

**MINUTES FOR TWO (2) PUBLIC HEARINGS OF THE  
PLANNING & ZONING BOARD  
HELD TUESDAY, JULY 15, 2008; 7:30 P.M.  
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called to order the Public Hearing of the Planning and Zoning Board at 7:30 pm.

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

**MEMBERS PRESENT:** Frank Goodrich, Mark Bender, Janet Golden, Kathy Patterson, Kim Rose, Kevin Liddy, Susan Shaw, Greg Vetter, Victor Ferrante, Jeanne Cervin, Chair.

**STAFF:** Phyllis Leggett, Board Clerk; City Planner, David Sulkis; Peter Crabtree, Assistant City Planner

**Mme. Chair:** Saved Peter for last because this is an historic day for him and for us as a Board. He will no longer be sitting in that seat. After 38 years of serving this city we are going to be saying good-bye to him and wishing him well in all his future endeavors. Peter has been providing us with his acerbic wit, his great wisdom, his great fount of wisdom and good humor. He often leaves us with a smile on our faces. I think he knows more about the history of planning and zoning, I know he does, than anybody in this city. I think his next endeavor should be to write the memoirs. I think they would be very, very interesting. We wish you well, Peter.

(Applause)

**C. PUBLIC HEARINGS; hearing closes by 8/19/08**

1. **26 HIGGINS DRIVE (ZONE ID)** Petition of Mary E. Stark for Special Exception and Site Plan Review approval to convert a 50' x 80' industrial building to a dog day care/boarding facility on Map 80, Block 810, Parcel 15D, of which D'Amato Investments, LLC is the owner.

**Peter Stark, Attorney, 183 Broad Street, Milford**, representing the applicants, Mary Stark and Amy Matthews. Distributed letters from neighbors expressing their approval of the proposed business, as well as a copy of a recent Wall Street Journal article, which described the type of business being applied for. The letters and newspaper article were date stamped into the record.

Proposing a dog day care center. This is an up and coming business. People are spending a lot of money on their pets. They anticipate having 20 to 30 dogs per day. This is a strictly commercial zone. No residences nearby. All the neighbors have no objections and would welcome them. Checked with various commissions regarding what they are going to have to do to comply. Checked with the State of Connecticut regarding regulations, which will be followed. All dogs will be neutered or spayed. And be current in vaccinations.

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The site will have ample parking, but they will not need that much parking because it will be a drop off and pick up center. The State regulations call for one person for every twenty dogs. There will be that plus more people. There are two owners of the business. They anticipate in the future that other people will be employed to help run the business. Owners have run this type of business as an in-home type of operation for a number of years. That type of business has grown to become too much for them. All other City departments' requirements have been met. Mr. D'Amato, the property owner, is in favor of this business.

**Mme. Chair:** Asked for Mr. Crabtree's comments.

**Mr. Crabtree:** As a Special Exception this type of business is not specifically listed or prohibited. It is a new use. Depends on management and if they do it right; no noise and no mess.

**Mr. Bender:** Plans for dog obedience classes?

**Mr. Stark:** Not at this time. Perhaps in the future, although the owners are not dog trainers. Could potentially happen.

**Mr. Goodrich:** There will be a vinyl fence in the outdoor play area? Concerned about cars butting into the fence, perhaps hurting an animal or dogs getting loose. Will there be a barricade to prevent cars from driving into that area?

**Mr. Stark:** Did not plan on this. The fenced in area will be closer to the employee parking area. The employees will be aware of the fence. If the Board wishes a buffer zone could be put in.

**Mr. Goodrich:** Crates for overnight stay. Will the crates be available during the day if necessary?

**Mr. Stark:** Yes. They are taking only neutered animals to alleviate aggressive dogs.

**Mme. Chair:** It is not quite accurate to say this is a day care. It will be for overnight or longer periods?

**Mr. Stark:** It can be overnight. There will be some boarding options available. The majority of it will be day care.

**Ms. Rose:** Will there be walking of the dogs?

**Mr. Stark:** There is an area in the back where they can be walked.

**Ms. Rose:** Is the plan to let them out in the fenced area to relieve themselves?

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**Mr. Stark:** Yes.

**Ms. Rose:** Will they be left alone if they are boarded overnight?

**Mr. Stark:** There will either be someone on site or there will be a camera system set up which will be monitored by a person nearby.

