

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 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: Frank Goodrich, Mark Bender, Kim Rose, Kevin Liddy, Susan Shaw, Greg Vetter, Victor Ferrante, Jeanne Cervin, Chair.

Not Present: Kathy Patterson, Janet Golden

Staff: David Sulkis, City Planner; Phyllis Leggett, Board Clerk, Emmeline Harrigan (7:50 pm)

Mme. Chair: Asked for a motion to reorder the agenda. There are three items that should not take much time.

Mr. Vetter: Motion to go to New Business and reorder the agenda to hear items 2, 3 and 4 before Item 1.

Ms. Rose: Second.

All members voted in favor of reordering the agenda.

D. NEW BUSINESS

1. **33 EAST AVENUE (ZONE R-7.5)** Petition of Osprey Properties, LLC for a Coastal Area Management Site Plan Review to construct a single family residence on Map 38, Block 558, Parcel 90B, of which Osprey Properties, LLC is the owner.

George Adams, Esq., Harlow, Adams & Friedman, 300 Bic Drive, Milford.

Also present: Tom Collucci, principal of Osprey Properties and Joseph Codespoti, Sr. who prepared the Coastal Area Management Site Plan Review. The proposal is to construct a single family residence on a legally non conforming building. An identical proposal was approved by the Planning and Zoning Board at its meeting on July 6, 2006, but that application has expired.

The current application is the same that was previously approved in July 2006, but enhanced at the suggestion of John Gaucher of the State DEP Long Island Sound Program to remove the hay bales and silt landward elevations 6.5, which he thought would be an improvement and obviate the need for a DEP permit.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Emmeline Harrigan, the Assistant City Planner suggested that the excavated earth not be stockpiled on the property, but have it removed from the site and then brought back what would be needed for the final landscaping and finished grading. A letter is in the file stating Mr. Collucci's agreement to Ms. Harrigan's suggestion. By doing this there will be no risk that the wetlands will be negatively impacted. The wetland lines were relocated and everything is in order in that regard.

This is the same application that was approved two and a half years ago with the modifications stated. The plans are for a single family residence. The number of stories and height of the structure, complies with the current regulations and that which will go into effect on 12/31/08. The property is in the R-7.5 zone and complies with the requisite 25 foot setback from the tidal wetland boundary. The project is before the Board because the activity is within the coastal flood hazard area and because the eastern portion of the site, adjacent to Calf Pen Creek contains tidal wetlands. The departmental reviews and comments have all been addressed and approved. The State DEP comments, as well as those of the Assistant City Planner have been incorporated in the plan. Soil and erosion control measures will be used. Mr. Collucci is a well known, long-time builder and resident in Milford.

Mme. Chair: Asked for Mr. Sulkis' comments.

Mr. Sulkis: George did a fine job.

Mr. Goodrich: Review the material submitted and found nothing to object to in this application.

Mr. Liddy: What is the difference between the current application and that which expired?

Mr. Adams: The hay bales and silt fence are somewhat more landward because Mr. Gaucher suggested that the landward elevation be put at 6.5, which would prevent the applicant from needing a State DEP permit in order to put them further east. Also, instead of stockpiling the excavated material on site, which would be difficult to manage given the constraints of the site, Ms. Harrigan suggested moving it to other property the applicant owns and bring it back for the final landscaping. Also, the wetlands line has been revamped. Otherwise, the house, footprint and location are the same.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Ms. Shaw: Made a motion to approve the petition for a Coastal Area Management Site Plan Review to construct a single family residence at 33 East Avenue.

Mr. Ferrante: Second.

A vote was taken: All members voted in favor. The motion passed unanimously.

2. **117 BROAD STREET (ZONE MCDD)** Petition of John Profetto d/b/a Rainbow Gardens Restaurant for a Minor Amendment to a Special Permit and Site Plan Review for determination of parking adequacy on Map 54, Block 394, Parcel 15, of which Violet Miracle Enterprises Partners, is the owner.

John Profetto, one of the owners of Rainbow Gardens Restaurant, 117 North Broad Street. Petition for a small addition to separate part of the business that overlap into each other. In order to do this requesting a parking space waiver. Relocating the handicapped ramp and the design does not allow for proper access to the ramp. Currently have 26 spaces on the property. Not common for properties in the MCDD zone, which usually have less parking. There is also parking on North and South Broad Street. One less parking space should not impact parking for the restaurant.

