

## PLANNING AND ZONING BOARD MINUTES FOR ONLINE MEETING HELD TUESDAY 4 JANUARY 2022, 7:00 PM

The meeting of the Planning and Zoning Board came to order at 7:08 p.m.

### A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

### B. ROLL CALL

**Members Present:** N. Austin, J. Castignoli, E. Hirsch, J. Kader, B. Kaligian, P. Kearney, C.S. Moore, J. Quish, R. Satti, M. Zahariades

**Not Present:** J. Mortimer

**Staff:** Joe Griffith, DPLU Director, David Sulkis, City Planner; Meg Greene, Rec. Sec'y

**Mr. Sulkis** opened the meeting to accept nominations for Chair and Vice Chair. **Mr. Castignoli** nominated **Mr. Quish** to serve as chairperson with a second from **Mr. Satti**; **Mr. Quish** accepted the nomination. **Ms. Austin** then nominated **Mr. Satti** for chair with a second from **Mr. Kaligian**; **Mr. Satti** declined to accept. **Mr. Quish** was then elected and assumed leadership of the meeting. **Chairman Quish** nominated **Mr. Satti** for vice chair with a second from **Mr. Castignoli**; **Mr. Satti** was also elected.

### C. NEW BUSINESS

**CLOSE BY March 10, 2022**

- 1) **CGS 8-24 0 Northmoor Road and 0 Eastmoor Road** – Acceptance of deed in lieu of taxes for acquisition of 0 Northmoor Road (Map 39, Block 613B, Parcel 27), 0 Eastmoor Road (Map 39, Block 613B, Parcel 27B, 0 Oakdale Avenue (Map 39, Parcel 613B, Parcel 613B, Parcel 27D) and 0 Northmoor Road (Map 39, Parcel 613, Parcel 4F).

**City Attorney Jon Berchem** said the deed for the referenced property stood in lieu of taxes owed and that the matter would, upon Planning and Zoning approval, be forwarded to the Board of Aldermen for a final decision. He confirmed for **Mr. Castignoli** that the deed transfer is a settlement rather than a foreclosure.

**Mr. Castignoli moved to approve to approve as presented** the petition of the City of Milford for a CGS 8-24 Approval of Acceptance of deed in lieu of taxes for acquisition of 0 Northmoor Road (Map 39, Block 613B, Parcel 27), 0 Eastmoor Road (Map 39, Block 613B, Parcel 27B, 0 Oakdale Avenue (Map 39, Parcel 613B, Parcel 613B, Parcel 27D) and 0 Northmoor Road (Map 39, Parcel 613, Parcel 4F).

**Second: Mr. Castignoli** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

- 2) **90 Melba Street** (Zone R-5) Petition of Warren Field for a Coastal Site Plan Review to construct a single-family dwelling at Map 29, Block 589, Parcel 2, of which Three S Properties is the owner.

**Attorney Thomas Lynch**, 63 Cherry Street, addressed the board. He asked to present both Items 2 and 3 together, as they are identical applications, while recognizing the need for separate votes on each. He noted that the lots are where the now-defunct Beachcomber Café was once located. He reviewed details of the 2 proposed homes and noted 2 future parcels to be developed when a paper road is improved and available. He said the 2 proposed houses are zoning compliant on nonconforming lots and included rain gardens and other storm water runoff accommodations. He said the City Engineer wanted to see the improvement plan for Chester Street, the paper road to be developed.

### BOARD DISCUSSION

**Mr. Satti** asked if Chester Street was on a city map; **Attorney Lynch** said this paper street was identified on a 1921 subdivision map where it intersects with Melba Street. He stressed that the street will be improved to current city standards. **Mr. Castignoli** got confirmation that Chester Street runs through the old Beachcomber parking lot and that the 3-story houses would be elevated

**Mr. Satti moved to approve to approve as presented** the Petition of Warren Field for a Coastal Site Plan Review to construct a single-family dwelling at Map 29, Block 589, Parcel 2 and 26, of which Three S Properties is the owner.

**Second: Mr. Castignoli** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

- 3) **92 Melba Street** (Zone R-5) Petition of Warren Field for a Coastal Site Plan Review to construct a single-family dwelling at Map 29, Block 589, Parcel 2, of which Three S Properties is the owner.

**Mr. Castignoli moved to approve as presented** the Petition of Warren Field for a Coastal Site Plan Review to construct a single-family dwelling at Map 29, Block 589, Parcel 2 and 26, of which Three S Properties is the owner.

**Second: Ms. Austin** seconded.

## PLANNING AND ZONING BOARD MINUTES FOR ONLINE MEETING HELD TUESDAY 4 JANUARY 2022, 7:00 PM

**Discussion:** None.

**Vote:** Motion carried unanimously.

### D. PUBLIC HEARING

**CLOSE BY FEBRUARY 8, 2022; VOTE BY MARCH 20, 2022**

1. **37 Point Beach Drive** (Zone R-7.5) Petition of Adam Vernott, Race Coastal Engineering, for a Special Permit to repair a seawall at Map 030, block 635, Parcel 2, of which John Garces is the owner. (Tabled 12/7/21).

**Mr. Vernott**, Ocean County Construction, addressed the board. He said the seawall footing and patio above would be repaired and that a new set of stairs would be added to the seawall.

