

**MINUTES FOR PUBLIC HEARING
ON PLAN OF CONSERVATION AND DEVELOPMENT
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, OCTOBER 5, 2010; 6:00 TO 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called to order the Special Public Hearing of the Planning and Zoning Board to discuss the City of Milford's Plan of Conservation and Development at 6:07 p.m.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Members Present: Edward Mead, Kim Rose, Greg Vetter, Susan Shaw, Chair. Victor Ferrante (6:15), Kevin Liddy, Vice Chair (6:32) Janet Golden (7:07),

Not Present: Mark Bender, Kathy Patterson

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

C. PUBLIC HEARING

1. PLAN OF CONSERVATION AND DEVELOPMENT

To obtain the public's suggestions as to changes to the City's Plan of Conservation and Development that was adopted in 2002 and is required by State Statute to be updated every 10 years in order to qualify for discretionary State funding.

Mme. Chair: Some of the Board members will be arriving from work during the hearing.

The Chair gave a brief overview of the goals of this meeting and the process for tonight's hearing on the Plan of Conservation and Development. She stated that the POCD provides the City's road map for future development in the City and it lays the ground work for regulations and zoning decisions in the City. The Plan was last adopted in 2002. State statute requires the Plan to be updated every ten years in order to qualify for discretionary State funding, such as open space and competitive grant programs. State law also requires the Plan not only to discuss Milford's built environment and open space, but also transportation, local opportunities for mixed use, transit oriented development, housing goals, historic preservation and the protection of Long Island Sound.

It is critical to have broad community input throughout the review process to ensure that the Plan reflects the desires and the goals of the Milford community. This hearing is just the first of many meetings that will be held throughout the review and adoption process. The Plan of Conservation and Development is due to be adopted at the end of 2011. The 2002 plan is available on the City's website

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http://www.ci.milford.ct.us/public_documents/MilfordCT_Develop/Development/S00109304

The goals of tonight's meeting are based on public input regarding needed improvements to the current plan and what areas of focus and concern the Board needs to be aware of, and to decide based on this, what the review and adoption process should be in order to ensure that the 2012 Plan of Conservation and Development is reflective of the needs and desires of the community.

Asked Mr. Sulkis, the City Planner to talk about the state statute underlying the goals of the POCD, as well as the processes that the Board will be going through.

Mr. Sulkis: The Chair gave an excellent synopsis of the process. He stated he would read directly from the statutes which were the same for all 169 municipalities in the State. In view of this there would be some items that would be weighted toward some municipalities that would not apply to Milford, for example, more rural and undeveloped municipalities to the most heavily developed municipalities. The requirements of what must be in the Plan, plus the public's comments and concerns, hopefully at the end the City will have an excellent, updated plan.

Section 8-23 (d)

(1) "The Plan of Conservation and Development shall be a statement of policies, goals and standards for the physical and economic development of the municipality. Provide for a system of principal thoroughfares, parkways, bridges, street sidewalks, multi-purpose trails and other public ways as appropriate. Be designed to promote with the greatest efficiency and economy the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent to have a compact, transit accessible, pedestrian oriented, mixed use development patterns and land use re-use, and to promote such development patterns and land re-use. The plan shall also recommend the most desirable use of land with any municipality for residential, recreational, commercial, industrial conservation and other purposes and include a map showing such proposed land uses. Inconsistencies with the following growth management principles should be pointed out by the plan. The redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure. Expansion of housing opportunities and design choices to accommodate a variety of household types and needs. The concentration of development around

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transportation nodes and along major transportation quarters to support the viability, transportation options and land re-use, conservation and restoration of the natural environment, cultural and historical resources and existing farmlands. Protection of environmental assets critical to public health, safety and the integration of planning across all levels of government to address issues on the local, regional and statewide basis. Make provisions to the development of housing opportunities, including opportunities for multi-family dwellings for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management and to promote housing, choice and economic diversity in housing, including housing for both low and moderate income households and encourage the development of housing, which will meet the housing needs identified by the housing plan prepared pursuant to section 830.17

(2) "For municipalities that are contiguous to Long Island Sound, such plans shall be consistent with the municipal coastal program requirements... and reasonable consideration for restoration and protection of the eco system and habitat of Long Island Sound and promote the reduction of hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound."

That is the heart of the task that is before the Board. At the end of this process these goals will be met.

The Chair opened the hearing to the public and gave instructions as to how the public speaking portion would be conducted and thanked those in the audience for attending.

