

**MINUTES FOR TWO (2) PUBLIC HEARINGS  
OF THE PLANNING AND ZONING BOARD  
HELD TUESDAY, MARCH 19, 2013; AT 7:30 P.M.  
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET**

Acting Chairman Ed Mead called to order the March 19, 2013 meeting of the Planning and Zoning Board at 7:30 p.m.

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

**B. ROLL CALL**

**Members Present:** Ward Willis, Jeanne Cervin, Ben Gettinger, John Grant, Dan Rindos, Michael Casey, Joseph DellaMonica, Jr., Tom Nichol, Ed Mead (Vice Chairman).

**Not Present:** Mark Bender, Chairman

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

- C. 1. CGS 8-24 APPROVAL** – For the City of Milford to accept the donation of a parcel known as 0 Robert Dennis Drive located on Map 108, Block 836, Parcel 66AA, of which York Estates Development Group, Inc. are the owners.

**Mr. Sulkis:** This was described to him as a parcel that the City has a drainage easement on. The neighborhood drains onto it. It is a privately owned parcel. Because of the nature of the wetlands and the drainage it is unusable for the people who own it, so they would like to donate it to the City and the City would like to have it.

**Mr. Mead:** Recalled the Board had passed approval of the easement on that property.

**Mr. Willis:** Made a motion for the approval of the City of Milford under Connecticut General Statutes 8-24 to accept the donation of a parcel known as 0 Robert Dennis Drive located on Map 108, Block 836, Parcel 66AA, of which York Estates Development Group, Inc. are the owners.

**Mr. Rindos:** Second.

All members voted in favor of approval.

**D. PUBLIC HEARING – CLOSE BY 4/23/2013; expires on 6/27/2013**

2. **284-286 NAUGATUCK AVENUE (ZONE CDD-2)** – Petition of Warren Field, Jr. for approval for a three-lot resubdivision on Map 15, Block 53, Parcel 7, of which Molly Rentals LLC and David and Sally Field are the owners.

**Thomas Lynch, Esq., Lynch, Trembicki and Boynton, 63 Cherry Street**, representing the applicants. This is an application for a three lot resubdivision for property that was purchased in November of 2012. The application was reviewed by the City Planner and submitted to the required departments and the comments have or will be addressed.

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Via a display, Mr. Lynch described the proposed project. There will be a sewer easement to service two of the lots.

The property is a combination of four lots off a 1924 subdivision map of property owned by the Janet family in Devon. Over a period of time the lots have merged through use. A single family residence is located on the western portion of the property. A commercial building has had a varied of uses in it. To the rear of the property is a garage at the end of a long asphalt paved driveway. The garage and commercial structure will be removed for this development. The property is a little over one quarter of an acre in the CDD-2 zone. The proposed development meets all the standards of the zone. There will be two single family residences and one two-family residence which are permitted in the zone.

The existing single family residence on Lot No. 1 will remain with some renovations. The driveway off Naugatuck Avenue will be removed and a new asphalt driveway will be installed that will service two residences. Lot No. 2 will contain the two-family house which is allowed in the zone. Lots one and three will have single family homes. All the lots meet the minimum square footage for the zone. All setback requirements are also met. A utility easement will be drawn servicing the two lots. There will be a six-foot fence that will be constructed along the southerly boundary of lot 3 and traversing north along the boundary of the adjacent boundary in accordance with the buffer requirements between the CDD-2 zone and abutting residential zone.

Mr. Lynch described the grading and utilities plan; the soil erosion and sediment control plan and landscape plan. At this time there are no trees on the property. Trees will be planted and the plan was approved by the Tree Commission. This is a good plan that will remove the commercial use on the property, replacing it with a residential use which will be an enhancement for the area.

**Mr. Sulkis:** Mr. Lynch did a fine job describing the proposed subdivision.

**Ms. Cervin:** Asked if 10% of the appraised value would be paid to the City.

**Mr. Lynch:** Yes.

**Ms. Cervin:** Asked if the trees' maintenance would be provided by the City since they are to be planted on City property.

**Mr. Lynch:** Thought that would be the case since they would be planted near the sidewalk.

**Mr. DellaMonica:** On the Police Report was the sight line approved in light of the trees being planted?

**Mr. Sulkis:** The Police Report had no problems with the sight line but wanted the sidewalk to be maintained in serviceable condition.

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**Acting Chair:** Asked if anyone in the audience who wished to speak in favor of the application? (No response) Asked if there was anyone to speak in opposition to the application (No response)

The public hearing was closed.

**Ms. Cervin:** Made a motion to approve the petition of Warren Field, Jr. for approval of a three-lot resubdivision on Map 15, Block 53, Parcel 7, of which Molly Rentals LLC and David and Sally Field are the owners.

**Mr. DellaMonica:** Second.

All members voted in favor. The motion was approved.

3. **122 SHELL AVENUE (ZONE R-5)** – Petition of Robert Tobin, Architect, for Special Permit and Coastal Area Management Site Plan Review approval to construct a single family residence with grading in a flood plain on Map 27, Block 475, Parcel 37, of which Cathleen Reneer is the owner.