**Mr. Sulkis** read his report, which was consistent with the presentation. He noted DEEP approval.

#### BOARD DISCUSSION

**Mr. Quish** confirmed with Mr. Sulkis that the stairs were new and zoning compliant.

**Chairman Quish** asked for public comment. Hearing none, he closed the hearing and asked for a motion. He noted for the large attendance that 615 Plains has been postponed.

**Mr. Kader moved to approve as presented** the Petition of Adam Vernott, Race Coastal Engineering, for a Special Permit to repair a seawall at Map 030, block 635, Parcel 2, of which John Garces is the owner.

**Second: Ms. Austin** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

### PUBLIC HEARINGS, continued PUBLIC HEARINGS, continued

**CLOSE BY February 8, 2022; VOTE BY April 14, 2022**

- 2) **150 Boston Post Road** Zone (CDD-1) Petition of Tony Coppola for a Special Permit with Site Plan review for a Gas Station at Big Y supermarket on Map 043, Block 304, Parcel 69 of which BGCT001 is the owner.

**Ryan Scrittorale, PE**, Benesch Engineering Co., 12 Hebron Avenue, Glastonbury, addressed the board. He introduced other Benesch team members in attendance and shared a slide presentation. He said the project proposed conversion of part of the parking lot into a fueling station, saying the fueling operation would have minimal impact on current parking. He said the plan over-meets the city's parking regulations and setbacks. He stated that refueling of tanks would happen when businesses are closed. He reviewed aspects of the attendant kiosk and noted that attendants get emergency training in case of any spillage. He said storm runoff would be reduced and reviewed water quality measures.

#### BOARD DISCUSSION

**Mr. Satti** and **Mr. Sulkis** discussed undeveloped land to the west; Mr. Sulkis advised it was part of a subdivision owned by the city. Mr. Satti asked Mr. Scrittorale about the size of the underground storage tanks and was told they hold 40,000 gallons and have inner and outer walls as well as leak detection technology with an alarm in the kiosk. Mr. Satti confirmed that handicap spaces will exceed requirements and added no extra distance from the store for disabled persons to cross. **Mr. Moore** asked if any concerns for emergency vehicles; **Mr. Scrittorale** said the original plan had been approved by the Fire and Police Departments and that his company had driven tankers around the site, demonstrating full access.

**Mr. Sulkis** read his report, which provided more detail and was generally consistent with the presentation.

**Chairman Quish** asked for public comment. Hearing none, he closed the hearing and asked for a motion.

**Mr. Castignoli moved to approve as presented** the Petition of Tony Coppola for a Special Permit with Site Plan review for a Gas Station at Big Y supermarket on Map 043, Block 304, Parcel 69 of which BGCT001 is the owner.

**Second: Ms. Austin** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

## PLANNING AND ZONING BOARD MINUTES FOR ONLINE MEETING HELD TUESDAY 4 JANUARY 2022, 7:00 PM

**3) 615 Plains Rd** (Zone LI) Petition of Durham Bus Company for a Special Exception, Coastal Site Plan Review, with Site Plan review for School Bus Depot and fueling station on Map 062, Block 928, Parcel 4B of which 615 Plains Rd, LLC is the owner with Kevin Curseaden, Esq. representing Durham Bus, and Thomas Lynch Esq. representing 615 Plains Rd LLC. **POSTPONED to 1/18/2022**

### E. EXECUTIVE SESSION

Discussion of Connecticut Post Limited Partnership v. Milford Planning & Zoning Board (Docket No. AAN-CV21-6045201-S)

*Mr. Castignoli moved to go into executive session regarding litigation.*

**Second: Mr. Satti** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

The executive session began at 7:53 pm and ended at 8:28 pm.

### F. OLD BUSINESS

### G. LIAISON REPORTS

**H. SUBCOMMITTEE REPORTS**—**Mr. Sulkis** said the department is negotiating for a mutually agreeable POCD consultant fee.

**I. APPROVAL OF MINUTES of 12/7/21** were approved with **Mr. Satti abstaining** from the vote due to his absence.

**J. CHAIR'S REPORT** **Chairman Quish** welcomed newly elected board member **Etan Hirsch** and discussion moved to a return to in-person meetings. **Mr. Sulkis** reminded the group that when the determination is made to go back to in-person sessions, statutory advertising requirements require a one-month look-ahead. **Ms. Austin** agreed that the pandemic surge is an immediate obstacle to in-person meeting but stressed her strong opinion that such meetings should be scheduled soon. **Mr. Satti** said that as liaison to SCRCOG (South Central Regional Council of Governments), he had participated in remote/in-person hybrid sessions and approved of them. **Mr. Hirsch** and **Mr. Kader** also expressed support for hybrid sessions. **Mr. Sulkis** reiterated the response to the hybrid question articulated at the December meeting: that the city was not pursuing upgrading technology to support it at this time. Consensus was achieved to having the next meeting remotely and that a one-month look ahead would precede the switch to in-person meetings.

**K. STAFF REPORT**—None.

**L. ADJOURNMENT** was at 9:06.

Attest:

M.E. Greene

New Business, not on the Agenda, may be brought up by a 2/3's vote of those Members present and voting.

ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE DIRECTOR OF COMMUNITY DEVELOPMENT, (203) 783-3230, FIVE DAYS PRIOR TO THE MEETING, IF POSSIBLE.