

**MINUTES FOR FOR THE PLANNING AND ZONING BOARD
MEETING HELD TUESDAY, SEPTEMBER 3, 2013; AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET**

A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

B. ROLL CALL

**C. PUBLIC HEARING – Close by 9/24/2013; expires on 11/28/2013
(Postponed from August 20, 2013 agenda)**

1. **55 BEACHLAND AVENUE (ZONE R-5)** Petition of Warren Field, Jr. for Special Permit and Coastal Area Management Site Plan Review approval to construct a single family residence with grading in the flood plain on Map 38, Block 557, Parcel 11, of which Molly Land Company is the owner.

Postponed to the next meeting on September 17, 2013

D. NEW BUSINESS

2. **50 COOPER AVENUE (ZONE R-5)** Petition of John J. Daley for Coastal Area Management Site Plan Review approval to construct a new single family residence on Map 22, Block 459, Parcel 15A, of which John J. Daley is the owner.

Mr. Grant recused himself from participating in hearing this application.

John Daley, 50 Cooper Avenue, Milford. The applicant stated he has been living out of his house for many months due to damage from Storms Irene and Sandy.

Ms. Harrigan: There were some comments from the City Engineer and the Coastal Planner at the DEEP. An additional soil test on the property was requested. Originally there was a trench toward the rear property line. This situation was corrected with gravel infill and a rain garden. DEEP also asked that the concrete wall at the rear of the property and the deck structure on the State Park land be removed as part of the approval.

Mr. DellaMonica: Asked if there was only one bedroom in the house with three floors to the house.

Mr. Daley: Yes. At this time there is a walk-up attic. Eventually he would like to finish the house for his family. At this time the attic will remain unfinished.

Chairman Bender: Questioned the walk-up attic.

Ms. Harrigan: With the elevations the applicant is showing, this is still a three story house, even though the third floor is one big open area. The third floor is allowed and will be subdivided into additional bedrooms sometime in the future. It is allowed.

Mr. Rindos: Made a motion to approve Petition of John J. Daley for Coastal Area Management Site Plan Review approval to construct a new single family residence on Map 22, Block 459, Parcel 15A, of which John J. Daley is the owner.

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Ms. Harrigan reiterated the comments made by the City Engineer and DEEP will be completed prior to the issuance of a Certificate of Zoning Compliance.

Mr. Daley stated he understood and agreed.

Mr. Gettinger: Seconded the motion.

All members voted in favor.

3. **28 JAMES STREET (ZONE R-5)** – Petition of Joseph Cristino for Coastal Area Management Site Plan Review approval to construct a new single family residence on Map 27, Block 456, Parcel 13, of which Joseph Cristino is the owner.

Mr. Grant came into the auditorium and recused himself from this application.

Joseph Cristino, 28 James Street. Applying for approval to rebuild his home that was substantially damaged by storms Irene and Sandy.

Ms. Harrigan: Application was submitted to and approved by the DEEP agencies. The same clarification and comments were requested by the DEEP and the Office of LI Sound Programs for a tracking pad on site during the construction phasing. A tracking pad is a layer of gravel, usually at the construction site entrance to allow for the tires to dispose of whatever dirt is embedded in the tire tread, so that it does not end up in the right of way and clog up the sewer drain system. The changes were made to the plan.

The only clarification that will need to be made to the plan prior to the issuance of a Zoning Compliance is for an asphalt apron for the gravel driveway, which will be incorporated in the letter of approval.

Mr. Rindos: Asked if the house was completely demolished and how long did the applicant live in the house.

Mr. Crispino: Stated the house was completely demolished and he lived there for eight years.

Mr. Casey: Made a motion to approve the petition of Joseph Cristino for Coastal Area Management Site Plan Review approval to construct a new single family residence on Map 27, Block 456, Parcel 13, of which Joseph Cristino is the owner.

Mr. DellaMonica: Second.

Ms. Harrigan to the Applicant: Before a CZC is issued an inspection will take place by the Zoning Enforcement Officer to make certain the city department comments were addressed.

All members voted in favor of approval.

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Mr. Grant returned to the auditorium.

E. OLD BUSINESS

PUBLIC HEARING – Closed 8/20/2013; expires on 11/28/2013

4. **95 MERWIN AVENUE (ZONE R-7.5)** Petition of Joseph Vallone, Architect, for Special Exception and Coastal Area Management Site Plan Review approval to raise an existing cottage, above the current FEMA flood elevation, on a property with two houses, on Map 59, Block 795, Parcel 45 of which Daniel and Marcia Shainis are the owners.

Chairman Bender: This application was heard last week but the applicant chose to postpone the Board vote until more board members were present due to a super majority vote required by a Special Exception application.

Ms. Cervin: Listened to the tape and will participate in the vote.

Mr. Nichol: Listened to the tape and will participate in the vote.

Chairman Bender: Reviewed that there is an existing structure there. The applicant is being compliant by raising it so that it does not have to be destroyed. The neighbor spoke and expressed concern because the property lines are so close. The architect explained how the construction would take place on this tight property.

Mr. DellaMonica: Made a motion to approve the petition of Joseph Vallone, Architect, for Special Exception and Coastal Area Management Site Plan Review approval to raise an existing cottage, above the current FEMA flood elevation, on a property with two houses, on Map 59, Block 795, Parcel 45 of which Daniel and Marcia Shainis are the owners.

Mr. Mead: Second.

Ms. Harrigan: Removing the carport and reconstructing it after construction, may need to go before ZBA as it is not compliant at this time.

All members voted in favor.

F. REGULATION CHANGES – Update - Rear Lots

Nothing new.

G. REGULATION SUBCOMMITTEE – Update

Meetings will resume in October.

H. LIAISON REPORTS – None

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I. APPROVAL OF MINUTES – (8/20/2013)

The Chair stated he did not have the opportunity to review the minutes and suggested the approval take place at the next meeting on September 17th.

J. CHAIR’S REPORT – None.

K. STAFF REPORT - None.

Mr. Gettinger: Made a motion to adjourn.

Mr. Casey: Second.

All members voted to adjourn at 8:00 p.m. The next meeting will be heard on September 17, 2013.

Phyllis Leggett
Phyllis Leggett, Board Clerk