

**MINUTES FOR THE REGULAR MEETING  
OF THE PLANNING & ZONING BOARD HELD  
TUESDAY, OCTOBER 2, 2012; AT 7:30 P.M. AT THE  
CITY HALL AUDITORIUM, 110 RIVER STREET**

Chairman Mark Bender called to order the October 2, 2012 meeting of the Planning and Zoning Board at 7:32 p.m.

**A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

**Members Present:** Ward Willis, Jeanne Cervin, John Grant, Ed Mead, Vice Chair; Dan Rindos, Michael Casey, Joseph DellaMonica, Tom Nichol, Mark Bender, Chair.

**Not Present:** Benjamin Gettinger

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

**C. NEW BUSINESS**

**1. CGS 8-24 APPROVAL – SEWER INFILLS PROJECT**

Request by the Milford Sewer Commission for Coastal Area Management Site Plan Review and Site Plan approval for the Sewer Infills Project in accordance with Section 8-24 of the Connecticut General Statutes. Streets that are included in this project are: New Haven Avenue, Rosemary Court and Grove Street.

Ray Macaluso, This item has been on the Capital Improvement Plan for a long time and the decision was made to continue this sewer project. Approvals have been received from the necessary City departments as well as from John Gaucher of the DEEP. Plan approval for this sewer project was also received from the Bureau Chief of the Connecticut DEEP, Water Protection and Land Use. Discussion about this sewer project has been ongoing for many years and there have been many discussions as to where to put the pump station.

The area to be served is everything east of Anderson Avenue, down New Haven Avenue, Rosemary Court and Grove Street, as indicated on the site plan displayed. That area is not sewered. This project has been on the Capital Improvement Plan for many years and it was determined that this area should be sewered.

Board approval is required for the Coastal Area Management Site Plan Review to install the sewers and also for the pump station. All these homes will be served by gravity sewer in lieu of grinder pumps on each of the properties. That is the reason for the pump station installation on Grove Street.

The proposed pump station will be on 18 Grove Street, which used to be a house that was purchased by the City several months ago. It was determined that this is the best location for the pump station because of the location of the tidal wetlands and inland wetlands. The intent is to take the existing building and demolish it, which will be done in the next couple of weeks. The house is located on the northeast corner of Grove Street and will be demolished so that the pump station can be installed.

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Via a site plan display Mr. Macaluso showed the property where the pump station will be located. All the neighbors have seen these plans through the Sewer Commission and they have approved the concept and the proposed location. There are a couple of existing structures in the back of the property that are encroaching into the wetlands that will be demolished and graded. The pump station will be set in the [indicated] location.

This pump station will be different from other pump stations in the area. It will look like a little house, with shutters, dormers, vinyl siding and lighting, which will keep it in tune with the neighborhood. Much time has been spent on this concept in order to appease the neighbors. The elevations were shown on the display. The neighbors are pleased with this design and it will not be recognized as a pump station. The neighbors reviewed styles of fencing and a white pickett fence was chosen. The area will also be landscaped.

**Mr. Sulkis:** The plan is exactly as Mr. Macaluso described.

**Chairman Bender:** Asked about the upkeep of the pump station house.

**Mr. Macaluso:** Stated maintenance costs will be minimal using plexiglass windows and vinyl siding.

**Mr. Nichol:** Asked about the location of the fencing.

**Mr. Macaluso:** The fence will enclose the property and the neighbor on the adjacent property to the south at 16 Grove agreed to the pickett fence. There is no landscaping on that side and it will go all the way to the back of the property around the perimeter.

**Mr. Rindos:** What does a pump station do and are there any odors or noise associated with it.

**Mr. Macaluso:** A pump station is necessary to provide gravity from the sewers to the main trunk line to all the residents in a particular area. The pump station takes the sewage and pumps it to the main trunk line. All the properties will be gravity fed so that no one has to have grinding pumps in their homes at their own expense. One pump will gravity feed all the residences in this area. The pumps and pipe lines are well below ground, so the noise would be little if at all.

**Mr. DellaMonica:** There has been a massive amount of ground water in that area, especially near Buckingham Avenue. Asked what kind of pipe would be used and how long would it last.

**Mr. Macaluso:** Responded that the pipes Mr. DellaMonica was referring to were cast iron and corroded due to the salt water going into it and that particular force main was not installed in accordance with good engineering practices. The pipes being used will be made of a new PVC, which has been installed in other areas and should last 100 years.

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**Mr. DellaMonica:** Asked about the security of the pump station. Will it not have chain linked fence and barbed wire?

**Mr. Macaluso:** The Wastewater Division is eliminating the chain link fence with the barbed wire. It still has a security system. Prior to this vandalism was feared. This now has a different type of security system and hopefully all the future pump stations will be similar to this.

**Chairman Bender:** Asked for clarification about what was going to be done in the wetlands area.

**Mr. Macaluso:** The rear structures will be eliminated and the area will be mitigated. The slopes will be stabilized. There are encroachments in the wetlands. He spoke to MaryRose Palumbo, the Wetlands Officer. The contractor who gets this project will follow all the contract specifications to take care of the area where the structures were.

