

PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD WEDNESDAY 15 AUGUST 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, J. Mortimer, J. Quish, R. Satti, M. Zahariades

Not Present: J. Castignoli

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

Chairman Quish opened the meeting at 7:00.

C. NEW BUSINESS - None

D. PUBLIC HEARINGS

CLOSE BY AUGUST 22, 2023; VOTE BY OCTOBER 26, 2023

Proposed Regulation Change 22-9 Petition of the Planning and Zoning Board for a change to Milford Zoning Regulations Article VI, Section 6.4.2: Use of Nonconforming Lots when Applicants or Predecessor Own/Owned Adjacent Land and Section 6.4.4: State Statutes.

Chairman Quish asked if any board member had questions or comments.

Mr. Satti thanked Mr. Sulkis for his memorandum overviewing the merger regulation details and issues at hand. He asked how many lot certification applications had been received during the period after 6.4.2 was removed but prior to the moratorium on certification going into effect. **Mr. Sulkis** estimated about 30 had been. **Mr. Satti** asked about how permitting worked after a lot certification and whether the regulation change would affect appeals now coming before the Zoning Board of Appeals. **Mr. Sulkis** said that acting on the regulation would not affect actions in progress with the ZBA. Regarding the procedure for issuing zoning permits after a lot certification, Mr. Sulkis said that when nonconforming lots are certified, variances are often required to meet current setbacks. **Chairman Quish** asked what effect of merger-by-law would have on multiple, contiguous properties in different zones. **Mr. Sulkis** and **Chairman Quish** discussed various outcomes with a goal of increasing the number of conforming lots, with the possible necessity of moving a zoning line. **Mr. Sulkis** emphasized that the applicant would have to ask the board before being able to move the zoning line, but that all the hypotheticals depend on what applicant wants to do. **Mr. Hirsch** recalled Mr. Sulkis saying that most commercial lots are conforming, so dealing with nonconforming lots tends to be a concern with residential lots.

Chairman Quish asked for public comment. Hearing none, he closed the public hearing. He said if the motion fails, the moratorium would be extended.

Mr. Mortimer moved to approve as modified the petition of the Planning and Zoning Board for a change to Milford Zoning Regulations Article VI, Section 6.4.2: Use of Nonconforming Lots when Applicants or Predecessor Own/Owned Adjacent Land and Section 6.4.4: State Statutes, effective 8/29/23. *Modification was the removal of the words: "unless previously certified."*

Second: **Ms. Austin**

Discussion: **Mr. Satti** said that he did not attend August SCRCOG meeting but saw in the minutes that the council found no negative impact if the regulation change occurred. **Chairman Quish** expressed his disagreement with the concept of merger by law.

VOTE: The motion passed with Ms. Austin and Messrs. Hirsch, Kader, Kaligian, Mortimer and Zahariades voting WITH THE MOTION, Mr. Quish voting AGAINST THE MOTION, and Mr. Satti abstaining.

CLOSE BY SEPTEMBER 5, 2023; VOTE BY NOVEMBER 9, 2023

Extension of Moratorium 23-2 Petition of the Planning and Zoning Board for an extension of a change to Article VI, Section 6.4 Non-Conforming Lots. Rendered unnecessary by the adoption of the regulation change in the previous item.

242 Buckingham Avenue (Zone CDD-4) Petition of Molly Rentals LLC for a Special Permit to construct a 20-Dwelling Unit Residential Complex at Map 55, Block 545, Parcel 6, of which Tom Hayes is the owner. **POSTPONED TO 9/5/23**

- 1) **LIAISON REPORTS**—Mr. Satti said that at the most recent SCRCOG meeting, he had been made aware of an additional 4 hours of training, using a combination of remote and in-person sessions. **Chairman Quish** asked Mr. Sulkis to share an email or link.
- 2) **SUBCOMMITTEE REPORTS**—**Chairman Quish** asked Mr. Sulkis about the status of the POCD. **Mr. Sulkis** said the document has

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been circulated to regional reviewers and the board of aldermen and that after 65 days, another public hearing will be scheduled. **Mr. Sulkis** was asked to poll members to determine the date of the next subcommittee meeting.

- 3) **APPROVAL OF MINUTES—7/18/2023** minutes were approved unanimously.
- 4) **CHAIR'S REPORT** – None.
- J. **STAFF REPORT** – None.
- K. **ADJOURNMENT** was at 7:21.

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.