

**MINUTES FOR ONE (1) PUBLIC HEARING OF THE  
PLANNING & ZONING BOARD  
HELD TUESDAY, NOVEMBER 18, 2008; 7:30 P.M.  
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called to order the Public Hearing of the Planning and Zoning Board at 7:30 p.m.

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

**Members Present:** Janet Golden, Kathy Patterson, Kim Rose, Kevin Liddy, Susan Shaw, Greg Vetter, Victor Ferrante, Jeanne Cervin, Chair.

**Not Present:** Frank Goodrich, Mark Bender

**Staff:** David Sulkis, City Planner; Phyllis Leggett, Board Clerk; Emmeline Harrigan Assistant City Planner (7:45)

**Mme. Chair:** Informed the audience of the purpose of an 8-24 approval under Connecticut General Statutes and the role of the Board for such a request by the Mayor.

**C. 8-24 APPROVAL**

1. **GROUND LEASE AT WEST SHORE NEIGHBORHOOD CENTER** – Petition of Mayor James Richetelli, Jr., for CGS 8-24 approval of a lease agreement between the City of Milford and The Boys and Girls Club of Lower Naugatuck Valley, Inc.

**Mayor Richetelli:** Present with members of the Greater Naugatuck Valley Boys and Girls Club of America; their Board President, Michael Healey, the Milford Unit Director, Shaye Roscoe, and Jack Ribas, Executive Director of LNVBGCA.

Brief background of the project: For many years the City has been discussing the possibility of a youth or teen center in Milford. After meeting with many groups, it became obvious that it would be more advantageous to partner with existing groups that do this. One of such groups is the YMCA. Approximately two years ago Speaker of the House Amann called to ask if the City would like to have a Boys and Girls Club of America in Milford. Did some research which confirmed their tremendous reputation. The Mayor was told there was the potential for a state grant in the amount of \$1M to the Boys and Girls Clubs of Connecticut, which could be used for the purpose of building an addition or building somewhere in Milford. The plan was to have the lower Naugatuck Valley Boys and Girls Club of American take on Milford as a satellite which could be located in the West Shore Neighborhood Center. This location choice would not compete with the YMCA and be a welcome addition to the West Shore/Devon area. Convinced that the West Shore and Devon neighborhoods would greatly benefit from the Club's programs and the Lower Naugatuck Valley began operating at the West Shore Recreation Center in April. At this time there are over 300 people who have signed up.

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Previously, the Milford Recreation Department had open gym time which had no real program. The Boys and Girls Club in a short period of time has attracted mostly middle school children, who are of the greatest concern because they are of the age who go home where often there is no supervision and they can be out on the streets until their parents, or whomever comes home in the evening. There is now true programming going on which has already met with great success.

At this time there is a deadline of December 31, 2008 to have their grant application in place for the State of Connecticut. In order to take advantage of the \$1M grant, they need to have a lease with Milford for the location of the building for their program. It has been determined by the departments consulted that the West Shore Neighborhood Center is the best place for this stand alone building. The building will be attached to the existing Center and the Boys and Girls Club will be solely operated from that building.

The Mayor discussed the details of the lease. It will be a stand alone building built next to the Neighborhood Center, solely with the funds from the grant. Twenty-five year lease with a provision for a renewable twenty-five year lease, and an annual rental charge of one dollar, similar to those social service agencies, i.e., United Way at Milford Academy and Catholic Charities on High Street. If the building is no longer in use, it will be turned over to the City. The Club will be responsible for all liability and all costs associated from the building in. The City will have responsibility for all liability and all costs and maintenance associated with the outside of the building. Those are the basic terms of the lease. The City will eventually be looking for a Milford Board of Directors to take over the Club and wean Milford away from the Naugatuck Valley club association.

The Mayor expressed his appreciation to the dedicated people in the Valley club for bringing this opportunity to the City of Milford and the great programming for the children in an area where it is much needed.

**Mike Healey, President, Board of Directors LNVBCA.** Long-time resident of Milford. Great project for Milford. There is a great need for this in the City. Of the 4000 Boys and Girls Clubs across America, the Valley's club is rated in the top 25 of the country over the last six years. Community clubs in the City have supported this project. There are many other activities provided aside from sports programs.

