

PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD TUESDAY, 7 MARCH 2023, 7:00 PM

The meeting of the Planning and Zoning Board came to order at 7:00p.m.

A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

B. ROLL CALL

Members Present: N. Austin, E. Hirsch, J. Kader, B. Kaligian, C.S. Moore, J. Mortimer, J. Quish

Not Present: J. Castignoli, R. Satti, M. Zahariades

Staff: D. Sulkis, City Planner; M. Greene, Rec. Sec'y

C. NEW BUSINESS

VOTE BY MAY 11, 2023

- 1) **5 Beach Avenue** (Zone R-12.5) Petition of Roger Connelly for a Coastal Area Site Plan Review to construct a single-family dwelling on Map 82, Block 784, Parcel 5, of which Real Estate Acquisition Portfolio, LLC, is the owner.

Mr. Connelly, 34 Park Way, Fairfield, addressed the board. He said that a previous structure had been demolished and the plan was for a 2-story single family home. He stated that the parcel is not in a flood zone.

Mr. Sulkis read his administrative summary, stating that no adverse impacts on coastal resources were anticipated.

Mr. Moore moved to approve as presented the petition Roger Connelly for a Coastal Area Site Plan Review to construct a single-family dwelling on Map 82, Block 784, Parcel 5, of which Real Estate Acquisition Portfolio, LLC is the owner.

Second: Mr. Mortimer seconded.

Discussion: None.

Vote: Motion carried unanimously.

- 2) **14 Francis Street** (Zone R-7.5) Petition of Codespoti & Associates, PC, for a Coastal Area Site Plan Review to construct a single-family dwelling on Map 6, Block 84, Parcel 1 of which Robert Benten & Judith Itkin are the owners.

Attorney Thomas Lynch, 63 Cherry Street, addressed the board. He said that the house is zoning compliant with no variances required. He described the home in detail, noting a Nantucket colonial style design and described the floorplan. He noted that the height was zoning compliant and FEMA compliant. He referenced a recent notation from the city engineer and requested approval conditioned on compliance with it.

Mr. Kader moved to approve as presented the petition of Codespoti & Associates, PC, for a Coastal Area Site Plan Review to construct a single-family dwelling on Map 6, Block 84, Parcel 1 of which Robert Benten & Judith Itkin are the owners.

Second: Mr. Mortimer seconded.

Discussion: Mr. Moore asked about conditioning the approval on the city engineer's satisfaction with any required changes; both Mr. Kader and Mr. Mortimer accepted the amendment.

Vote: Motion carried unanimously.

D. PUBLIC HEARINGS

CLOSE BY APRIL 11, 2023; VOTE BY JUNE 22, 2023

- 1) **Proposed Regulation Change 23-1** Petition of John Knuff, Esq. for a change to Article III, Section 3.18.2 Corridor Design Development District 3 – Bridgeport Avenue Design Corridor District: CDD-3.

Attorney Knuff, 147 Broad Street, addressed the board. He asked that the next 2 items be heard together since the second was contingent on approval of the first, which the chair allowed. Attorney Knuff acknowledged that the board was very familiar with the project after previous hearings. He emphasized that many Milford citizens are eager to see something done with the site. He said that the submitted plans will substantially improve the property and by extension, the Devon section of the city. He noted the board's previous approval of a regulation amendment to CDD3 to allow residential use, subject to very specific conditions, which he listed. He noted many benefits of the proposed project such as enhancement of commercial areas to improve the streetscape and the dedication of 10% of the residential units for affordable housing. He emphasized that the complex's height had been capped height at 40' and that it contains that it 192 total units, a reduction of 10 from the last plan. He summarized the applications, reviews, approvals, withdrawals, and board denials from the previous year. He stressed that in the subdivision application, the dedicated open space (OS) proposed is more than 10% what is required. He said the new plan addressed neighbor concerns by dedicating OS in perpetuity to protect the mature buffer between their homes and the development. He said the plan provides dramatic improvements to the site, featuring attractive buildings and a clubhouse. He said his client understood the board's

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concerns, and that the client and their team have diligently worked to address them. He said he hopes to conclude the approval process this evening and proceeded to introduce the project team, saying they would highlight the most recent changes.

John Schmitz, BL Companies, 355 Research Parkway, Meriden, reviewed the site plan. He presented the existing conditions plan, noting that Walgreens and Taco Bell will remain. He reviewed the other building tenancies and described the surrounding area. He reviewed the proposed subdivision that would separate the commercial from the residential portions of the site. He pointed out OS to be set aside, consisting mainly of wetlands. He provided detail on circulation of traffic, parking, and access for emergency vehicles, noting the addition of 10% Electric Vehicle charging stations in both commercial and residential areas. He pointed out the increased amount of green space and reduced pavement. He reviewed storm water treatment improvements over the current discharge into Beaver Brook and noted that there will be less discharge due to more green space and underground detention and infiltration. He said existing utilities would be upgraded.

Tom Scott, Scott Griffin Architects, Waltham, MA, described changes planned for the retail buildings, including minor changes to how the tenant spaces will be allocated. He said the smaller building that faces Bridgeport Avenue will add parking for that plaza and the larger building will have an improved sidewalk area. He described aesthetic improvements to the façade of the smaller building and new, energy efficient storefronts. He said the height had increased slightly with improve signage visibility. He said Ocean State Job Lot would remain and the Dollar Store expanded slightly. He said the pylon sign would be enhanced using design elements consistent with the rest of the site.

Dominick Celtruda, BL Companies, described the landscape architecture for the commercial areas. He said it meets zoning regulation buffer requirements and overviewed the trees and shrubs that will fill the expanded green space. He said trees would maximize height to provide buffering and balance between residential and commercial areas with flowering deciduous trees for visual interest with arbor vitae for screening.

