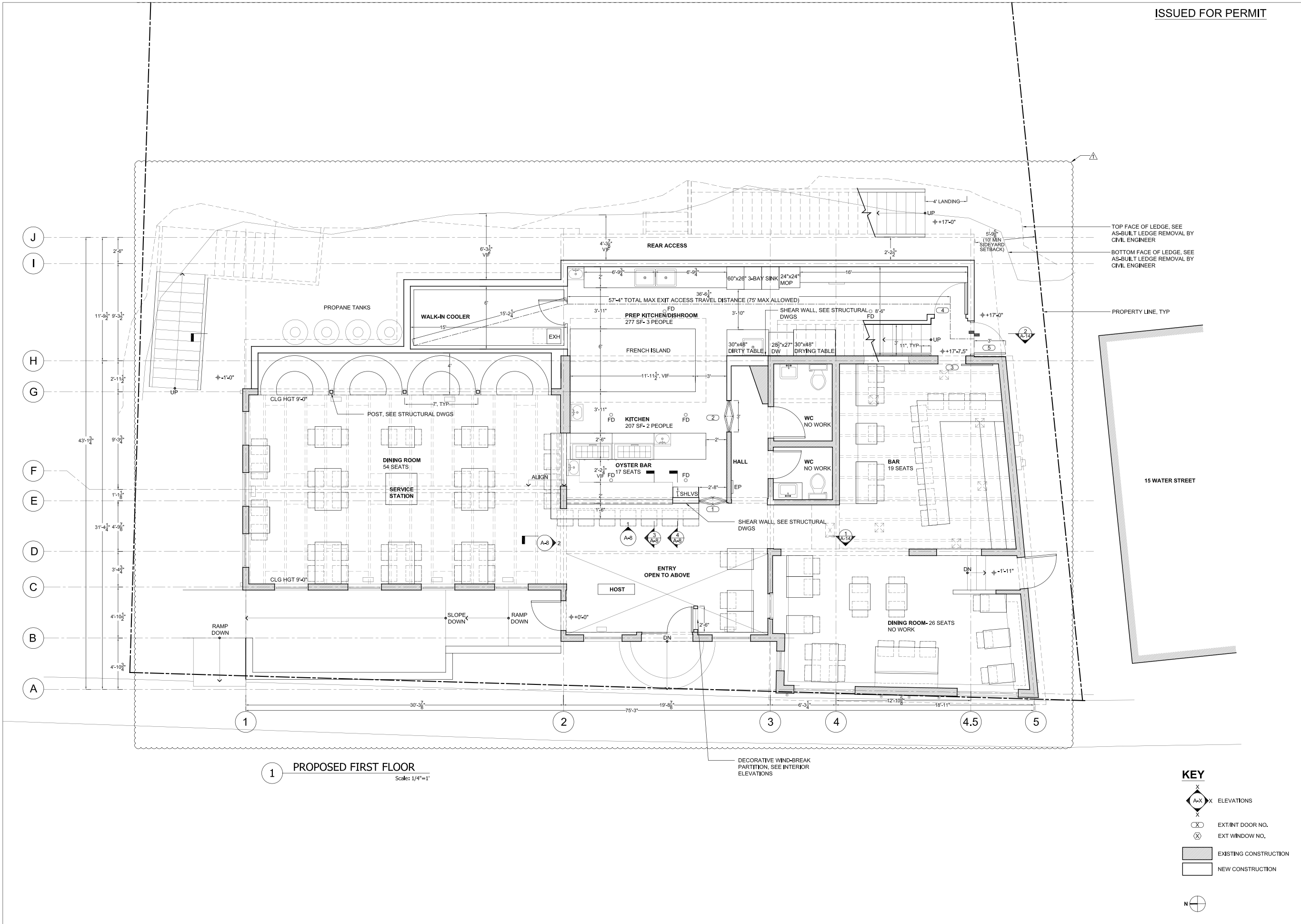
Sheet Title
EXISTING CONDITIONS AND
DEMOLITION SECOND FLOOR
PLAN

