

**MINUTES FOR TWO (2) PUBLIC HEARINGS
HELD TUESDAY, NOVEMBER 16, 2010; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called the November 16, 2010 public hearing to order at 7:30 p.m.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Members Present: Edward Mead, Mark Bender, KathyLynn Patterson, Kevin Liddy, Vice Chair; Kim Rose, Janet Golden, Victor Ferrante, Gregory Vetter, Susan Chair, Chair.

Not Present: Robert Dickman

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

C. PUBLIC HEARINGS CLOSE BY 12/21/10; Expires 2/24/11

1. **60 ROWE AVENUE (ZONE ID)** – Petition of Karen and Robert Bruneau for a Special Permit and Site Plan Review to relocate a vehicle repair facility on Map 32, Block 339, Parcel 1D, of which Wayne Coury is the owner.

Robert Bruneau, 5 Erna Street, Milford. Runs a vehicle repair facility. Formerly located at 329 Old Gate Lane. Has been doing business in Milford since 1971 doing business as Bruneau's Service Center.

Mrs. Harrigan: The application before the Board is for a vehicle repair facility in the LI zone. In this zone the applicant has to ask for three waivers. In this particular zoning district, a vehicle repair facility is required to be on a minimum of a one acre lot. This parcel is 7,500 SF. In addition, there are a couple of requirements within the vehicle repair section, which requires a certain distance from adjacent property lines for things like driveways and the actual vehicle repair use itself, which implies there are buffers intended. This is a preexisting parcel, which will not be altered in any shape or form. The exact building and parking configuration will be used. Those would be the three waivers necessary to approve the application.

The three waivers were enumerated:

1. The size of the parcel.
2. The location of the driveways within ten feet of adjacent property lines.
3. The actual vehicle repair use within ten feet of adjacent property lines.

Mrs. Harrigan: Explained the need for the waiver of the driveway on the south side of the property adjacent to Rowe Avenue.

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Mr. Liddy: Asked what the property was used for now.

Mrs. Harrigan: Believes the property is vacant and the last use was a similar industrial use.

Mr. Liddy: Was concerned about oil spills and other vehicle repair issues, i.e., oil containment.

Mrs. Harrigan: There is a comment from the engineer on call, "There are no floor drains inside the works areas and should there be any discharge from the areas they would need to add a 1,000 gallon oil/water separator discharged to the sanitary sewer lines. That is a very common requirement for these types of facilities if they have the floor drain in place.

Mr. Liddy: Asked if there was a floor drain in the Rowe Avenue location.

Mrs. Harrigan: No. There is no requirement in the zoning regulations that one be put in. If they are required to do so by the State, they would have to install it.

Mr. Liddy: Asked why Mr. Bruneau does not plan on receiving any vehicles from the State, even though he is presently on the rotational tow list for the State.

Mr. Bruneau: Explained his son owns Robert's Service Center and Bruneau's Garage in West Haven. They are in business together and if he does not have the space to store a vehicle, his son does.

Mr. Vetter: Asked about signage, as there was none indicated on the plan.

Mr. Bruneau: Will not put a sign up until he knows what size sign can be put on the building. He has a following of customers and there is no need to advertise.

Mme. Chair: Asked if there was anyone to speak in favor of the application.

Heather DeMaio, 21 George Street, North Haven. Bob and Karen Bruneau's daughter. Spoke in favor of her father's application and the fact that the present landlord is forcing him to make this move. He has a long history in the business with many satisfied customers. She presented a number of letters in support of the application, which were date stamped into the record.

Mme. Chair: Asked if there was anyone to speak in opposition to the application.

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Mr. Liddy: Asked if there was a deadline for when they must vacate the present facility.

Mr. Bruneau: They had 90 days to move and are now past that time.

Mme. Chair: Closed the public hearing.

Mr. Vetter: Motion to approve Petition of Karen and Robert Bruneau for a Special Permit and Site Plan Review to relocate a vehicle repair facility on Map 32, Block 339, Parcel 1D, of which Wayne Coury is the owner.

Mrs. Golden: Second.

Mme. Chair: Suggested amending the motion to include the waivers.

