

**MINUTES FOR ONE (1) PUBLIC HEARING OF THE  
PLANNING & ZONING BOARD  
HELD TUESDAY, MARCH 3, 2009; 7:30 P.M.  
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called to order the March 3, 2009 Public Hearing meeting of the Planning and Zoning Board at 7:35 p.m.

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

**Members Present:** Frank Goodrich, Mark Bender, Janet Golden, KathyLynn Patterson, Kim Rose, Greg Vetter, Victor Ferrante, Jeanne Cervin, Chair, Kevin Liddy (7:53 pm).

**Not Present:** Susan Shaw

**Staff:** David Sulkis, City Planner; Emmeline Harrigan, Assistant City Planner; Phyllis Leggett, Board Clerk.

**Mme. Chair:** Asked for a moment of silence in memorium of Ron Spangler, a member of the Zoning Board of Appeals, and an active member of the community who passed away this week at the age of 52.

**C. PUBLIC HEARING CLOSES BY 4/7/09**

1. **417 GULF STREET (ZONE R-12.5)** Petition of Peter W. Crabtree for approval of a 3-Lot Resubdivision and Coastal Area Management Site Plan Review on Map 36, Block 519, Parcel 18, of which Nicholas Riggione is the owner.

**Stephen Studer, Esq., Berchem Moses & Devlin, 75 Broad Street, Milford,** representing the applicant, Nicholas Riggione. resubdivision. Gave a brief overview of the project: A 3-lot resubdivision of approximately 1.62 acres on Gulf Street, located in the R-12.5 residential zone. This application is a resubdivision because it was part of a larger parcel that was divided since the adoption of Subdivision Regulations by the City in 1929. Since it is not the first free-split, it is by definition a resubdivision. Each of the proposed three lots conforms to the standards of the regulations for an R-12.5 zone. Development of this property for single family use is permitted in this zone. The residential designation of this property establishes the conclusive presumption that the use of the property for single family purposes does not adversely affect the zoning district and it precludes further inquiry by the Board into the effect of the proposal on traffic, municipal services, property values or the general harmony of the district. In essence, when the Board reviews a subdivision they must act administratively and they have no discretion to deny an application for a subdivision provided the subdivision substantially conforms to the City's subdivision and zoning regulations.

This property was previously approved in the year 2000 for a 3-lot subdivision but the

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approval time period elapsed and it is before the board at this time. All City departments have provided favorable reports. The Inland-Wetlands agency found that there are no on-sight inland-wetlands and no permit is required from them. The sewer commission has previously approved three sewer connections for the three proposed lots. The DEP Department of LI Sound Programs has stated that the proposal is consistent with the development of coastal area policies.

Barry Hammons, LS, PE, 102 Kings Highway East, Fairfield. This is a straight 3-lot resubdivision. Via a display, he pointed out that the top two lots just meet the standards in regard to width, depth and area and all the excess property is devoted to the third lot. There will be a pedestrian easement for the two lots that are land locked so they can go down to the Milford Harbor. There is a large older home on lot 2.

Pointed to a heavy line on the display that represents the flood zone. West of that line is toward Milford Harbor. East of that line is the upland area upon which building is permitted.

Showed the Board a display of a conceptual site plan designed to present feasible ideas to maximize each lot for single family home construction.

Drainage: Test holes were dug on each lot, going down 8-9 feet, which was comprised of very fine sand. Do not see potential difficulties with impoundment of storm water due to the extra imperviousness. No issues with water quality. Sewers are not an issue. The application meets all the standards for health and safety.

**Peter Crabtree, 64 Stanley Street, New Haven.** Did the CAM report. Starting at the water's edge, there is tidal wetlands. There was an issue as to whether there was any inland wetlands. A soil scientist was hired who did tests and there was no inland wetlands. There is a flood hazard zone going up towards the street. He explained that with the houses being back toward the street, they will not be getting close to the flood hazard boundary line. Because the houses are right next to the street, the property is in the "shorelands", which is more than 25 feet away from the water and, therefore, will preclude further public hearings on future construction.

**Mr. Studer:** These proposed lots meet the residential standards and requirements of the R-12 zone and they meet the requirements for the protection of the public health and safety.

**Mme. Chair:** Clarified that this application is for a three lot resubdivision. The house on the property has nothing to do with what the Board has to decide concerning dividing land.

**Mr. Studer:** Correct.

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**Mme. Chair:** Inquired as to open space property or funds.