Scale
AS NOTED

Date
November 25, 2019

Drawn by
JML
Sheet no

A-3



Julia M Leeming Architect LLC
16 Cutler Street
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Revisions

Revision	Description
2020.04.20	REVISION 1

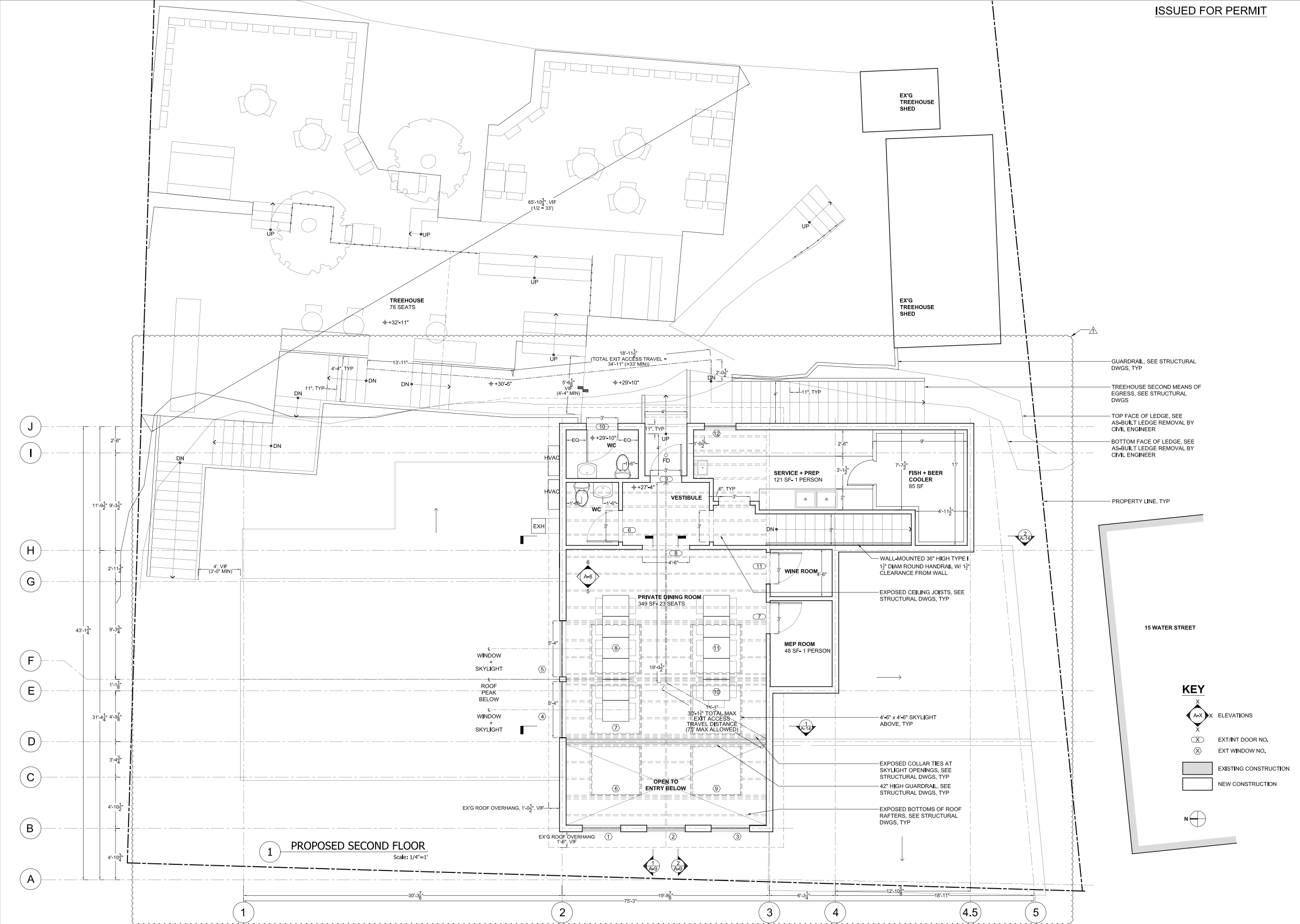
Phase
ISSUED FOR PERMIT

Sheet Title
NEW CONSTRUCTION
FIRST FLOOR PLAN

Scale
AS NOTED

Date
November 25, 2019

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Sheet no
A-4