Ms. Rose: Amend the motion to include the three waivers to include: 1) The size of the parcel; 2) The location of the driveways and 3) The vehicle repair use of the property.

Mr. Vetter: Second.

All members voted in favor of the amendment. The amendment passed unanimously.

All members voted in favor the motion. The motion passed unanimously.

2. **10 LEIGHTON ROAD (ZONE LI)** – Petition of Schick Wilkinson Sword for an Amendment to a Special Permit, Coastal Area Management Site Plan and Site Plan Review to construct a 2,833 SF addition for a research and development facility on Map 78, Block 812, Parcels 28A and 32AA, of which Schick Wilkinson Sword is the owner.

Kevin Curseaden, Esq., Stevens Carroll & Carveth, 26 Cherry St. Also present are John Beckmann from Schick; Scott Pinckney, Sr. Project Manager and Bob Wheway, the engineer on the project from Codespoti & Associates.

Submitted a follow-up letter from the fire marshal's office that he received this afternoon. Also, an affidavit by Mr. Pinckney that the sign was posted, which were date stamped into the record. The application was properly noticed both in the newspaper and on the property.

This is a minor amendment to the special permit. The facility is approximately 2900 SF, which will consist of two pre-engineered buildings that will be placed on the southeastern portion of the site, which will be used for research for the Edge

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line of shaving products. He pointed out on the site display the location of the buildings.

The site is 40 acres overall. This is a small project that will be used for research and development. There will be no production in this area.

Thanked Mr. Sulkis, Jocelyn Mathiasen, Tom Raucci, Chief Mello, Sgt. Sharoh as well as the Fire Marshal's office. This was a collaborative effort that was undertaken in order to give the Board a sufficient level of comfort that what the facility would be used for was safe for the Schick employees and the neighborhood and would be a good use for the site. Thanked the City agencies for moving this project along quickly for the applicant.

Asked if the Board was comfortable with the tonight's presentation that they close the public hearing and act on the application, as was done on the last application, so that Schick could start work on the project as soon as possible.

Mr. Curseaden noted that the fire marshal's second letter presented to the Board tonight clearly indicates there is no danger for the use. It had been explained to him that the use would be no different from gas running into a home from the street, or a propane gas grill. The statement of use submitted by Schick explains the situation very well. The statement of use also contains emails which give specific answers by Mr. Pinckney to Mr. Sulkis' questions on the safety factor. It is equivalent to three propane canisters, such as are used on a grill. It is not a continuing flow of gas.

Photos of the proposed building as it sits on the site were distributed to the Board and date stamped into the record.

Robert Wheway, PE and Principal, Codespoti & Associates, 504 Boston Post Road, Orange. Described the site conditions via the large site display. Showed a very small portion of the southeast corridor that would be used for the subject facility. There are inland wetlands and tidal wetlands located on the site. There will be no wetlands filled in association with this project. A Coastal Area Management Site Plan Review has been filed. John Gaucher of the DEP had no comments for the P & Z to consider with the exception of a natural diversity data base review. It was determined that this proposal would not affect the area in question. Site is in the 100 year flood area at elevation 10, but the new building will be outside the flood boundary at elevation 22.

The proposed building represents 0.7% increase in the building portion of the site area. The building will be single story, prefabricated, placed on a slab on grade. The terrain and topography was described. Disturbing approximately 10,000 SF of the area. All major utilities will be underground and will include sanitary sewer,

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water, electric, gas and communications. Sanitary sewer line extension and new gas lines will come in from Homeacres Avenue. Approvals have been received from the Sewer Department and DEP. New services for electric and communications will be provided from the main building. Fire service and domestic water service will be provided through existing connections.

The existing parking lot, located right next to the building, is proposed to be utilized for the main facility and for the new building. Restriping will be done to accommodate a new handicap accessible space and a painted access from the main building to the new research facility. Parking complies with the zoning regulations and is in excess of 28 spaces over what the regulations require.

A soil erosion and sediment control plan has been prepared, which would address any problems that might arise during construction. It is not anticipated soil erosion will be a problem as the property does not have a large watershed going into the area.

Landscape and lighting plans were designed by Jeff Gordon of Codespoti & Associates and are in harmony with the proposed facility. Comments from the Tree Commission were addressed. Wall pack units of 42 watts are being proposed. No pole type lighting is being proposed as they are existing in the parking lot facilities.

