

**MINUTES FOR THE PLANNING & ZONING BOARD MEETING  
HELD TUESDAY, SEPTEMBER 7, 2010; 7:30 P.M.  
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

**Members Present:** Edward Mead, Mark Bender, Kathy Patterson, Robert Dickman, Kim Rose, Janet Golden, Greg Vetter, Susan Shaw, Chair, Victor Ferrante (7:53), Kevin Liddy, Vice Chair (8:34)

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

**C. NEW BUSINESS**

1. **Jocelyn Mathiasen - Introduction of the new Director of the Department of Permitting and Land Use.**

The Chair introduced and welcomed Jocelyn Mathiasen, the new director of the Department of Permitting and Land Use and thanked her for coming to meet the Board.

**Ms. Mathiasen:** Stated that while driving to the meeting and listening to NPR, there was a snippet entitled "How to Convince a Skeptical Public That Government is Good." Her immediate response to this was simple and straightforward, which is, customer service, efficiency and effectiveness. Those are the keys to turn around public opinion about government.

She sees these as especially important in the permitting function because permitting is one of those areas where people interact directly with their government and if they find a process that appears to be bureaucratic, arbitrary, wasteful or corrupt, that is going to be their impression of the local government as a whole and of government as a whole. If they have a permit process that is customer friendly, efficient and effective; one that they understand the purpose of, that also will color their perceptions towards government. That has been her philosophy that she has carried with her throughout her career.

She stated she has been a champion of customer service in government for her whole career. The need for this type of focus became evident to her as a teenager when she experienced Washington DC's corrupt DMV process versus the positive experience she had in the State of Virginia at the DMV.

Believes that the permitting functions in local government need to be clear about their purpose and need to provide those services as if there is competition for those services. Although it sounds easy, it's not always easy to do.

The first thing that everyone must understand is that providing customer service does not mean reducing the level of regulation and it does not mean not hearing about the end mission of the departments.

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She reiterated that the purpose of the Planning and Zoning, Building and Inland-Wetlands Departments is extremely crucial. They are trying to protect the integrity of the building environment in Milford and make sure that it is safe and consistent with the vision of elected officials, such as the Board members. Stating the need for customer service does not mean that standards should be relaxed. It is important for staff, especially for a building official or a fire marshal, if they think they are being pushed to make building less safe and to reduce the safety standards, they are going to resist the process every step of the way.

Other than this first step there is no silver bullet. There are a whole range of fronts that Milford is moving forward on:

1. Technology – Can make an enormous difference in streamlining the process, improve communication and reduce workload for staff.
2. Organizational change – There is no one correct way to organize a permitting function but sometimes organizational change does help improve coordination among departments and allow more for a single point of contact for people.
3. Having a customer service focus in hiring and ways in which to reward the staff are also extremely important.

Noted that when she looked at the job description for Milford's building inspectors, she noted there was no mention of customer service, just about their technical qualifications. People not only need to be technically qualified but they need to be hired and rewarded based on their ability to solve problems and deal well with the problems.

4. Improved materials for customers – A lot of times people walk in the door and they don't know what they are supposed to do. They are lost. By improving the website and the materials that are available to the public, especially for homeowners, when they get on the website they can look at and understand exactly what they are going to be doing and what the steps are.

Ms. Mathiasen said she is very excited about this job. She loves watching governments transform and has seen it many times in her career. She thinks the staff is terrific, for the most part and very much on board with this and they are looking forward to seeing the reputation of the whole permitting function in Milford turn around. It will be great for them, for the City and the Board as well.

**Mr. Vetter:** Welcomed Ms. Mathiasen to the City. Said he hopes a lot of people are watching tonight's meeting because the things she said and laid out hit the mark on a lot of the frustrations the public has had. What she was right on target.

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**Ms. Rose:** Welcomed Ms. Mathiasen. Stated she works for the Bridgeport Building Department and went through the one-step process and is familiar with the task the new director has ahead of her. Asked what changes Ms. Mathiasen foresees immediately for the Planning and Zoning office.

**Ms. Mathiasen:** Replied she is trying to look at the department holistically right now. Sees new and dramatic technology coming in as soon as possible that will make it easier for people to find the information they need when they walk through the door. They will also be able to access a lot of the information at home so they will not have to come in. Right now when someone walks in the door a clerk has to look up information about a property in 4-5 different places and that can take as long as 20 minutes while the clerk is doing it. That should not take more than 20 seconds.

Foresees more cross-training for staff. The divisions have been working with Planning and Zoning and others on creating a mission statement that includes customer service. A littler farther down the road, for the more complex projects, (such as those the Board sees), there should be clear communications about milestones along the way and make sure that the applicants do not have a sense of shifting sands or changing requirements as the process goes along.