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Revisions
2020.04.20 REVISION 1



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Sheet Title
NEW CONSTRUCTION
SECOND FLOOR PLAN

Scale
AS NOTED

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Revisions

2020.04.20 REVISION 1



Phase
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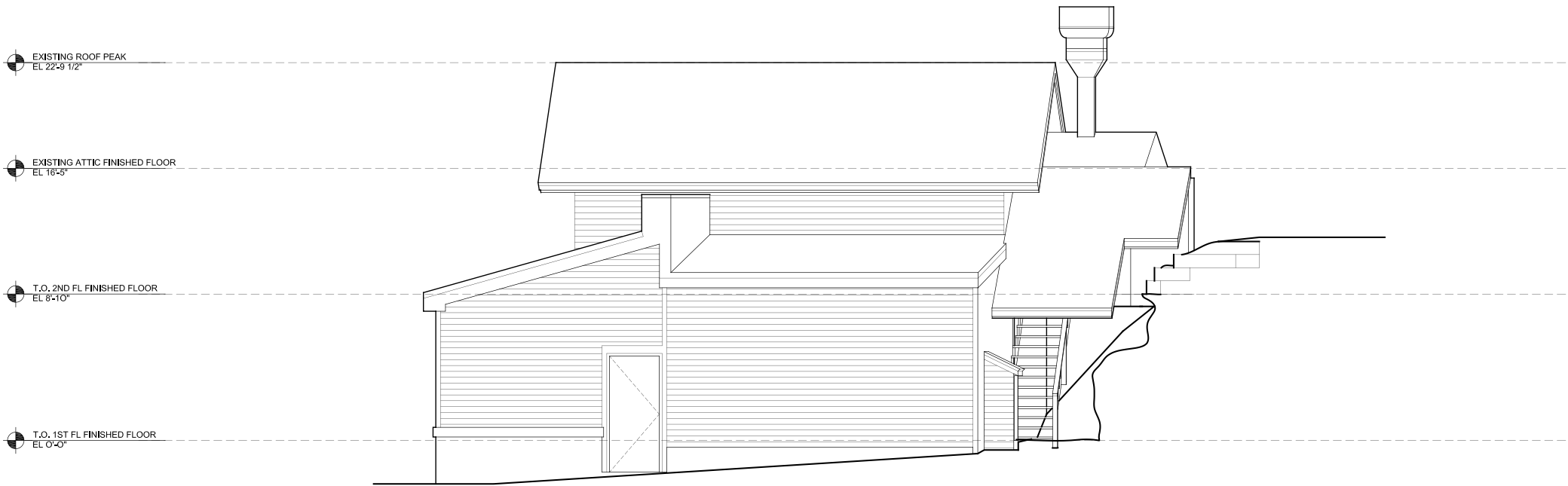
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EXISTING SOUTH + EAST
EXTERIOR ELEVATIONS