Mme. Chair: Has no problem with one less parking space.

Mr. Goodrich: Space number one backs onto the main road. Someone could park in a spot that would block the handicapped ramp. Could something be done to make it more safe in that area?

Mr. Sulkis: Disagreed and because the shape of the property narrows when it gets to the street. By moving cars to the other side of the property the traffic pattern would go right by the handicapped ramp and entrance way. Not concerned with space number one.

Mr. Goodrich: Asked if there was something that could be done to make it more safe for the handicapped patrons.

Mr. Sulkis: There will be a newly designed handicapped ramp and will exceed the requirements of the regulations.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mr. Profetto: Currently there is no separation between the parking spaces that lead to the handicapped ramp. The new design of the handicapped ramp has provided almost a full car length's separation from the entrance. The building code requires 42".

Mr. Bender: Asked for clarification of the positioning of parking space #3 in relation to the handicapped ramp and the entrance way.

Mr. Profetto: Verified that space # 3 did not infringe on the ramp.

Ms. Rose: Made a motion to approve the petition as presented.

Mr. Bender: Second.

A vote was taken: All members voted in favor.

3. **55 SOUTHWORTH STREET – JOHN HENRY ESTATES SUBDIVISION**

Request for bond return in the amount of \$78,739.00, leaving a maintenance balance of \$10,980.00, which is eligible for return in one year, as approved by Bruce Kolwicz in his memo dated December 16, 2008.

Mr. Sulkis: This is straightforward and in order and has been reviewed by the Engineering Department and approved by Bruce Kolwicz, Director of Public Works.

Mr. Ferrante: Made a motion to approve the return of bond for the subdivision relying on the advice of the City departments and Staff.

Mr. Goodrich: Second.

A vote was taken: All members voted in favor.

C. PUBLIC HEARING; closes by 1/30/09

4. **95 WOLF HARBOR ROAD (ZONE R-A)** Petition of Connecticut Center for Child Development, Inc. for a Special Permit and Site Plan Review to construct a private, non-profit school with accessory buildings and uses on Map 105, Block 914, Parcel 18, of which Connecticut Center for Child Development, Inc. is the owner.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Kevin Curseaden, Esq., Stevens, Carroll and Carveth, 26 Cherry Street, Milford. Introduced the principals and members of the Connecticut Center for Child Development team. Asked Suzanne Letso to give an introductory presentation to the Board.

Suzanne Letso, 925 Bridgeport Avenue, Milford. Co-founder and CEO of the Connecticut Center for Child Development. Founded the program when son was diagnosed at age 3 and there were no services in the State of Connecticut to meet his needs. Moved to a basement in Fairfield and in 1999 to their facility in Milford. Could have chosen other locations but had a wonderful, supportive experience in Milford and want to stay in the Milford community. Found property in a residential area which is necessary for this type of schooling. Have a waiting list. Provide a valued service to these handicapped children. Staffing is at the ratio of 1:1. The proposed facility will enable the school to take more children and enhance the quality of the programming, due to its greener environment as opposed to the present industrial location.

Mr. Curseaden: Property is in an R-A zone. CCCD is a 501c3 nonprofit corporation which is allowed in the R-A zone, subject to a Special Permit. Legal postings and notices have been made. All City agency comments have been received. Those that required further response have been addressed. Have aerial photographs to show the location and its relationship to the Merritt Parkway, commuter parking lot and Avalon Bay property.

Asking for three waivers. One waiver is from a 50 foot setback to 30 foot setback. Second waiver is for elimination of an offloading space where two spaces are required in order to meet the parking requirements due to student to teacher ratio. Third waiver is for a structure in the front yard, which is for a playscape.

Proposing to construct and operate a school facility dedicated to improve the lives of children with autism in accordance with the business plan that has been presented to the Board. The facility will include a basketball court, two playscapes, kitchen facilities and offices. There will be a two-story building about 30,885 SF of space total. Designed for instruction of children from preschool through age 21. There are 56 students at the current location. The new building will be designed to accommodate 65 students. Program consists of basic communication and social skills, daily living and academic skills. The facility will also accommodate the teaching, training and practice of vocational skills for the older students in order to prepare them for productive positions in the adult workforce.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Accessory to this use is a daycare for children of staff up to the age of 6. At this time there are 20 students of staff members that are committed to the daycare. Such a daycare is being operated under the Bridgeport Avenue site. The intention was to offer any extra spots to low income families.