Jason Williams, SLR Consultants, New Haven, described the residential landscape architecture, including gateway landscaping, 2 dog parks, and a gated pavilion, all fenced in and featuring evergreen screening. He said the entrance drive features a modern, coastal-farmhouse-design clubhouse. He provided details on the clubhouse materials and design and reviewed the floorplan and amenities. Landscaping consists of coastal native grasses and colorized textured concrete. Amenities included an organic-shaped pool, pavilion, fire pit and kitchen. All 192 residential units have balconies and residential façades use varied surfaces and materials.

Mike Dion, Traffic Engineer, BL Companies, reviewed the traffic anticipated for the project. He described standard traffic measurement techniques for comparing traffic, including accounting for both residential rush hour periods, commercial traffic, and school traffic. He said he had taken data and put into a program that calculates delays at signalized and non-signalized intersections and provides letter grades for each intersection, and no intersection failed. He reminded the board that the old Kmart Plaza was designed to accommodate 5x the traffic anticipated at this development. He noted that by statute, the project will go before state Department of Transportation for evaluation.

Attorney Knuff concluded by saying he had spoken with neighbors of the property regarding the use of the pool and clubhouse, assuring them that the facilities would close at 8pm or 9pm. He noted that these facilities are closest of all to residents of the site, who would also be annoyed by late evening noise and that fundamentally, the project wants to be good neighbors to nearby single-family residences. He stated that the project was worth 50 million dollars, then listed positive impacts. He asked that board consider the work that went into modifying the proposal to address board concerns. He answered several questions about speed bumps (none), and solar (yes, it will contribute power to the clubhouse). He confirmed that EV stations will be placed on both the commercial and residential sections of the property.

DISCUSSION

Mr. Hirsch asked about visitors ingress and egress, and confirmed that Lansdale Avenue peak high school traffic was included in the study. **Mr. Mortimer** asked about access through the gate; **Attorney Knuff** said via a key card and buzz-in. He also stated that the residential areas will be shielded from the shopping area by landscaping. He said a small walkway will be available to residents who wish to shop in the nearby stores but no one could drive from the commercial parking lot to the residential or vice versa.

Chairman Quish asked for public comment.

Bob Rich, 195 Meadows End Road, said the back of his property abuts the development and that he didn't believe the traffic study. He expressed concern that high school football games and similar activities will affect area parking. He said he was also concerned that this and a similar project on West Avenue will put pressure on city resources.

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Paul Laboski, 165 Meadows End Road, said he thought the buildings seemed closer to the wetlands with this plan.

Thomas Robello, 147 Meadows End, said the wetlands looked to be filled to him and traffic on Lansdale Avenue would get worse. He also returned to the podium to question how wastewater treatment would be affected.

David Kinskey, 58 Nobel Ave, said he was concerned about traffic during construction. He questioned that all units were 1 and 2 bedrooms and suggested more 2 or 3 bedrooms. He was concerned that no sidewalk was provided from the Post Road.

REBUTTAL

Attorney Knuff addressed the public comments. He said that was found to be compliant with traffic engineering standards during peak hours, using different peak times based on different uses in and around the site. He said concerns about high school events can be handled in the complex by avoiding Landsdale Avenue and using driveways to the Post Road. He again stressed that there will be less traffic with multifamily use than the former retail use. He said the Fire Department has reviewed all iterations of the plans and approved them each time. He further stated that every iteration of the plans has been unanimously approved by the Inland Wetlands Agency, which has commended improvements in storm water treatment. He said the use of 1-2 bedroom units was driven by market demand for them. He assured that there will be a sidewalk from Lansdale Avenue to the Post Road. As to wastewater, he affirmed that the Sewer Commission reviewed the plans multiple times and approved them each time. He confirmed that all structures are sprinklered.

Chairman Quish closed the hearing. He asked Mr. Sulkis if the contents of his administrative summary were consistent with the presentation; they were. **Mr. Hirsch** asked Mr. Sulkis if the board could prevent ingress and egress via Lansdale Avenue and was told it is not in the purview of zoning.

Mr. Mortimer moved to approve as presented the Petition John Knuff, Esq. for a change to Milford Zoning Regulations Article III, Section 3.18.2 Corridor Design Development District 3 – Bridgeport Avenue Design Corridor District: CDD-3 Effective Date: March 31, 2023

Second: Ms. Austin seconded.

Discussion: None.

Vote: Motion carried unanimously.

- 2) **589 Bridgeport Avenue** (Zone CDD-3) Petition of John Knuff, Esq. for a Special Permit with Site Plan Review, and re-subdivision, to construct a residential complex at Map 025, Block 207, Parcel 50A, of which Casey Associates LTD Partnership is the owner.

Mr. Mortimer moved to approve as presented the petition of John Knuff, Esq. for a Special Permit with Site Plan Review, and re-subdivision to construct a residential complex at Map 025, Block 207, Parcel 50A, of which Casey Associates LTD Partnership is the owner.

Second: Ms. Austin seconded.

Discussion: None.

Vote: Motion carried unanimously.

E. OLD BUSINESS—None.

F. LIAISON REPORTS—None.

G. SUBCOMMITTEE REPORTS—**Chairman Quish** said that a draft of the 2032 Plan of Conservation and Development was presented at the latest POCD subcommittee meeting. He said the Regulations Subcommittee will meet soon to revise the merger rules.

H. APPROVAL OF MINUTES—**1/17/2023** minutes were approved unanimously.

I. CHAIR'S REPORT – None.

J. STAFF REPORT – **Mr. Sulkis** reminded those board members who signed up for the training seminar that it will occur this Saturday via Zoom®.

K. ADJOURNMENT was at 8:19.

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.