Scale
AS NOTED

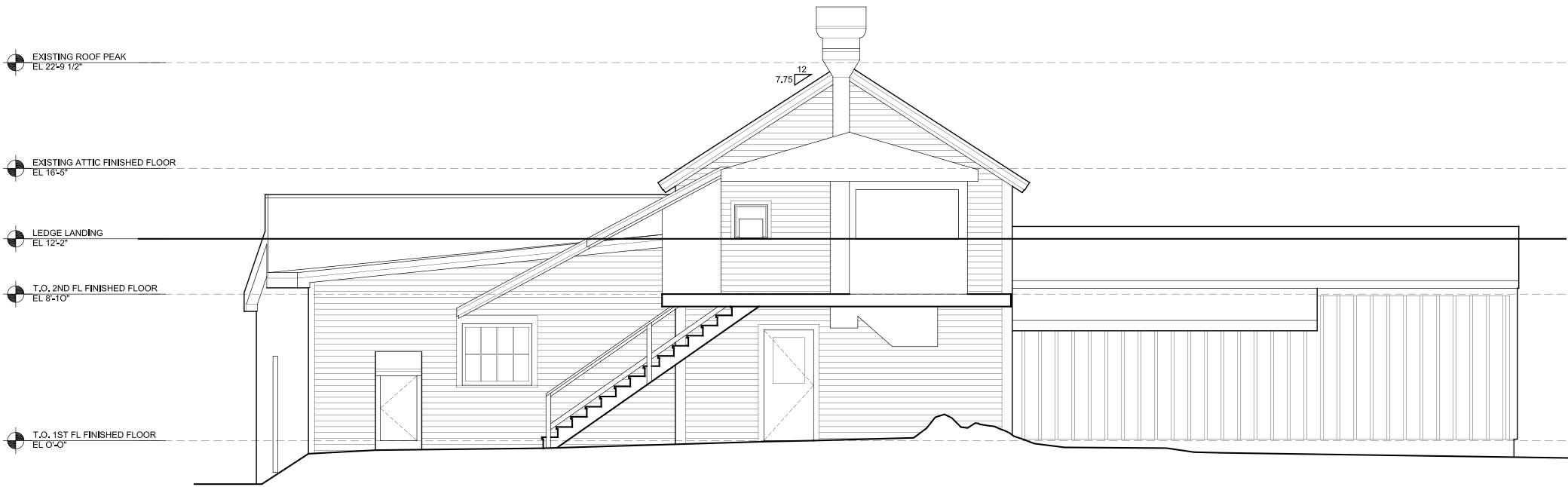
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2 EXISTING SOUTH ELEVATION FROM ALLEY
Scale: 1/4"=1'



1 EXISTING REAR/EAST ELEVATION FROM TREEHOUSE
Scale: 1/4"=1'

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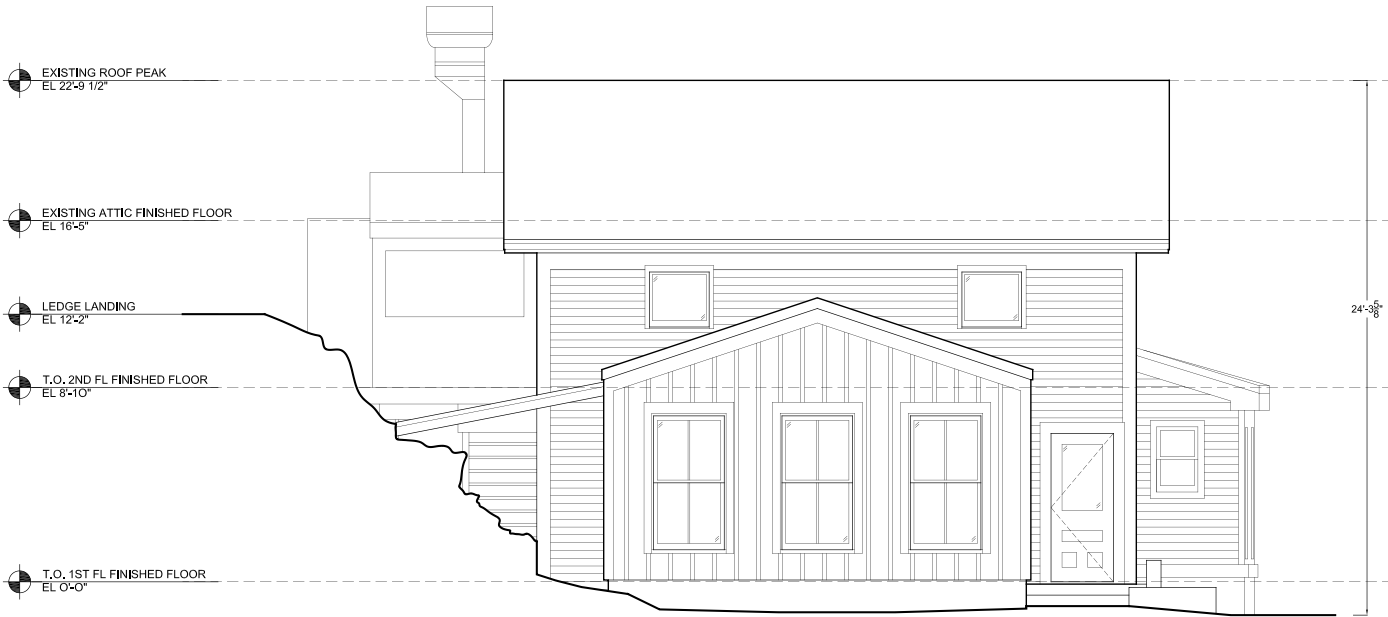
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EXISTING NORTH AND WEST
EXTERIOR ELEVATIONS