She goes by the 80/20 rule. There is a lot of improvement that can be made right off the bat with more simple projects, while also working on the more complex processes. There is no answer. There are many things that are being pursued at the same time.

**Ms. Rose:** Have specific software programs been looked at?

**Ms. Mathiasen:** Yes. The Board of Aldermen will be examining the possibility of buying into the regional software system provided by Viewpoint GIS in Massachusetts. There was a demonstration to staff as well as the other people who attended the presentation. There were a lot of things that were appealing to staff. However, it will be up to the Mayor and the Board of Aldermen to decide whether they want to go with the regional software or prepare a RFP.

**Mme. Chair:** Asked if technology was the number one item.

**Ms. Mathiasen:** When she worked in Washington State, technology was not the key because a lot of technology was already in place, but they were still not seen as a customer service, problem solving entity. Changes had to be made on many other fronts, which were more important than the technology. Technology will allow Milford to jump forward significantly no matter what system is chosen, but also thinks the cultural change is also important, but will take time. Ten years ago the building official did not have to be a problem solver. It was not part of his jurisdiction. That concept is changing, but people need the tools and flexibility to live up to that.

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**Mme. Chair:** Said with the Planning and Zoning Board there are only a few places where it intersects, i.e. with the City Planner as Secretary to the Board; and zoning enforcement. A question that has come up is budgeting for the Planning and Zoning office. Historically, it has been up to the chair how involved the Board got into budgeting for the office, i.e., costs for zoning enforcement, Plan of Conservation and Development and costs of that nature. Asked if the director saw the Board as being able to be part of that process.

**Ms. Mathiasen:** Responded she was too new to this job to make a statement on this without potentially giving an inaccurate response.

**Mme. Chair:** Happy to hear about the system and technology. She believes that was always part of the goal of the KRIT. Asked if land use was harder to do than the building aspect.

**Ms. Mathiasen:** Building is straightforward and mostly standard. Everybody's planning and zoning in the State is different and so it can take a little bit longer to do it. There are fewer "quick hit" type permits. Areas that represent the quickest gains for the Planning and Zoning Department is that there would be a bunch of permits that would not have to be looked at because the process of identifying whether there could be a P & Z issue would be relatively automated or so obvious that a clerk can do that without it taking up the time of the City Planner, Assistant City Planner or ZEO. Thinks it will take a lot of work load off the department. These types of uses will not apply to the more complex projects which require meetings where expectations are made clear in terms of time lines, completeness and expectations on both sides, so that the process becomes more predictable to the applicant. There have been complaints that that process is very unpredictable and arbitrary in Milford. She stated that often those complaints are not necessarily valid, but there are ways to make sure that people understand exactly what the process is and understand that if it appears that the sands are shifting there is a reason for that. Sometimes it is just a matter of having very good communication and clear deadlines on both sides, so that somebody does not delay until the last minute to get their piece into the city and then complain that Milford is the problem. There is no easy one answer for a more complicated project.

**Mme. Chair:** Asked if Ms. Mathiasen saw herself as an ombudsman to help people navigate through this.

**Ms. Mathiasen:** Saw herself in part as an ombudsman and it has been a part of her job in the past when troubleshooting. Thinks she needs to look at all the functions as one department because the customers coming in the door also need to look at this as one department. They should not have to understand the City's organizational structure in order to get their permit. They should be getting a permit from the City of Milford and the organizational structure should be made

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as opaque to them as possible. That requires more than just an ombudsman, it requires potentially some shifts in responsibilities and more cross training, etc. where it makes sense.

**Ms. Rose:** Asked what types of permits the Planning and Zoning office would not have to do with the acquisition of technology.

**Ms. Mathiasen:** Depending on the software, an application could be looked at for a new deck and look at the GIS on the screen for the setbacks and if the setbacks were okay it would not have to be sent to Planning and Zoning. Same thing for wetlands. It will not be necessary to walk down the hall each time for an approval.

**Ms. Rose:** Said that concerned her. If people are being cross-trained and there is a building department clerk who is putting through something that says the setbacks are fine, there is human error. The ultimate responsibility will be on the Planning and Zoning Department, who will be held accountable for the error.

Stated she had devised a data base that she offered to the City of Milford. The data base she devised is shared between all the departments in Bridgeport and it runs smoothly. Bridgeport had recently spent \$250,000 on a software program that they found out afterwards would not work.

**Ms. Mathiasen:** Responded she took both Ms. Rose's points and recognized the importance of all the departments being comfortable with whatever system is utilized and that there would be no possibility for something slipping through due to technical or human error.

**Mme. Chair:** Thanked Ms. Mathiasen again for coming to the meeting and her excellent presentation. What has been discussed is a matter of having transparency so that the Board, as well as the public, understands. Wished Ms. Mathiasen good luck in her new position.

