

PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD TUESDAY, 3 OCTOBER 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, J. Castignoli, E. Hirsch, J. Kader, B. Kaligian, J. Mortimer, J. Quish, R. Satti

Not Present: M. Zahariades

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

Chairman Quish opened the meeting.

C. NEW BUSINESS

1. **1 Tudor Road (aka 0 Old Point Road)** (Zone R-7.5) referral pursuant to CGS Section 8-24, to approve a lease agreement between the Boys and Girls Club of Milford, Inc., and the City of Milford on Map 015 Block 107 Parcel 85 A of which the City of Milford is the owner next meeting. **POSTPONED**
2. **25 Shell Avenue** (Zone R-7.5) Petition of Timothy Hollister, Esq. for a Site Plan Review with CAM for a 20-unit residential building proposed under CGS 8-30g on Map 27, Block 444, Parcel 16, of which Sea Shell LLC c/o Fortitude Capital LLC is the owner.

Attorney Hollister, Hinckley Allen, 20 Church Street, Hartford, addressed the board and handed out printed materials. He said the project team was present, consisting of Jeff Gordon and Bob Wheway of Codespoti Associates, also Sam Gardner of Gregg Wies & Gardner Architects and Steve Ulman, traffic engineer, of Benesch Engineering. He said all administrative requirements were met and, although not required, notice of the application was mailed to abutters within 200' of the subject property. He described revisions based on interaction with staff in response to comments. He said the application was for coastal area management (CAM) site plan approval despite not meeting R-7.5 zone regulation requirements. He said the application was able to proceed despite this shortcoming because it was being filed under the 8-30g. He said that this statute only supports denial due to health and safety risk and if a site plan presents no health or safety issues, it is approvable. He reviewed an aerial photo to identify the location of the site. He described the history of the site to 1930, culminating in the 9 units that comprise the building today. He said that last November an application was made to the Zoning Board of Appeals to renovate the 9 units. He said the proposed structure has 20 units, consisting of 1- and 2-bedroom apartments. He overviewed departmental reviews and a DEEP report from John Gaucher. He said the Affordability Plan was given to board in the distributed materials and reviewed specifics that demonstrated equivalence between market rate and affordable units. He said six 1st- and 2nd- floor units will be dedicated to meet 30% affordability requirements. He said rents will be at 60% and 80% of median income, noting that median CT income is \$112,000.

Jeff Gordon, LA, President of Codespoti Associates, Orange, reviewed plans for replacing the existing 1930s building with a structure that will be oriented perpendicular to Shell Avenue to afford water views to tenants. He said the parking lot was double loaded with an oversized travel lane to support emergency equipment. He said the proposed garage has a capacity of 16 vehicles plus parking for 20 vehicles on the surface with 2 ADA compliant spaces, which he said exceeded the base parking ratio requirement. He noted native and coastal plantings, snow removal space, the use of ornamental grasses, a lighting plan designed to avoid light spillage, and the use of underground utilities. He noted the addition of an extra fire hydrant. He said no changes would be made between the retaining wall and mean high water line except adding a boat rack. He said he was confident no safety or health concerns exist. He said the structure would be elevated to 17', well above the AE13 flood zone.

Bob Wheway, PE, Vice President of Codespoti Associates, Orange, reviewed stormwater management describing how the existing building and gravel parking lots drain to Shell Avenue. He noted a ridge line on the property that runs parallel to Shell such that everything to the front of the ridge drains to Shell Avenue and everything to the rear of it drains toward the retaining wall and LI Sound. He said 3600 sf of impervious roof area plus gravel on the lot. He said that the proposed plan would increase the impervious area to 16,000 sf, which would tend to increase peak rates of runoff, necessitating the stormwater system. He said water quality enhancements to runoff from the roof and parking lot. He said there would be collection of water to move it into a pretreatment area consisting of a hydrodynamic separator to remove the bulk of solids. He said the main treatment system consisted of 8 galleries sized to contain full water runoff. He said water collected in the galleries and allowed to infiltrate soils, but when capacity is exceeded, the overflow goes to a scour hole on the downhill side of the retaining wall. He reviewed more details that support reduced water runoff to Shell Avenue, redirecting it to the stormwater management system. He said there should be no impacts to neighbors and no public health or safety concerns. He said the plans included soil erosion and sedimentation information.