**Ms. Rose to Mr. Sulkis:** If the business was to be sold and be used for the same business, how would this work?

**Mr. Sulkis:** As the same use it would be permitted.

**Mr. Stark:** Believe that a new owner would have to get State approval. State approval for this business is not transferable.

**Ms. Rose:** Noticed employees would be required to park in the commuter parking lot. Is this setting up a precedent for future approvals?

**Mr. Sulkis:** May not be a precedent but it should raise a red flag. Several statements made by Mr. Stark should raise red flags.

Mr. Stark stated there would be 20 to 30 dogs daily. The Statement of Use submitted by the applicant states that there would be 10 to 15 dogs.

When the question about the outside kennel area arose, it was stated the employee parking lot would be next to it. The Statement of Use says the employees would be parking at Old Gate Lane in the commuter parking lot.

**Mr. Stark:** Right now there are no employees, just two people running the business.

**Mr. Sulkis:** The testimony differs from the Statement of Use. Not talking just about a day care; it sounds more like the operation of a kennel. Having that as one line in the Statement of Use and not showing it on the plan is cause for concern by the Board.

**Mr. Stark:** The plans have changed. Trying to present what is going to happen at the building. There are two owners and no employees. Tried to address the matter of parking if there would be concerns. There is ample parking, but if necessary, employees could be shuttled from the commuter lot, especially if neighbors had a concern about parking. Some businesses have more of a flow of traffic than others.

**Mr. Sulkis:** From what is being said, in the future there will not be enough parking for the use, which will not comply with the regulations.

**Mr. Stark:** Stated that was not what he was saying.

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**Mme. Chair:** Concerned about the fence enclosure that would be on asphalt for two reasons: Sanitary issues for the dogs' waste and its disposal and the humane issue of the dogs being on hot asphalt for an extended period of time, especially in 75 degree and above temperatures. Do not know what the inside area will be like.

**Amy Matthews, 15 Page Street, Milford and Mary Beth Stark, 74 West Main Street, Milford.** Co-owners of the proposed business. Described how the parking area would be laid out and how the dogs' eliminations would be handled. There will be a 2,000 SF indoor play area, as well as a 23 x 50 foot outdoor play area. State is very particular about these methods. Dog waste is picked up and flushed down the toilet. There will be a hose that runs to the back of the building to hose down and clean the area. The State is very particular about coming in to inspect for cleanliness. The Department of Agriculture oversees everything.

**Mme. Chair:** Does everything that is washed off go into storm drains?

**Ms. Matthews:** Liquid waste will be mopped up as best it can. Some of it will go down the toilet as well as the drain depending on where it is located.

**Ms. Rose:** 23' x 50'. Where are the crates?

**Ms. Matthews:** According to the Dept. of Agriculture, every dog must have a crate. These will be located in the 2000 SF indoor gym area. There will be a larger kennel for larger dogs that are unruly and possibly four separate areas where some dogs can be kept if they need to be separated. There will also be an area set off for the older dogs and small dogs, so they will not be in the active play area.

The lounge area for the older and smaller dogs will be in the other 2000 SF, where the office, reception, two lavatories and kitchen area and storage facilities will be located.

**Mme. Chair:** There are several unknowns here and the site plan is not as accurate as the Board would like.

**Mr. Liddy:** Stated the inside floor plan looked incomplete.

**Ms. Matthews:** Described how the lounge area for the dogs would be built.

**Mr. Liddy:** Asked about lights.

**Ms. Matthews:** Lights are in the front, side and back of the building.

**Mr. Liddy:** Asked about signs.

**Ms. Stark:** Signs will be within the regulations.

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**Mrs. Golden:** Adequate parking, but what about traffic coming in and going out for pickup and drop off.

**Ms. Stark:** The busy time will be 7:00 a.m. and 8:30 a.m. before the surrounding businesses open. Pickup time is after the workday for surrounding businesses.

**Ms. Matthews:** Explained how the pickup/drop off system would work.

**Ms. Shaw:** This is in a flood zone. Will that pose an issue?

**Mr. Stark:** This is not a flood zone.

**Mr. Crabtree:** Flood zone X is not in a flood hazard area and does not require flood insurance. If there are drainage problems they will not be caused due to proximity to a river or coastal area.

**Mr. Liddy:** What are the state regulations for each pet's requirements?

**Ms. Stark:** Has gone to four dog day cares. No specific regulations. The bulk of the dog area will be in a 2000 SF area indoors. The small dogs will be in the "lounge" area.