**2 300 AND 336 BIC DRIVE AND 0 NAUGATUCK AVE. (ZONE OD)**

Petition of Subway, Inc. for Site Plan Review approval to expand its parking lot located on Map 41, Block 303, Parcels 21, 20 and 2, of which Subway Subs, Inc., 300 Bic Drive Realty and 336 Bic Drive Realty are the owners.

**Jeffrey Gordon, President, Codespoti & Associates, 504 BPR, Orange CT.** Here on behalf of Subway. The City of Milford is very fortunate to have a successful corporation that is presently opening a new store almost every eight hours, which shows they are growing. That brings the focus to their campus on Bic Drive. The large part of the campus which is back onto the Mondo Ponds, is on the northeast side of Bic Drive. On the west side they have the numbers 300,

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336 Bic Drive as well as a parcel that is identified as 0 Naugatuck which they had acquired some time back from the Water Company.

Total acreage of the three parcels is approximately 12.5 acres. There are two office buildings presently on site. At present the parking does not meet the needs of the growth that is taking place and the reorganization of some of their ancillary locations. They will be moving some employees from secondary spaces in town to bring them together to the campus. They will be bringing approximately 100 new employees to the Bic Drive location plus installing a cafeteria in the old NCR building on the first floor, as well as creating work stations on the second store.

At present, because there are three parcels, there are setback requirements that are in question. If the plan is approved, O Naugatuck Avenue and 336 Bic Drive will be merged and the setback requirements will disappear because they will become one parcel. Although the properties are under three separate corporate ownerships, they still umbrella under Subway and can be merged.

Subway is environmentally sensitive in some of their new construction. In this application they are looking at the implementation of pervious pavement. He indicated on Sheet SP-1 which showed #300, 336 Bic Drive and 0 Naugatuck Avenue. There is a gas pipeline and easement that goes through the entire site which limits them in certain areas as to underground excavation and ledge areas that cannot be blasted due to the gas line on the site.

There is a retention pond at 300 Bic Drive which takes some of the off-site water and takes it up to through the ponds. The rest of the site sheet drains towards the wetlands. Project has gone through Inland-Wetlands approval.

Mr. Gordon referred to Sheet SP-3. Part of the area is existing pavement. This would be the master plan to create a parking lot. Shaded areas indicate pervious pavement, extending some of the landscape islands, putting in some intermediate islands and adding a driveway access so there would be an existing loop access on #300 and access on #336 that would allow good egress and an interconnection between the two parcels that would allow a free flow of movement and negate any need for people to be jumping from building to building on Bic Drive.

He indicated a zoning data chart on Sheet SP-3 which referenced existing conditions of three separate parcels, proposed conditions with these parcels and highlighted shaded boxes that show areas where there would be waivers required for parking setbacks, but because there are two lots that would be merging, one lot goes to another lot so there would be no setback because the lots will be joined. When they get legally merged, the intervening property line will disappear and the side yard setbacks will no longer be in play and those issues will disappear.

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On 300 Bic Drive, the parking lot goes right to the street line and in one area, into the street right of way. Proposing no change in the southern lot on 300 Bic Drive, but are proposing a 10-foot setback on the 0 Naugatuck Avenue parcel and that is also because of the limitations of the wetlands that are adjoining. The vegetation will be left. A new sidewalk will be put in that will connect the areas, which will have a ten-foot setback which is more than what exists now.

Concerning minimum open space, 50% landscaped or in its natural state, 300 Bic Drive is at 49.9% and 336 Bic Drive is at 62.5% and 0 Naugatuck Avenue is 100%. When this project is completed, #300 will be reduced due to the extra paving over to the northwest corner that will connect through to #336. That 49.9% will drop down to 45.4% and because of the driveway and added parking installed on #336, the 62.5% will go down to 41.7% and the parcel at 0 Naugatuck Avenue will go from 100% to 92.3%. There are reductions because pavement is being installed, however, it is pervious material where water can penetrate through. He pointed out that when 0 Naugatuck Avenue and 336 Bic Drive are merged, the open space area goes to 75.6%, so there would be no shortfall. The entire 12.43 ac. and the total of the green area of 8.56 ac. that is being proposed, will leave an open space green area of the entire development at just under 70%.

Mr. Gordon stated the State and DOT have been pushing to try the pervious paving method in different areas. He attended a test project in Niantic near Long Island Sound. He described the results of studies that took place in such a location. He stated due to the project's proximity to the wetlands, the Inland Wetlands Commission felt comfortable utilizing this material. The letter from Westcott and Mapes talks about this as well and talks about different things that have to be done with regard to maintenance. There cannot be sanding of the parking lot; landscaper cannot dump a truckload of mulch on it. It has to be vacuumed periodically, however, Subway, Inc. has the ability and means to do what is necessary.