Steve Ulman, PE, PTOE, Benesch Associates, 120 Hebron Ave, Glastonbury, said he has been a traffic engineer since 1986. He said

the proposed site would be served by a single driveway to Shell Avenue in approximately the same location as the current westerly drive. He said Shell Avenue is approximately 26' wide with parking permitted on its south side, no parking on its north side, and no posted speed limit which implies an enforceable speed limit of 25-30 mph. He described sight lines as being clear to the intersection with Seaside Avenue and exceeding 400' to the west. He said 400' is the minimum sight distance for 35 mph. He said parking on the south side restricts sight lines toward Seaside but that drivers will pull forward for clear sight. He said crash data from UConn's 2018-2023 crash repository along Shell and Seaside Avenue for approximately 200' north and south of Shell. He said a single crash at 45 Shell during that time frame which involved a car backing into stone pillar. He said no other crash patterns in the vicinity indicate changes should be made. He said traffic impacts from the proposed development were determined using the Institute of Transportation Engineers trip generation manual, 11th edition, dated 2021, which contains trip data for several multi-family housing configurations. He said he used the configuration that would create a conservative new trip estimate. He said he compared the trip calculations of the 9-unit structure versus the 20-unit structure. He said the new development would add 71 trips daily, with an AM peak featuring 4 new trips (1 entering/3 exiting) and a PM peak also featuring 4 new trips (3 entering/1 exiting) and on Saturdays, 4 new trips (2 entering/2 exiting). He concluded by saying that the additional units will have minimal impact on traffic on existing patterns.

Sam Gardner, AIA, 151 East Street, New Haven, reviewed the architectural site plan. He described 3 stories of residential space over 1 story of parking. He said the 3rd story reads like a lower profile building because the 3rd floor apartments are integrated into the roof. He described aspects such as parking, the lobby with its elevator and depot for packages, access from the parking garage, the mechanical room facing toward the street, and a trash room distinct from the building to move trash to street for pick up. He pointed out 2 exit stairs near Shell Avenue and toward the rear of the building. He noted 12 two-bedroom and 8 one-bedroom units, all of which have open floor plans. He said amenities include washer-dryers, storage closets, and balconies with views in all the apartment. He said 3rd-level apartments have 2 bedrooms with decks on the roof. He reviewed elevations and said materials feature a shingle-style shoreline design similar to that seen in surrounding neighborhoods. He shared renderings, noting an upstairs community room with an attached deck, also some lawn and beach areas outdoors. He described a modification to garage doors to allow firefighter access, as well as roof access. He said the building was fully sprinklered with a standpipe toward the Shell staircase. He said the energy plan meets current CT code for insulation, air infiltration, and other state of the art compliant features. He emphasized the safety focus of the project.

Attorney Hollister concluded the presentation saying that the site plan does not present health and safety issues but is well designed with attractive amenities.

Mr. Sulkis read his administrative review. He said the application is generally very good relative to 8-30gs proposals he has seen so far but raised a concern about unit equivalency for the 4th floor units as compared with 2nd and 3rd floor units. He recommended that 2 of the 4th floor units be made affordable, one at the 60% of median income level and the other at the 80 % level, while raising rent from units on the other 2 floors to market rate. He also noted an issue with the affordability plan requiring the applicant to update contact information for the reporting entity. He shared a set of modifications he recommended if the board approves the plan.

