

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
HELD TUESDAY, FEBRUARY 7, 2012 AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

Chairman Mark Bender called to order the February 7, 2012 meeting of the Planning and Zoning Commission at 7:30 p.m.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Members Present: Ward Willis, Jeanne Cervin, Ben Gettinger, John Grant, Edward Mead (Vice Chair), Michael Casey, Dan Rindos, Tom Nichol, Mark Bender, Chair.

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

Chairman Bender: Gave the Board's condolences to David Sulkis upon the recent loss of his father. Item I, the 8-24 request from the Mayor has been postponed until the February 21st meeting.

1. CGS 8-24 REQUEST – ACQUISITION OF 18 GROVE STREET

Planning and Zoning Board approval requested under Connecticut General Statutes 8-24 for the acquisition of 18 Grove Street for the purpose of constructing a pump station.
POSTPONED to February 21st Meeting

C. PUBLIC HEARING CLOSED 1/17/2012; expires 3/15/2012

2. 44 CEDARHURST LANE (CHERRY BLOSSOM RIDGE) - (ZONE R-18)

Petition of Thomas Collucci for approval of a three lot re-subdivision on Map 89, Block 832, Parcel 13, of which Thomas Collucci is the owner.

Ms. Cervin: Stated she was satisfied at the last meeting that the legal issue has been addressed by the City Attorney and the Police Department's memo regarding the site line. This meets the Subdivision Regulations. She would make a motion on this.

Mr. Mead: In the plans that the Board received, there were two proposals for driveways for this property. One was two separate driveways for the two rear lots and the other one was a combined driveway with a little bump out so that cars could pass for both lots in the rear. Since the number of curb cuts and the number of driveways that would be on Cedarhurst Lane, he believes the Board should proposed the one driveway for the two lots in the back.

Mr. Bender: Noted that the City Attorney's office had indicated to the board that whatever litigation was taking place between the applicant and the neighbor, was separate from the application before the Board and the only thing to be considered was making sure that the sight line was maintained. A motion should indicate this.

Ms. Cervin: Made a motion to approve the application, using the alternate driveway plan with a condition that the stated sight line easement and the maintenance agreement remain in force on the land use records

Mr. Mead: Seconded the motion.

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
HELD TUESDAY, FEBRUARY 7, 2012 AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

Mr. Bender to Mr. Sulkis: Asked if it was clear which driveway this pertains to.

Mr. Sulkis: For clarification, instead of the alternate driveway, it can be identified as the single driveway option going to the rear two lots. The wording could be the alternate option with the words "single driveway to the rear two lots.

Ms. Cervin: Amended her motion to add the alternate driveway being the single driveway to the two back lots.

All members voted in favor. The motion passed unanimously.

Ms. Cervin: Noted that Sgt. Sharoh recommended that the Board take a look at the regulation that says 150 feet. He felt strongly when he said it should be in the regulations around 250 feet. Thought this should be on the Board's to-do list. Asked if Mr. Sulkis had a comment on this.

Mr. Sulkis: Responded that was something the Board could look at. It might be more appropriate to have it 220 feet because that is the standard Sgt. Sharoh uses based on the DOT standards.

Chairman Bender: Board will be talking about text regulation changes. Can address this at that time.

D. NEW BUSINESS

3. 44 and 66 ERNA AVENUE (ZONE CDD-1)

Petition of Westcott and Mapes, on behalf of Colonial Coatings, Inc., for Site Plan Review for expansion and reconfiguration of parking, and consolidation of lots on Map 43, Block 304, Parcels 3D, B and 17, of which BPCC LLC is the owner.

Raymond Paier, Chief Engineer, Westcott and Mapes, 142 Temple Street, New Haven, CT. Also in attendance is Ray Macaluso, President of Westcott and Mapes, acting as agent for the property owner, Colonial Coatings, Inc, who is seeking approval for lot consolidation and site improvements to the subject property.

A composite of the site plan was displayed. It is in the same orientation as the packet the Board received.