Mentioned that there is a \$25,000 grant that will expire on January 15th and will need the Board's approval prior to this date in order for it to be maintained. This project has been in the works with Planning and Zoning for almost two years and believe all the issues have been addressed at this time.

Mark Friend, PE, Megson & Heagle Engineers, 81 Rankin Road, Glastonbury, CT. Spoke about the site engineering of the project via a color display. Property is 4.5 acres which is located across from a commuter parking lot with the Merritt Parkway north of the parking lot. Around two sides of the property to the west and the south is the Avalon Bay property. There are two residences to the east. Mostly gentle sloping terrain toward the east for surface drainage and will go down to a wetland area across the easement on the Avalon Bay property. An agreement for that property is in place. That is the only wooded area on the property and if there is any tree clearing it will be in that area. There are stone walls around the perimeter of the site that will be preserved or rebuilt where necessary. Site is presently an open field. There is one entrance off Wolf Harbor Road. Parking lots are in the back. 116 parking spaces on the site. Small parking area in the front with handicapped spaces and two spaces for the daycare portion of the building. Two playscape areas; one in the front and one in the back. Pointed out the areas where the waivers are requested. Showed the location of the trash receptacle area. Proposed lot coverage is 43%; 53% is allowed. Separation from residences is approximately 95 feet which will be buffered by landscaping. Building will be serviced with an on site septic system. No sewers available at this time. Showed where septic system will be located at the back of the property. State Health Dept. did perk tests which meet the state health requirements for soils for on-site septic systems. Described how this septic system was designed and how it will be overseen by the state and city.

Steve Burgess, Architect, JCJ Architecture, Inc., 38 Prospect Street, Hartford, CT. Gave the Board an overview of the building and its layout as to classrooms, offices, an apartment setup for practicing of life skills. Showed the elevations of the building facing Wolf Harbor Road. Colonial style in light yellow, white trim and vinyl aluminum sided for low maintenance. Showed the elevations for the gymnasium which will be a metal building in cobalt blue for a barn feeling. Roofing material will be metal and match the shingles of the main part of the building.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

John Stewart, Landscape Architect, CR3, 571 Hopmeadow Street, Simsbury, CT. Showed the planting plan for the site. Meets the City's requirements as required in the regulations. Effort was to fulfill the requirements of the City and to make the area attractive without requiring too much maintenance. Tree Commission approved the plan stating it was one of the best plans ever presented.

Mme. Chair: Asked for Staff's comments.

Mr. Sulkis: Was hoping there would be a handout of the color elevation of the front of the building. A summary sheet of the project was prepared by Ms. Harrigan, which the Board has received. No comments on the presentation.

Mr. Liddy: Metal gymnasiums tend to rust. How will this be handled?

Mr. Burgess: The panels will be finished in the factory and rusting should not be a problem. Not painted on the site and designed for a 20 year life before any problems are anticipated.

Mr. Liddy: Asked Staff if a better material could be used.

Mr. Sulkis: Stated he was not pleased with the building materials for either of the buildings but the owners are under budgetary restraints.

Ms. Shaw: How many students will be there on any given day?

Mr. Curseaden: The daycare is up to 24 students. The number of students at the Bridgeport Avenue facility is 42, but the building is designed for 65, plus 24 daycare for a total of 89.

Mr. Vetter: Asked about the loading zone and unloading zone. There will be a lot of activity in that area with the number of trips described in the morning and the evening in the area which is described as a parking lot and drop off area on a two lane driveway. Asked for clarification.

Roger Letso, CFO and co-founder of CCCD, 925 Bridgeport Avenue, Milford, CT. Pickup and drop off procedures are similar to how the Bridgeport facility is presently conducted. Transport vehicles form a queue line and staff personally escorts every student into the building. At night from the building to the cars.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mrs. Letso: Want to keep the queue line moving so as not to back up at the street . Took this into consideration when designing the project, keeping this aspect in high importance. Staff arrive at staggered times and can leave between 4 and 6:00 pm. Although 200 people will be coming and going, they are not doing so at the same time. They are staggered.