Mr. Satti said he was concerned about equivalency, but also was surprised that no solar energy was being incorporated. **Mr. Gardner** responded that the roof could accommodate solar panels. Asked Hollister to review equivalency for each floor. **Attorney Hollister** said the contact person is the applicant because the site would not be leasing for a year. He said that future median income is an unknown but that the contact would be provided before leasing. He said that the requirement under the statute is that units be dispersed as opposed to being concentrated, but do not have to be mathematically equal per floor. He also said that units are required to be comparable, not equivalent or identical, featuring comparable materials and amenities among all the units such that the experience of living in building is comparable. He described a scenario whereby in an 8-30g setting, the initial configuration may change based on the next available unit to be rented. He noted that the tenant can stay in the affordable unit if income goes up, and that the next available unit will be affordable. He pushed back on the idea that all the top floor tenants had preferable apartments, as they are near the common room where noise and activity may be irritating. He said that 50% affordability on that floor seemed excessive and insisted that the plan is compliant. **Mr. Hirsch** reviewed the current units and parking spaces and launched a discussion of theoretical occupancy issues. **Mr. Mortimer** confirmed that the building is not in a flood zone and asked **Mr. Wheyway** for details about the water management system.

Mr. Satti then acknowledged that a site plan application does not normally does not feature public comment, but asked, given attendance regarding the item, if the chair would consider allowing it.

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Chairman Quish said he did not see the harm in the 8-30g unit equivalency concerns because of the ability of any vacant unit to subsequently become affordable. He said he was generally in favor of the proposal, noting the attractive building, but said he favored the use of **Mr. Sulkis's** conditions. **Attorney Hollister** suggested a compromise of one top-floor unit as an initial designation.

Mr. Hirsch expressed concern about traffic, saying that with approximately 30 new tenants the traffic study did not convince him that impacts would be minimal. Discussion ensued about making the applicant pay for a 3rd-party review. **Mr. Sulkis** said that the board's experience is that the underlying traffic formula doesn't change much with a new study, and further, that each time the city took traffic safety concerns to court, the courts denied it, and the project moved forward. He reminded the board that the Police and Fire Departments had approved the application. He also noted that the letter sent by the applicant to abutters in a 200' radius erroneously indicated that it was a public hearing; it was not.

PUBLIC COMMENT

Irving Stern, 57 Shell Avenue, said traffic is a safety issue and reported that Surf Ave is narrow with limited sidewalks and that cyclists and runners use it. He said cars will come from both sides and called it a pinch point.

Catherine Otey, 77 Shell Avenue, expressed similar concerns. She also felt speeding and additional flooding were concerns.

Debi McGinley, 106 Shell Avenue, said there had been a fatality at the corner of Seaside Avenue. She said no one stops at the stop sign and had reported 2 accidents.

Jeff Thomas, 74 Shell Avenue, agreed with previous comments and said his car has been hit. He said he witnessed a car-cyclist accident.

Nancy Herman, owner of 33 Shell Avenue with co-owner **Sharon Greenstone-Blake**, agreed with previous speakers, noting that parking on the street narrows it further.

Diane Fellini, 49 Shell Avenue, said the public uses 2 alleyways to get to beach, putting more cars on the street. She wanted to know about the existing census of cars on the street.

Debbie Fuchs, 17 Shell Avenue, said she and her husband **Robert** live adjacent to the site and agreed with previous comments. She said drivers use the parking lot at 25 Shell to turn around and look for parking. She said she wants to see the units scaled back.

Dan Welby, 28 Shell Avenue, said he lives across from this driveway and that he agreed with previous speakers. He provided a sample count of 45 people biking, running, and walking dogs on one day. He said the street should be widened and a crosswalk added. He described accidents not accounted for in the traffic study.

Joel Hagan, 40 Shell Avenue, had the same concerns. He said people park past stop signs making an unsafe intersection even more so. He said his son rides bikes to school adding to his concerns.

Dan Howarth, 18 Shell Avenue, said he agrees with previous comments and is concerned with the addition of visitors to the site.