**Mr. Bender:** From experience, during vacation times the number of dogs in daycare can more than double.

**Ms. Stark:** This is a self-limiting business. Comfortable with the 20 to 30 dogs for the two owners to manage. There are two other people lined up who could work on an "as needed" basis, if necessary.

**Mr. Vetter:** Asked for clarification on the drop off and parking areas with turnaround areas.

**Ms. Stark and Ms. Matthews:** Described via the survey where these areas would be located.

**Mr. Vetter:** Asked for clarification on the parallel parking on the site.

**Mr. Crabtree:** If there was to be parallel parking the plan would have to be revised and resubmitted. If statements are made that there will be parallel parking in the area, it will have to go back to the fire marshal.

**Ms. Stark:** There will be no parallel parking.

**Mr. Vetter:** It would be more helpful in supporting the intent and what is being described if the plans were put into more detail.

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**Mr. Ferrante:** Asked for clarification on the parking and/or turnaround area to be used by customers.

**Mme. Chair:** Not enough information for the Board to make a decision on this application with the information presented.

Asked for public input and if anyone wished to speak in favor of the application:

**Louis D'Amato, 183 Quarry Road, Milford.** Large property owner in Milford and throughout the State of Connecticut. Due to the economic conditions manufacturing companies have left the area and caused many vacancies. The applicants' type of business is one that is now going into the Research Drive/Woodmont Road buildings.

**Mme. Chair:** Advised Mr. D'Amato to keep his comments to the relevance of the application at hand.

Asked if there was anyone else to speak in favor of the application.

Asked if there was anyone to speak against the application.

**Mr. Stark:** Main problem seems to be parking and the turnaround. There is ample parking for the building. They have fulfilled the City requirements as to the number of parking spots. It is a dead end road, which creates the turnaround.

**Mr. Sulkis:** Questioned if the kennel area would be hosed down, where would the liquid waste go?

**Mr. Stark:** Mr. D'Amato has an underground storage tank where the waste would go. It will always be mopped and taken care of, but it is not removable in the same way that solid waste is removed.

**Mr. Sulkis:** Have to make sure the waste will be going into the sanitary sewer system versus the storm water sewer system. Drainage plans will have to be submitted.

**Mr. D'Amato:** There is a dry well in this location and then goes into the ground. Does not go into any waterways.

**Mme. Chair:** Will keep the public hearing open to receive the additional information the Board has requested. Enumerated the information that the Board would need. The site plan should show the location of the dry well; more detail about the lighting and signs; more exact use of parking space; proportional and exact plans for the inside of the building. Applicant is to work with staff on this. The Board needs to know what they are giving permission for and not giving permission for.

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**Mr. Liddy:** Need a correct Statement of Use.

**Ms. Rose:** Would like the State regulations included in this information since it was cited so many times.

**Mr. Vetter:** This is a good use, but more information on the traffic flow would be helpful.

**Mr. Ferrante:** Offended by the comments today. Everyone came today expecting to grant this application. The information is absolutely inadequate. Described how the turnaround was presented and parallel parking shown and the misconception of the fact that the turnaround is on a dead end street, which was not displayed on the plans. All members came with the intention of approving the application and wind up being accused of delaying the process. Very offended by that.

**Mme. Chair:** The Public Hearing will be kept open to the next Public Hearing meeting date on August 19<sup>th</sup>.

**Mr. Sulkis:** They must have all information presented to the Planning and Zoning Office and sent to the Board members before 8/19/08, as the hearing must close by that date or be denied.

Ms. Stark and Mr. Stark acknowledged they understood the time frame involved.

2. **89 ROSES MILL ROAD (ZONE SCD)** Petition of Scientific Games for Special Permit and Site Plan Review approval to revise an existing building for use as an Off-Track Betting facility on Map 90, Block 812, Parcel 47A, of which Sam Bergami, Jr., is the owner.

**Donald Barberino, 600 Long Wharf Drive, New Haven.** Representing Scientific Games (Autotote). They are the licensed operator of off-track wagering in the State of Connecticut. Had operated OTB at the former Jai-Alai site at Old Gate Lane. Have been looking for another OTB site and in February, aldermanic approval was given for such a site at Roses Mill Road.