The location of the subject property was described. He identified 66 Erna Avenue,(Parcel 16 .54 acres). 46 Erna Avenue is to the south,(Parcel 13, 1.74 ac.). The Strand Road parcel (Parcel 3D, .58 acres). These two structures are connected. Currently, there are three buildings on the subject property. The first order of business would be to consolidate these properties all into one. There is a consolidation map in the Board's packet. The goal is to extinguish the east-west boundary and shorter north-south boundary, thereby combining all three parcels into one, resulting in 2.86 acres. Right now it functions as one facility. There is overlap in terms of parking and usage.

In 2008 there was an approval for an addition and rear property parking, emergency and driveway access through; some drainage improvements. Since that occurrence, the building

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
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AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

was constructed. However, there was a large tragic fire on the property since that time. He showed the darker area where the building used to be. It is now a concrete slab since the fire. Also there are remnants of a two story open frame, steel structure; a partial masonry blocked wall to the south. As part of this project for the site improvements, the applicant is proposing to better the property and remove that concrete pad entirely; remove the two story steel structure; remove the block wall and basically neaten up the appearance and add green space to the property to make it more attractive and functional.

There is a parking lot to the north and one to the south. They also park on the concrete slab. With the slab removal the area will be repaved and reconfigure in a more efficient parking lot for the entire parcel, as well as add the landscape islands; tree buffer along the street. The three buildings will remain as they are. Per the City Engineer's comments, new concrete driveway aprons have been introduced at three entrances to the property. He indicated the existing entrance will be abandoned and moved. All new concrete curbs per City standards will be installed along Erna Avenue, in accordance with the City Engineer's comments. The parking is practically on top of the roadway. This will be pushed back behind the street line and adding a green space between the roadway and the parking lot. The green space will be increased to a great degree. The rear driveway was previously approved in 2008. It was never paved, but will now be as part of this project.

The landscaping plan was approved by the Tree Commission. There were some minor waivers requested, but the landscaping is extensive at the front of the building and there it will be much improved with the placement of large deciduous trees along the street line, as well as on the islands throughout the parking lot.

The drainage system was described, which will be a vast improvement over what is there now. Catch basins will be installed for the interception of the surface water and adding in drywells to the pervious grass area. The requirements for the drainage design have exceeded the City's requirements. All the overflow from the system will tie into the underground retention system in the back, which is installed and functioning. The fire department has reviewed and approved this application.

Mr. Sulkis: Mr. Paier did an excellent job presenting this application. It will be a major improvement over the current conditions of the site.

Mr. Bender: Asked for clarification that the property would be combined but none of the buildings.

Mr. Paier: There will be no architectural improvements or elements to this project. The buildings will remain free standing as they are. There is an existing linkage between two of the buildings, which will remain. The facility will function with all three buildings.

Mr. Grant: Asked about the trees required and proposed on the property with respect to the waiver requested.

Mr. Paier: The aggregate number of trees on the site is one short.

Mr. Grant: Inquired about additional waivers for buffers and landscaping. He also questioned the fence and shed that appeared to be on the residential portion of the property.

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
HELD TUESDAY, FEBRUARY 7, 2012 AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

Mr. Paier: The fence will be continued along the property line that will screen the neighboring property. This width and location is needed for emergency and function of the site and was previously approved in 2008. The use and design of it was previously approved. They just want it paved at this time.

Mr. Grant: Asked about a loading dock and existing curb cuts that would be closed off. Asked if the loading dock was affected in any way.

Mr. Paier: Explained where the curb cuts would be combined and eliminated.

Mr. Grant: Noted the car dealer was using part of the property on the corner.

Raymond Macaluso, Owner, Westcott and Mapes. With regard to the car dealership, Milford Fabricating before the fire tried to keep them off the property. After the fire, the car dealership took it upon its own to park there. Colonial Coatings is always policing it and is talking to the owner of the car dealership to try to get him not to park there. The whole purpose of the purchase of Milford Fabricating was for the expansion of their parking. They are a vibrant manufacturer in the City and will be a vast improvement over what exists today. At this time there are just curb cuts on Erna Avenue. The drainage floods that property. This problem will now be taken care of and it will be a total improvement to the property. The Tree Commission totally approved this project.