Patrick Callahan, 10 Seaside Avenue, agreed with safety concerns. He said the parking lot currently floods during rainfall. He said he was worried about gallery maintenance. He said the current road is unsafe.

Wendy Gleeson, 54 Shell Avenue, asked the board to drive down the narrow street to experience the number of blind areas. She said she would like to see an improved structure but with fewer units.

Justin Dion, 993 East Broadway, said he did not think city sanitation could be done efficiently. He expressed concern about noise pollution due to the HVAC systems required.

Kenna Higgins, 40 Shell Avenue, challenged the statement that traffic concerns would be denied in court.

Margery Shanski, Esq., said she represents the Fuchs (17 Shell Avenue) and that the units on the 3rd floor should reflect the same high and low rent distribution as the other floors. She said she was skeptical that "organic" changes in occupancy would balance the upper units. She said the proximity of the site to the Fuchs home imperils it in terms of fire safety and safety in general.

Toby Meshberg, 75 Shell Avenue agreed with comments all previous comments and asked for consideration of the natural environment.

Chairman Quish thanked the commenters. He said it seems there is substantial concern in the neighborhood. There is some question as to the number of accidents that have been looked at and maybe they're just looking at a different time period, but I think it's appropriate that we have an outside consultant come in to look at traffic and also safety and potential parking... potential additional street parking and how that would affect safety and that would be at the expense of the applicant. And without objection, I'd ask that we have that done. We do have the right—the aldermen gave that to us and that we continue this till our next meeting or whenever the safety/traffic analysis is done, and I would work with you [indicates DS] on the language to put out an RFP for consultancy.

Mr. Sulkis said it's very straightforward because the department has a list of consultants who are told what's needed.

Mr. Satti said that he was not commenting on the traffic study, but Attorney Hollister should be allowed to speak if he wishes to.

Attorney Hollister noted that the Fire Marshall approved the plan and Mr. Gaucher (DEEP) reviewed the plan. He asserted that changing the unit count from 9 to 20 was not a substantial increase. He said the new trip generation was in single digits. He said neighbors tend to think existing conditions are safe for current residents but will be unsafe for others, which is a disconnect. He said his traffic consultant is a licensed professional who determined no significant impacts exist. He said that if ordered to hire another consultant, his client would do so, but he did not think it necessary for reasons Mr. Sulkis articulated earlier.

Chairman Quish said that without objection, this would go to the next available meeting after a report has been given.

Mr. Hirsch said he did object to an independent traffic study; he didn't think it was necessary.

Chairman Quish asked for a motion and a vote, then.

Mr. Castignoli motioned to table the item until the next meeting.

Chairman Quish asked, what about the traffic study?

Mr. Castignoli said to have them do the traffic study. He asserted that he was making a motion to move the item to the next meeting and to do a traffic study.

Mr. Mortimer seconded.

Chairman Quish asked for discussion. **Ms. Austin** asked to clarify that the item was being moved to the next meeting; **Chairman Quish** added that it was also mandated that they do the traffic study.

Vote: Motion carried with **Ms. Austin and Messrs. Castignoli, Kader, Kaligian, Mortimer, Satti and Quish voting with the motion** and **Mr. Hirsch voting against the motion**.

D. PUBLIC HEARINGS

CLOSE BY OCTOBER 24, 2023; VOTE BY DECEMBER 28, 2023

1. **Proposed Regulation Change #23-7** Petition of John Knuff, Esq., for changes to Article III, Section 3.9 Shopping Center Design District; Article V, Section 5.1 Parking and Loading Regulations; and Article XI, Section 11.2 Other Terms.