Mr. Vetter: Asked how the daycare facility unloading would be handled.

Ms. Letso: Currently 20 daycare slots are reserved for the staff. Different tiers of accommodating more daycare children will be implemented if they are needed. The current facility at Bridgeport Avenue will be maintained because the State will only allow a certain number of children for that facility.

Mr. Vetter: Asked for clarification of the timing of arrival and departure of staff.

Ms. Letso: Half an hour before the children come. All the daycare children will arrive with the full-time staff from 8:30 to 4:30.

Mr. Curseaden: Mentioned that a revised traffic memo dated 12/15/08 had been sent to the Planning and Zoning office.

Mr. Liddy: Northern site drive does not meet the standards. Does the revised report meet the standards?

Ms. Letso: Clarified that originally there had been two driveways and now there is one. The Police Department's comments were addressed by doing this.

Mr. Bender: What protects the playscape from the street?

Mr. Burgess: Four foot chain link fence.

Mme. Chair: Concerned about the septic system. Sewer lines are proposed for that area but it may never happen. How will that affect the proposed kitchen facilities.

Mr. Curseaden: It has been confirmed by the engineers that the system was designed as if the sewers would never be installed.

Mr. Friend: The septic is designed as a permanent system. The kitchen came into play that if the sewers come into being, a kitchen can be added. At this time there are not kitchen facilities.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mme. Chair: Confirmed the statement that there will be no kitchen facilities at this time.

Mr. Burgess: On the first floor there is an activity room for a refrigerator, but there is no kitchen facility. The second floor living area has a kitchen set up but it is not functional.

Mme. Chair: The State will have to approve the septic system after the Board approves the project?

Mr. Curseaden: Yes and the City as well.

Mr. Liddy: Will there be provision to hook into the sewers if and when they are put in?

Mr. Curseaden: Yes.

Ms. Shaw: Asked about snow removal with regard to the single driveway and timing of cars going in and out.

Mr. Curseaden: Once the site is developed this will be worked out. According to Ms. Letso, the plan is for the plowing to take place prior to anyone arriving at the school.

Mme. Chair: There are two similar storm drains on the Avalon property. Will that create more wetlands? Asked if ledge was a factor in the design.

Mr. Friend: Explained there is a steep slope in this area. Flows down to where the discharge point is, picking up storm drainage on the site, eroding it around the front yards to where it discharges now and retaining it where it flattens out.

Mme. Chair: Asked if there was ledge in this area and would there be blasting.

Mr. Friend: No tests have been done on this as yet.

Mme. Chair: Asked how close this property is to the City-owned Solomon property.

Mr. Friend: Stated approximately 175 to 200 feet up from the City-owned parcel. Showed the area on the display.

Mr. Ferrante: Asked about the area of encroachment and was it from the residential neighbor?

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mr. Curseaden: It is lawn being maintained by the neighbor.

Mr. Ferrante: Asked if another type of fence could be used in place of the chain link fence in the front yard.

Mr. Goodrich: Stated the regulations allow a three foot solid fence or wall and a four-foot chain fence in the front yard. The four foot chain link fence would make it more difficult for anyone to jump over from the playscape area.

Mr. Liddy: Asked for a description of the material to be used on the chain link fence.

Mr. Stewart: The fabric on the chain link provides a non climbable fence, which is the best type to be used for security for the type of children that use the facility. Landscaping will be placed in front of the play structure, softening the effect of the chain link fence. The color will be dark green or black.

Mr. Friend: The proposed fence in front is 4' high, the fence around the basketball court is a six-foot high fence.

Mr. Vetter: Asked where other fences would be located according to the lines on the drawings.

Ms. Harrigan: The line around the perimeter of the property represents the stone walls that are presently there and will be retained.

[A short recess was taken from 8:50 to 8:58 to give the public an opportunity to view the displays.]

Mr. Curseaden: Summarized that the applicant believes this project is the highest and best use for the property; designed for future growth. Asking for the Board's approval, which is also giving back to the community and continuing the community service. Applicant wants to stay in Milford because of the good transportation system, Milford's support of education and the community support by various agencies and individuals.