He reviewed the parking space areas of the properties: 336 Bic Drive has 21,900 SF of floor area, approximately 83 existing parking spaces, that is a ratio 3.79 spaces per thousand gross floor area. 300 Bic Drive has approximately 36,300 SF gross floor area with approximately 144 existing parking spaces and their ratio is slightly under 4 spaces per thousand SF. Additional parking proposed will bring the overall gross floor area ratio up to 6.5 spaces per thousand SF. Considering all the activities and programs that will be taking place, this change is something that is needed. Staff will be moved from other sites to consolidate to this campus.

A Storm Water Management Summary and Plan was submitted which talks about the pervious pavement, maintenance requirements, microbial action and how it works. Basically there is a 12- inch stone or gravel sub base with 6 inches

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of a pervious concrete pavement on top. It is a lighter color material so there will be no heat absorption and heat sinks, which could adversely affect water runoff into the wetlands.

Mr. Gordon reviewed the landscaping plan, a lot of which is a buffer to the north of the parking lot immediately adjoining the wetlands. Quite a few street trees will be added, as well as existing vegetation which will be maintained. All trees and vegetation will be compatible to the existing habitat.

Existing lighting will be re-used, but a few will be added. Cannot run lines where the gas lines are.

**Mr. Sulkis:** Mr. Gordon did an excellent job in explaining the project. The reports from the City departments are fine. There are two items from the Westcott and Mapes report, which should be made part of the motion when the time comes. He read the two comments as follows:

1. The proper installation and proper material selection with the 'as designed' void ratio, is paramount to achieving the intended function of the pervious concrete pavement structure. We recommended that a geo-technical engineer review the design and materials just prior to, and oversee, the installation of the pavement structure at the time of construction.
2. Maintenance is a key to the successful function of the pervious concrete pavement structure. Maintenance shall be in accordance with industry standards and the "Pervious Concrete Owner's Manual and Maintenance Guide" included in the Codespoti & Associates, May 17, 2010 "Stormwater Management Summary" report. Also, in accordance with the Connecticut Department of Environmental Protection Stormwater Quality Manual, road sands shall **not** be applied to the pervious concrete surface.

**Mr. Bender:** Stated he is confused as to whether Mr. Gordon is asking if permission is being granted to merge the three properties.

**Mr. Sulkis:** The merge will take place upon approval. Because the parcels are not approved, the data has to be submitted based on the current conditions.

**Mr. Gordon:** Three different realty companies own the three properties. Once the project is approved the 0 Naugatuck and 336 Bic will be merged and under the ownership of one company.

**Mr. Vetter:** Clarified that the percentages given for the 12 acres of green space was for the left side of the street, for the three properties, not for the entire complex.

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**Mr. Gordon:** Confirmed that is true.

**Mr. Vetter:** Asked when the new lot is put in on the southern side, what is the distance between the completed lot and the residential area?

**Mr. Gordon:** Referred to Sheet SP-3: 52 feet, 47 feet, and in the back it varies, but it will be further away from the residents when the project is completed.

**Mr. Vetter:** Asked if guidance has been obtained from Inland Wetlands on this project or any other source that could attest to the use of the materials.

**Mr. Sulkis:** The application passed Inland-Wetlands. This is a new technology that is being tested throughout the state. There is no way to know in the short term whether or not it works. It is a good idea.

He stated they have to merge these lots. If not, they will have to come before the Board for a Special Exception, because the parking area that is located on the upper lot that is not developed cannot have a stand alone parking lot with no principal use.

**Mr. Bender:** Noted on the drawings there is a stone wall being removed and there is an existing 8-foot fence that is going through the new parking lot.

**Mr. Gordon:** Yes, the stone wall will be moved, and the fence will be totally removed.

**Ms. Rose:** What guarantees are there from Subway that they will maintain this system if it is approved?

**Mr. Gordon:** Subway has been a good corporate citizen in Milford. Their reputation is here. The technology is not new, just new to Milford. He cited Chicago's "Green Alleys Program", which has proven to be of great benefit. There is nothing complicated about the maintenance procedure, just not doing certain things on the pavement.

**Ms. Rose:** What happens if Subway decides to sell this property and a new owner cannot maintain the property?

**Mr. Gordon:** Can have conditions and restrictions that this area is maintained in perpetuity and have it entered in the land records, or else it would have to be replaced with a conventional system.

**Mr. Ferrante:** Stated his concerns about the type of pavement that will be utilized. Asked long-term, who determines if this is working?

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**Mr. Sulkis:** With any Planning and Zoning approvals that has site elements that are mechanical, ultimately if there is a problem it will be a neighbor whose property will flood, or something will be observed by the City if water is pouring off the property onto the City right-of-way. As part of any approval of the project, conditions can be stated and they can be required to put them on the land records. If it is determined that the system does not work, they will be required to put in a system that meets the standards of the City at the time of its installation.