Attorney Knuff, 147 Broad Street, addressed the board. He reviewed the previous applications by the CT Post Limited Partnership, part of Centennial Real Estate, which owns and manages 36 other shopping centers across country. He stressed that the application was to amend Milford Zoning Regulations, not a Special Permit. He said the changes proposed were modest but vital to allow for the investment of tens of millions of dollars to revitalize the mall and create a new shopping and entertainment experience there. He reviewed the historic rise and decline of malls, saying they hit their prime 20 to 30 years ago. He said the proposed changes support the mall as an experiential rather than pure shopping destination featuring the addition of residential space, thereby maintaining the mall's status as Milford's biggest taxpayer. He said the proposed changes use a more modern design approach to multi-family dwellings, with units that are a better fit with the existing space than what is currently permitted. The proposed units would allow for an engaging mixed-use pedestrian environment with direct proximity to shopping. He said the proposal includes 10% affordable units and features public spaces for events like farmer markets and craft fairs. He reviewed aspects of the

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regulations that restrict it from being applied elsewhere. He said the plan was consistent with the 2022 Plan of Conservation and Development (POCD) POCD and draft 2023 POCD, the city's affordable housing plan and the Economy Recovery Strategy Report. He stressed that the plan was in the best interest of the city. He introduced Centennial executives who would make further comments.

Whitney Livingston, President of Centennial, shared a PowerPoint® presentation with statistics on the company's portfolio. She said it is a 26-year-old company that is a long-term holder of properties and an expert in retail-relevant destinations. She emphasized its corporate commitment to sustainability via the use of solar panels, recycling, EV charging stations, and reducing the carbon footprint. She shared information on the dramatic mall industry changes, noting that they were originally built to a formula of large parcels, anchor stores, and smaller retailers. She reviewed the impact of the rise of ecommerce and the accompanying decline in department store sales. She said consumers want experiences, not just apparel shopping—experiences featuring entertainment and lifestyle services with indoor and outdoor art and music. She said malls are too big and fortress-like to deliver these experiences to modern consumers. She shared images of the Centennial-owned Fox Valley mall in Aurora, IL, saying it is similar to Milford. She reviewed how the space has been revamped, as planned in partnership with city of Aurora/ She said the project is being done in phases with Phase 1 completed and Phase 2 in the groundbreaking stage. She said it is a true 18-hour-a-day destination with retail sales increasing and greater leasing activity. She noted that this results in increased sales and property tax revenues. She said Fox Valley is an example of what's possible for Milford and that unless the mall can be transformed in partnership with the city, its current decline will continue.

Michael Platt, VP of the Development Group, reviewed a site plan of the current configuration where anchors are vacant, the wing in the center struggles, exerting downward pressure to whole site. He said the goal is to right-size the retail area. He shared Phase 1 plans that showed a green space and residential space. He shared Phase 2 with additional multi-family and mixed use areas, and Phase 3 featuring a fully built-out plan. He said that over the 10-year development timeframe, a walkable, integrated, vibrant shopping center would work in synergy with the existing shopping district. He shared renderings of outdoor retail spaces and a new "front door" for the Post designed to drive traffic into the center of shopping area and allowing flexible space to accommodate multiple events.

Attorney Knuff said the concept plans were meant to demonstrate the goals of the proposed regulation change. He reviewed the draft regulation, focusing on revitalizing the mall. He suggested that Phase 3 might feature mixed use with service-oriented retailers such as salons, small format (up to 5000 sf.) manufacturing and incubator spaces, recreation facilities, and outdoor entertainment areas. He said there would be no more than 750 units of residential use with a height maximum of 85' versus the current 120' limit. He said there would be no drive-throughs in residential buildings, as well as changes to how the mall is parked now, right-sizing the grossly overparked requirements. He said that in the intervening years, Centennial is trying to partner with the city to redevelop the site and help fulfill the Planning and Zoning Board's own plans and vision.

Mr. Sulkis reiterated that staff and the city support this plan. He stressed that residential use is already supported in the zone, but the proposed changes are consistent with both the prior and upcoming POCDs and consistent with the city's Affordable Plan. He said the DPLU thinks the reduced parking calculation is reasonable and appropriate for district.

