

**PLANNING AND ZONING BOARD AMENDED AGENDA FOR TWO (2) PUBLIC HEARINGS TO BE HELD
TUESDAY, 19 DECEMBER 2017, 7:30 PM, CITY HALL AUDITORIUM, 110 RIVER STREET**

The meeting of the Planning and Zoning Board came to order at 7:32 p.m.

A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

B. ROLL CALL

Members Present: Scott Marlow (Ch), Jim Quish (V-Ch), Nancy Austin, Michael Dolan, John Grant, Brian Kaligian, Carl Moore, Tom Nichol

Not Present: Tom Panzella, Rick Varrone

Staff: David Sulkis, City Planner; Meg Greene, Acting Board Clerk

C. NEW BUSINESS

1. **CGS 8-24 APPROVAL** – Mayor's Capital Improvement Plan 2017-2021

Mr. Griffith, DPLU Director, described the process. **Chairman Marlow** asked if the board had reviewed the plan and wished to make a motion. **Mr. Dolan** motioned to approve with a second by **Mr. Nichol**. The motion passed unanimously.

2. **58 Prospect Street (MCDD)** Petition of John Wicko, agent, for a Site Plan and CAM for new parking lot for a mixed used building on Map 54, Block 818, Parcel 2 of which Wepawaug Prospect, LLC, is the owner.

Chairman Marlow noted that although the item was not a public hearing, correspondence had been received from concerned neighbors.

Mr. Wicko, Wicko Architect, 50 Broad St, addressed the board. He described the location of the parcel, and said he was also applying for a certificate of appropriateness from the Historic Commission. He noted favorable responses from City agencies, including approval with conditions by the Inland Wetlands Officer and the City Engineer. He said the Fire Department and the Tree Commission had approved the project. He reviewed the floor plans, survey, and elevations. He described improvements to the building including handicapped access, curbs, aprons, sidewalks, and parking. He provided the rationale for locating it on the site plan, including an area of wetlands that limited use behind the building. He reviewed plantings and gated fencing. He said the tree commission recommended planting arborvitae to shield neighbors from car headlights in the parking lot, which would be incorporated. He overviewed lighting and signage. He said the exterior will remain essentially unchanged. He said neighbor concerns would be addressed with the arbor vitae. He said the application is a permitted use and has received approvals from city agencies.

Mr. Sulkis said the project is zoning compliant.

Board Discussion: **Mr. Quish** confirmed that the floodlight is focused downward. **Mr. Nichols** confirmed that curbs are compliant.

Motion: **Mr. Dolan** motioned to approve.

Second: **Mr. Nichol** seconded.

Discussion: None.

Vote: Motion carried unanimously.

D. PUBLIC HEARINGS

CLOSE BY 8 FEBRUARY 2018

1. **0 Shelland Street (HDD)** Petition of Kevin Curseaden, Esq., for a Special Permit and Site Plan Review for outside storage and auto repossession yard on Map 51, Block 936, Parcel 17K of which Jordan Realty, LLC, is the owner.

Attorney Curseaden, Carroll, Curseaden & Moore, 3 Lafayette St, distributed materials and addressed the board regarding the storage containers described at the previous meeting. He said his client had decided to use a tan color for all structures rather than barn red. He referred to a letter from independent architect Greg Grew that asserted the

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storage containers were compliant with Milford Zoning Regulations. He said getting approval to use the site since purchase by his client was approximately a year, despite a relatively simple application. He asked the board to approve the project as presented. He said his client has a business history at another location in Milford as well as several other locations in the state. He said if the problem with storage containers remains, the board could approve the main building without the storage containers and an alternative plan could be developed for storage of personal belongings. He reviewed the original subdivision bond, repeating that it did not require sidewalks. He referred to a similar project that was not required to install sidewalks or pay into the sidewalk funds.

Mr. Sulkis said the inside of the building could be used for storage, which would provide a solution to the storage containers. He confirmed with Chairman Marlow that sidewalks can be mandated by the Director of Public Works anywhere throughout the city.

Chairman Marlow opened the hearing to the public with instructions.

Favor: None.

Opposed: None.

Rebuttals: NA

Chairman Marlow closed the hearing.

Motion: Mr. Quish motioned to approved without the outside storage containers and no specific condition for sidewalks or payment into the sidewalk fund, with the understanding that the Public Works Director can require sidewalks.