**Mr. Ferrante:** Thought the Chicago program was for an appropriate use. Did not think this project was for an intended use.

**Mr. Gordon:** Stated the State of Connecticut and UCONN did a subdivision in Waterford where the road pavement and driveways were done with permeable pavement. If the water ran off is more than what the system is designed for it would run off onto Subway's other property. This is the coming thing and Inland-Wetlands was in favor of it.

**Mr. Bender:** Concerned about traffic coming across and pedestrians crossing. No signs or cross-walks indicated.

**Mr. Mead:** Suggested painting crosswalks between buildings. Asked about snow plowing areas.

**Mr. Gordon:** Would need city permission to paint crosswalks as they are city streets. Subway would have no objection. There are available and adequate areas for snow plowing.

**Mr. Mead:** Questioned an area that indicated bituminous pavement instead of pervious.

**Mr. Gordon:** Explained why using the conventional type of pavement had to be used in that area.

3. **734 BRIDGEPORT AVENUE (ZONE CDD-3)** Petition of Vanasse Hangen Brustlin, Inc. (VHB, Inc.) for Site Plan Review approval to construct a CVS Pharmacy on Map 33, Block 386A, Parcel 2, of which Dan Perkins Realty is the owner.

**Kevin Curseaden, Esq., 26 Cherry Street, Milford**, representing the applicant. Also present: Shannon Rutherford, Sr. Project Engineer; Nate Kirschner, Project Engineer and Marco Nevas, Architect.

This is an application for a Site Plan Review for an allowed use in the zone. It is to construct a 13,156 sf CVS one-story with a drive-thru and parking at the current site of Dan Perkins Chevrolet. It is located at Schoolhouse Road and

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Bridgeport Avenue/Route 1. It is in the CDD-3 zone. The site is 1.9 acres. All the City agency comments have been received and are on file. Comments from the Police Department, Fire Department, Tree Commission have been addressed or will be addressed. Met with the City Planner a few times and made some changes to the plans based on his comments, one being an architectural upgrade to the standard CVS building.

Asking for two relatively minor waivers: 1) on Schoolhouse Road access way. The regulations require that the maximum width be no greater than 30 feet. The proposed is slightly bigger than that because of the turn radius from Schoolhouse Road. The fire department and the on-call engineers did not have a concern with this. 2) They are a little bit into the 20-foot setback with the parking and landscape buffer.

**Shannon Rutherford, Sr. Project Manager** with VHB. Have the department signoffs. Have had a number of meetings with City staff and DOT for almost a year. Through meetings with staff and the DOT the site layout has been optimized, the driveway and configuration has been discussed. A considerable amount of landscaping has been added. Traffic circulation and truck access have been coordinated with the various departments, traffic commission and DOT, as part of the normal course of operations. With specific regard to the DOT and traffic report, they have met with the DOT since last summer. The access points have been discussed with them, have had their concurrence on the location and operation of those access points. Both access drives are going to be full access. There will be one drive on Schoolhouse Road and one drive on Route 1. The full access driveways are the desire of DOT to optimize the operational use of both driveways and the functionality for the site and for customers entering and exiting. As part of the traffic study, VHB has consulted with Milford, the Regional Council of Governments and DOT to get all background information as far as Growth 3 and anticipated developments that may be upcoming in the area. Also, as part of this the number of curb cuts have been reduced. There are currently four curb cuts; two on Schoolhouse Road, two on Route 1. They have been reduced to one curb cut each, pushing them as far away from the intersection as possible and respecting the fact that that signal in that intersection needs to have the ability to operate as best it can. By pulling those curb cuts as far away as possible, it assists in that process and it provides the ultimate decision time for any customers entering and exiting the site driveways.

Regarding the traffic analysis, traffic counts were done last summer. Looked at background growth rates by consulting the various agencies. Used IT, trip generation and distribution practices and with the findings combined there is no detrimental impact to the intersection at Schoolhouse Road and Route 1.

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**Nathan Kirschner, Project Engineer with VHB.** Met with Mr. Sulkis on approximately three occasions with regard to this application and his assistance on this project is appreciated.

Mr. Kirschner reviewed the site location and conditions via the displayed site plan. There are three masonry buildings on the site which will be demolished. Described the proposed drainage system. There is a small amount of wetlands on the property. There will be more green space than there is presently. There will be 61 parking spaces. With Mr. Sulkis' guidance parking spaces that had been placed near the Schoolhouse Road driveway were relocated due to a potential safety hazard. This change created a small encroachment on the 20-foot front yard setback. The lighting plan is in compliance with the regulations. With regard to landscaping, there is approximately 30,000 SF of reduction in impervious area. This is primarily along the perimeter of the property. This not only beautifies the property but helps with storm water. The storm water drainage system was described.