**Mr. Crabtree:** Will give money in lieu of donating open space.

**Mr. Vetter:** Asked for clarification of a page that had been included in the subdivision information.

**Mr. Crabtree:** That was the earlier subdivision approval that lapsed to show the Board members who were not familiar with the former application.

**Mr. Goodrich:** Listed items he questioned concerning the CAM report and drawings of the resubdivision.

**Mr. Sulkis:** Advised Mr. Goodrich that the drawings he was referring to were conceptional, which drawings are required to demonstrate what could potentially be built should the property be resubdivided as requested.

**Mr. Goodrich:** Asked about the pedestrian easement going through the wetlands.

**Mr. Crabtree:** From a distance walking in that area does not look like a problem, but if you walk in the area it is full of ruts. In the event someone wants to launch a small boat (i.e. a canoe) in the future, it would be allowed. However, no permit is required to launch a canoe.

**Mme. Chair:** Asked if this was an issue for the wetlands agency in their review.

**Mr. Carabtree:** There was no issue because there were no inland-wetlands.

**Ms. Harrigan:** In the future should there be a request for a dock to be built, it would have to come before the DEP and Tidal Wetlands for permitting.

**Mme. Chair:** Tree protection on the property would have to wait until construction is done as well, according to the regulations.

Asked if there was anyone to speak in favor of the application.

(No response)

Anyone to speak in opposition to the application.

**Richard Platt, 132 Platt Lane, Milford.** Stated he has not heard a lot of the discussion

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that has taken place due to the sound system.

Long been concerned about the house on the property that has been subject to demolition by neglect.

Not certain if the easement referred to was a public access to the harbor.

There may be Native-American artifacts on this site.

The property is on the Historical Resources Inventory List. Many old homes in the City have been lost. This house is in a projected historic district which would encompass Gulf Street up to New Haven Avenue.

**Mme. Chair:** Asked Mr. Platt to limit his comments to the matter at hand, which is the subdivision of the land.

**Mr. Platt:** Expressed his hope that if the house is not in the purview of the Board's decision that it would come up at some time in the future, and if not, asked to whom can the public appeal in such a matter.

**Alice Oliver, 404 Gulf Street, Milford.** Not for or against the subdivision. Believes it is the right of property owners to maximize the use of their property. The house on the property is extraordinary. The subdivision will frame the existing house. Milford is losing historic houses at a rapid rate. Would be a great tragedy if the house would be demolished. Hopes there might be a way to put a restriction on the sale of the lot so that the purchaser will be compelled to restore the house rather than demolish it.

**Mme. Chair:** Stated the Board is not dealing with the house at this time, just the division of land.

**Mr. Sulkis:** It is private property like any other single family home. Someone can buy the property and choose to restore the house. The City cannot dictate the quality of the restoration, just as it cannot do that to any other resident who might want to change or rebuild their home. The hope is that if someone buys the property will give it the attention it deserves and restore the house.

If a neighbor or a group wants to preserve the house, they can purchase the property and preserve it.

**Mrs. Oliver:** Clarified that the only matter being discussed at tonight's hearing is legal, which is the subdivision of the property. Stated she would like to go on the record as stating she hopes there is some way that can be found to save the house.

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**Mme. Chair:** The Board is sometimes in a difficult position because the members may have sympathy with what the public is saying, but they must follow regulations, state statutes and the oath they have taken to follow the law and must be objective in their decision.

**Mr. Ferrante:** A demolition permit is not within the purview of the Planning and Zoning Board. If the house that is proposed to be built is within the setbacks and meets the regulations there will be no hearing by the Board.

**Barbara Genovese, 19 Belmont St.** Let the people who are concerned know where they stand about the house and where should they go to make their concerns known.

**Mme. Chair:** The Board has the CAM report and further public hearings on the properties as they are built may not be necessary.

**Mr. Sulkis:** The DEP has indicated that Lot #1 may be subject to its own CAM when it is proposed. In that case it will come before the Board.

**Mme. Chair:** The house is on Lot #2. Mentioned there may be a regulation that allows a public hearing to be held if a petition with a certain number of signatures is obtained. Not sure of the specifics at this time.

**Applicant Rebuttal:**

**Mr. Crabtree:** Regarding the question as to public access. It states on the map that the property is private and only for the benefits of Lots 2 and 3. Gulf Beach is close by for public access.

