

**MINUTES FOR SEVEN (7) PUBLIC HEARINGS OF THE PLANNING AND ZONING BOARD HELD
TUESDAY, JUNE 20, 2017 AT 7:30 P.M. AT CITY HALL AUDITORIUM, 110 RIVER STREET**

The June 20, 2017 meeting of the Planning and Zoning Board came to order at 7:33 p.m.

A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

B. ROLL CALL

Members Present: Scott Marlow (Ch), Anthony Sutton (V-Ch), Michael Dolan, John Grant, Richard Lutz, Carl S. Moore, Tom Nichol, Tom Panzella, Rick Varrone

Not Present: Jim Quish

Staff: David Sulkis, City Planner; Meg Greene, Interim Board Clerk

C. STAFF REPORT None.

D. NEW BUSINESS

1. **104 BEACH AVENUE (R-7.5)** - Petition of John Ruffalo III, for Coastal Area Management Site Plan Review to construct a single family residence on Map 60 Block 743 Parcel 2, of which Mario and Grace Perone are the owners.

Mr. Ruffalo, architect, 415 Howe St., Shelton, noted the presence of the owners, a plan change in response to the City Engineer, and the corrected site plan. He reviewed details of the survey, describing a 3500 SF, 3-story house with detached garage. **Mr. Sulkis** said the ZEO found that the plan satisfied Sec. 5.12. of the Zoning Regulations.

After a short discussion, the board voted.

Motion: Mr. Sutton to approve.

Second: Mr. Grant.

Discussion: None.

Vote: Passed unanimously.

2. **20 BRIDGEWATER AVENUE (R-5)** – Petition of Leigh Dwyer for Coastal Management Site Plan Review to construct a single family residence on Map 13, Block 139, Parcel 1, of which Reza Manzuouri is the owner.

Mr. Manzuouri, architect, Rocky Hill, said the plan was basically unchanged. **Mr. Sulkis** said the permit expired after about a year. **Mr. Nichol** asked about sand bags on site. **Mr. Dwyer, 26 Altieri Dr, N Branford**, described their use.

After a short discussion, the board voted.

Motion: Mr. Panzella to approve.

Second: Mr. Grant.

Discussion: None.

Vote: Passed unanimously.

E. PUBLIC HEARINGS LEFT OPEN

**EXTENDED TO CLOSE BY: JULY 5, 2017;
EXPIRES: SEPTEMBER 8, 2017**

ITEMS 4 AND 5 - TABLED TO JULY 5, 2017 AT THE REQUEST OF THE APPLICANT

3. **PROPOSED ZONING REGULATION TEXT CHANGES** – Petition of Metro 150, LLC to amend the following language of Sections 3.16.2.2 (CDD-1) and 5.1.4 Figure 4:

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Amend Section 3.16.2.2 to remove the requirement that multi-family residential buildings are only permitted in the CDD-1 zone “when at least 30% of the units are defined as affordable housing in accordance with Section 8-30g of the Connecticut General Statutes.”

Amend Section 3.16.2.2(4)(b) to reduce the permitted minimum square footage of one-bedroom units in multi-family residential buildings in the CDD-1 zone to 700 square feet.

Amend Section 5.1.4 Figure 4 to set the following minimum off-street parking requirements for multiple family dwellings in the CDD-1 zone: (a) minimum required parking spaces of 1-1.5 per efficiency bedroom unit; (b) minimum required parking spaces of 1.5-2 per one bedroom unit; and (c) minimum required parking spaces of 2-2.5 per two bedroom units.

4. **92 Plains Road, 100 Plains Road, 150 Boston Post Road, and Map 53/Block 304/Lot 88A (CDD-1)** - Petition of Metro 150, LLC for Special Permit and Site Plan Review approval to construct multi-family residential at Map 43, Block 304, Lot 80, and Map 53, Block 304, Lots 82, 83, and 88A, of which Jordan Realty, LLC is the owner.

F. PUBLIC HEARING LEFT OPEN

**CLOSE BY: JULY 25, 2017;
EXPIRES: SEPTEMBER 23, 2017**

5. **178 SEASIDE AVENUE (R-12.5)** Petition of Thomas Lynch, Esq., for Special Permit, Coastal Management and Site Plan Review approval, to construct 12 residential units under Connecticut General Statutes 8-30g, on Map 35, Block 434, Parcel 8, of which GAMS LLC is the owner.

Attorney Lynch, 63 Cherry Street, noted the presence of site developer Angelo Lisi, PE/LS Ron Wassmer, and Traffic Engineer David Spear. He noted an earlier request for 3rd party review of Mr. Spear's traffic study. He referred to an initial police review, which had raised concerns about garbage trucks coming into the site and possibly backing onto Seaside Ave; then said the carting company would use a smaller truck able to make a K-turn in the parking lot. He said this caused the police commission to issue their approval. He asked Mr. Wassmer to address site lighting. He asked public comment be limited to these specific points. He said the state DOT had approved the plans.

Ronald Wassmer, PE, LS, CT Civil Group, 158 Woodmont Road, noted revisions to the plan to reflect a fence and resolution of lighting trespass concerns, noting that a lightpole height had been lowered.

Attorney Lynch introduced Kermit Hua, Traffic Engineer.