**Jack Ribas, Executive Director, LNVBCA.** Has been its executive director for the last 31 years. Worked with a lot of communities and has worked on starting a lot of clubs throughout the country. When the program opened in April, 20-30 children came through. At the end of April the total doubled and when the program ended before summer camp, there were 294 children who had joined. Parents are very happy the children have a place to go after school. Boys and Girls clubs are in places where nobody else wants to go. Helps kids stay off the street. Geared to middle school age children where they have to go home to empty houses or stay on the street. The Club provides a safe, educational, fun environment. Have different programs that aid

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children and include school leadership, sex education, drug awareness. The first year the program was in Milford, it was paid through funding by the LNVBCA.

**Shaye Roscoe:** Relayed some success stories of the Club since it came to Milford in April. Parents have no idea where their kids are going. Have only met approximately 15 parents of over 324 signed up members. Since joining the club there have been positive reactions from children who would otherwise fail and/or drop out of school. Programs are now bursting at the seams with children who want to be a part of the club. Need a facility so the children do not turn to the streets; one that is consistent and will always be there. Spoke of a 15 year old who helps raise her three younger siblings. She had all the responsibility for these children after school. Now they come to the club and the staff helps take care of these children by checking their homework and providing a safe environment for them until their mother returns from work. Will be able to help even more children once their own facility is built in Milford.

**Mr. Healey:** Mentioned Valley club membership is over 3000 with 600 coming daily. A Boys and Girls Club is also being opened in Ansonia.

**Mme. Chair:** Sounds like an excellent organization and one the Board would like to support. Will the Board be approving the site plan?

**Mayor Richetelli:** Not at this time. Asking for approval of the ground lease. At a later date the City with the Boys and Girls Club will come before the Board with the site plan of the building.

**Mr. Liddy:** How does the club get financial support?

**Mr. Ribas:** The Club is a member of the United Way in the Valley, which is the Club's largest single supporter. Budget is \$1.7M; approximately \$800,000 comes through State and Federal grants; fundraising, i.e. golf tournaments, etc. and there is a nominal charge for membership. Also search out grants and raise funds through the community.

**Ms. Shaw:** How is the 25 year lease established?

**Mayor Richetelli:** The Club will be making a substantial investment in this building. and less than 25 years would not be worth the investment. Modeled after the leases used for the United Way and other social service agencies.

**Ms. Shaw:** Memo said the building would be an addition. Mayor said it would be stand-alone.

**Mayor Richetelli:** Clarified his statement. The building will be attached to the West Shore Recreation Center, however the Boys and Girls Club will be operated as a stand alone operation by them.

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**Ms. Rose:** Thanked the Mayor, Mike Healey and the people in the organization to Milford. Had personal experience with the Boys and Girls Club at the Shelton facility. Has also seen the West Shore Recreation Center and it is a wonderful investment for the future of the children.

Made a motion to grant CGS 8-24 approval for the ground lease between the City of Milford and the Boys and Girls Club of the Lower Naugatuck Valley.

**Mrs. Golden:** Second.

Mr. Liddy: Grant was approved June 19<sup>th</sup>. What was the delay?

**Mayor Richetelli:** Getting all the necessary paperwork together has taken some time.

All members voted in favor. The motion passed unanimously.

The Chair wished the Mayor great success in this project.

**D. PUBLIC HEARING HELD 11/5/08; exp. 1/9/09**

2. **232-256 MELBA STREET (ZONE BD)** Petition of Melba Realty, LLC for a Zone Change from BD to RMF-16 on Map 39, Block 542, Parcel 2 and easterly 45' of Parcel 38A, of which Melba Realty, LLC is the owner.
3. **232-256 MELBA STREET (ZONE BD)** Petition of Melba Realty, LLC for a Special Permit, Coastal area Management Site Plan Review and Site Plan Review to construct four multi-family residential buildings containing 16 total units on Map 39, Block 542, Parcel 2 and easterly 45' of Parcel 38A, of which Melba Realty, LLC is the owner.

**Mme. Chair:** Two board members could not be present tonight. Would ask to table the discussion until a full board can be present which will be the next meeting on December 2<sup>nd</sup>. This is as a courtesy to the applicant.