He concluded by stating the plans conform to the regulations of the City of Milford.

John Beckmann, Director of Engineering, 10 Leighton Road. Been at the facility for 20 years. The Milford plant is OSHA BPP certified. Take safety very seriously. This design has been reviewed by the fire marshal and by Factory Mutual, Schick's insurance carrier, which is an independent group that looks at everything Schick does. Schick has been a good neighbor and employer for 50 years. They are in competition for these products, which can easily go to other places, so it is important to react as quickly as possible. Schick purchased Edge over a year ago. It is important to keep these products and services here.

Mr. Curseaden: Stated this concluded the presentation and he would answer questions from the Board.

Mr. Liddy: Asked about the fire department's references to a site plan report dated October 12, 2010.

Mrs. Harrigan: That was the original review that was done by the fire department. At that time they addressed adequate access to the site for fire

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equipment, as well as the water supply for the site. It did not get into whether or not they were comfortable with the design of the building. The letter just received is meant to address those concerns.

Mr. Ferrante: Asked if Mrs. Harrigan was satisfied that the current letter addresses the uses and design of the building.

Mrs. Harrigan: That is what the fire marshal has indicated.

Ms. Rose: Sewer extensions and gas lines will be going through Home Acres Ave. Will that disrupt the residents living on that street?

Mr. Wheway: Responded Sheet SP-7 reflects this. 154 Home Acres is the only driveway that will be impacted. There might be a minor inconvenience for a short time. For the most part access to both sides of the street will be accessible. Gas lines will have the same situation. The gas line will be parallel and will be the same situation.

Ms. Rose: Asked if the homeowners have been notified that there will be construction, especially at 154 Homeacres Avenue.

Mr. Curseaden: Not specifically, other than the notices that have been published and posted, but Schick always exceeds the standards and would not have a problem notifying the homeowner that their driveway access may be disrupted and apologize for the inconvenience.

Ms. Rose: Asked if the propane tanks depicted in the photo would be stored outside the building and were they representative of what would be stored in the buildings.

Mr. Beckmann: Explained the size of the tanks and how they would be used. They will be stored outside.

Mr. Bender: Asked if one of the buildings already exists.

Mr. Beckman: Yes.

Mme. Chair: Asked about the chemicals that will be used.

Scott Pinckney, Sr. Project Engineer, 10 Leighton Road. There will be three propellants that will be used as part of the Edge process; Isopentane, Isobutane and a third which is basically a blending of the two. That is the gas that will be used to fill the shaving cream canisters.

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Mme. Chair: These are flammable gases. Isopentane is volatile at room temperature?

Mr. Pinckney: It is similar in behavior to propane. It reacts and behaves the same as propane. That is why the analogy is made to a grill tank.

Mme. Chair: How much of these chemicals will be inside or outside of the building?

Mr. Pinckney: The safety features in the can filling house permits all the gases to be handled outside. The gases will be outside the building in a shed storage area attached to the building. They are run through a safety manifold and then charged into a test can inside. It is overkill, because on the inside there are a series of sensors and cameras, and if there is ever a problem, the safety manifold shuts it off.

Mme. Chair: Has this been shown on the plans as far as the can filling unit?

Mr. Pinckney: Showed on the display where the shed would be and the canisters would be stored and how the procedure would work.

Mme. Chair: Asked how the canisters are protected.

Mr. Pinckney: The shed is a lockable shed.

Mr. Beckmann: It will also be tamper proof.

Mme. Chair: What kind of signage will there be to ensure that people know this is dangerous, also in the event of trespassing.

Mr. Beckmann: There will be a sign saying that there are flammable gases there.

Mme. Chair: Has it been ascertained as to the maximum amount that will be stored in the shed?

Mr. Pinckney: Does not know yet. There are limits that are prescribed that will be well above what they will be using.

Mme. Chair: Will there be special needs required if there is a fire due to the chemicals?

Mr. Pinckney: There is a sprinkler system and a preliminary system that goes off. There are infrared and ultra violet cameras that sense a flame and within

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200 milliseconds it will activate a very expensive Fenwall Explosion Suppression System. He explained how this system would work. There are about 70 of these systems throughout the country and there has never been a problem.