Scale
AS NOTED

Date
November 25, 2019

Drawn by
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A-11



2 EXISTING NORTH ELEVATION
Scale: 1/4"=1'



1 EXISTING FRONT/WEST ELEVATION
Scale: 1/4"=1'

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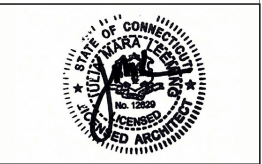
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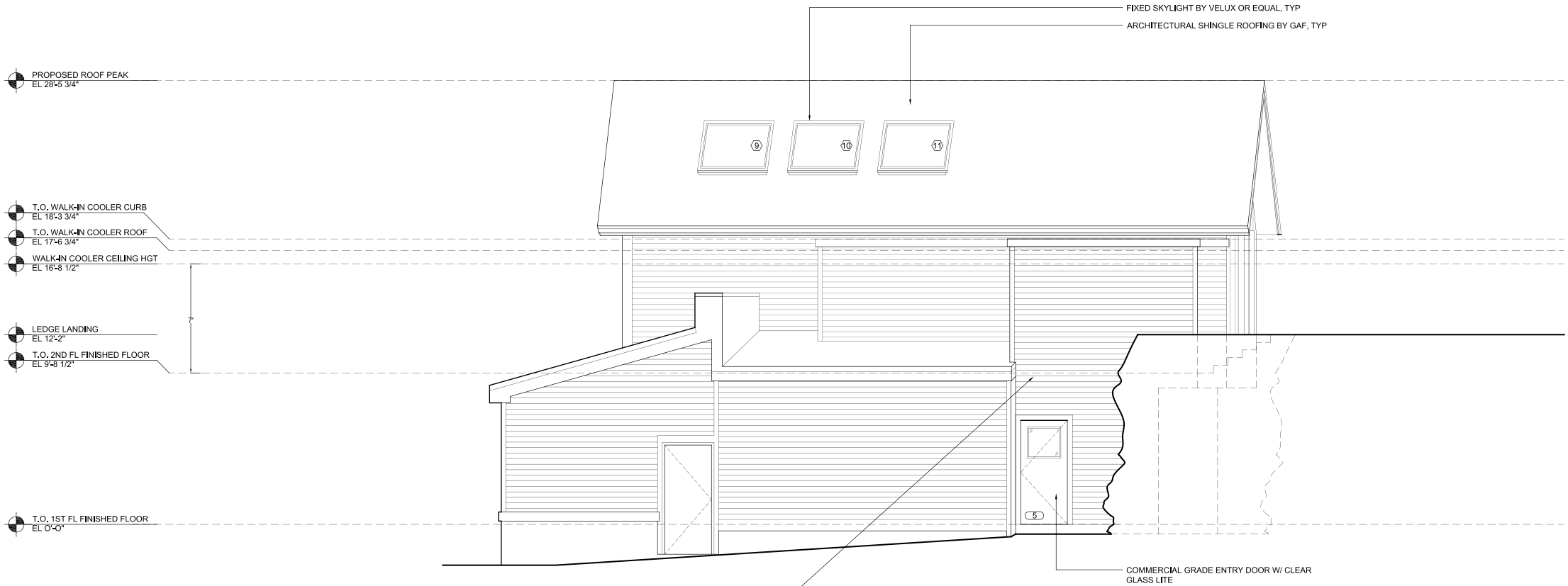
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NEW SOUTH + EAST EXTERIOR
ELEVATIONS