Letty Malone, 14 Eighth Ave. Chair of the Mayor's Open Space Advisory Committee. The Open Space Committee has studied two areas for the Board to address: 1) Milford's agriculture industry. Stated that agriculture in Milford contributes to the city's economic health, as well as its environmental well being. The Committee believes that the present POCD does not provide necessary and important benefits that the farms need as both businesses and stewards of a large land base in the City. Suggested a policy statement which illustrates support for farms might be a good beginning, followed with a section of specific needs of agricultural businesses.

2) Concern about open space preservation. The Open Space Committee conducted a city-wide survey to assess community views on open space matters. Results of the survey indicated universal support of open space preservation from all respondents. Consensus is the people of Milford place a high value on open space preservation. They believe the space should be managed properly and these goals are worthy expenditures for their tax dollars.

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The Committee is available to explore these topics with the Planning and Zoning Board at any time in the future.

Mr. Vetter: Asked for a copy of Ms. Malone's statement and a copy of the survey her committee had conducted.

[Ms. Malone submitted her statement which was date stamped into the record.]

Mr. Ferrante: Stated a past situation brought before the Board regarding farming and at that time he had asked for feedback with regard to possible agricultural regulations, but no response had been received. It is difficult for the Board to establish regulations in a new area without help. Would like specifics on this.

Ms. Malone: Was very happy with the Board's interest. There are many people in the farming communities who serve on committees and could be a source of such information. She will try to pull together a group of people who would like to work on this.

Joseph Woyciesjes 262 Woodruff Road. Belongs to the New England Mountain Bike Associates, which is a trail care group across the state. He works with a large group of volunteers in Milford. They are asking for two things: 1) For the final plan be able to be put into the works with the volunteers who primarily work in parks, open spaces and trails. 2) Some form of stewardship or some way to organize all the volunteers to help put all the plans together that the City would recognize. This would be a great asset, especially with the amount of man hours that are being done researching the parks.

Vincent Piselli, 361 Meadowside Road and Ed Apazia. Concern about the maintenance of open space. Not only important for open space to be acquired, but to be maintained. He has been a professional land manager of parks and open space for over 20 years. He has been researching all kinds of ways to take care of them. Has found that people want to volunteer and be part of the solution. He works with other cities in the State on park projects. Has more volunteers than he can handle. Milford has huge natural resources that can be maintained without raising taxes. Cited the Eisenhower Park project. An Open Space Management Proposal was referred to and distributed to the Board and date stamped into the record. Suggested the creation of local green jobs and professional partnerships that result in self-funding, income generating programs be added to the open space management goals.

Mr. Piselli further outlined his suggestions and proposals for open space in Milford, such as leasing out public property to farms from which profit sharing programs are created.

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Mr. Ferrante: Asked if Mr. Piselli was a member of the Milford Land Trust. Suggested he contact them because they hold parcels of land in Milford for open space. The people who are in the MLT understand would have an understanding of what Mr. Piselli is trying to accomplish.

Diane Vasser: 17 Duvol Street, Chairwoman of the ECC. She is in support of Mr. Piselli and Milford's farms. She is going to work with Mr. Piselli through the ECC. She works on these types of projects with people all over the country.

Richard Platt, 132 Platt Lane. Here to speak to the historic preservation part of the POCD. Wants to review some of the historic preservation items that were in the Plan, some of which have been accomplished and others that have not, and in some cases some things that should be enacted now rather than waiting for a new plan.

He mentioned that Regina Cahill, who could not be present tonight, asked that he state that the Milford Preservation Trust strongly supports anything the Board can do to strengthen the regulations and Plan in the historic preservation area.

From the current plan:

1. Develop a list of historic properties in Milford that are outside the historic district that are not on the national register. Consider the creation of a Milford Historic Site Designation. There was a historic resources inventory list, taken from a previous list, which was used in the current Plan. This should be a living list whereby new properties could be added as they came to the City's attention.

Four years ago a new Historic Resources Inventory was completed. That list should be given serious status and should not wait for a new plan. He has just thought of two structures that are not on the present list, but should be.

2. Designate spot historic districts involving single properties or small groups of properties. The Board of Aldermen recently appointed a commission to accomplish this.

3. Preserve historic resources to deed restrictions.

4. Adopt a demolition delay ordinance.

5. Establish a Green District within the downtown harbor village district based upon the recommendation of the ad hoc Mayor's committee. At one time there was talk about a village district around the Green, but it was nixed by the commercial property owners in that area, so that was never done. Might want to revisit this.

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6. Work to establish an historic district for the area South of the Green, in particular, the lower end of High Street, Green Street, Lafayette Street, etc. That has been done. Historic designation of the area north of the Green, especially the C.H. Pond Mansion, or Lauralton Hall should also be pursued. Lauralton Hall has an application pending to be placed on the National Register.