Mr. Beckmann: Stated the guidelines will be adhered to so that there would be no chance for sparks from lighting to ignite. There will be no outlets.

Mr. Liddy: There have been deadly explosions that have occurred in the state in the past year. Due to the facility's proximity to residences, why could it not be located elsewhere on the property?

Mr. Pinckney: Noted the reasons this was the most viable location. Also stated there with regard to notifying the neighbors, this is not going to be a dangerous situation. This is an extremely safely designed building. There would be more risk at a Blue Rhino station at a gas station.

Ms. Rose: Asked if these propellants were being used at other areas of the facility.

Mr. Beckmann: Not specifically.

Mr. Bender: Asked if there had been any problems at other research development facilities that use this process.

Mr. Beckmann: Not that he is aware of.

Mr. Liddy: What is the deadline?

Mr. Beckmann: Would like to start the week after Thanksgiving. Sorry the procedure cannot be done in a less hurried manner. The nature of the business is to respond to the client and that has to be done as quickly as possible to remain competitive. The fire department inspects the facility annually and sees how seriously Schick considers safety.

Mme. Chair: Anyone to speak in favor of the application?

Mayor James Richetelli, 110 River Street. Congratulated Ms. Rose on her recent election to the Connecticut State Legislature and said he looked forward to working with her on the issues that are important to the City of Milford.

The Mayor stated he was present tonight to support this application and requested it be acted upon tonight. The City of Milford is very fortunate to have a mix of tax base of industrial, commercial, and residential, which enhances the

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quality of life and makes Milford economically viable. Schick has been one of the leaders in the City and is one of the top ten taxpayers in the City. They have been a good, safe, corporate citizen. The number one issue in the State and the country is creating jobs and although this is not a large facility, it will add to the long-term stability of Schick within its corporate structure and within the competition of the entire market.

The health and safety of the citizens of Milford are first and foremost on the Board's minds. This is evident from the questions that were posed. Before coming and speaking on behalf of this application, he spoke with the City departments to make sure that all the necessary measures have been taken and that this proposal exceeds all safety requirements, especially in the area of fire safety. The mayor spoke at length with the fire marshal and is convinced he has reviewed this extensively and by the letter that has just been received, this proposal exceeds all safety standards for this type of facility.

Industrial, commercial and residential work well in this city. There are two natural gas generator plants. The Fire Department works very closely with these facilities and Schick is no exception. The fire marshal has assured him that this application is of minimal impact with regard to fire safety. The fire department will work with Schick throughout the construct process to make sure that all the safety factors go into effect.

He asked the Board to render a decision tonight and support the application.

Mme. Chair: Anyone else to speak in favor of the application? Anyone to speak in opposition?

The Chair asked if the Building Department had submitted a report on this application.

Mrs. Harrigan: No. They are not usually an agency that is referred to. Based on the uses proposed in the building, the building is being designed to a higher standard. The Building Department was tentative to call this an "H" type building, which is a higher hazard building, they felt the uses contained within the structure did not necessarily meet that criteria, but it is being designed to that higher criteria.

Mr. Pinckney: Met with the building department a couple of times. They have been helpful and have gone through the drawings from day one. Each time modifications were made, the building department weighed in and made suggestions.

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Mme. Chair: Heard the building department had signed off on this, but did not think there was an actual sign off and wanted clarification on this.

Mr. Curseaden: The building department does not typically receive application transmittals.

Mr. Liddy: What is being requested in the way of waivers, exceptions, or other requests? This is not specifically allowed in the LI zone.

Mr. Curseaden: This is an allowed accessory use by Special Permit. One of the applications is a Special Permit specifically for the use. If it was not for this use it would be a Minor Site Plan Amendment and a CAM.

Mrs. Harrigan: Within the light industrial zone there is a list of prohibited uses. Based on the information provided it would seem that this use would not be prohibited, as it is not noxious and undesirable. It is a small building and will be used mostly for research and development.

Mr. Curseaden: The use is not strictly prohibited as the 15-20 delineated items.