Scale
AS NOTED

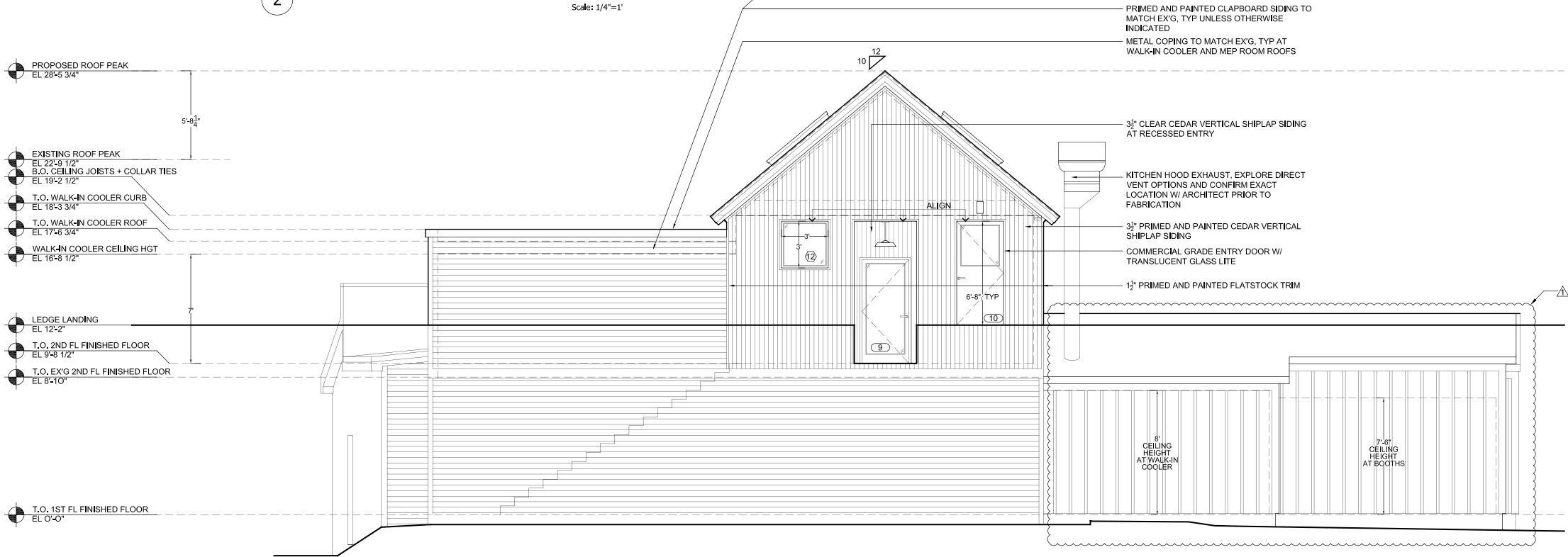
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2 NEW SOUTH ELEVATION FROM ALLEY
Scale: 1/4"=1'