**John Wicko, Architect, 50 Broad Street.** This is a permitted use in the SCD zone, but a hearing is required because it is in this zone. All departments sent back favorable comments or did not comment at all. The property is surrounded by all commercial zones. It is an existing building on a one-acre site. No changes being made to the building. Described the area. Regulation requires 13 parking spaces. There are 15 spaces in the front. Additional parking in the rear will be available for more peak periods. Site will have new landscaping. Described new trees and plantings that will take place in the front, which is now graveled for parking. There will still be three handicapped parking spaces in the front. Dumpster will be enclosed with arborvitae around the enclosure. Where the trees are old and tired looking, they will be rejuvenated so they do not interfere with other vegetation. Described the dumpster area

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and photometric plan. Police Department comment was to add a security light in a rear area, which will be done. Described the proposed interior design to accommodate this type of business. The existing building will stay but the door will be changed and proposing some awnings.

**Mme. Chair:** This use had been approved by the Board of Aldermen.

**Mr. Sulkis:** The application is straightforward.

**Mr. Liddy:** Asked about security because of the large amount of money that would be handled here.

**Mr. Barberino:** Described how security would be handled. Stated the State gets involved in this area as well.

**Mrs. Patterson:** Asked about anticipated daily parking for employees.

**Mr. Barberino:** This is a small facility. Approximately 2-3 employees will park there at one time.

**Mr. Bender:** Asked about a large storage area that was shown on the plan.

**Mr. Barberino:** They also lease the Shoreline Star in Bridgeport. Put a lot of equipment down there. This will be a more convenient storage area than the present location in New Haven.

**Mr. Liddy:** What if this business is very successful and they want to expand.

**Mr. Sulkis:** Their experience would be limited by the amount of parking. If it is an interior modification to expand and they have the parking to do it, they would not come back to the Board.

**Mme. Chair:** Anone to speak in favor of the application? (No response)  
Anyone to speak against the application? (No response)

Declared the Public Hearing closed.

**Ms. Rose:** Made a motion to approve the application to permit the OTB facility at 89 Roses Mill Road.

**Mrs. Patterson:** Second.

**Ms. Shaw:** Asked for more time to review the application.

**Mme. Chair:** There is a motion on the floor so a vote must be taken.



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9 members voted in favor. Ms. Shaw voted against. The motion passed.

[8:33:50 PM](#)

**D. CONTINUED PUBLIC HEARING CLOSED 7/1/08; exp. 9/4/08**

3. **85-89 GOLDEN HILL STREET (ZONE MCDD)** Petition of Thomas Lynch, Esq. for Special Exception and Site Plan Review approval in accordance with the provisions of Sect. 7.3.5 to extend legal nonconforming use to recognize four dwelling units on Map 43, Block 389, Parcel 5, of which Nicholas Baranowsky is the owner.

**Ms. Rose:** Works in Bridgeport, familiar with 3 and 4-family residences. Spoke to the Fire Department. The Milford Fire Department is actively inspecting three family homes. Would support a three-family use of the property. Does not take kindly to people blatantly ignoring building codes, not going for building permits and ignoring court orders from the zoning department.

**Mme. Chair:** If a use is approved, this is the beginning of many flagrant violations to be corrected. Hope that this will be the beginning of correcting that blemish on this street in the City.

**Ms. Shaw:** This property is in the MCDD. The 2002 Plan of Conservation and Development as well as the zoning regulations were based on the MCDD zone. The Board has to be very careful about its development. It is very important that the property be used correctly. Prefer it to be a two family.

**Mme. Chair:** Very large square footage on each floor. Cannot support a two-family. There is enough square footage to support a four family. Also want the Fire Department to be involved with it.

**Mr. Bender:** Asked how the approval would be monitored.

**Mr. Crabtree:** The motion is very specific as to what has to be done and in a certain time period.

**Mr. Sulkis:** By being very specific in the motion, if they default and they do not do what they are supposed to do, the judge would love to act on it.

**Mr. Goodrich:** Very large house. Concerned about bedroom count. Each floor has 1600 SF +/- . Should the second floor be split? If so, how would the bedroom count work?

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**Mme. Chair:** Based on her conversation with Mr. Crabtree, if it was approved as a four family there would be adequate parking.

**Mr. Crabtree:** The original parking proposal is for four units with no modification needed. If three units were approved then some of the parking in the front yard could be eliminated.

**Mr. Sulkis:** The front parking would not comply with the Board's current standards if it were approved as a four-family. Would recommend a three-family use.