7. Consider the creation of a National Register Overlay District, which would include all sites on the National Historic Register and all the River Park National Historic District. This type of overlay district would protect any property in the district from future residential, commercial or industrial development.

Had this been done when the Plan was written, there would not be the development now taking place at 25 Prospect Street. It is an atrocity he hopes will never happen again. Hopes this will be taken care of right away or as soon as the Board possibly can. Do not wait for a new Plan of Conservation and Development.

Mr. Platt sat through many of the hearings ten years ago when the previous plan was adopted. Prospect Street was placed in the Milford Center Design District (MCDD) at the time. No one noticed it. Nothing was said at the time and the people on Prospect Street were not aware of its implications. The Board's attitude was that the residents should have said something if they did not like it. Mr. Platt acknowledged that was true and they missed it. He also said the Board is elected to look out for these things as well. It is their responsibility to make sure that something like this does not happen again.

8. Create a walking street in the downtown harbor district, inclusive of an historic district along Factory Lane to City Hall, as well as the High Street area and around the Green. Not sure if the streets could be closed off, but it would be like many pedestrian areas in European cities.

9. Restore the Memorial Bridge and create a river walk in that area. There could be an responsibility issue because New Haven Avenue over the bridge is a State highway.

10. Consider designating an area within the downtown harbor district as "the Palisades", to include the area within the line of Palisades as shown in the original town plot of Milford (1645 Town Plot).

11. Create and adopt a definition for properties that could be designated as historic and incorporate into applicable regulations. He would expand that to include architecturally significant, culturally significant, or community landmarks, not only historically significant.

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12. Adopt regulations creating required buffers around historic homes.

Joe Hebert, 14 Broad Street. Milford has an awesome community. So much work has been done in the downtown district by a lot of private citizens. The Downtown Business Organization is a wonderful business association. The association has worked hard to bring new life to downtown, working in cooperation with the restaurants to have a variety of different events. A recent fundraiser raised \$13,000.00 for Bodie's Place. This was a partnership between the area restaurants and the downtown businesses. He noted David Fernandez who had a vision for his building on River Street to have a series of boutiques. He almost hand selected the businesses he wanted to have in there. Now there is a little shopping stretch that attracts people from all over. These are a couple of examples of what private citizens are doing with basically no help from the City. These accomplishments have been on a grass roots level.

He is coming to the Board to ask for their help to make sure that the work that has been going on in spite of the recession, the growth that the downtown district has been seeing, will continue. One of the area of concern is the old Harrison's building. Aware there is a bank looking to go in that space and the bank has heard some of the concerns from the surrounding businesses. This is a prime location. Not suggesting there is anything the Board can do about it at this time, but it is in the heart of the City and there is a need for development that will be in keeping with the character and the integrity of the rest of the downtown.

He noted he gets people in his store that have moved away but people come back because of nostalgia and how much they love Milford, especially the downtown Green and the harbor. Asked that the new Plan of Development pay particular attention and consideration to the resource that is the downtown district and when a property like Harrison's becomes available, that what replaces it will enhance downtown Milford and not be a branch of an out of town business. Does not mean to be disparaging, but it is about how the business fits into the community. Does not know how this can be done, but would like the new plan to protect those spaces that are presently here, not only open space, to protect the beauty and character of the City.

Lily Flannigan, 38 Prospect Street In 2002, Yale Charette, the Chamber of Commerce and consultants had the greatest influence on the POCD. Developers of multi-family residences filed into corridor areas that were created and the 8-30g threat was often used. Conservation and preservation suffered. The historical property overlay in the plan was not and is not adhered to. The POCD should not be to keep the population growing until the city pops. A citizen advisory committee should be activated and allowed input immediately upon the suggestion of a project in a residential neighborhood. The current plan pits

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property owners against each other. Developers have the financial advantage. Proposals should show how a project fits into the neighborhood by how it looks in the neighborhood and how the infrastructure is affected. Notices of special permits, special exceptions and zone changes should be as large as demolition and liquor permit notices. Greater and earlier transparency is needed. It is time to reverse the trend and listen more to residents' objecting to diversity.