**Chairman Bender:** Asked if the mitigation plans should have been mentioned in the CAM report.

**Ms. Harrigan:** Explained that the mitigation will be part of the Inland Wetlands review.

**Ms. Cervin:** Commented this project has been years in the making and commended Mr. Macaluso in his dealings with the neighbors and their concerns. She made a motion for approval.

**Mr. Mead:** Second.

All members voted in favor of approval of the sewer infill project.

**D. PLAN OF CONSERVATION AND DEVELOPMENT -** Board discussion on the Draft version of the Plan in order to proceed to the next step in the process.

**Chairman Bender:** Noted the Board had received a schedule provided by Ms. Harrigan. Ms. Harrigan had provided a summary of the POCD at the last meeting. Asked if the Board members had any changes or additions they wanted to make.

The Chair told the Board he had spoken to Kathy Alagno of the Downtown Chamber and she told him they are weeks away from obtaining a Downtown Signage Plan. Mr. Plattus has been traveling and has not been available. Chairman Bender would not like to wait until that plan gets accomplished. The Board can have input on signage city-wide as well as downtown. The Board has the ability to alter this document at any time, should it wish.

**Mr. Sulkis:** Noted he would add a paragraph to the Plan based on the public's comments asking for signage, especially wayfinding signage. Also, traffic patterns downtown.

**Chairman Bender:** Stated signage did not have to be limited to the Downtown but could be city wide. He thought that curb cuts, cut outs and easements that were done on the

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Post Road should also apply to Old Gate Lane, Bridgeport Avenue and those areas where so many curb cuts exist. He asked Ms. Harrigan if the North Milford area should be included.

**Ms. Harrigan:** Given recent discussion of the potential to expand the sewer line into North Milford, as a planner and staff person, and for people who have been on the Board for a long time, it is recognized that once sewers are expanded the potential for development is also expanded. In discussion of housing within the POCD, there was no revision to the residential zoning and it may behoove the Board to discuss North Milford in terms of some sort of policy statement that says whether the Board wants to maintain the existing zoning or if it is open to more density in North Milford. If a sewer line is installed in three years, those development pressures will be there. Even as a general policy statement, the Board may want to have something in there that will allow the Board to express what they feel that should be.

**Chairman Bender:** Agreed and asked Ms. Harrigan to draft this recommendation. He pointed out that it does not mean that down the road this cannot be reviewed and revised if necessary.

**Mr. Sulkis:** Clarified that the Board is asking for a statement that they would like the low density of North Milford to remain as is.

**Chairman Bender:** Yes and the Board appears to agree. As a city it is a valid point with regard to the installation of sewers. Right now no one wants to build subdivisions with septic, but once sewer lines are in place, the potential for such projects will increase.

**Ms. Cervin:** In conjunction with the density issue, rear lot requirements or changes should be reviewed.

**Chairman Bender:** References in the Plan were made to continue sidewalks wherever possible. That should be encouraged.

**Mr. Mead:** Asked about two City projects that had been mentioned some time ago and if they would be considered part of the POCD.

**Mr. Sulkis:** Those are maintenance projects and are not part of the Plan. He said the State will be starting a project very soon on Naugatuck Avenue regarding drainage.

**Mr. Mead:** Commented the construction of sidewalks was timely in view of the newspaper articles that noted due to cuts in bus service, students had to walk down Wheelers Farms Road, which has no sidewalks and has proven dangerous to students walking to school.

**Ms. Cervin:** Commented on information sent in by Letty Malone on open space. She mentioned "banking" open space and asked if Ms. Harrigan was familiar with that.

**Ms. Harrigan:** She thought they were talking about purchasing a desirable property in exchange for developers refunding in exchange for density bonuses, based on that

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statement. She was not sure it was 100% clear the way it was written. She stated it was a significant conversation for the Board to have. She did not know whether the Board would feel it is appropriate to determine in what areas those densities should go. This is a complicated issue.

**Mr. Sulkis:** It would also have to be part of the zoning regulations and not part of the subdivision regulations because the subdivision regulations flow from state statute and state statute is very clear about what can and cannot be done regarding the development of subdivisions. Open Space is usually tied to subdivision development.

**Ms. Cervin:** Asked if something could be inserted into the POCD so that the matter could be pursued in the future.

**Ms. Harrigan:** Would hesitate to do that because the POCD could be used for you or against you. The intent could be misconstrued and she did not feel the Open Space Advisory Committee would be in favor of this.

**Mr. DellaMonica:** He has had two major complaints knowing the POCD was coming up. One was traffic in town and the ability of the Board to stymie residential growth. He also referred to the potential for development of Filonowski's farm, which is north of the Post Road.

**Chairman Bender:** Did not see anything in the Yale Study on Fowler Field that mentioned a Center Hub Design which is done when there are multiple fields in an area. It is a better use of the property and the fields, where more fields could be placed in a smaller area.

**Mr. Sulkis:** Did not think this would be feasible for the particular location of Fowler Field. He pointed out that the ultimate determination would be made by the Park and Recreation Department.