**Mr. Ferrante:** Talked previously about the bedroom partitions on the second floor. If interior modifications were made, especially to the bedrooms, would not object to making it a four-family, especially with the Fire Department making inspections of it. Thinks the large square footage of the second floor lent itself more to smaller units.

**Mr. Sulkis:** Upon a brief review of the parking situation, concerned about the setback of the parking area. In the MCDD there is a setback of the parking area and landscaping standards from the public walkway. This will have to be looked at more closely if four-units are approved.

**Ms. Shaw:** This is in the MCDD district. Decision has to be made based on future use of other properties in that zone. Whatever the Board decides today is how that use will be later on. Ideally that house would benefit by having an owner fix it up and bring it back to its original integrity. If it is kept as a four family that will be in effect for a long time. It does not help make that building what it should be and deserves to be for the MCDD district.

**Ms. Rose:** Asked if Ms. Shaw thought a B & B would be the best use. Why a 2-family?

**Ms. Shaw:** Hope is that someone will come along and make the building into something. What use they would wish to apply for is something she would not know.

**Mme. Chair:** Asked about the court history.

**Mr. Crabtree:** Original court document said it would be a two-family.

**Mme. Chair:** Later when it was used as a rooming house and with bits of information they claimed that it was a three family?

**Mr. Crabtree:** The tax cards show that it has been as high as five. Testimony from the housing court states that it was used as a 15-unit rooming house. There are figures all over the place.

**Mr. Goodrich:** Made a motion approving the use of 85-89 Golden Hill Street as a three-family residence. The motion with modifications, as prepared by staff, were read.

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**Mr. Liddy:** Second.

**Ms. Patterson:** Feels making it a three-family residence would act as a safety net for the residence and neighbors with the fire department doing inspections.

**Ms. Rose:** Applicant has been in violation in so many areas. Urged that when renovating the property, try to keep the integrity of the character of the neighborhood, as this property is one of Milford's historic homes. Asked that the owner speak to the City historian and take his recommendations.

All members voted in favor. The motion passed unanimously.

**E. PUBLIC HEARINGS HELD 7/1/08; exp. 9/4/08**

4. **141-159 MERWIN AVENUE (ZONE R-7.5)** Petition of Milwood Properties, LLC for a Special Exception and Site Plan Review to construct a mini-storage warehouse on Map 59, Block 739, Parcel 2, of which Milwood Properties, LLC is the owner.

**Mme. Chair:** Reminded the Board that as a Special Exception, this application requires a two-thirds vote. The Board must comply with what is required there, proving that it is in the best interest of the City as a whole, the neighborhood itself and the intent of the zoning regulations.

**Mr. Bender:** Concerned that work was done without permits. Neighbors have come in asking that the system work for them. They have a serious problem there that needs to be fixed before there can be more usage to that area.

**Ms. Shaw:** Stated this is the district she represents. It is a residential area and parking is very difficult at the restaurant especially on Saturdays and the weekends and on special holidays. Would prefer that the owner pay attention to the parking issue and make arrangements within the property that they do own to alleviate the parking in the streets in that area.

**Ms. Rose:** Densely populated area. Parking is an issue. The tape showing the ice falling onto the neighbor's property causing damage was disturbing. The building in question started out as a storage building. It was renovated with disregard for the zoning regulations and without taking proper permits. Now the applicants are asking the Board for an acceptable use for the property. Do not believe that it is in the best interest of that neighborhood to allow that type of use there. It is taking up a lot of space on the property. It has damaged other people's property. The restaurant is taking up a lot of parking and creating a nuisance in the neighborhood. Do not see that this is good for the neighbors and the residents in the area, nor the City.

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**Mme. Chair:** Agrees. This is a legal nonconforming property. By approving this the nonconformity would be increased. This Board, in general, has not been in favor of increasing nonconforming properties. There are also issues regarding crossover parking and based on the hours of the restaurant, which can always be changed, further confirms that parking intrudes into the neighborhood and this would not be a positive thing for this neighborhood. The applicants have not proven to be good neighbors. They said they want to work with the footprint that is already there, but they have increased the footprint by extending the porch that was not there previously. Do not believe this is the best thing for Milford or the neighborhood. The restaurant is a good and popular restaurant in the area. Would assume they want to keep up their reputation and continue to improve the property and deal with the parking problems in some way.