**Mr. Studer:** Stated the Chair had clearly set the record straight with regard to the issue of the house on the property. With regard to Native-American artifacts this site was previously developed since the turn of the century. There are a number of houses in the area with property all around it and there are no indication that such a situation is warranted.

**Rebuttal by Opposition:**

**Mr. Platt:** Gulf Beach is not that close to this property.

**Mme. Chair:** No further questions from the Board. Declared the public hearing closed.

**D. NEW BUSINESS**

2. **168 PEPE'S FARM ROAD (ZONE LI)** Petition of Michael O'Bymachow for

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Site Plan Review approval to construct a 2,934 SF addition on Map 80, Block 711, Parcel 17AGB, of which Woofer Properties, LLC is the owner.

**Michael O’Bymachow, Licensed Land Surveyor, Nowalksi, O’Bymachow and Kane, Shelton, CT.** Site Plan Review for 168 Pepe’s Farms Road, also known as Old Settler’s Village, located in the LI zone. Parcel is approximately one acre. There is an existing building on the property. Proposing a 2900 SF addition to the rear of the building. There is existing parking and the impervious area is not changing. There are wetlands in the rear of the property. Received approval from Inland-Wetlands. Received approval from all City departments. Showed the parking spaces at the existing building and parking spaces along the proposed building. No drainage presently on the property but drainage will be installed.

**Mr. Goodrich:** Waiver requested is a two-foot side yard where 0 to 10 feet is required. Everything else is in compliance.

**Mr. Sulkis:** Asked for architectural elevations of the dumpster enclosure as he had requested.

**Mr. O’Bymachow:** Will provide the necessary elevations and will submit them to Mr. Sulkis.

**Mr. Liddy:** Asked where the drainage would go.

**Mr. O’Bymachow:** It will be a gallery system that will go into the ground as ground water recharge. It will go into a catch basin into a series of galleries underneath the pavement.

**Ms. Rose:** Made a motion to approve the application pending receipt by the Planning and Zoning office of the architectural elevations of the dumpster enclosure and approval by the City Planner.

**Mrs. Golden:** Second.

All members voted in favor of approval with the modification. The motion passed unanimously.

3. **364 BRIDGEPORT AVENUE – POST ROAD COMMONS (ZONE CDD-2)**  
Request by Post Road Commons LLC for a one-year extension of time to commence construction of 10 residential units in 4 buildings on Map 24, Block 384, Parcel 1, for which approval was granted on April 15, 2008.

**Mr. Vetter:** This had been a nice application when it was brought to this Board. What is the down side of denying this, other than they potentially can come back with the same

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plan.

Mentioned the Board might be changing a regulation that would apply to this project.

**Mme. Chair:** Asked which regulation change Mr. Vetter was referring to.

**Mr. Vetter:** Potential architectural changes to these kinds of projects.

**Mr. Ferrante:** Does not think the Board should hold this project hostage to possible changes the Board might make in the future.

Made a motion to approve the request as presented.

**Mr. Goodrich:** Second.

**Mr. Liddy:** How many one year extensions can they come back for?

**Mr. Sulkis:** Will check the regulations.

**Mr. Vetter:** If they can come back with the same plan and if the Board does not change the regulation, it can be rubber stamped because the Board has already seen it. Not in favor of approving this. Would like the Board to have the opportunity to change the regulations and put it into effect on a piece of property that is front and center in a development district.

**Mr. Sulkis:** In the CDD-2 zone, Appendix A, it speaks to architectural change and this plan did meet these regulations and is in keeping with the character of the zone. This is an old zone, Route 1. The setbacks are very minimal from the roadway, and it is in keeping with the character of the neighborhood which is why it was approved.

**Mme. Chair:** It was a great upgrade to the neighborhood, especially the landscape plan.

**Mr. Ferrante:** The Board knows the project complies, but Mr. Vetter's point is the Board should take every opportunity to make it better.

**Mr. Goodrich:** When this application was brought before the board last year, the vote was 9 to 1. It conforms to the regulations. The Board may want to change regulations in the future, but the Board has to approve or deny based on the existing regulations. One year extensions are normal.

Eight members voted in favor of the motion. Mr. Vetter voted in opposition to the motion.

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**Mr. Ferrante:** Stated he appreciated Mr. Vetter thinking outside the box on this matter.