Mr. Satti asked if minutes and actions taken documents associated with the previous mall proposals should be incorporated and reviewed. **Attorney Knuff** said this application stands on its own and its submission demonstrated his client's willingness to work with the city. He listed accommodations made over last applications. He added that the multi-family provision was made up of a maximum of 250 units per phase, allowing for an absorption rate for Post and rebuffing speculation that the plan was just about adding multi-family units and not completing other aspects of mall development. **Attorney Knuff** stressed that the proposal was not being made under 8-30g and will never be. He said the plan is consistent with all the city's strategic designs. He noted that the Post is the most visible site in the city. He also spoke of renewing the appeal of the mall for consumers who could once again getting excited about going to the mall after a long stretch of decline in interest. He said the world has changed dramatically with a need for more housing for millennials, downsizers, and workforce housing. He said people would like to walk outside their homes for coffee and without having to move to New Haven for a similar experience.

Mr. Castignoli confirmed that the main entrance will remain on the Boston Post Road plus 2 entrances from East Town Road.

Mr. Mortimer expressed a desire for more affordable units. **Attorney Knuff** said his client had bargained honestly and can't do more than 10% affordable. **Mr. Hirsch** praised the willingness to work with the city.

Mr. Kaligian and **Attorney Knuff** discussed why the regulation change is necessary, reviewing the details of the current RMF-16 zone featuring multifamily garden-style, walkup apartments with no first-floor retail or restaurant use. **Attorney Knuff** said such

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units are anachronistic on this site because it is not a building format that people want to live in now. He stressed that to get this concession, his clients had accepted numerous other obligations. He also noted that this approval will signal to current mall tenants that Centennial is making an investment in the mall. He speculated that Ulta never would have left the mall if its management perceived movement toward a new paradigm. **Mr. Castignoli** asked if medical buildings might be added as a use and was advised that Centennial wants to create a place for all feasible marketplace uses. **Mr. Hirsch** confirmed that shopping will go on during construction; **Attorney Knuff** said his client would look forward to that problem.

Chairman Quish asked for public comment.

PUBLIC COMMENT

Mayor Richard Smith said he spent most of the day meeting with financial rating agencies. He asked for the support of the board, saying he had met with Centennial leaders 10 times and felt confidence that they were approaching the project in good faith. He said downtown Milford had its “own vibe” that was unlikely to be harmed by the mall’s plans. He said he was confident there was no plan by Centennial to get approvals and sell off the property. He said Centennial’s staying power was evidence of its commitment and investment in the mall. He stressed that management had worked to 10% affordable with the mayor. He said Centennial management were coming as partners, and that the city needs this development as much if not more. He stressed that no biotech or Amazon white knight will appear. He warned that cutting taxes while operational costs grew and using contingency funds to pay bills was unsustainable. He said what was needed was the political courage to manage the city’s balance sheet responsibly. He said the rating agencies were glad to hear him speak in favor of the mall and partnering with Centennial to create tax revenue. He said the mall negotiations had been conducted in good faith and asked for support of regulation change. He said this and other projects were needed to encourage business to come to Milford and offset the burden to residential taxpayers. He said this is an exciting plan and that he is comfortable with using the phases as success metrics.

Rachel Merva, 90 Dart Hill Road, said she supports the plan, that it would reduce mall crime statistics due to decreased vacancies, that the site is on the bus line, that the land is already developed, sparing open spaces, and that the mall needs revitalization.

Joseph Alling, 390 Pond Point Ave, spoke in favor, saying that the post mall used to be a social place, but that he goes less and less now. He said it was less of a place to visit with friends and family, but unfortunately many of those family and friends have been priced out of living in Milford. He said many renters and homeowners are now cost-burdened even if they reside here.

Mary Elizabeth Oake, 30 Darina Place, said that she lives downtown, enjoys its rich arts opportunities, and she wants to see the mall setting provide a different experience. She supports the plan and said Milford should preserve its economic diversity.

Joseph Simoncek, 61 Governors, expressed concern about the burden of additional population and density. He was concerned about the lack of green space, calling it an apartment complex.