**Mr. Goodrich:** Building added onto without permits. This self-storage is a low intensity use. Many different options as to what the Board could ask them to do with the property. What would the Board like to do?

**Mme. Chair:** The Board does not have the jurisdiction to ask them to take down the building. The decision has to be made as to whether the Board thinks this is a good thing under Special Exception for this city and this neighborhood.

**Mrs. Patterson:** Believes that the proposed use could cause more damage to the neighbors' homes, (i.e. a fire) or anything that might happen near there. The building is too close to the neighbors. Parking lot is full of cars. On the weekends there is no place for anybody to go anywhere. The neighbors next door cannot park if they have a guest over. It has to be known that the Board will not stand for people making changes to their property and coming to the Board afterwards.

**Mrs. Golden:** If the Board has no say in the fact that the roof was put up without a permit, who does?

**Mr. Sulkis:** When the Board does its job, he can take action.

**Mme. Chair:** Stated her decision is based on zoning regulation sect. 7.3.1, which calls for the orderly development of the area in which it is situated. Do not believe that is the case.

It also requires the Board to comply with sect. 5.11, which, are the performance standard regulations. Would not say that this complies in terms of parking. Believes that it does adversely affect the public health, safety and welfare of the neighborhood. Sect. 7.3.2, ...it will not be hazardous or inconvenient to the predominant character of the neighborhood.

**Ms. Rose:** Made a motion based on regulation sections 7.3.1, 5.1, and 7.3.2., to deny the application for a Special Exception at 141-159 Merwin Avenue, owned by Milwood Properties LLC to construct a mini-storage warehouse in an existing building on a nonconforming lot.

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**Mrs. Golden:** Second.

**Mr. Goodrich:** Stated he believes the Board should give the applicant and the neighbors some direction as to what the Board would like to see happen with the existing building. There is a building that is not changing. What does the Board recommend be done with the building?

**Mme. Chair:** It is not up to the Board to give that direction. Have indicated, how the Board would like to see the space used. The applicants have to see what they want to do with that and bring it to the Board the next time. It is not up to the Board to suggest what they do next with their property.

**Mrs. Patterson to Mr. Sulkis:** If the application is denied, what happens with the neighbor's problem with the roof?

**Mr. Sulkis:** Orders will be going out recommending that the roof be removed.

**Mme. Chair:** The order will not be from Planning and Zoning.

**A vote was taken:** Nine members voted in favor to deny the application. Mr. Goodrich abstained. The motion passed.

5. **YALE AVENUE – LYNN ACRES RESUBDIVISION (ZONE R-12.5)** Petition of George Adams, Esq. for approval of an 8-lot resubdivision on Map 39, Block 602, Parcel 10B and a portion of parcel 11, of which Russell W. Watrous (lot 10B) and Robert and Alice Renzoni (Lot 11) are the owners.

**Mme. Chair:** Previously denied without prejudice in 2007. At that time there were issues regarding drainage, sidewalks around the area and a sight line issue. These concerns have been addressed. Two waivers concerning the sight line for the road were requested. Mr. Gordon provided a very good Natural Resource Report. No negative reports from the City departments.

**Mr. Sulkis:** Stated he wanted to review the file to make sure the sight line map had been reviewed and approved by the Police Commission before the Board voted on its approval, because that information was received at the Planning and Zoning Office today.

**Mrs. Patterson:** Motion to table Yale Avenue – Lynn Acres Resubdivision awaiting Mr. Sulkis' review of the file.

**Mrs. Golden:** Second.

All members voted in favor.

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**At 9:18 p.m. The Board members returned this item to the table.**

**Mr. Sulkis:** Stated the City Engineer had reviewed the report on June 30<sup>th</sup>, whose recommendation was that once it was done a design engineer is required to field verify that the as-built grading provides the required sight distance.

**Ms. Rose:** Motion to approve the application for an 8-lot resubdivision known as Lynn Acres on Yale Avenue, subject to correspondence in the file by Bob Brinton referring to SP-9, and the other applicable correspondence in the file.

**Mr. Goodrich:** Second.

All members voted in favor.

**F. NEW BUSINESS - REQUEST FOR BOND RETURN**

**BENJAMIN HEIGHTS RESUBDIVISION – LOTS 52 AND 54 NARROW LANE**

Request by Mr. DeForest Benjamin for bond release in the amount of \$9,800.00 for the resubdivision of lots 52 and 54 Narrow Lane. In accordance with his memo dated July 1, 2008, Bruce Kolwicz, Director of Public Works has authorized a bond reduction in the amount of \$8,800.00, retaining \$1,000.00 until an A-2 survey is filed.