**E. PUBLIC HEARING HEARD 2/17/09; expires by 4/23/09**

- 4. PLAINS ROAD – MILFORD CORPORATE CENTER PHASE II (ZONE DO-10)** Petition of Kevin J. Curseaden, Esq., on behalf of Jay Patel, for 1) A Special Exception to construct and operate a conference center building, one hotel and one hotel pad; 2) A Special Permit to construct a conference center building, one hotel and one hotel pad and 3) A Site Plan Review, on Map 52, Block 939, Parcel 35C, of which WDC Milford Associates, Ltd. is the owner.

Mr. Macaluso presented for the record the original letter received from the Regional Water Authority dated February 24, 2009 concerning their response to the question of adequate water pressure in the Plains Road and Ford Street area.

**Mme. Chair:** This letter was in response to a resident's concern about diminished water pressure on Ford Street if the hotels and conference center were built.

**Mr. Sulkis:** Felt that the Board had been concerned about the portion of the building that seemed out of sync with the rest of the structure. Asked the architect to work on tweaking this. Mr. Wicko has tweaked this structure.

**(The architectural drawings (original) and (new) were displayed for the Board's review.)**

**Mme. Chair:** Stated it was her opinion that the revision was an improvement over the original drawing presented at the Public Hearing.

**Mr. Sulkis:** Pointed out the changes that had been made. The efos matches the material of the main structure. On the right side changed the balcony. Also added two separate dormers and changed the windows.

**Ms. Rose:** Thanked Mr. Wicko for making the changes and thought they were an improvement over the original.

**Mr. Vetter:** Prefers the changes.

**Mme. Chair:** Asked if all the members approved the new changes.

The members agreed they preferred the changes Mr. Wicko made.

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**Mr. Ferrante:** Commented on the neighbors' complaints about the potential noise this project will create. Upon viewing the site he saw a nice berm of great elevation between the highway and this site. His fear is that by substantially reducing that berm, will increase the noise level throughout that area. The berm has vegetation, it interrupts the sight line, shields the highway and is a large natural conduit for the highway as opposed to the surrounding area. The site plan cuts deeply into that. Feels that diminishing the berm is a detraction from the plan.

**Mr. Vetter:** Discussed the elevation change where Ford Street meets the Highway. His reading of the plan was that the berm that buffers Ford Street is the one that gets taken out.

**Mr. Sulkis:** The entire site is downhill from the entire neighborhood, the residents of which were expressing their concerns. The parking area near the natural berm is below grade compared to Ford Street. Stated that the buildings act as buffers to sound.

**Mr. Bender:** Stated he watched the video and listened to the concerns of the residents. Asked if, for a Special Exception, the permit has to come back for renewal periodically.

**Mr. Sulkis:** Special Permits can be conditioned for renewal. However, once there is an existing building, it is difficult to enforce.

**Mr. Bender:** Thought this would be a good out if noise became an issue. Concerned about the hotel pad being put in before there is an actual tenant in place and there should be conditions in this regard.

**Mme. Chair:** Reviewed the public's issues: Noise; wildlife(no endangered species). There is plenty of open space around the area for wildlife to find food and water. Applicant has done a very good job of maintaining the wetlands. The water pressure issue has been taken care of. Crime is out of the purview of the Board. Not sure that this is a relevant concern. Traffic issue was pretty well satisfied due to the use of I-95. There will be no cut through to Ford Street and the emergency access is going to be from the other site.

**Ms. Rose:** Noted light spillage which was noted as being 0%. The office will not issue a zoning compliance if there is spillage onto Ford Street. The resident's suggestion to recycle some of the water to do some of the gardening there is a good idea. Appreciated the architects using the "green" material. Would like to

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eliminate the hotel pad and the parking in the wetlands. That would make the application much better.

**Mrs. Golden:** Can the Board eliminate the hotel pad and parking?

**Mr. Sulkis:** They have adequate parking for a fully developed site. The kind of use is unusual as it is one of the most parking intense uses the City has. If the site was to be developed as an office site, it could be much larger, more highly developed but have less parking. This plan has a lot of green and open space; more than is required by the regulations. When a hotel is leased for the pad they will have to come back for approval with the parking count.

There is a timing issue as to the applicant acquiring the second hotel. This is a win-win project and one of the larger commercial plans the Board has had in a long time.

**Mme. Chair:** Suggested a time line be established as to building the hotel on the pad.

**Mr. Sulkis:** Stated according to the Special Exception permit, they would have five years to build it, since the pad had already been approved. If they do not build a hotel in that time, they will have to come before the Board with another plan.