Mr. Sulkis: The Tree Commission noted it was a great landscape plan that makes use of all acceptable areas for trees.

Mr. Bender: Noted he did not think Mr. Grant was against the project, rather, looking for clarity.

Mr. Grant: Wanted clarification of the five waivers being requested and thinks the project will be a 100% improvement in that area.

Ms. Cervin: Sharon Court is the residential area adjacent to the property. There is a stockade fence that goes all along that one piece of property that is not in good repair. Asked if the applicant would be amenable to putting in a more aesthetically appealing and longer lasting fence than the stockade fence in the residential area.

Mr. Macaluso: The fence that is there is the neighbor's fence that is encroaching. Another fence will be put along the property; one that is vinyl in a preferred color can be installed.

Ms. Cervin: Asked about the lighting in the passage way area near Sharon Court.

Mr. Paier: Described the lighting in that area that is designed not to impact the neighbors.

Ms. Cervin: Made a motion for approval if the applicant consults with Staff regarding the fence she spoke about. This is a good site plan and will be a vast improvement.

Mr. Willis: Second.

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
HELD TUESDAY, FEBRUARY 7, 2012 AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

The specifics of the fence, its location and color were discussed.

Mr. Paier: Vinyl was chosen because of low maintenance. Earthtone would be applicable.

Mr. Casey: Asked if the fence would be placed on the client's property or on the applicant's property?

Mr. Paier: At this time the fence would be on the client's property and it would be alongside the existing wood stockade fence.

All members voted in favor. Motion passed unanimously.

4. **REQUEST FOR BOND RETURN – 801 NAUGATUCK AVENUE** - Request by Buddy Field for return of retainage bond in the amount of \$13,430.00, approved by Bruce C. Kolwicz in his memo of January 30, 2012.

Mr. Willis: Asked how the Board relates to the bonding process.

Mr. Sulkis: Explained the bonding process and the return thereof to the developer. Basically an administrative process.

Mr. Willis: Made a motion to approve the bond return.

Ms. Cervin: Second.

All members voted in favor.

5. **REQUEST FOR BOND RETURN – 51 KIRKSIDE AVENUE** – Request by Buddy Field for return of retainage bond in the amount of \$9,130.00, approved by Bruce C. Kolwicz in his memo of January 30, 2012.

Mr. Willis: Made a motion to approve the bond return.

Ms. Cervin: Second.

All members voted in favor.

E. ZONING TEXT REGULATION CHANGES – DISCUSSION

Chairman Bender: Had asked staff to review the status of text regulations; those that the Board has looked at in the past, and those that are more current.

Asked Staff to give a synopsis of each proposed change. The Board will review the information and prepare questions for the next couple of meetings. Should the Board choose to move forward on these changes, a public hearing date will be set.

Mr. Sulkis and Ms. Harrigan spoke about the regulations that were tabled and not revisited by the Board: Section 5.17 Special Event/Temporary Tents and Sec. 5.3 Sign Regulations.

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
HELD TUESDAY, FEBRUARY 7, 2012 AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

Mr. Sulkis: Suggested holding up on the sign regulations review to await information from the POCD consultant for the downtown area, which will be a separate document from the City-wide Plan of Conservation and Development.

Mr. Sulkis and Ms. Harrigan spoke about the proposed regulations that had previously been discussed by the Board; have been distributed to the necessary agencies and are awaiting public hearings:

Section 6.2.6.1 Tropical Storm Irene related residential restoration/reconstruction.
Section 3.1.4.2 Building Height in Residential Zones
Section 2.5.5 Lot Access and Rear Lots
Section 9.2.3. Prohibited Variances
Definition Text Change: First Floor – Crawl Space

Chairman Bender: Asked the Board to review the information in their packet, prepare questions and it will be determined whether to proceed with public hearings.