Mr. Mead: Safety is the most important issue, but if you go to the stores around such as Stop and Shop and Walgreens there are about 50 rhino propane tanks. He noted where Ms. Rose lives there is a place there are rhino cans there plus a gas station within 150 feet of her house and there are no fire suppression systems at any of these public buildings and the proposed building will be used for research and development, not mass production. Their safety procedures are over and above anything that the public has in other areas.

Mme. Chair: Closed the public hearing.

The Board has been asked to move this item forward. There are other items on the agenda. Would like to be accommodating as possible, but feels that this application requires some diligence and consideration. Will take board comments but wants to be fair and make sure that the application is deliberated on properly.

Mr. Vetter: Agreed that it is important to take time to consider, but when he first looked at the application he was struck with the size of it, that it is relatively small. From his experience in factories and professional companies like this, with a record of safety, he was comfortable that this would be well built and well maintained. Feels at ease based on the Fire Marshal and Mayor's comments about all the precautions. Has not heard anything discussed that opened new questions in his mind. Did not know what additional information the Board be waiting for in order to make its decision.

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Mme. Chair: Stated she was not personally ready to go ahead and make a decision tonight. It is not typical of the Board to decide on the same night.

Mr. Bender: Agreed with Mr. Vetter. He was won over by the FM Global, an independent company that reviews it and feels it was over and above what was required. More concerned about other companies in the area. Has no question about the fire department's capability in handling the facility. Does not know what would be accomplished waiting two weeks. Feels confident voting tonight.

Ms. Rose: Commented that the Board's concern was safety, as the Mayor had stated. Stated it is not within the Board's purview to consider jobs and the fact that Schick is a wonderful company when considering an application. The Board must decide whether this is a safe and proper use for this area.

Mme. Chair: The public hearing has been closed.

It was suggested the Board continue with the agenda and revisit this item later in the meeting.

3. PROPOSED TEXT AMENDMENT TO ZONING REGULATIONS

Section 4.1.7.3 Fences and Walls

Mrs. Harrigan: The City Attorney's office has requested this item be tabled until December 21st.

Mr. Vetter: Motion to table this item.

Ms. Rose: Second.

All members voted in favor of tabling the regulation change until the December 21st meeting.

D. OLD BUSINESS

4. **1015 BRIDGEPORT AVENUE – (CDD-3)** Petition of John Torres for Site Plan Review approval to establish an outdoor dining patio, valet parking and obtain a waiver for parking on Map 43, Block 214, Parcel 40, of which Leonard Wisniewski Trust is the owner.

Mme. Chair: The applicant is asking for a waiver of 15 spaces and will institute valet parking.

Mr. Bender: Is the striping on the plan proposed or actually on the site.

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Mrs. Harrigan: Proposed.

Mr. Mead: Stated he visited the site. There is a dumpster at the back of the building that is obstructing one of the parking spaces. The dumpster should be moved.

Mr. Bender: Has a problem waiving that number of parking spots. There had been some question about the numbers. Cannot count off-street parking.

Mme. Chair: Noted street parking is supplemented in the downtown area.

Mrs. Harrigan: Planning and Zoning is the first point of entry for this type of application. What the Board is approving is a restaurant use and two clearly defined uses. If there is a change in the tenancy mix where it seems that the plan that has been presented no longer works in terms of the hours of operation that seem to complement each other currently for the restaurant use, which is primarily open in the evening and the other uses which have low parking demands to begin with and are primarily open during the day, if there is a significant change in tenancy that upsets this balance the Planning and Zoning staff recognizes that and that is how this application got to the Board to begin with.

In terms of looking at the combination of uses for this site, the waiver that is requested, the valet parking that is proposed, it appears that if the Board was to exclude all of the daytime uses, there is enough on-site parking for the restaurant use at night. It is just a question of do they realistically need more parking spaces or is the balance of uses enough to really look at the site comprehensively and say "yes, this is adequate".

Mr. Bender: It was stated that the martial arts classes would not be conducted at night. However, he believes in order for it to be a viable business, classes would have to be held at night and parking would have to be available. Not sure if that would be an issue, but it could be.

Ms. Rose: If any of the businesses change their hours or mode of operation, would that come to the Planning and Zoning office?