**Mr. Ferrante:** This is an old plan. Mr. Benjamin now lives in Florida. \$1000 is not enough to withhold for an A-2 survey. More has to be withheld.

**Mme. Chair:** The Board would be going against the Public Works Director's advice.

**Mr. Sulkis:** Agreed with Mr. Ferrante and stated the reasons he believes the public works director approved the release of the total amount of the bond less \$1,000 for the survey.

Discussion ensued concerning the bond release request.

**Mr. Liddy:** Made a motion to deny the request to release the subdivision bond in the amount of \$8,800.00 to Mr. Benjamin Deforest.

**Mr. Goodrich:** Second.

**Mr. Bender:** Suggested keeping enough funds to get the A-2 survey done and if the developer does not do it, the City would have the funds to do it.

Further discussion ensued on this matter.

**MINUTES FOR TWO (2) PUBLIC HEARINGS OF THE  
PLANNING & ZONING BOARD  
HELD TUESDAY, JULY 15, 2008; 7:30 P.M.  
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

A vote was taken: All members voted in favor of denying the request for bond return.

**Mr. Bender:** Made a motion to put Yale Avenue – Lynn Acres Resubdivision back on the table.

**Mr. Goodrich:** Second.

All members voted in favor. (9:18 p.m.)

**G. PROPOSED REGULATION CHANGES**

**Mr. Sulkis:** Should be able to have the public hearing in September.  
Will propose a minor change in the CDD- zones, which is basically a technical change.

**H. LIAISON REPORTS**

**Ms. Rose:** Regional Conservation & Development book is out. Milford's proposed regulations were approved by the Council.

**Mrs. Patterson:** Police Commission Meeting. Residents concerned about parking at Silver Sands and Brewster Beach. Hopefully the recommendations made by the Police Chief will be followed.

**Mr. Liddy:** Mentioned the Gulf Beach area that appeared to be having a problem with parking on the sand, which is blocking emergency vehicle access. This is a safety issue. Police should put up signs at the beaches.

**Mrs. Patterson:** Will mention this at the next Police Commission meeting.

**I. PLANNING COMMITTEE - No report.**

**J. APPROVAL OF MINUTES – (7/1/08)**

**Mr. Bender:** Motion to approve.

**Mr. Goodrich:** Second.

All members voted to approve the minutes as recorded.

**K. CHAIR'S REPORT**

**Mr. Crabtree:** The area known as Smith Point at Milford Point Road at the Laurel Beach Hotel, the numbers get higher. The section of Milford Point Road that is now private also known as Smith Point, the numbers are all messed up. They start out 1, 2... and then they go to 12 and then 10. There are residents within that stretch of

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private road where the numbers repeat. Planning and Zoning cannot go back and reset the numbers. There are 12 homes in question. What will be done (with the exception of #1), every other resident there will get a new number. There will be 12 letters going out and the residents will be told it will not be Milford Point Road. It will be Smith's Point Road, with the exception of the very first house that is at the very end, they will be getting odd numbers. Even numbers would be across the street.

Some are out of sequence and some are actually repeat on Smith Point. Two people have said that is fine. Another person received someone else's delivery due to the address confusion. So, something had to be done to correct this matter.

**Mr. Sulkis:** Stated this is a function of the Planning Department. Letters will be sent out. The post office, utilities and other relevant companies and departments are notified of these changes.

**Mr. Crabtree:** Gave each board member an envelope, which contained a parting gift from him to them.

Stated he would be sending the Board his recommendations on changes that would be deletions from the regulations to keep things simple.

**Mme. Chair:** Workshop in the Land Use Academy in September in Torrington.

**Mr. Goodrich:** Devon Days this weekend. Walnut Beach Festival coming up on August 3<sup>rd</sup>.

**L. STAFF REPORT**

**Mr. Sulkis:** At their last meeting the Board of Aldermen agreed to make an amendment to the budget for the salary of the proposed new assistant city planner. He will go before the Civil Service Commission on July 21<sup>st</sup> to get their approval.

**Mr. Bender:** Motion to adjourn.

**Ms. Rose:** Second.

All members voted to adjourn at 9:25 p.m.

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Phyllis Leggett, Board Clerk