John Bonetti 157 Seaside Avenue. John is a 15-year old who became interested in Milford's zoning in 2005 when the application for a Prospect Street development had been announced. He went to the first meeting for the proposal and listened as citizens consistently spoke of their concerns. He knew the development was wrong for Prospect Street. In protest of the decision he wrote a letter to the editor, however, the project was accepted. Later, he fought against a similar project on Noble Avenue. That project was approved as well. He vowed to never let this happen again. After reviewing the 2002 Plan of Conservation and Development, he found that the problem he has with the document does not lie within the content of the plan, rather that the ideas within them were not enforced well. Most concerned with the historical preservation section. The Plan has many good ideas to help preserve historic properties in Milford but they were never implemented. Examples are: The creation of a second historic district south of the downtown. This was suggested in 2002 but was not put in place until a year or two ago. Also, a need to pay more attention to the design of new development in order not to adversely impact the traditional architecture and New England charm of individual properties in areas. This aspect of the Plan appears to have failed due to the outcome of projects such as Prospect Street and Noble Avenue, in which both buildings are oversized and not consistent to the character of their surrounding properties and areas. The creation of a Milford Historic Site Registry in which properties designated as historic resources could receive special protection under the development review process was also an excellent idea and although the city historian compiled a list of such properties, the idea was never followed through upon. One of the properties was 25 Prospect Street built in 1805, but has just been torn down to make way for more condos. Buffers around historic homes should be implemented. In areas such as open space preservation and LI Sound protection, Milford has done a very good job.

John stated his views do not reflect upon the current Planning and Zoning Board and believes much can be accomplished in developing this plan in the coming months.

Michael Brown, 67 Point Beach Drive. His discussion is more about the process more than specifics of the Plan. The last POCD was developed by a selected group and a hired consultant. He was told that the public was engaged

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in the process at the beginning and end, but not so much in between. He does not believe there was an intent to keep the public out. This does not have to be the case this time. Modern computer systems allow public participation in document creation. Suggested the Board use a "Wiki", which is used in Wikipedia to help develop the POCD. Wiki software is a free on-line tool which can be used for collaborative knowledge management. Individuals can contribute to it easily, thereby providing expertise beyond the core group. The community as a whole could provide their research to development and amend any working document. The Wiki can also add trust to everyone who inputs information or ideas. Something called the "change log" is in almost all this type of software. A change log is used to show the history of all the input and changes so that everyone knows what was done with their ideas and their suggestions, as well as a set of rules governing the user behavior. Users can catch malicious or inaccurate content and create it. Ongoing participation in the Wiki can be controlled by the members who have a vested interest in preserving the quality of the document. He asked that this approach be considered in any RFP and/or RFQ for a consultant. He believes the public would like to be involved throughout this process.

Mr. Vetter: Asked if Mr. Brown knew of any place to create a document of this size to the public where a Wiki was used.

Mr. Brown: Knows that documents are created from different sources from all over, meaning not just a community, could be all over the world. He is a member of the IEEE. They put together standards in that area. Has only been involved in one creation of a Wiki document.

David Fernandez, 13 River Street. There is no communication between City departments and no communication [about development] to the public until after the fact. The town of Biarritz publishes a newspaper that notifies the public about potential development projects. The townspeople can contribute their ideas through this publication. It is also a means to have people get together who are interested in the same issues, similar to the person who spoke about farming in the community. Stated he spoke with the Mayor, not as a political entity, but about his opinion on Harrison's. He seems against it. Also spoke with David Sulkis on this and does not know what he thinks. Mr. Fernandez thinks this is a big problem.

With regard to the property [Harrisons], the DBA is against it. The community appears to be against it. Two or three people have called it an eyesore, but it is an eyesore in transition. If the property is developed and remains an eyesore, such as a bank, he will consider it dead because it will not make the area better.

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He suggests a way be found to make the public more involved. He requests a public hearing be held for this purpose or an association be established, that would aid the public in participating in the development of the downtown commercial property. Right now the only people who have the power of choice are the property owners, of which he is one. Believes the public should be more involved in deciding how the first floors of downtown commercial buildings will be used. Offices or apartments can go on the second floor. As a compromise, half the building could be retail on the first floor, as all buildings have rear entrances. He does not think such uses would adversely affect property value or taxes.

In summary, have a forum in which the community can participate and know what people are thinking. Do not develop a property just to have it developed. Need to wait for the right business to come.

Carter Colter, 258 Gulf Street. Supports the designation of upper Gulf Street as an historic district. He restored a home in that area and would like to see the area maintained. Said the Planning and Zoning Board granted a variance about 1.5 years ago. A ranch was converted to a three story colonial which was too close to the sidewalk. He stated when he asked if he should have been notified he was told it was private property and there was nothing he could do about it. If the home was in an historic district at that time those plans might have been modified. Would like to know the status of making this area an historic district, as it has been under consideration.

Mme. Chair: Asked Mr. Sulkis for clarification.