**Robert Tobin, Architect, 115 Wigwam Lane, Stratford.** The existing property is an existing nonconforming use. It was built in the 1920s. Most of the properties in the area have been raised. Started plans for a new house after Irene and are now complying with the new flood regulations going into effect in July. All the setbacks were in compliance for the property. The only area that needed to be changed was to have the property graded properly from the garage out to the edge of the house and from the edge of the house out to Broadway, which required fill to be brought in. At this time the house sits 16 inches off the sidewalk down on Broadway and also down approximately 8 inches off Shell Avenue. Requesting to raise the grade up so that there can be sufficient drainage off. The roof runoff has been captured and put into galleys along the west side. This has been accomplished with the approval of the DEEP for runoff and the Engineering Department comments. The Special Permit was required for the grading that will have to take place.

**Ms. Harrigan:** The City Engineer's and Public Works approval were received after she submitted her summary to the Board.

**Acting Chair Mead:** Asked about variances that were obtained in 1989.

**Mr. Tobin:** Explained he was able to work within the prior variances without having to obtain new variances for the new house.

**Acting Chair Mead:** Drove by the property and saw how it is configured on the lot. There is not much room to do more and the new building will be an enhancement.

**Mr. Tobin:** The house will be put on a different angle and will enhance the view for the neighbors.

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**Acting Chair Mead:** Asked if there was anyone to speak in favor of the application? (No response) Anyone to speak in opposition? (No response)

The public hearing was closed.

**Mr. Rindos:** Made a motion to approve the petition of Robert Tobin, Architect, for Special Permit and Coastal Area Management Site Plan Review approval to construct a single family residence with grading in a flood plain on Map 27, Block 475, Parcel 37, of which Cathleen Reneer is the owner.

**Mr. Casey:** Second.

All members voted in favor. The motion was approved.

**E. PUBLIC HEARING LEFT OPEN – CLOSE BY 3/26/2013; expires on 5/30/2013**

4. **64 RIVERSIDE DRIVE (ZONE R-12)** Petition of Robert Sonnichsen, PE, for a Special Permit and Coastal Area Management Site Plan Review to construct a residential dock on Map 18, Block 363, Parcel 10, of which 64 Riverside LLC is the owner. (Postponed from 3/5/2013 meeting)

This hearing is further postponed to the next scheduled meeting on April 2, 2013, with an extension granted by the applicant.

**F. NEW BUSINESS**

5. **21 SEAVIEW AVENUE (R-10)** Petition of John Wicko, Architect, for Coastal Area Management Site Plan Review approval to construct a single family residence on Map 9, Block 130A, Parcel 1, of which Yahid Yazdani is the owner.

**John Wicko, Architect 50 Broad Street,** This is an existing residence in the Laurel Beach area that will be demolished and raised on the site. The proposed residence is on a 9,066 SF site in the R-10 zone. The applicants are building a year-round permanent home from their existing summer home. The house will be three stories having 5,060 SF of living area, and a ground floor area of 2,071 SF, which includes a three car garage.

The site survey plans were described which met the zoning requirements and regulations. The architecture and building materials were also described. Departmental reviews came back favorable. DEEP did not want to see underwater storm water infiltrators due to their knowledge of the soil in the Laurel Beach area. Requested a surface drainage system be designed.

**Ms. Harrigan:** Received the Director of Public Works comments on March 15, 2013, which he approved.

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**Acting Chair:** Asked if the existing house was flooded by Irene.

**Mr. Wicko:** No. Storm Sandy came up close to the house but did not affect the house.

**Ms. Cervin:** Asked if the driveway was asphalt. Noted it was a larger area. Thought pavers would be more beneficial to the owners to have a more permeable surface.

**Mr. Wicko:** Asphalt is noted on the plans. Going back and forth with pavers. Will tell the applicants how it would be beneficial to incorporate the pavers.

**Ms. Cervin:** Made a motion to approve the petition of John Wicko, Architect, for Coastal Area Management Site Plan Review approval to construct a single family residence on Map 9, Block 130A, Parcel 1, of which Yahid Yazdani is the owner.

**Mr. Willis:** Second.

All members voted in favor.

**G. REGULATION SUBCOMMITTEE – Update**

No meeting held this evening. Next meeting scheduled for April 2, 2013.

**H LIAISON REPORTS – None.**

**I. APPROVAL OF MINUTES – (3/5/2013)**

**Mr. Rindos:** Made a motion to approve.

**Mr. Willis:** Second.

All members voted in favor.

**J. CHAIR’S REPORT –**

Vice Chairman Mead thanked everyone for their help in his filling in for Chairman Mark Bender who had to work this evening.

**K. STAFF REPORT – None.**

**Acting Chairman Mead:** Asked Staff if the final POCD had been printed.

**Mr. Sulkis:** The final printing was received and Mr. Bender reviewed it and thought it was fine. The appearance is the same as the draft the Board members received.

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**Mr. Grant-** Motion to adjourn.

**Mr. DellaMonica** Second.

All members voted to adjourn the meeting at 8:10 p.m. The next Planning and Zoning Board meeting will be held on Tuesday, April 2, 2013.

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Phyllis Leggett, Board Clerk