Therese Eke, 72 Point Beach Drive, said she favors the zone change and that Milford needs more housing for people who work here. She asked for accessibility consideration and called the project a great way to demonstrate leadership.

Attorney Knuff said he appreciated the positive comments. He said more housing density is needed and this is the place to put it. He agreed with Mayor’s description of positive tax impacts.

Chairman Quish suggested keeping the hearing open to study the submitted information.

Mr. Satti asked for a delay in the decision. He said he had concerns about limiting to no more than 250 residential units per 2-year period and was aware of possible changes in 8-30g legislation in coming years. **Mr. Kaligian** agreed with Mr. Satti. **Mr. Hirsch** said with reference to Mr. Satti’s suggestion to revisit previous minutes and actions taken, that the old materials were irrelevant, He strongly asserted that the board had enough information to make a reasoned decision. He said hypothetical changes in future law shouldn’t inhibit a vote now. **Mr. Sulkis** said the 8-30g rules are still in effect and if they change in future, that would be the time to deal with impacts on local decisions. **Mr. Mortimer** said he was ready to vote.

Attorney Knuff offered to invite his colleague, Attorney Amy Souchins, to comment as she worked on the city’s 8-30g moratorium application.

Attorney Amy Souchins, 147 Broad Street, addressed the board. She stated that she had worked on collection of data for the city moratorium. She said if there is a change to the 8-30g statute, the way to ensure that the city is protected derives from the

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affordability plan. She said that once an affordability plan is in place, the statute in effect at that time governs from the perspective of the Office of Economic and Community Development. She said there are also deed restrictions on the land records such that deviation from the plan will create zoning violations. She said that to ensure units stay affordable such that they count in for moratorium, the Department of Housing looks at the units based on the statute in effect at that time. She said that since the statute was adopted in 1989, the required percentages have changed but each unit is counted according to the year in which it was approved.

Attorney Knuff said he didn't know what could be gained by a delay in the vote. He noted the mayor's support as well as the positive comments from the public. He said this support demonstrates the need to act.

Chairman Quish said he appreciated Centennial's work to accommodate issues raised on previous applications and that he fully supports the application.

Mr. Mortimer moved as presented the petition of John Knuff, Esq. for changes to Article III, Section 3.9 Shopping Center Design District; Article V, Section 5.1 Parking and Loading Regulations; and Article XI, Section 11.2 Other Terms. The commission finds the regulation change consistent with the Plan of Conservation and Development. Effective Date: October 27, 2023.

Second: Mr. Castignoli seconded.

Discussion: Chairman Quish double checked that he had closed the public hearing and reiterate the validity of the motion.

Vote: Motion carried with **Ms. Austin** and **Messrs. Castignoli, Hirsch, Kader, Kaligian, Mortimer, and Quish voting with the motion** and **Mr. Satti abstaining**.

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2) 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, Blok 545, Parcel 6, of which Tom Hayes is the owner. **POSTPONED UNTIL OCTOBER 17, 2023**

3) 695 West Avenue (Zone CDD-1) Petition of Thomas Lynch, Esq. for a Special Permit with Site Plan Review for an Automotive Repair Facility at Map 043, Block 334, Parcel A4, of which 695 West, LLC, is the owner. **POSTPONED UNTIL OCTOBER 17, 2023**

E) LIAISON REPORTS—None.

F) SUBCOMMITTEE REPORTS—A Regulation Subcommittee was scheduled for 10/11, and a public hearing for the POCD was scheduled for 10/24.

G) APPROVAL OF MINUTES—**9/19/2023** minutes were approved unanimously.

H) CHAIR'S REPORT – He thanked the board for allowing public comment during New Business.

I) STAFF REPORT – **Mr. Sulkis** reviewed the contents of materials he sent to the board, including a copy of the presentation by the Community Development Office's consultant for the city's strategic plan, and a flyer for a hybrid land use training session.

J) ADJOURNMENT was at 10:03.

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.