Mr. Sulkis: The Board of Aldermen has formed a committee on this and they are in the process of reviewing it.

Said this board does not grant variances of any kind. It would be the Zoning Board of Appeals that did it.

Mr. Platt: Confirmed this area is under discussion by the Board of Aldermen committee established in September.

Mr. Ferrante: Asked if Mr. Sulkis could clarify the process with regard to historic districts, as many of the people in the audience have questions about this.

Mme. Chair: Suggested the public be heard from first.

Michelle Merchant, Owner, Me Boutique, 23 River Street. She is also the president of the Milford Downtown Business Association. Stated her agreement with Joe Hebert and David Fernandez. Honored that businesses want to join

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Milford's successful business community, but is requesting that standards and guidelines be put into place when new building occurs in the downtown area to keep with the charm of that area.

Ann Maher, 44 Prospect Street. Thanked the Board for giving their time to hear the public tonight, as there are a lot of people who want to be involved from the start to the finish of reviewing the Plan. Some of the people have learned through personal example where they should have been involved and maybe what they should have known. Asked the Board to ensure in some way, whether new media, social media, or traditional media that the public is informed of their opportunity to speak. The public needs to know through a combination of communication vehicles that certain things will impact them. Has reviewed some old newspaper clippings from 2000 and repeatedly saw "Plan of Development". In the year 2000 it was all about development. This was before everyone became aware that conservation and preservation is just as important, not more, but equally important as development. Believes everyone has become painfully aware of that over the last couple of years. Asked the Board to remind the public that they are a part in this and if something changes or is proposed for change, whether it affects them personally or not, they should be aware. Stated she found out too late about the change that was made that would allow a CVS to be built on her street. She stated she was not there because she was not a developer.

Asked the Board to listen to the people who are speaking, all of whom she respects.

Ann Berman, 77 Pelham Street. Was a part of 2000 POCD. Milford is pretty much built to the max and conservation is of a high priority. Thinks there should be a land manager to help with programs such as Vincent Piselli proposes. We should take care of what little is left or Milford will not be a city that people want to come to and there will have to be some way of managing the influx of building.

Dan German, 114 Beach Avenue. Wants to show his concern and support for the downtown, especially the Harrison's building. Supports Mr. Piselli's open space project. Need someone with expertise to maintain the open space property, such as Vince Piselli. Would like to see a plan for keeping all City properties in Milford beautiful and well-maintained with landscaping, especially in high traffic areas.

Barbara Genovese, 19 Belmont Street. She is vice-president of Milford Preservation. Has lived here for 29 years. Board should look into keeping Milford historic. A lot of property has been lost. Cited the Cadley property as an example which now has a house on it that has been vacant for almost two years. Keep to the character of the area when making changes or development.

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Joseph Simoncek, 61 Governor's Avenue. Governor's Avenue is similar to Prospect Street. It is a street off downtown with many older homes. There are some properties near Buick Avenue where it is possible that a developer could put up a 50-unit apartment complex. There are other properties on the street where some different types of housing could be stuck in. Wants to keep the present character of the street and not let unsuitable development take place.

Timothy J. Casey. Has heard a lot of good testimony tonight. The City has a plan. It is the 2002 plan. Cited pages 67-68 deal with policies. Everything that has been brought up has to do with infill development. The Plan has excellent suggestions in terms of dealing with that problem in terms of size, bulk, character and quality of the development before it is done. This Plan has been in effect since 2002, but he has seen things built on Milford Point on a barrier beach, an ecological address that should never have been built. The City has the standards and guidelines suggested in the Plan. Asked if the City has come up with guidelines for infill development. He read from the POCD. Noted the older trees are dying and being cut down but not replaced in the Historic District #2, in which he resides. Tree lines, open space and the natural resources of the City should be taken into consideration. The infill development of the Plan lists about 12 things that could be done and should have been done over the past eight years. Hopefully they will be considered and implemented.

Mme. Chair: This is the first of several meetings. She will recap some of the issues discussed at the Board meeting directly following at 7:30. She will work with the City Planner on a decision as to the review process. She guarantees that this process will be open and accessible, even for those who find it inconvenient or not possible to be at these meetings, they will be included in some way of knowing what the Board is doing and have the ability to bring their thoughts and ideas forward. She thanked everyone for their incredible input.

With regard to Mr. Ferrante's request to discuss the historic districts, this and other topics will be discussed within the year long process of reviewing the plan.

Ms. Rose: Thanked everyone for their input. The perspective of seeing the audience

The meeting closed and adjourned at 7:23 p.m.

Phyllis Leggett, Board Clerk