**E. PUBLIC HEARING; closes by 12/23/08**

**Mme. Chair:** Outlined how the Public Hearing would be conducted.

4. **PROPOSED TEXT AMENDMENTS - REORDERED**

- a. **DEFINITION OF BUILDING HEIGHT** – Proposed text change of definition.

Will be tabled for further definition. It is still not clear. Will be seeking further clarity and this item will be presented in the future.

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James Denno asked if he could pass out information he had prepared on this item.

**Mr. Ferrante:** Can someone submit written material to the Board at this time?

**Mme. Chair:** Yes.

James Denno submitted material for the Board to review prior to the next public hearing on this item.

- b. **Sec. 3.1.4.1 – SCHEDULE OF LOT AND BUILDING REQUIREMENTS FOR ONE FAMILY RESIDENTIAL DISTRICTS** – Proposed regulation text change to remove the words “excluding basement”

The Chair presented a short review of the history of this particular regulation incorporating some information from a report presented to the Planning and Zoning Board last March by the City Planner.

**Frank Nichol, 14 Crest Place, Milford.** In favor of the Board’s desire to limit the height of houses along the shore. Lived through a period where there was a huge house being built in the neighborhood. Local area hired a lawyer to speak against the development. Many people came to the hearing against it. Apparently the house met the regulations. The project was stopped due to a technical difficulty and was fortunately, was never built.

**Mr. Liddy:** Which organization brought suit?

**Mr. Nichol:** Morningside Association.

**Ann Berman, 77 Pelham Street.** Spoke in favor of changing the height allowance to maintain the esthetics and view of the shoreline. Future homeowners will be impacted by the larger homes. Commended the Board on making the change.

**Michael Galullo, 21 Deerfield Avenue.** Commends the Board for entertaining the change. Their hands are not tied. Lives in Bayview area with neighbors fifteen feet away from him. Loss of air, light and privacy. House nearby is 45’ tall and is allowable by the City Regs. Cannot have privacy in his own yard. Safety is also involved. During a noreaster a house went up in flames (25-30 years ago). Fire truck could not get down to the house due to flooding from the snow. House burned down. Everyone is at a greater risk. Houses are 15 feet away from each other and if houses throw out sparks, it puts each house at greater risk. People who know the area know the evacuation routes but new people who move in may not know how to deal with emergency situations.

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**Kevin Curseaden, Esq., 26 Cherry Street.** Suggested that the Board deal with establishing a definition of building height before it acts on the regulation concerning building height. It would leave less room for error.

**Mme. Chair:** Explained that the issue was not necessarily one of the definition of building height, but how it pertains to cupolas, domes and turrets.

**Mr. Curseaden:** It would still seem that the Board could wait to act until that definition is decided before they act on this regulation that affects building height when it refers to feet, not just stories.

**Ann Carter, 35 Burwell Avenue.** Thoughts have already been stated. Esthetics. The newer larger homes do not blend in with the architecture of the neighborhoods. These houses stand out and create an abnormality. They crowd and do not blend. Feel for the neighbor who lives in a small house and has the neighbor 8-10 feet away.

**Bob Weitzel, 130 Morningside Drive.** Enjoys one of the most beautiful shoreline views in Connecticut. House is above the flood plain. Commends the Board for addressing the issue of building height. Agrees that the definition and proposed text change should be a total package. Recommends spending time and seeking counsel in every direction to clarify the wording so that those who want to get around the regulation can do so. It would create an expense for the City of Milford to defend what could be clear and might not be if it is not properly restructured.

**Louise Puzo, 168 Shorefront.** Lives on the shoreline. Refers to the larger homes as "hotels". These houses cut into the light and the view. The shoreline homes are not considered historic even though some are over 100 years old. Appears that anything goes at the shoreline if you have the money.

**Mme Chair:** Anyone to speak in opposition?

**John Grant, JLG Designs, Milford.** Local designer and resident. Opposed to the suggested change. Wording as defined is a mistake. If you read all the regulations there are a number of regulations that say you cannot have a basement in a flood zone; all floors must be at grade level. Therefore, removing the word "basement" has no effect on a four story building being built in a flood zone because there is already no basement.