**Mr. Sulkis:** There were comments from Tree Commission and the trees that were to be changed. He did not see a change in the landscape plan to reflect the comments.

**Mr. Kirschner:** Will be submitting new final plans that will incorporate the changes that the Tree Commission requested.

**Marco Nevas, Architect, Nevas Architecture, 582 Kearney Ave, Kearney NJ.** The building has a footprint of 13,156 SF. That is the ground floor footprint. There is a partial second floor towards the rear of the building which is approximately 2,047 SF. This is going to be for a CVS Pharmacy. He described the departments that would be located on the first floor. The upstairs area will be used exclusively for storage for the store.

Proposed is a one-story building with a partial second level. Via a display of the color renderings, the building's exterior was described. The building materials will be mostly brick veneer, efos, aluminum store front and glass. Worked with Mr. Sulkis on the appearance of the building and made some changes according to his suggestions. It is a rectangular building. In order to break up some of the facades there are some brick pallisters which go all the way from the ground level to the other side of the cornice. Also have the cornice articulated so that it changes heights. That helps to break up the façade. There is a brick base around the building and above that more brick was added to the underside of the efos sign bands. Also, some brick detailing, soldier coursing around the bottom and a water line have been added. There is a fairly ornate cornice to top off the building. The preferred storefront will be a clear, anodized aluminum color, not the red color that is depicted on the rendering.

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At the rear of the building there is an attached compactor which will be enclosed in masonry with gates. Directly behind the building will be a dumpster enclosure in the same masonry material.

A concern had been raised about the drive-thru canopy material, which is made of efos, the same material that will be used on the building. The new efos finish is a little different from the efos that has been used a few years ago. It has a lotus end finish. It mimics the water repellant properties of the lotus plant. It is basically self-cleaning.

[Janet Golden Kathy Patterson left the meeting at 8:45 p.m.]

[A break was taken at 8:45 pm to give the Board the opportunity to view the renderings. The meeting reconvened at 8:56 pm]

**Mr. Sulkis:** Excellent presentation by the applicant. He had recommended the parking change causing the small encroachment but eliminated the parking spaces near the driveway. Expressed concern about the materials for the drive-thru. Always try to minimize the use of stucco and to minimize it in areas that will get heavy physical contact or exhaust from cars going through it. If the new technology described will prevent that and be agreeable with the Board, it would be acceptable.

**Mr. Bender:** Sheet C-2. Concerned that there could be a lot of activity around the back of the building. That is where the deliveries take place. Deliveries are generally off-peak when the drive-thru is closed.

**Mr. Kirschner:** The delivery path will be from Bridgeport Avenue around the back of the site to the loading dock and then out onto Schoolhouse Road. The standard delivery hours for CVS are off-peak, typically when the drive-thru window is closed. Should not be a conflict between vehicular and delivery traffic.

**Mr. Bender:** Asked what would happen if a delivery truck came down Schoolhouse Road and entered the driveway against the grain of the traffic.

**Mr. Kirschner:** Responded that deliveries are made when the drive-thru is closed and there should not be any traffic around the back of the building.

**Ms. Rutherford:** Explained how the deliveries are scheduled for the tractor trailer trucks that make deliveries once or twice a week. The potential for conflict is fairly limited and deliveries are coordinated with the store manager. Other deliveries take place with smaller vehicles and are more easily accommodated in the traditional traffic pattern around the drive-thru in a counter clockwise pattern. There is the ability to accommodate both without having an incident at the drive-thru. Explained how the trash pickup will be conducted.

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**Mr. Liddy:** Referred to the newer CVS that is located on three streets and the concern the Board had with regard to traffic and people turning left onto the Post Road. The Board restricted that CVS for left turns. Cars had to leave from Cherry Street or Locust Street. Saw this location as being more of a safety hazard with people turning left onto the Post Road. Schoolhouse Road is very busy and the Post Road is more busy. Suggested making it only an entrance and not an egress.

**Ms. Rutherford:** DOT has had many conversations with Sgt. Sharoh. They want that to be a full access driveway. The concern may exist only at peak hours, but not at other times of the day. There is the opportunity for vehicles to leave and make that left turn and unfortunately individuals make illegal left turns and because it is not an anticipated traffic pattern, you actually increase the risk and opportunity for conflicts and disregard for the posted traffic pattern. So, this is a direct request from the DOT for a full access traffic pattern.

**Mr. Vetter:** In looking at the Plan of Conservation and Development, this stretch was described as visual chaos. This project has accomplished many of the goals of the plan. He shares some of the concern about left turn hand turns, but the driveways have been moved to the edges, which is beneficial. Not much more can be done without making street improvements.