**Ms. Cervin:** Asked if it had been determined that there would be an Action Plan.

**Mr. Sulkis:** Yes. It will be included in the next draft that will be sent to the Board of Aldermen and Regional Agencies.

**Ms. Harrigan:** Discussed the time line changes and alterations that can be made; time line for presentation of the draft document for review by the Board of Aldermen and regional agencies.

**Chairman Bender:** Plan to get to the Board of Aldermen by October 12<sup>th</sup> so they have a couple of weeks to review it before their meeting. Will keep track of what the Board wants to look at: Downtown; North Milford (more specifics) and the Open Space item.

**Mr. Willis:** Asked about a previous question that had arisen regarding cell tower infrastructure and including that in the Plan.

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**Mr. Sulkis:** Cell towers are part of the Siting Council jurisdiction. This is included to some degree in the Plan. MIS Department will be contacted regarding availability of GIS maps.

**Mr. Mead:** Made a motion to move the Plan of Conservation and Development along based on the Board's discussion this evening to get the Plan to the Board of Aldermen so that it can be reviewed at their November 5th meeting.

**Mr. Rindos:** Second.

All members voted in favor.

**E. PROPOSED ZONING REGULATIONS**

Sec. 3.1.4.2 Building Height in Residential Zones - POCD will influence

Sec. 2.5.5 Lot Access and Rear Lots awaiting CA input

Sec. 9.2.3 Prohibited Variances - awaiting CA input

**Add: Sec. 5.1.4 Off-Street Parking Requirements (10) Health Clubs**

**Chairman Bender:** Now that the Board is moving forward with the POCD, what should be done about the proposed building height in residential zones change?

**Mr. Sulkis:** Have to look more closely at the data that Mr. Plattus has provided the Board for the shoreline area. One of the things that came out of that was not necessarily tweaking the heights, but to look at acquiring properties as they become available along the shoreline because of the issues with flooding and changes along the shoreline. At this point he does not see making a change in this zoning regulation. It was not brought up at any of the public meetings held along the shoreline.

**Chairman Bender:** Forgot what the purpose of this particular regulation.

**Mr. Sulkis:** Looking to clarify the regulations that were in place and there was talk that based on what was going on along the shoreline that may or may not affect how it was to be clarified. Will go back and look at what was done previously because there was nothing new that came out of the POCD process.

**Chairman Bender:** This had to do with cupolas, turrets and sketches of roofs. It was meant to close more loops of the heights with people putting accessory roof structures on their homes. This regulation was discussed and intact but did not proceed for approval due to the upcoming study by Yale of the shoreline area for the POCD and review by Mr. Plattus.

**Chairman Bender:** Rear lots. Is it possible to have a meeting with the City Attorney's office on this regulation change.

**Mr. Sulkis:** He spoke to the City Attorney's about this last week. He did not get a response.

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**Chairman Bender:** Will speak to the City Attorney.

Off-Street Parking for Health Clubs. Wants to move forward on that. At this time the change should relate to health clubs. Would not want to get into the whole parking situation at this time.

**Mr. Sulkis:** Would also recommend looking at making parking tweaks in the MCDD because of other residential parking changes that were previously made. Otherwise the parking regulations in the rest of the city would be fine.

**Mr. Bender:** Asked about a "Parking Fund" that would be handled similarly to the Open Space Fund. If parking waivers are granted, the applicant would put money into a fund for parking and the money could be used for parking related purposes.

**Mr. Sulkis:** A parking fund is allowed by state statute. Discussion is necessary to determine why and wherefor for the institution of this type of account.

**Ms. Cervin:** Asked if restaurant parking should not be reviewed given the recent events of restaurant applications where lack of parking was an issue.

**Mr. Sulkis:** Stated the City's regulations for restaurants are on spot with other municipalities all over the country. Milford is on the more permissive side and he will bring in examples.

**Mr. Grant:** With regard to parking regulations, he had sent out an email to the Board and Mr. Sulkis several months ago with regard to the fact that the original regulation had the word "outdoor service areas" and for some reason when the book got reprinted the word "outdoor" got left out and it just said "service areas". That would affect part of how the parking regulations and parking spaces are calculated for a restaurant.

**Mr. Sulkis:** It would be the perfect time to look at that as part of the review of parking spaces for restaurants.

**Chairman Bender:** Something will have to fill the POCD void.

**F. LIAISON REPORTS – None.**

**G. APPROVAL OF MINUTES – (9/18/2012)**

**Ms. Cervin:** Made a motion to approve the minutes.

**Mr. Rindos:** Second.

All members voted in favor of approving the minutes as submitted.

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**H. CHAIR'S REPORT**

Land use seminars coming up.

Mr. Sulkis suggested the members attend the November 10<sup>th</sup> seminar at Central Connecticut State University. The free seminars would not be as useful to the Board.

**I. STAFF REPORT – None.**

**Mr. Rindos:** Made a motion to adjourn.

**Mr. Mead:** Seconded.

The meeting adjourned at 8:32 p.m. The next meeting will be held on Tuesday, October 16, 2012.

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Phyllis Leggett, Board Clerk