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

Joseph Dellamonaca, 60 Bernier Terrace: Vice Chair of Concerned Citizens for People with Disabilities. Also on the youth committee of that organization, as well as the Mayor's Committee for People With Disabilities. This project is helping people who cannot help themselves. As the Little City With a Big Heart,

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

asked the Board to approve this important project before the grant expiration date of January 15th.

Joyce Barnes, 30 Kinloch Street. Supports the application of the Connecticut Center for Child Development.

George Romer, 105 Wolf Harbor: Owns the residence that abuts the proposed project. Praised the school founders and has nothing against them. Wants to have the beautification and integrity of the neighborhood remain. There is a lot of traffic in the area right now with the public commuter parking lot across the street and the entrance to the Merritt Parkway a few feet away. Neighborhood is busy enough and the extra traffic and 116 parking spaces that will be put in the back are not needed. Concerned about the border that is between his residence and the proposed facility, and for the safety of the children that will be there.

Mme. Chair: Asked if Mr. Romer was speaking in opposition to the application.

Mr. Rohmer: Yes.

Mme. Chair: Asked for those members of the public who wish to speak in favor of the application.

Tonia Vidosevic, 2 Manor Drive. In favor of this project. Will be a wonderful thing for the community and fantastic for the children.

Robert Sanford, 380 West River Street. In favor of the project.

Lisa Chaffen, 100 Bird Lane. In favor of the project.

Lisa Roberts, 31 Shell Avenue, In favor of the project. They do excellent work for the children and the community in general.

Michelle Pecoraro, 214 Harold Avenue. In favor of the project.

Tracy Horrocks, 380 West River Street. In favor of the project.

Giacoma Gargiulo, 65 Ridge Street. In favor and support of the project.

Mme. Chair: One person has spoken in opposition. Anyone else to speak in opposition?

[No response.]

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Rebuttal by Mr. Curseaden: Asked Mr. Stewart to speak to the opposition expressed about living on the border of the property.

Mr. Stewart: Described the diverse nature of the planting along the northeast property line, outlining the multi-level heights of the plantings and trees. Landscape is designed to enhance the neighborhood, in keeping with the stringent regulations of the City. Idea is not to have a wall planting, but as the plantings and trees grow, the look will be very natural in keeping with the area and to act as a screen as well.

Mr. Vetter: Asked if the photograph presented shows trees that are existing on the site.

Mr. Stewart: The trees are existing to the east of the property. There will be additional trees planted.

Mr. Sulkis: The Tree Commission's report approved this project in all respects.

Mr. Curseaden: Rebutted the issue of traffic in the area. The school is presently operating in a more heavy trafficked area on Bridgeport Avenue than the proposed area will be. The safety and traffic issues are not legitimate concerns. Traffic memos have been submitted, revised and discussed with the traffic engineer and Staff.

Mr. Romer did not wish to respond.

Mr. Bender to Ms. Letso: Have there been any incidents where children have gotten away from the premises?

Ms. Letso: There was one incident at a tag sale fund raiser five years ago, where a child left the premises. The child was located a short distance away. This was not during school hours or supervised by the staff. Described how children are with one or two staff members at all times during the school day. There are also aides to give additional help.

Ms. Shaw: Asked if there are events or school activities run on weekends or at evenings where drop off and pickup will be in effect.

Mr. Vetter: There was talk about after school activities. What is the timing for this?

Ms. Letso: Described the hours and recreational activities that could be carried out after school hours which occur on occasion.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mr. Ferrante: Asked about a rendering of the building on display and asked about the building's design as it appeared on the drawing.

Mr. Burgess: Stated there were no side gables or "winged" portions that came away from the front of the building. The front of the building is flat.

The portion of the building that would be used for pickup, its location and the parking spaces in front of the building were clarified.

Mr. Goodrich: Asked about the matching of the color swatches displayed versus the color of the building on the rendering.

Mr. Burgess: Clarified the color yellow that will be used.

Mme. Chair: The Board seems to like the earlier rendering of the building and the color as being more interesting than the latter version.

Asked if using LEEDS principles in the design.

Mr. Letso: Considered solar heating and geothermal. They were prohibitively expensive. Would like to upgrade to solar heating down the line, should this option become more available.

Mr. Burgess: Could not do LEEDs, but meet and go beyond the requirements of the building code to make the project as energy efficient as possible.