**Mr. Ferrante:** Asked if the Board could get the traffic department to look at the left-hand turn situation again.

**Mr. Sulkis:** It has been looked at by the Police Department and DOT. It is a property on a busy corner. They have optimized the access to the best of their ability by moving the driveways as far away from the intersection as they possibly could. It is not a like comparison with the CVS further down the road because that has three streets around it and this is just two. Without doing major off-site road reconstruction to put in turning lanes, it is as good as it is going to get. If consumers are uncomfortable going to a site that they might have trouble having access to, they will go someplace else. It is not unlike the Dunkin Donuts down the road at Clark Street and West Main.

**Mr. Curseaden:** Knew that this would be an issue. This is under DOT purview. They did not want a right turn only there. It is detailed in Sgt. Sharoh's report.

**Mr. Ferrante:** Pleased that there is more impervious surface and green. Can impervious concrete be used, as described in the previous application?

**Ms. Rutherford:** A consumer oriented facility is more restricted in this use as opposed to a corporate facility. Ability for maintenance in bad weather and use of certain products, as well as vehicles going into and out of the site more frequently makes the use more limited.

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**Ms. Rose:** Asked about the location of Wendy's driveway on Schoolhouse Road and the number of car lengths there would be between Wendy's and CVS driveways.

**Ms. Rutherford:** 3 or 4 car lengths between the two driveways.

**Mr. Liddy:** Asked for a demonstration of the new stain resistant stucco.

**Mr. Neves:** Gave a demonstration that showed the liquid charcoal running down and streaking the old style stucco, while the liquid charcoal beaded and ran off the new stucco material.

**Mr. Vetter:** Asked why two drive-thru lanes were needed.

**Ms. Rutherford:** It is now industry standard. Some reasons: Reduce vehicle queue; reduce wait time; reduce exhaust emissions. Designed similar to bank drive-thrus.

**Mme. Chair:** Asked about trip estimates and was unclear as to what the pattern of traffic was in the lanes in and out of the drive-thrus.

**Ms. Rutherford:** Described the patterns of traffic around the facility. Also stated the IT trip generation. In the evening 55 vehicles entering and exiting. Saturday peak 33 vehicles entering and exiting. Double that for total trip. Weekday would be 105 and Saturday would be 66. Evening peak typically is before 4:00 and 6:00 and coincides with the peak hour of the adjacent roadways. CVS' peak can be earlier in the 3-4:00 range after school. This can fluctuate as well.

**Mr. Liddy:** The newer CVS down the Post Road previously mentioned hardly has any vehicles in the drive-thru. Why does the proposed CVS have two drive-thrus?

**Ms. Rutherford:** Will pull the data from that store and compare.

**Mr. Vetter:** Asked about the access easement regulation that was passed for two properties to interconnect where possible.

**Mr. Sulkis:** Will look into the possibility of the regulation being applicable for these two properties. There is a grade difference. Only interconnectivity would be between this property and Bob's if Bob's would be redeveloped into something else.

**Mr. Ferrante:** Verified there was a sidewalk around both sides.

**Ms. Rutherford:** Confirmed there was and reviewed where the sidewalks would be located.

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**Mr. Liddy:** Asked if there would be a pedestrian operated access signal.

**Ms. Rutherford:** The intersection acts as an actuated signal. Does not know if there is a push button for pedestrian access or if it activates with the signal. Will find out.

**Mr. Sulkis:** With regard to the driveway access between properties, Section 5.18 of the regulations which is the Route One Interconnecting Driveway Access is applicable in this zone.

**Mr. Vetter:** When it is feasible this regulation can be implemented. It will not affect this plan, but it may become a good solution in the future.

**Mr. Sulkis:** Read the regulation and said it could be adapted to this property.

**Mr. Vetter:** Asked for a review of the lights that will be used.

**Mr. Kirschner:** Maximum fixture height of 20 feet. Placement is on Sheet C-2 and the photometric plan.

**Mr. Ferrante:** Asked if there would be a problem with regard to a potential interconnecting driveway access at this location.

**Ms. Rutherford:** As Mr. Sulkis pointed out, having it at the front of the site is very close to the driveway entrance. At the rear of the site they are in a one-way traffic pattern for CVS. In order to take advantage of going from CVS to a neighboring property, they would have to get into the bypass lane and come around the front of the building. It is feasible but the location has to be kept in mind as well as the grade differential and proximity to the wetlands. However, CVS would have no objection to connectivity in the future.

**Mr. Vetter:** Asked if this concept could be reviewed by VHB as to the best place for this easement and present it at the next meeting.

**Ms. Rutherford:** Will discuss it with the client and look at it from an operational standpoint as well.

**D. TABLED ITEM**

4. **WHEELERS FARMS AND WOLF HARBOR ROADS (ZONE R-A)**  
Request by AvalonBay Communities, Inc. for a five-year extension of a Special Permit/Site Plan for 160 Units of Age-Restricted Housing on Map 105, Block 914, Parcel 19, approved on January 17, 2006, of which AvalonBay Communities, Inc. or AvalonBay Milford II Development, Inc. is the owner.

