

**MINUTES OF THE REGULATION SUBCOMMITTEE  
OF THE PLANNING AND ZONING BOARD  
HELD TUESDAY, DECEMBER 4, 2012 AT 6:30 P.M.  
CITY HALL AUDITORIUM – 100 RIVER STREET, MILFORD**

**A. Roll Call**

**Board Members Present:** Jeanne Cervin, John Grant, Edward Mead, Vice-Chair and Mark Bender, Chair.

**Invited Guest:** Debra Kelly, Assistant City Attorney

**Staff:** David B. Sulkis, City Planner; Stephen H. Harris, Zoning Enforcement Officer, Phyllis Leggett, Board Clerk

The meeting was called to order by Chairman Bender at 6:30 p.m.

The purpose of forming this subcommittee is to review the zoning regulations and consider if and what changes to the regulations should be made.

The purpose of this initial meeting is to determine a strategy as to how to review the regulations. Should it be done by section; start from cover to cover; review “hot spots”, etc.

Mr. Sulkis noted if the Board decided that a total revamping of the regulations was necessary, a consultant should be hired for this purpose.

The Chair stated a whole re-write of the regs was not warranted. How to review them and decide how these changes (major or minor) can be done is the charge.

The frequency of applications that have come before the board requesting waivers are “hot spots” that should be addressed. The Board members were asked to review and determine in what areas are waivers requested most frequently (commercially), i.e, parking, landscaping, setbacks.

Mr. Grant said that the regulations should be clear and not subject to interpretation.

It was stated that in the approval review process, there should be some leeway for interpretation by the Board.

Mr. Sulkis stated it is up to the Board as to whether to be proactive, especially with properties along the shoreline. Should the houses along the shoreline be kept nonconforming to limit density in that area. The POCD touched lightly on this subject.

The process of how the subcommittee will proceed with potential regulation change was discussed. Upon review and evaluation, the subcommittee will propose regulation changes that will be brought before the full Board for discussion. Should the Board agree to some or all of the proposed changes, it will follow the usual procedure for regulation change, which is to be circulated to the necessary agencies and towns, where necessary, and then to a public hearing, after which the Board can vote to approve or deny the changes.

The difference between an outside applicant requesting a regulation change and the board driven regulation change was discussed.

Mr. Sulkis remarked that this committee acts as an advisory committee.

Mr. Harris noted he has compiled a comprehensive list of regulations he would suggest be changed or tweaked, having worked with them on a daily basis. He believes his suggestions will eliminate ambiguity and establish clarity of the regulations.

Ms. Kelly was asked if the City Attorney's office would respond to the proposed changes in a timely manner. She responded she would do her best to address the changes but the City Attorney's office has other issues that may take priority over the regulations.

It was agreed that Mr. Harris will submit his list to Ms. Leggett, who will submit it to the committee members by January 8, 2013. The committee members will review the regulations and submit any regulation that they feel should be considered for revising to Ms. Leggett. Chairman Bender will compile the list and have it ready for the next meeting.

The subcommittee has its work cut out for it.

Mr. Mead made a motion to adjourn.

Ms. Cervin seconded.

The next Regulation Subcommittee meeting will be held on January 15, 2013. The meeting adjourned at 7:00 p.m.

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Phyllis Leggett, Board Clerk