Mme. Chair: Declared the public hearing closed.

The Board will be meeting on January 6th. Hope to make a decision on this project at the next meeting 1/6/09.

Mr. Goodrich: Suggested that Staff write a motion that incorporates the three waivers requested: The 30-foot setback; accessory building in the front yard and the elimination of one offloading space where two are required.

Mr. Liddy: Would like Staff to work on an alternative material to the metal siding proposed for the gymnasium.

Mr. Ferrante: Has concerns with the play area in the front so close to the neighboring residence. Would like Staff to review the elimination of some parking spaces and find a better place for the playscape.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mme. Chair: Requested the applicant work with Staff to see if the building's façade could be improved to make it more interesting.

Mr. Sulkis: Clarified the Board's request in the way of changing the architecture, namely: Building articulation on both sides, and some roof overhangs which would be in keeping with colonial architecture.

Mr. Vetter: The loading and queuing of cars has been discussed as well as the discharge from the one exit into the interchange with the entrance to the Merritt Parkway and the commuter parking lot, which is busy during peak hours. It should be reviewed as to how reasonable this is. In other applications this type of situation could be addressed. This layout is more challenging because it is long and narrow.

Mr. Sulkis: The site layout is the product of several years of development. The flow that they have with the amount of parking that they need with only one way to get in and out, it is a tight site. No way to get changes on the site without losing part of the building, parking and/or landscape and might not accomplish anything.

Mr. Bender to Staff: Will the architect be able to provide a true rendering of what the project will look like from the perspective of Wolf Harbor Road?

Mr. Sulkis: Stated he had a clear understanding of what the Board was requesting.

Ms. Rose: What options other than a metal gym and is this the least expensive gymnasium that can be built?

Mr. Sulkis: Options are limited by funding and this is most likely the least expensive gymnasium.

E. LIAISON REPORTS – None

F. APPROVAL OF MINUTES – (12/2/08)

Mr. Goodrich: Motion to approve.

Ms. Rose: Second.

Mr. Bender: How are abstentions recorded?

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mme. Chair: Minutes are correctly reflected. This matter can be discussed under Chair's report.

Ms. Shaw: Asked that the Chair's comments and concerns be included verbatim in the minutes so that they can be viewed on line by the public.

All members voted in favor of approving the minutes as amended.

G. CHAIR'S REPORT

Mr. Bender: How are abstentions recorded? He contended that according to Robert's Rules a person does not have to say he is abstaining. He can just not vote.

Discussion ensued as to what conditions would allow a board member to abstain from voting.

The members were told that according to state statute, the recording of each member's vote on each action taken must be filed within four days at the City Clerk's office. Therefore, an abstention cannot be anonymous.

Mme. Chair: Stated for the most part a reason should be given when a member wishes to abstain from voting.

Ms. Rose: Asked the difference between recusing and abstention?

Mme. Chair: One would recuse himself if there is a conflict of interest.

Mr. Sulkis: When one recuses himself he must leave the room during the vote. When someone abstains from voting they do not have to leave the room.

Mr. Liddy: Suggested the City Attorney give an opinion on this.

Mme. Chair: Agreed.

Mr. Ferrante: Clarified that a recusal is necessary in the event of a conflict of interest, not an abstention.

**MINUTES FOR ONE (1) PUBLIC HEARING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, DECEMBER 16, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mme. Chair: Commented the Board had a big challenge ahead of them at the start of last year, with seven newly elected members. There were many exceptional applications. She commended the entire board on the good job they have done. Complimented Emmeline Harrigan, the new Assistant City Planner, as well as David Sulkis, City Planner. The Board is now “seasoned” and should be able to do very well with forthcoming applications.

Mr. Goodrich: Mentioned the Board holds elections for chairman and vice-chairman the first meeting in January.

H. STAFF REPORT –

Mr. Sulkis: Commended the Board on the good job they did during the year. They did not have an opportunity to ease into the more difficult kinds of applications. Recalled the first meeting dealt with Special Exceptions, which are usually the most difficult. Stated the Board will only get better as time goes on.

Mr. Bender: Made a motion to adjourn.

Mr. Goodrich: Second.

The meeting adjourned at 9:55 p.m.

Phyllis Leggett, Board Clerk