Practice of calling the first floor a basement started a long time ago. If the zoning board and staff apply the existing regulations as they stand now it will eliminate all four-story buildings in a flood zone because the first floor is a story by the current regulations. So the proposed change of removing the words has no effect. What it does do is affect the interior lots and causing a conflict with the building code because the way the existing zoning regulations read, is a basement where half of the clear story space of the basement (or space below the ground). If it is halfway above the ground it is called a

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basement. In the building code it has to go up six feet before it is considered a story. By removing the words "excluding basement", the shoreline is not being affected because there are no basements on the shoreline. However, every interior lot will be affected and potentially no one will ever be able to build a three story building as allowed by the regulations. Summary: The proposed change of removing the words "excluding basement" from the table will have no effect on the existing shoreline properties in a flood zone, but will affect every single interior lot, which is approximately 93% of the City, if they want to add on another floor, or building a three-story house.

Distributed material to the Board for their review, which was date stamped into the record.

**Mme. Chair:** Clarified the zoning regulations' definition of a basement as a story in a building that has less than one-half of its clear floor to ceiling height below ground. It could also have all above.

**Mr. Grant:** Agreed and gave an example of how the newly proposed definition would affect a new home being built. Suggested any changes in the zoning regulations be coordinated with the building department.

**Mr. Liddy:** Asked in what city was Mr. Grant a building official.

**Mr. Grant:** City of Bridgeport.

**Katherine Sweeny, 681 East Broadway.** Opposed to the proposed text change to exclude basement.. The shorefront home she owns does not have a basement. In anticipation of remodeling the home would have to put in a basement area in order to have off street parking. On East Broadway there is no parking. This is the last house near the State Park. No buffer zone. Impossible to park. Taking these words away would exclude her from building the house up in order to have a garage and above that living space. Bought the house in 2001 at a premium. 1300 SF house in 2001 at the water. Could have purchased a 3000 sf house in another part of town and had lower taxes. To be on the shorefront paying a premium in taxes. Such action would be prejudicial and create a hardship not to be able to remodel her home and create parking there.

**Steven Studer, 75 Broad Street.** Agrees with Mr. Grant. Not a good idea for this definition change to apply to non shorefront areas. Not a good idea to apply to interior lots. Will cause many variances at great expense. The 35-foot, three story limit is working fine. If it is not broken, don't fix it.

**Mme. Chair:** Declared the public hearing closed.

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- c. **Sec. 6.2.6 – RESTORATION** – Proposed regulation text change to eliminate the last sentence.

**Mme. Chair:** Reviewed the regulation and the Board's intention in making the change.

Anyone to speak in favor? (No response)

Anyone to speak in opposition?

**John Grant, JLG Designs, 11 Ettadore Park, Milford.** In opposition of this change in the regulations for the following reasons:

1. The office is applying this regulation to remodels. By definition restoration and remodel are two different functions. If someone wants to build an addition that is 50% of his present house, it will be considered rebuilt. Have to go for a variance before the ZBA, apply to the various depts., etc. There are hidden points in this regulation. Restoration should not be applied to remodels.
2. This is supposed to be taking place due to the new FEMA regulations about homes one the shoreline. The regulations are going on the physical portion of the house. FEMA uses a dollar amount.
3. Physical structure is not defined. The planning and zoning staff determines what is 50% or 80%, etc. The decisions can vary.

**Kevin Curseaden, 26 Cherry Street.** Agreed with Mr. Grant. This change will have an unfair impact on existing, nonconforming lots, which are predominantly homes along the shoreline. All these properties will have to go before the ZBA for a variance. This is a time consuming and costly process and there is no guarantee they will be able to rebuild their structure. Unfair impact on shoreline nonconforming lots.

**Steven Studer, 75 Broad Street.** Agree with two previous speakers. Should go the other way. Remove the requirement entirely. Where houses have existed for many years, they met the setbacks at the time they were constructed they should have the right to rebuild. To force someone to go to the ZBA is very costly and no certainty of conclusion. Affecting homeowners. Not businesses. This is usually the biggest, most costly investment people make. Should do what can be done for them while keeping the integrity of the zoning.