**Ms. Rose:** Asked if the Board could approve the application without the pad and without the additional parking.

**Mr. Sulkis:** Stated there is an improvement to the wetlands. They are building on a lot that was previously approved but not built. They are providing parking in the wetlands which the Wetlands office approved in the previous application on the neighboring site. There is improvement to the wetlands, no negative impact to it.

In addition, the Board has approved pads in big complexes. In large projects it is generally less expensive to do certain aspects of construction all at once rather than piecemeal. Gave example of the Lowe's, Hilton Garden Inn site.

**Mr. Bender:** Asked about the blasting that had been brought up by a resident in the area. With the hotels in the area going at 45% occupancy rate, not in favor of the hotels. The conference center is a very good idea, but it is an independent conference center and he would hate to see it empty five years from now.

**Mme. Chair:** The Board has to rule on the land use issue.

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**Mr. Vetter:** Asked to discuss the open space requirement. Did calculations on what was proposed as open space. His calculations do not come up to the 47-50% +/- that the applicant has charted. Estimates the City is losing a half-acre based on their calculations. The Board has the ability to make a decision as to what the requirements should be. A lot of building for the area.

**Mr. Goodrich:** Stated he had reviewed the numbers the applicant had provided and their calculations are in accordance with the regulations.

**Mr. Vetter:** Stated his calculations were not based on the numbers the applicant provided. Also, the landscaping designated as part of the open space does not give the calculations for same.

**Mr. Sulkis:** The regulations state 50% and that can be suitably landscaped or left natural.

**Mr. Vetter:** Based on this type of project, the Board has the ability to make a decision as to what the requirements should be. In his estimation this is a lot of building for the area and does not think a half-acre should be given away that is a requirement of the regulations.

**Mr. Goodrich:** Stated that the proposed buildings were in accordance or below the space requirements in the regulations.

**Mme. Chair:** Clarified that Mr. Vetter's concern was that they were not quite at the 50% level to meet the open space requirement.

**Mr. Sulkis:** Referred to section 3.6.4.3, Land for an Office Park. The leeway provided within that section more than substantiated the open space the applicant has designated.

**Mr. Vetter:** Further itemized the sections of the regulations he was referring to and the problem he was having coming up with the same method of calculating the land use as the applicant. Believes there are several instances where the applicant is asking that sections of the regulations be leveraged which gives them the space advantage.

**Mme. Chair:** Said she believed the reason the regulation is in place is because this project is part of the larger park. It does not sit by itself.

**Mr. Vetter:** Stated he has trouble figuring out from the drawings what is being called the side, rear front, etc, because the numbers change depending on those

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parts of the building. There is too much lot coverage and the numbers support that.

**Mr. Bender:** They need the hotel to make the conference center profitable.

**Mr. Vetter:** Is looking at what is the best use, i.e., two hotels and a conference center, an extended stay hotel? Once the plan with the exception is approved there will be no leverage for the Board when another hotel is proposed.

**Mr. Sulkis:** Stated Mr. Vetter is basically referring to setbacks. Reviewed his perspective of the setbacks of the location of the project with respect to the outlying area. Buildings are minimal and the use is allowed in the zone.

The Board discussed the number of loading spaces for the complex and the hotel. It was confirmed there are two loading spaces.

**Mr. Vetter:** Stated that the new buildings are not in harmony with the two buildings on the other side of the lot; the office building and the manufacturing building. This is adverse to the regulations.

**Mr. Ferrante:** Talked about the conformity and harmony of the proposed buildings and the two buildings that are already in the corporate park.

**Mme. Chair:** Not an issue for her as they are a distance away from each other and the landscaping area is large and between the buildings.

**Mr. Sulkis:** The new buildings are in harmony with each other.

**Mme. Chair:** A new hotel would have to be in harmony with the buildings as well.

**Ms. Rose:** Does not like the architecture of the hotel.

**Mr. Vetter:** This is a difficult decision because it is a great use for the City. Believes things could be done better and the Board should try to work for that.

**Mme. Chair:** Asked if he was referring to the architectural and removal of the hotel pad.

**Mr. Vetter:** Regaining the half acre open space will affect the size or loss of the hotel pad.

**Mr. Sulkis:** There is an excess of open space in the office park's entirety according to the regulations.

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**Mr. Goodrich:** Does not see how the Board can legally vote against this.

**Ms Rose:** Stated she is confused by all the numbers and asked for clarification on this.

**Mr. Sulkis:** Explained that there is more open space designated in the entire corporate park development site than is required by the regulations.