**Mme. Chair:** This item will remain tabled until the next meeting.

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**E. PROPOSED REGULATION CHANGES - Revised Flood Regulations**

**Mr. Bender:** How much of the changes are mandatory?

**Ms. Harrigan:** The one about tandem parking was optional. These regulations are minimally required. Some of the definitions were optional as to how the policy was mandated to be changed. Can make the regulations more restrictive. Does not suggest doing this in Milford.

**Mme. Chair:** If there are higher restrictions would the population receive better flood insurance rates?

**Ms. Harrigan:** Explained how the ratings and cost factors work.

**Mr. Ferrante:** Stated he did not feel comfortable making the regulations more restrictive. Would prefer staff do that.

**Ms. Harrigan:** All the flood zones are different and these changes would be general.

**Mme. Chair:** Will be having a public hearing on these regulations. People who have an interest in this will come and talk about the changes with the Board.

**Mr. Ferrante:** The Board should decide which regulations above the minimum should be changed before there is public comment. It should pick the ones to be more stringent and present those as the new regulations upon which the public comments.

**Mme. Chair:** That is correct.

**Mr. Bender:** Is under the impression it is not that simple to pick one here and one there and change it. It is more of a blanket and one change will affect the other. Believes by approving the regulations as presented it achieves the best middle ground.

**Mme. Chair:** Hoped that the Board could come to some agreement to send these regulations along. Believes some questions will come up during the public hearing which will have to be addressed.

**Mr. Vetter:** Asked how changes in the proposed regulations affect the public hearing.

**Mr. Sulkis:** Depending on the amount of change that results from the comments from the public hearing the Board may consider having another public hearing if the regulations are substantially different from what was started with.

**Mr. Vetter:** Getting the feedback from the public is key. Based on past public hearings of this nature, the public will cover a lot of bases.

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**Mme. Chair:** Agreed.

**Ms. Harrigan:** The minimally required regulations have to be adopted by November 16<sup>th</sup>. This is a very large policy decision to discuss, to think about and to get public feedback about in terms of how onerous a financial investment this might be for some people in terms of their experience and weighing what their flood insurance costs them every month, annually and in a mortgage. Thinks the feedback will be valuable, however, the Board has to adopt these minimal regulations by November 16<sup>th</sup>. If the Board wants to adopt other changes it can do so at a later date.

**Ms. Rose:** Asked about a prior situation with fencing on Rivercliff on Housatonic Drive. Asked if this was part of the regulation changes.

**Ms. Harrigan:** That was another section. These are flood hazard regulations. A regulation regarding no fencing is allowed within flood zones can be added. The fencing regulations have been under review by the City Attorney and can be discussed at another meeting.

**Mr. Ferrante:** Suggested additional proposed regulation changes previously discussed by the board be held at one public hearing, i.e, fencing, 10-feet from an adjoining structure, etc.

**Mme. Chair:** Would rather not tie all the regulation changes together. The flood regulations will affect over 6,000 properties and 4,200 homes.

**Mr. Sulkis:** Can be a two-part process. Must have the minimum requirements approved by November. Can have a parallel track where the board moves forward with the regulations presented previously. In the upcoming meetings the Board will discuss and make recommendations about the additional safety issues. Another public hearing can be held a month later and as many regulations as possible can be incorporated at that time.

**Mme. Chair:** Ms. Harrigan will go ahead and process the minimal flood regulations through the various agencies in preparation for a public hearing on them.

**F. LIAISON REPORTS**

**Mr. Vetter:** Attended the Sewer Commission meeting. It was interesting. Every district was represented. Nothing decisive to report.

**G. APPROVAL OF MINUTES – (8/17/10)**

**Mr. Vetter:** Motion to approve.

**Mr. Ferrante:** Second.

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All members voted in favor of approving the minutes.

**H. CHAIR'S REPORT – None.**

Thanked Jocelyn Mathiasen for coming before the board this evening.

**I. STAFF REPORT**

**Mr. Sulkis:** The staff, along with other departments, was given a demonstration of one of the proposed permitting software packages called Viewpoint, which is being used by the Hartford Region. It is an on-line based permitting system and if that is the one the City chooses, it looks to be a very intriguing and powerful tool that would be useful.

**Ms. Rose:** Asked Mr. Sulkis if he called any of the cities that are using this software to see if it is actually working for them.

**Mr. Sulkis:** It only went live last week. No, the users have not been contacted.

**Mr. Vetter:** Motion to adjourn.

**Mr. Ferrante:** Second.

All members voted in favor to adjourn the meeting at 10:08 p.m. The next meeting will be held on September 21, 2010.

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Phyllis Leggett, Board Clerk