Mrs. Harrigan: When a plan such as this is approved with very specific uses identified, this becomes part of the approval; the statement of use; the parking that is shown; etc. So, if there is a significant enough change, such as; the tenancy mix, the operation, as evaluated by staff who must maintain compliance, then they would bring it back to the Board.

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If there are significant changes there will be complaints that will bring the matter to the staff's attention.

Mr. Bender: That puts a burden on zoning enforcement and he would rather not increase that burden.

Mme. Chair: Having new businesses open is very good and is a job creator. It is to the restaurant's own benefit to have customers get in and out to utilize the restaurant. They would be a good monitor of the use, as well as using the valet parking. The alternative is not to have these businesses be able to operate during the days and to maximize the potential of those businesses.

Mr. Liddy: Martial arts will be conducting business during the evening hours, Monday through Friday, which will coincide with the restaurant's dining hours.

Mr. Bender: Asked Mrs. Harrigan if she was comfortable with the requested waiver.

Mrs. Harrigan: Stated she was comfortable with it.

Ms. Rose: Motion to approve Petition of John Torres for Site Plan Review approval to establish an outdoor dining patio, valet parking and obtain a waiver for 15 parking spaces on Map 43, Block 214, Parcel 40, of which Leonard Wisniewski Trust is the owner.

Mrs. Golden: Second.

Mme. Chair: Asked if an amendment for valet parking was necessary.

Mrs. Patterson: Made an amendment to allow free valet parking to accommodate 12 cars.

Mr. Liddy: Second.

Mr. Mead: Asked if it should be noted that the dumpster should be relocated.

Mrs. Harrigan: The Board is approving the plan as presented which shows the dumpster in a different location than where it was when Mr. Mead saw it. The dumpster should be placed where it was stated to be located on the plan.

Seven members voted in favor. Messrs. Vetter and Ferrante did not vote because they were not present at the last meeting. The motion was approved.

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E. PLAN OF CONSERVATION AND DEVELOPMENT

Mme. Chair: Noted the Board received a copy of the letter sent by City Historian, Dick Platt. This has to do with the historic district as well as the use of that listing as a living list for structures to be added to as they come to light.

F. PROPOSED REGULATION CHANGES

1. **Sec. 5.1.4.2** Prohibited Drive-thru Windows, Curb Cuts and Driveways
2. **Sec. 3.1.4.1** See Table
- Sec. 3.1.4.3** Building Height in Residential Zones

Mme. Chair: These regulations had been discussed at the last meeting.

Mr. Ferrante: Stated he did not thoroughly understand the implications of some of the changes, especially the regulation regarding building height.

Mme. Chair: Wanted to move these three regulation changes along, especially the building height requirements, which became such a discussion and was confusing. There is a need to clarify it.

Mr. Ferrante: Stated in reviewing it he came up with too many variables.

Mme. Chair: Suggested starting with the draft of the drive-thru and curb cut regulation. Ms. Rose suggested using the 1,000 foot buffer between driveways. This distance will provide more pedestrian safety. If the Board agrees to this, the proposed change will go to the necessary agencies and then to a public hearing.

Mrs. Patterson: Agreed as well to the 1000 foot buffer. Would rather err on the side of caution in safety for pedestrians.

Mr. Liddy: Asked for an example of how this would relate to a specific property.

Mrs. Harrigan: Mr. Sulkis had used Al Dente Restaurant as an example and the new public parking lot that went in there. If there was a lot being developed adjacent to that public parking area, much like there are easements on the Boston Post Road between shopping center to shopping center, this is a similar type thing but on a smaller scale, so that the number of curb cuts are eliminated. The hope is that you can utilize access to some of the preexisting public parking lots in order to ingress and egress.

In the shared public parking lot in the MCDD there are very few ways in and out and that allows a more consistent sidewalk without as many pedestrian and automobile intersects.

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Mme. Chair: Asked who would support the 1000 linear feet regulation change. (7 members raised their hands in favor.) There is still time to discuss it and there would be a public hearing. The change will get circulated to the necessary agencies.