Ms Cervin: Suggested adding a text regulation change to the existing sight line distance regulation to conform to the DOT regulation used by the Milford Police Department.

Mr. Bender: Noted that proposed change will be discussed as well.

F. PLAN OF CONSERVATION AND DEVELOPMENT – UPDATE

- a. Map Development**
- b. P & Z/Interest Group Follow-up**

Ms. Harrigan: Is working with the MIS GIS professionals to develop several maps. Maps are being developed based on the 2010 census data which will help identify the density of homes that has taken place in Milford over the past ten years.

She had meetings with departmental heads: Supt. of Schools, Dr. Feser; Transit Director, Henry Jadach; Chief of Police Mello and the POCD consultant. A recurrent theme is sidewalk infrastructure in terms of walkability and to make better connections between different modes of transportation. Milford demographers anticipate a drop of about 1,000 students spread over the next ten years. Good meetings and informational gatherings. Draft writing will begin soon.

Chairman Bender: Asked for a sample of the maps Ms. Harrigan is referring to so as to get an idea as to how they will look.

Ms. Harrigan: Will try to provide small versions of the maps to distribute to the Board .

Chairman Bender: Asked if there were any notes or information from the city interest groups that the Board could review to get a background, as many of the members have had no prior information on this project.

Mr. Sulkis: That information will be incorporated in the draft documents that will be put together.

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
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AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

G. LIAISON REPORTS

The following commissions will be represented by P & Z members:

Police Commission - Ed Mead

Tree Commission and Conservation Commission – Jeanne Cervin

Board of Aldermen – Michael Casey

Inland Wetlands and Harbor Commission – Ward Willis

H. APPROVAL OF MINUTES – (1/3/2012 and 1/17/2012)

Mr. Willis asked for a motion to amend the no vote to a yes vote he had made at the January 17th meeting.

Chairman Bender: Said the matter had been looked into and a vote is not permitted to be changed. However, as the vote had no bearing on the outcome of the application, it was a good thing.

It was noted Mr. Willis miscommunicated his vote at the January 17, 2012 meeting.

Ms. Cervin: Made a motion to approve the minutes of the January 3rd and January 17th meetings.

Mr. Gettinger: Second.

All members voted in favor of approving the minutes of January 3rd and January 17th.

I. CHAIR'S REPORT

Chairman Bender: Announced that the resignation of Mr. Liddy from the Board due to relocation which has left a void due to his many years of experience on the Board. He will be missed on the board.

The new board members must be brought up to speed and he would like to push forward with a mock application. This will have to be noticed to the public, which is not an issue. It can be done before a scheduled meeting from 6:30 to 7:30. He will ask Mr. Sulkis to get some applications to do this. He asked Mr. Sulkis to get back to him as to whether the next two meeting dates of 2/21 and 3/6 would be good. The Chair asked how the Board members felt about this.

Mr. Willis: Asked about a seminar that is held on Connecticut Land Use that the board members can attend.

Mr. Sulkis: This courses are usually held in late spring, early summer. It is usually an all day Saturday event. When notification of the next course is received, it will be passed along to the board members. The fee will have to be paid by the board members, as there is no available money in the department budget at this time.

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING
HELD TUESDAY, FEBRUARY 7, 2012 AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 70 RIVER STREET**

Chairman Bender: Asked the members to notify him as to which date they would like to hold the mock application meeting. Asked for Ms. Cervin's help on this project.

STAFF REPORT

Mr. Sulkis: Will be working with Mr. Bender in setting up the mock application meeting. Plan of Conservation and Development is on schedule as presented earlier this evening.

Mr. Willis: Motion to adjourn.

Mr. Casey: Second.

All members voted in favor of adjournment at 8:32. The next meeting of the Planning and Zoning Board will be held on Tuesday, February 21, 2012.

Phyllis Leggett, Board Clerk