1 NEW REAR/EAST ELEVATION FROM TREEHOUSE
Scale: 1/4"=1'

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2 NEW NORTH ELEVATION
Scale: 1/4"=1'



1 NEW FRONT/WEST ELEVATION
Scale: 1/4"=1'

CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Spring 2020

Volume XXIV, Issue 2

NONCOMPLIANCE WITH REGULATIONS DOES NOT ALWAYS JUSTIFY DENIAL OF AFFORDABLE HOUSING

An affordable housing application to build 105 single family homes on a 17-acre parcel of land was denied by the commission due to various concerns over stormwater drainage. The commission's experts determined that the application, as submitted, failed to meet several standards in the zoning regulations regarding drainage. A revised application which sought to address these shortcomings was also denied. The matter ended up before the State Appellate Court which ruled in favor of the developer and reversed the decision of the commission.

A commission should remember that in denying an affordable housing application, it is not enough to find that the application does not comply with the zoning regulations. The commission must also show that compliance with the zoning regulations is necessary to protect the public interest and that the public interest involved clearly outweighs the need for affordable housing in the town.

In this case, while there may have been some minor compliance issues in regard to the regulations for stormwater drainage, the evidence in the record showed that the applicant's engineer and the commission's engineer had worked together to address the

commission's concerns. The court found there was no evidence in the record that this plan would not protect the public interest. *Autumn View LLC v. Planning & Zoning Commission*, 193 Conn. App. 18 (2019).

WETLANDS APPLICATION CANNOT BE DENIED SOLELY ON IMPACTS TO UPLAND REVIEW AREA

An owner of a 3-acre parcel of property sought to construct 7 single family homes on it. A previous plan to construct an 11-unit condominium on this same parcel had been approved but not built. While there were no wetlands or watercourses on the property, a drainage ditch on an abutting property placed a portion of the subject lot within the upland review area. A petition was filed with the commission requesting that a public hearing be held.

[CONT. ON NEXT PAGE]

CONFERENCE CANCELLED

The Federation has cancelled its Annual Conference for April 30, 2020 at the Aqua Turf Country Club in Plantsville CT. An insert is included with this newsletter explaining the cancellation and the refunding of any checks. Information on the cancellation can also be found on the Federation's website www.cfpza.org.

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At the hearing, testimony from the town's conservation officer was received. She testified that the new proposal would involve a greater disturbance within the upland review area and that the prior approval was a feasible and prudent alternative to the proposed 7 home plan.

The commission denied the application based largely upon the conservation officer's testimony. On appeal, the court found that this evidence was not sufficient to sustain the denial. In making its ruling, the court stated that in deciding an application, a municipal wetlands agency's fundamental purpose is to decide whether the proposed activity will have an adverse impact on a wetlands or watercourse. In this case, the evidence only addressed the impact the proposed development would have on the upland review area. Without relevant evidence as to any effects on the neighboring drainage ditch, the Commission could not deny the application. *See Blue Bird Prestige Inc. v. Inland Wetlands & Watercourses Commission*, 68 Conn. L. Rptr. 727 (2019).

INTERPRETATION OF ZONING REGULATIONS

When interpreting a term that is not defined in the zoning regulation, a commission can rely on a common understanding of the term. This can be derived from its own, past interpretations

as well as definitions found in a dictionary as well as those found in the zoning regulations of other municipalities.

In this case, the commission was faced with the task of determining whether a landscaping contractor's business qualified as a horticultural use. While the commission thought it did, a reviewing court disagreed. The court looked not just at the dictionary definition for a horticultural use but also looked to other town's zoning regulations to find a type of use that fit the activities associated with the landscaping business. In this case, the use better approximated what is known as a contractor's yard, which was not a permitted use. *Kruk v. PZC*, 69 Conn. L. Rptr. 157 (2019).