Kermit Hua, Traffic Engineer, 277 Reservoir Ave, Meriden, said he agreed with Mr. Spear's traffic findings and methodology. He said the net traffic impact was estimated to be 2%-3% increase in volume of traffic per hour. He said he looked at accidents for Seaside Avenue for 5 years from a different data source and reached the same conclusion as Mr. Spear. He said he didn't see significant concerns.

Board Discussion: The board asked questions addressing large vehicles moving through the parking lot and ground water absorption. **Mr. Lutz** asked about moving or delivery vans that would enter the complex; **Mr. Hua** said his study had not included this. **Attorney Lynch** said the driveway could accommodate a one-time delivery or moving van. **Mr. Lutz** wanted to know if trucks could unload on Seaside Avenue with signage. **Mr. Sulkis** noted that the board has no jurisdiction over road signage. **Mr. Nichols** and **Mr. Wassmer** discussed the perc test; **Mr. Wassmer** said the City Engineer had approved the plan; Mr. Wassmer further stated that no water was encountered. **Mr. Nichols** revisited the retired firefighter's comments at the 6 June hearing; **Attorney Lynch** asserted that the commenter was not an expert whereas Fire Marshall Bernard Begley, who reviewed the plans, is Milford Fire's departmental expert and on 14 June Deputy, Chief Begley approved the

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plan. **Mr. Dolan**, **Mr. Sulkis**, and **Attorney Lynch** discussed Mr. Hua's report vis a vis the 214 Seaside Avenue 8-30g project.

Chairman Marlow opened the hearing to the public with instructions, stressing that responses should be limited to the new topics introduced at this meeting.

Favor: No response.

Opposed: Summarized below.

The following residents of the neighborhood voiced opposition to the project, including these concerns: moving vans and delivery of furniture or other items creating traffic issues; school busses and other busses; potential changes in the statute governing 8-30g projects; proximity to the 214 Seaside Ave 8-30g complex during the summer; breakdown of trucks parked on Seaside Ave; concern for children on bicycles; concern about delivery trucks; multi-vehicle first responders; fencing; fire hydrant location; drainage if water galleys fill; potential flooding on Underhill Rd, disconnect between conclusions of 214 Seaside Ave and 178 Ave reports; disbelief of vehicle volume numbers, especially with summer rentals; winding nature of Seaside Ave; proximity to hospital, speeding, ground water absorption; weight of fire trucks on galleys

Kathy Bonetti, 157 Seaside Ave.

Spencer Rogers, 123 Underhill Rd.

Dan Varga, 109 Underhill Rd.

Pat Francis, 151 Seaside Ave.

Joseph Sicotte, 156 Seaside Ave.

Emma Sicotte, 156 Seaside Ave.

Laurie Smith, 182 Seaside Ave.

Amanda Lerner Taylor, 74 Underhill Rd.

Barbara Miro, 83 Underhill Rd.

Harry Parks, 92 Underhill Rd.

Stewart Pearl, 4 Seaside Ave.

Jack Hyatt, 49 Bassett St.

Shally Leslie, 234 Seaside Ave

Rebuttal by the Applicant

Attorney Lynch underscored the nature of the existing 8-30g legislation and stressed that the effective date of any new legislation is October 1, 2017, and that legislation has not yet been signed into law.

Rebuttal by the Opposition

The following residents of the neighborhood voiced further opposition to the project, including these concerns: law provides for denial due to safety issues such as traffic, speculated on the effect on schools, substandard housing quality.

Amanda Lerner Taylor, 74 Underhill Rd.

Stewart Pearl, 4 Seaside Ave.

Pat Francis, 151 Seaside Ave.

Dan Varga, 109 Underhill Rd.

Barbara Miro, 83 Underhill Rd.

Jack Hyatt, 49 Bassett St.

Board Discussion

Mr. Dolan asked Mr. Sulkis about hiring experts. **Mr. Sulkis** said the data used is common to the experts, but interpretations could differ. **Mr. Grant** suggested Unit D-3 be reduced to 2 units to increase the lawn area and push the dumpster further away from abutters. He further suggested that more trees be planted to buffer the project from neighbors. He expressed discomfort about how 8-30g's are being deployed, however worthy the

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underlying goal. **Mr. Lutz** confirmed that action is required by July 25 and said he would like to see changes to the plan. He said he would like to see such projects better fitted to target development neighborhoods. He suggested repositioning the fence such that landscaping is presented toward neighbors. He noted that the board had rejected many projects in the past only to have the courts overturn the board's decision. **Mr. Varrone** and **Mr. Sulkis** discussed provisions for enforcing the affordability aspects of the project. **Mr. Nichol** asked for more expert input on the accessibility of fire equipment or water; **Mr. Sulkis** noted that the public hearing was closed and that the Deputy Fire Chief/Fire Marshall approved the plan. **Mr. Sulkis** offered to craft a motion incorporating the board's concerns. The motion would be discussed at the next meeting.

G. LIAISON REPORTS – **Mr. Nichol** reported that he had attended Inland Wetland Agency hearings where several projects were approved.

H. REGULATION SUBCOMMITTEE – No update until next meeting.

I. APPROVAL OF MINUTES –for **5/16/2017** and **6/6/2017**: approved unanimously.

J. CHAIR'S REPORT – No update

K. STAFF REPORT – No update

L. ADJOURNMENT was at 8:54 PM.

Attest:

M.E. Greene, Interim Clerk, Planning and Zoning Board