**Mme. Chair:** Declared the public hearing closed.



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- d. **PROPOSED ZONING REGULATION AMENDMENT – Section 3.21 (ZONE MCDD) and Sec. 5.3. – SIGN REGULATIONS** – Application of Milford Progress, Inc. for a zoning text change to Sign Regulations pertaining to the MCDD zone only and moving Appendix B to section 3.21.

**Linda Smith Tellier, 125 Seamen's Lane.** Serve as President of Milford Progress, Inc. Gave the history of Milford Progress. It is the official downtown economic development agency. MPI has historically been involved in many economic projects in downtown Milford. MPI responsible for the Downtown Plan of Development together with the Chamber of Commerce and the City. Worked with Dean Alan Platus of the Yale Urban Design Workshop on this plan over a two year period. Many recommendations have been adopted and enjoyed by the City. Present with two representatives from Wilbur Smith who will make the presentation.

**Ray Bishop,** Director of Signage for Wilbur Smith, Inc., a design, engineering and planning firm. Charged solely with adding clarity to the ordinance and placing it in the proper place for the MCDD. Not charged with issues as to how to deal with current signage or how to develop enforcement issues. Solely charged with adding clarity to the ordinance and placing it within the proper context of the MCDD zoning code.

**Carl Smith, Wilbur Smith Associates, 900 Chapel Street, New Haven.** Wilbur Smith is a design, engineering and planning firm. Will speak about their charge in this project, which was primarily to clarify the zoning regulations; create regulations that encourage and foster design direction with business owners to enable them to develop a design and apply for a permit for a sign that was developed in architectural context with their building and allow the eclectic architectural environment of the downtown to exist.

A document was developed in association with MPI. Sections of the current regs where changes have been made. The document has been reviewed by the proper authorities. Moved the Appendix B to section 3.21 for ease of reading. Also made some clerical text changes for ease in reading and clarification. Highlighted: Signs for businesses below the ground floor. Goal is to keep the signage above the first floor. (Page 26 to 28)

**Mme.Chair:** Asked for input from the City Planner.

**Mr.Sulkis:** They are self-explanatory. Worked with the applicant to hone it. The Board has a lot of decisions they have to make with regard to it. Nothing drastic. Small changes the Board has to decide if they want.

**Mr. Ferrante:** Seems to be a lot of minutia here. Any way to condense this? How does this affect the downtown? Is it enforcement? What is the end goal?

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**Mr. Bishop:** To bring a sense of architectural order to the signage in the MCDD. Sign should be appropriate for the building, i.e. a sign that is in proper scale to the building and with proper placement on the building. These are the two key elements in revising the regulations.

**Ms. Shaw:** In talking about the MCDD, referring from Gulf Street all the way up. Asked how the area is defined for signage for the MCDD.

**Mr. Smith:** MCDD as defined within the current zoning maps, centered mostly around Broad Street.

**Ms. Shaw:** The proposal changes impact all the MCDD?

When MPI discusses the sign area, there is a definition of page 27 that is slightly different from the definition in the zoning regulations on page 58. Wants to be clear when the Board discusses the application, they understand MPI's intent.

**Mr. Bishop:** Sign area allows the property to do individual letter signs as opposed to a panel. In that way it can be ascertained what the sign area is by applying a geometric shape (square or rectangle), around a set of individual letters. Height x width cannot exceed 5% of the building front area. That was written for panel signs and individual letter signs.

**Mr. Liddy:** Mention architecturally appropriate several times. It sounds as though there should be an architectural review board to review the signs. Is that being proposed?

**Mr. Bishop:** Architecturally appropriate means you should make some effort to design the sign to esthetically contrast with the building in a positive manner, scale it in size in a positive manner and place it on the building in a positive manner. Gave an example.

**Mme. Chair:** Then that would mean the Planning and Zoning office staff would be making that judgment.

**Mr. Bishop:** Not necessarily. There is enough leeway for most companies to work within the requirements.

**Mme. Chair:** Referred to page 26, paragraph 2, concerning ground floor signs. Has it been researched that there will be room for a sign adjacent to every main entrance?