The draft of the Building Height in Residential Zones was in line with a discussion regarding a building on Melba Street. There had been confusion over what are called the "rooftop objects". She had gone to the City Planner to ask that these 1) be defined in such a way that everyone understands them and they become part of the definitions, and 2) to look forward and see how the Board would regulate them in a way that they would all understand. The proposed text change is what Mr. Sulkis came up with.

Mr. Ferrante: How does this change fit in with other sections that discuss projections, which would be impacted by this change.

Mrs. Harrigan: Explained if he went to the #5 of the Building Height in Residential Zones, Section 4.1.13 is that other section and it allows is 15 feet above the height limitation, but these are specifically to things like church spires, belfries, pull type television antennas and chimneys. This would allow more height at 10% of the roof type area, but only for these specific uses. Otherwise, in the City's residential zones, this regulation is going to trump that other section.

Mr. Ferrante: If these are the only two sections that impact each other with respect to the height issue?

Mrs. Harrigan: There is also the building height definition in the back of the book. The idea was to deal with the properties in those residential zones where the Board has felt that the height envelope was being tested by some of these architectural elements. That is where they focused the revisions.

Mr. Ferrante: Felt he would like to review the three sections.

Mr. Vetter: What about the percentage of roof and the size of the object they can put on it. Will that be dealt with in this change?

Mrs. Harrigan: That is the other section. If it is to be specified, it would have to be added to this.

Mr. Vetter: Thought the two sections should be dealt with together and be clarified so that the calculations and results of the calculations are consistent.

Mrs. Harrigan: Agreed and thought Mr. Sulkis should weigh in on this.

Mr. Bender: Mr. Sulkis had agreed to provide a sketch or a diagram to say exactly where it would be measured to on the roof, especially with multiple roof lines.

**MINUTES FOR TWO (2) PUBLIC HEARINGS
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Mrs. Harrigan: He does intend to produce that.

Mr. Bender: Asked if antennas would apply to types other than television, such as; short wave, cell phone, etc.

Mme. Chair: Thought it best to wait for Mr. Sulkis' return to discuss this further.

[A brief recess was taken from 9:08 to 9:15 p.m.]

Mme. Chair: Suggested the Board take up the discussion on Leighton Road. Her only concern has the chemicals to be used at this facility. In light of the proximity to the residential area, it must be determined if this would be considered a safe and allowable use in the LI zone, especially since this site borders the residential zone.

Mr. Ferrante: Stated he is satisfied that the safety factor has been demonstrated by the applicant. The letter from the Fire Marshal received today further substantiates that factor. Agreed with Ms. Rose that permits cannot be granted or not granted on the basis of whether the applicant is a good citizen or taxpayer. He is not opposed to this project.

Mr. Liddy: Asked if Mrs. Harrigan knew what the "OSHA VPP" site meant as used in the statement of use. Thought knowing what this certification meant would indicate Schick's safety record.

Mrs. Harrigan: It is not defined in the statement of use and the public hearing is closed.

Mrs. Patterson: Read about what Schick is putting in for their development lab and how they are going over and above what has been recommended to assure the safety of the nearby residents, she has no problem voting in favor of the application tonight.

Mr. Bender: Motion to approve the petition of Schick Wilkinson Sword for an Amendment to a Special Permit, Coastal Area Management Site Plan and Site Plan Review to construct a 2,833 SF addition for a research and development facility on Map 78, Block 812, Parcels 28A and 32AA, of which Schick Wilkinson Sword is the owner.

Mrs. Patterson: Second.

All members voted in favor. The motion passed unanimously.

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G. LIAISON REPORTS

Mrs. Patterson: Attended the Police Commission meeting. They wanted to express thanks to the public for its response to the fundraiser in support of the Milford police officer.

H. APPROVAL OF MINUTES – (11/3/10)

Mrs. Rose: Made a motion to approve the minutes.

Mrs. Golden: Second.

Mme. Chair: Confirmed that the minutes approved reflected the correct adjournment time of 8:26 p.m.

I. CHAIR’S REPORT - None

J. STAFF REPORT – None.

Mr. Vetter: Made a motion to adjourn the meeting.

Mr. Ferrante: Second.

All members voted in favor of adjourning the meeting at 9:23 p.m.

The next meeting will be held on Tuesday, December 7, 2010.

Phyllis Leggett, Board Clerk