CONDITION OF APPROVAL CAN INCLUDE FIRE PREVENTION MEASURES

Attaching as a condition of approval that a homeowner install a fire protection system was found to be a valid exercise of a zoning board of appeals' authority to grant a variance. The variance in question was to reduce certain sideyard requirements so that the applicant could construct a new dwelling on her undersized lot. A letter from the town fire marshal alerted the board to the fact that reducing separation distances between buildings can cause an increased risk to fire spreading from

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one building to another. In order to mitigate this increased risk of fire, the fire marshal recommended that the board require a sprinkler system be installed in the new dwelling. This the board did, approving the variance to reduce the sideyard setbacks with the condition that a fire suppression sprinkler system be installed in the dwelling.

An appeal to court followed based on the argument that the board had no authority to impose a requirement not found in the zoning regulations. The court upheld the condition as it served a legitimate zoning purpose – to prevent fire hazards. It is well recognized that one purpose of sideyard requirements is to prevent the spread of fires. To offset the negative effect a reduction in sideyard requirements would have on this zoning purpose, the board was within its authority to condition its approval on the installation of fire prevention system. *See Cariati v. Board of Zoning Appeals, 68 Conn. L. Rptr. 181 (2019).*

WHAT IS A GROUP HOME

After initially receiving a zoning permit to renovate and then use a single-family home as a group home for 5 elderly adults, the owner had to defend the permit before the zoning board of appeals. A neighboring property owner had appealed the issuance of the zoning permit, claiming it allowed the property to be used as a boarding house or a

nursing home, neither of which were permitted. The zoning board agreed, and voted to revoke the permit. An appeal to court followed.

The court reversed the decision of the Board, finding that the use of the property was more like a group home for disabled persons which has been found to qualify as a single-family home so long as there are fewer than 5 residents. The court specifically looked to the level of care that would be provided to the elderly residents, which included assistance with taking medications. This level of care did not meet the standard normally provided by a nursing home but exceeded that of a bordering house. *See 7 Forest Hill Road LLC v. ZBA, 69 Conn. L. Rptr. 41 (2019).*

ANNOUNCEMENTS

Workshops

At the price of \$180.00 per session for each agency attending, our workshops are an affordable way for your board to 'stay legal'. Each workshop attendee will receive a booklet which sets forth the 'basics' as well as a booklet on good governance which covers conflict of interest and how to run a meeting and a public hearing.

ABOUT THE EDITOR

Steven Byrne is an attorney with an office in Farmington, Connecticut where he maintains a strong focus in the area of land use law

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ANNUAL CONFERENCE TO BE CANCELLED

After much consideration and discussion, the decision has been made to cancel the 72nd Annual Conference of the Connecticut Federation of Planning and Zoning Agencies which had been rescheduled to April 30, 2020. All possibilities for holding the conference while minimizing risks to staff, volunteers, and our membership were considered. With great reluctance it was decided that the reality of the situation made it necessary to cancel the event. This decision was corroborated by the Aqua Turf staff who let us know that they must close for large gatherings until further notice, following CDC and CT Public Health protocols to promote social distancing. This is very disappointing but public health is of the utmost importance at this critical point.

We are sincerely grateful to the entire membership of The Connecticut Federation of Planning and Zoning Agencies for your continued support during these difficult times. All Conference registration payments have been returned. If you have made a payment that was not returned, please call (860) 677-7355 or email cfpza@live.com.

Because of the overwhelming interest in this year's topic "Alternative Solutions to Providing Affordable Housing" and because our speaker, Hiram Peck, has already done a great deal of preparation to present this topic, we are considering hosting an on-line meeting where the presentation, as well as the presentation of awards, can still take place. Details on this proposed on-line conference have not yet been finalized. It will likely be an early evening event to take place on April 30, 2020. There will be no charge for this event and continuing education credit can be offered to those who attend at their request.

Please look for an announcement about this event on our website: www.cfpza.org with details about the event along with registration and access instructions. The announcement will be made no later than April 15, 2020.

Again, THANK YOU!