**Mr. Bishop:** There should be enough flexibility to keep within the six square feet for directories.

**Mr. Liddy:** If the Board approves the regulations, is there a list of those signs that would not be in compliance when they come to Planning and Zoning Board for changes? Will P & Z know what will not be appropriate with the regulations?

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**Mr. Bishop:** This discussion fell into the area of how is existing signage dealt with; what would be grandfathered and what would not. Determined that this would be addressed by the Planning and Zoning Board, City Planner and City Attorneys, as to what they feel would be appropriate for dealing with existing signs.

**Mme. Chair:** Anyone to speak in favor?

**Joseph Hebert, 14 Broad Street.** Owner of Hebert Jewelers. Strongly in favor of the proposed changes. Milford has gone through a renaissance in the past few years with developers, boutiques, restaurants, etc. The look and feel of a place will have a great impact as to whether people will come to your business. The Board would partner with the effort of private citizens to make the downtown into a viable business community. Signage is important because it impacts the entire look of downtown. There will always be abusers. Important to have clearly defined signs. Would like to see some sense of coordination with the look of signs.

Told of his experience when he attempted to get a replacement sign from his original sign and his application was rejected. Eventually got his sign approved by researching other signs that were larger than his that were allowed in the zone. Asked the board to review the proposed regulations, adopt them and see that they are enforced.

**Kathy Alagno, Milford Chamber of Commerce, 5 Broad Street.** Has a letter of support for the proposed regulations from the Chamber. Believes the suggested changes will make it less cumbersome for business owners who are trying to make sign changes. Will improve the ambiance, property values and esthetic quality. Goal is not to have a cookie-cutter look downtown. Want to keep the eclectic look. Just want to have the regulations tightened up for businesses. Gave an example of a business that voluntarily removed a sign that improved its look. (Yankee Professional Building).

**Buddy Prete, 41-47 River Street.** Anything that would clarify the existing regulations would be a great benefit for the tenants and property owners.

**Ann Maher, 8 Broad Street.** Business owner as well as resident in the historic MCDD. Asked the Board to pay attention to the details. Want to preserve the eclectic nature of the downtown, but the details of the changes must be reviewed carefully. There will be challenges. There will be old existing signage. New businesses will be held to a new standard, while old businesses will remain as they are. The zoning regulations should be open enough when it comes to esthetics. When architectural design is mentioned, which is subjective in nature, it creates an issue. The Zoning Board of Appeals has had issues in front of it, and that should not be happening. Commended all the efforts being made to create a better downtown.

**Mr. Ferrante:** Asked if Ms. Maher was in favor of changing the regulations. Asked where the Board should be cautious.

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**Ms. Maher:** Stated she was in favor. Be cautious with regard to reviewing the size of a sign should be. There are many types of businesses downtown. The Board must keep in mind that right now the regulations are being interpreted differently for all those businesses.

**Mr. Ferrante:** Asked if the regulation change would clarify that situation.

**Ms. Maher:** More work needs to be done but it is much closer than what is there now.

**Mayor James Richetelli, Jr., 110 River Street.** Asked to go on record thanking the members of Milford Progress, Inc. and the members of the Downtown Business Association who have participated in this effort. Thanked the consultant, Wilbur Smith Associates for the work they did, as well as the Planning and Zoning staff, who have also put great effort into the regulations that are being presented. Concur with all the speakers. Goal of everyone in Milford is to make it even better. There are some businesses that will not change for a long time. As businesses change it can become clearer, and better while maintaining the individuality of the businesses. Can make the regulations more standardized and coordinated while giving leeway for color, size, creativity, etc. Thanked everyone for their efforts once again.

**Steven Studer, 75 Broad Street, Member of MPI.** His law office is on the Green. Member of MPI. Supports the proposed regulations. The changes are modest. Designed to reduce ambiguity and close off loopholes. Have something standardized, less cluttered, sense of scale, attractive streetscape. Not looking for an architectural review board. Balance of what is appropriate for downtown.

**Nancy Seltzer, 74 Camden Street.** In favor of signage changes to tighten them up and make them consistent. Concerned that the businesses on the second and third floor may be hindered by not being able to display signage at their level. Would like the Board to be creative in designing a plan so that the businesses on top can have the advantage of the businesses on the ground level.