Because this is in the DO-10 zone, what is going on in this particular parcel is what is relevant.

**Mr. Ferrante:** Agrees Mr. Vetter's position of using the half acre of open space that is in question to get something better.

**Mme. Chair and Mr. Sulkis:** Not sure where the half acre Mr. Vetter refers to comes from.

**Mr. Vetter:** Explained he tries to work with the applicant's numbers, which he cannot actually measure.

**Mme. Chair:** Asked Mr. Sulkis to confirm the calculations and areas the applicant is using.

**Mr. Vetter:** Would like clarification as to what they are calling the front yard and side yard. Not sure for which building. They base some of the numbers on accessory buildings. Not sure what are the accessory buildings.

**Mme. Chair:** Mr. Sulkis will verify this as well.

**Ms.Rose:** Wants to know where the second loading dock is

**Mme. Chair:** This matter will be continued to the next meeting. Mr. Sulkis will clarify the information that has been brought up. This is a two-thirds vote because it's a Special Exception. Staff will choose the decorative fence for enclosure of the generators.

A motion will have to include specifics that both buildings will be built in a certain time frame. The framing for the second building should be up before the CO is obtained on the first building. The hotel pad can be decreased but not increased.

**F. CONTINUED PUBLIC HEARING CLOSSES BY 4/30/09; exp. 6/24/09**

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5. **12 FRANCIS STREET (ZONE R-7.5)** Pursuant to Sec. 7.1.3.14 of the City of Milford Zoning Regulations, the Planning and Zoning Board will review and consider whether to revoke the zoning permit issued to Joseph Voll on April 17, 2007, for work to be performed at the property located at 12 Francis Street, Assessor's Map 6, Block 84, Parcel 2, and owned by Antoinette Voll.

**Mme. Chair:** Asked if this would be the last extension for this matter.

**Kevin Curseaden, Esq., 26 Cherry Street, Milford.** Had asked for the maximum 65-day extension to April 30<sup>th</sup>. Stated his client and the soil specialist require this time to make a response.

**Mr. Ferrante:** Recalled that the applicant had asked for a speedy decision by the Board. It had been stated by the applicant that they wanted the grass to be planted by March.

**Ms. Rose:** Stated there has been enough time for them to come back with a response.

**Mr. Vetter:** Asked for Staff's comments.

**Ms. Harrigan:** Deferred to the Board as to the extension date.

**Mr. Bender:** Trying to solve the problem. Hopefully this will happen by that date.

Made a motion to approve the extension to the April 21<sup>st</sup> Planning and Zoning meeting.

**Mrs. Patterson:** Second.

A vote was taken: Seven members voted in favor. Ms. Rose and Mr. Vetter voted against the motion. The motion passed.

**G. PROPOSED REGULATION CHANGES**

**Mme. Chair:** The Board should look into a regulation concerning wind turbines (on roofs and foundations on the ground).

**Mr. Vetter:** What is being done on these now?

**Mr. Sulkis:** None in the City at this time. Considered an accessory structure and would have to comply with the regulations for accessory structures which can be no higher than 16 feet.

(Mr. Ferrante left the meeting at 9:40 p.m.)

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**H. LIAISON REPORTS**

**Mr. Goodrich:** Board of Aldermen Meeting. Steven Studer submitted a letter with regard to the Kimball Report, which was stamped into the record.

**I. APPROVAL OF MINUTES – (2/17/09)**

**Mr. Bender:** Stated he had not been in agreement with the wording of the guidelines for abstention, as recorded in the minutes.

Made a motion to approve the minutes with the change noted.

**Ms. Rose:** Second.

All members voted in favor.

**J. CHAIR'S REPORT - None**

**K. STAFF REPORT**

Summarized the Kimball Report which had been prepared for the City concerning the building permit process. The Board of Aldermen has approved funding to improve technology that will aid the permitting process. A panel will be named to review the report and make recommendations. The report noted the Planning and Zoning office provided the best customer service in the permit process. He spoke about some portions of the report that were askew.

**Mr. Bender:** Motion to adjourn.

**Mr. Vetter:** Second.

All members voted to adjourn at 9:50 p.m.

**MINUTES FOR ONE (1) PUBLIC HEARING OF THE  
PLANNING & ZONING BOARD  
HELD TUESDAY, MARCH 3, 2009; 7:30 P.M.  
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

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Phyllis Leggett, Board Clerk