**Ms. Alango:** Spoke to Ms. Seltzer's concern for upper story businesses regarding their signage. There would be a directory on the street level noticing the businesses above.

**Lily Flanigan, 38 Prospect Street.** Page 17, under 5.3.3.3, temporary signs permitted in all signs and page. 18, number 5 yard sales and tag sales. Needs clarification. Not sure that one must get a permit for tag or yard sales. Perhaps the Board could review these pages for clarification.

**Dave Minter, Design Professional in West Haven.** Need to be careful about the wording. Evaluate Article XI – this definition should be placed within the sign definition section of the regulations, not in Article XI. Regarding Appendix B, language should be subsectioned to make it easier to read and for reference rather than one whole text.

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**Tina DeNaples, Tranquility Mind and Body, 88 Noble Ave.** These regulations would clean up a lot of signs that are not permitted and are inappropriate and will map out exactly what type of sign is allowed in Milford.

**Mme. Chair:** Anyone to speak in opposition?

(No response)

**Mr. Ferrante:** In favor of giving enforcement to the Planning and Zoning office. Sympathize with those who have had difficulties getting signs. Hope that the regulations would produce a standard to meet the objective. Heard such statements as architecturally conforming, garish, etc. To Mr. Sulkis, will these regulations make it easier for the office to enforce?

**Mr. Sulkis:** Enforcement and regulations are two separate issues. Does not necessarily disagree with what he heard about making signage more consistent. One of the problems is there are two sets of standards for signage; one for the MCDD and the other for the rest of the City. This proposal will incorporate it all in one section of the book. Referred to Mr. Hebert's situation. Office always tries for consistency. Believes these regulations will make it clearer and easier for the public to use.

The MCDD and Route One are two dense commercial areas where there are violations. There is only one enforcement officer for the City. Has consistently asked for increased staffing for zoning. Every year the proposal is rejected. Linda Stock does an excellent job in enforcement, but she is only one person. Changing the regulations will not make enforcement easier or faster because there is only one enforcement officer.

**Mr. Ferrante:** Will the change make the regulations more consistent and easier for the applicant?

**Mr. Sulkis:** Yes. Less confusion. One area of the book to look at.

**Mr. Ferrante to Mr. Sulkis:** Anything he would add to this?

**Mr. Sulkis:** No.

**Mme. Chair:** Declared the Public Hearing Closed.

A five minute recess was taken.

**Mme. Chair:** The next six items will be bundled for the sake of time as they are more straightforward and have to do with omissions and printing errors.

**MINUTES FOR ONE (1) PUBLIC HEARING OF THE  
PLANNING & ZONING BOARD  
HELD TUESDAY, NOVEMBER 18, 2008; 7:30 P.M.  
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

**e1. Sec. 3.17.4 – LOT AND BUILDING REQUIREMENTS** - Proposed regulation text change to correct a printing error.

**Mr. Sulkis:** The change has to do with the setback of accessory structures from the property line in the CDD-2.

**e2. Sec. 3.20.2.13 – CDD5 – Special Uses** - Add section to the CDD-5 regs, which will conform to the wording in the other CDD zones.

**Mme. Chair:** This was inadvertently omitted. By making this change, information regarding restaurants will be found one place sequentially.

**e3. Sec. 4.1.1 to 4.1.1.8 – ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS**. Proposed regulation text change in wording.

**Mme. Chair:** Believes this change was recommended by the City Attorney to include the use of the word “structures”.

**e4. DEFINITION OF BUILDING** – Proposed text change of definition.

**Mr. Sulkis:** This goes hand in hand with the text change just mentioned. It includes the word “structure” in the definition and removes the last sentence. Makes it consistent with the change in Sec. 4.1.1. to 4.1.1.8.

**e5. Sec. 5.4.1 – COMMERCIAL GARAGE** – Proposed regulation text change in wording and elimination of sec. 5.4.1.1 and 5.4.1.2.

**Mme. Chair:** Has to do with a state statute that was changed. Previously the Zoning Board of Appeals was dealing with this, but now the Planning and Zoning office is handling it.

**e6. Sec. 7.3.5 (1) and (2) – SPECIAL EXCEPTIONS** – Proposed regulation text change to add a section to include Public Hearing.

**Mme. Chair:** This was an oversight where public hearings were not specified in this section as stated in the Special Permit section. The Board has always required a public hearing for Special Exceptions. With this change it will be in the book.

**Mme. Chair:** Anyone to speak in favor of these regulations just mentioned?

**John Grant, JLG Designs, 11 Ettadore Park.** In favor of approving 3.17.4 as worded. Also in favor of the definition of building as worded; sec. 5.4.1 commercial garages; sec. and sec. 7.3.5 to approve as worded.

Anyone to speak in opposition?

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**Stuart Daninhirsch, 31 Milesfield Ave.** Opposed to the change to add the word “structure” in Sec. 4.1. Gave the dictionary definition of the word building and the dictionary definition of the word “structure”. There can be many types of structures. Specific problem is in 4.1.1.1. Gave a detailed explanation as to why this change would present a problem. If the intent of the change is to eliminate additional structures on the front of the property, the use and definition of the word structure could lend interpretation under the City’s definition could mean no structure on the ground would be allowed, i.e., seasonal nativity scenes, yard decorations (fountains or temporary structures such as party tents). Also, no structure that is erected would include lamp posts, mailboxes and real estate signs. The word “structure” itself is a problem and should either be omitted or redefined or exclusions should be added. Does not have a problem with the intent of this change not to have structures built in the front yard.

**Mr. Ferrante:** Impressed by Mr. Daninhirsch’s interpretation of this particular proposed change and the clarity he brought to the issue. Asked if he had read all the other proposed changes in as much depth.

**Mr. Daninhirsch:** Was asked to review this specific proposed change and did not review the others with the same intent. Would do so upon request.

**John Grant, JLG Designs, 11 Ettadore Park.** Opposed to 4.1.1.8 for the same reasons as cited by Mr. Daninhirsch. Understands why the regulation was put in. As the definition of structure it incorporates anything over three feet (lamppost, fence, etc.). Is not opposed to the word “structure” being changed. It is in context with the building code’s definition. Should be changes in the wording to make exceptions.

Opposed to sec. 3.20.2.13 CDD-5. In that particular section there are a couple of existing paragraphs that are going to be renumbered and reworded. No objection to the overall intent of the amendment. However, there is redundancy in this section and could create confusion.

**Kevin Curseaden, Esq., 26 Cherry Street.** Objecting to 4.1.1.1. This amended regulation would become at odds with section 4.1.7. This section refers to fences and walls. By changing section 4.1.1.1 as proposed, it would immediately come at odds with section 4.1.7. If the goal is an objective standard and clarifying the regulations, these sections should be reviewed.

**Mr. Ferrante:** Thanked Attorney Curseaden, Messrs. Grant and Daninhirsch taking the time to go through the regs with such conscientiousness and bringing the issues to the Board’s attention.

**Mme. Chair:** Declared the Public Hearing closed

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**F. LIAISON REPORTS**

**Mr. Liddy:** A forestry program will be going on at the Bruce Museum. He will email the notice for this event.

**Mme. Chair:** The Tree Commission will be expanding their Greening of the Post Road program in the vicinity of M & M Farms.

**G. APPROVAL OF MINUTES – (11/5/08)**

**Mrs. Patterson:** Corrected the minutes to reflect the fact that upon making the motion for approval for 62 West Main Street, she requested as a condition that a shade tree be planted when the law office sign is removed.

**Mrs. Golden:** Second.

All members voted in favor of approving the minutes with the correction made by Mrs. Patterson.

**H. CHAIR'S REPORT**

The DEP offering a half day workshop Partnering for a "Green and Growing Connecticut", December 3, 2008, 79 Elm Street, Hartford.

**Ms. Harrigan:** Added as part of this program they will be handing out a Municipal Primer about different environmental issues. This can also be found on the DEP's website. The DEP has given its approval for board members to download and copy the chapters.

**I. STAFF REPORT**

None.

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

**Mr. Ferrante:** Second.

The meeting adjourned at 10:00 p.m.

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Phyllis Leggett, Board Clerk



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