Second: Mr. Grant seconded.

Discussion: None.

Vote: Motion carried. **Mr. Moore** voted against the motion

CONTINUED from 5 DECEMBER 2017/CLOSED

2. **100 Raton Drive (LI)** Petition of Tribus Beer/Sean O'Neill, for a Special Exception for brewery with pub and patio on Map 73, Block 928, Parcel 4Q of which Best Buddies, LLC is the owner.

Chairman Marlow noted that public comment had been heard previously, and that the hearing was closed.

Board Discussion: Mr. Quish said people from the neighborhood had spoken out both in favor of and in opposition to the project. He said every restaurant and bar in the city is in somebody's neighborhood, and that he felt the atmosphere at this business would be different form a bar, more like a winery. **Mr. Moore** said he opposed the project. **Mr. Dolan** said he respects Mr. Moore's opinion, but felt the project will benefit Milford. **Chairman Marlow** clarified the hours of operation.

Motion: Mr. Dolan motioned to approve.

Second: Mr. Grant seconded.

Discussion: None.

Vote: Motion carried, with **Mr. Moore** opposed.

CONTINUED from 5 DECEMBER 2017

3. **328 Meadowside Road (R-12.5)** Petition of Thomas Lynch, Esq., for a Special Permit and Site Plan Review for 8-30g 12-Unit Residential Complex on Map 26, Block 263, Parcel 15 of which Beachland, LLC, is the owner.

Attorney Thomas Lynch, Lynch, Trembicki & Boynton, 63 Cherry St, addressed the board. He asked Mr. Chakraborty, PE, to present his followup traffic review.

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Andy Chakraborty, PE, described the parameters of his study and said his findings were in agreement with the DLS traffic study. **Attorney Lynch** said his client stood by the original presentations.

Mr. Sulkis noted that the board had previously required fencing for similar applications and asked if such a condition might be added to the plan. **Attorney Lynch** said his client had no objection to that requirement. **Mr. Quish** confirmed that there were no sidewalks within the site. **Attorney Lynch** said the 20' driveway would provide adequate access to the street, given the size of the parking area.

Washington Cabezas and **Attorney Lynch** conferred. **Mr. Cabezas**, PE, said a flush-with-the-asphalt sidewalk could be added but the landscape area would be reduced. **Mr. Quish** asked if more residents would put a strain on the sewer system. **Mr. Sulkis** advised that assessed sewage use is tied to the number of fixtures, not the number of residents. He also confirmed that parking is limited to 25. **Mr. Nichol** discussed setbacks and potential trespassing with **Mr. Sulkis**.

Chairman Marlow opened the hearing to the public with instructions.

Favor: None.

Opposed:

James Lambert, 18 Great Meadow Dr, referred to the 335 Meadowside project, and asked for a reduction in the number of buildings in similar fashion to that project. He challenged previous assertions made by Attorney Lynch. He requested that an engineer review the proposed drainage and heights. He asked for detail on the retaining walls.

Larry Johnson, 300 Meadowside Rd, summarized a letter to David Sulkis that was shared with the board. He said major concerns were traffic, drainage, and tree removal. He requested an existing barrier be retained. He asked for compliance with the City Engineer's 1st December recommendation for installation of a runoff trench.

Adam Weber, 54 Lookout Hill Road, reviewed runoff issues and said the trench would be nonfunctional. He was concerned with the lack of a berm. He said storm infiltration takes more time than catch basin water control. He expressed concern for the foundation of Oyster Bay condominiums.

Cordelia Isiofia, 300 Meadowside Rd, said she is president of the Oyster Bay condo association, and expressed opposition due to significant impact on the water runoff and traffic. She said there would also be significant impact when this project was added to the Silver Sands project. She was concerned about the loss of trees.

Patricia Farley, 308 Meadowside, was concerned about the trench and potential mosquito infestation. She noted nearby elderly housing and a nearby school. She also pointed out the traffic impact of Silver Sands development, saying it would obsolete the current traffic studies.

Cathy Apruzzese, 5 Great Meadow Dr, said the affordable housing at 335 Meadowside is ugly, had impacted her property value, and increased parking problems. She said the neighborhood has too much development. She expressed concerns about parties creating a need for police activity. She asked for planting of trees to provide privacy.

Susan Glennon, 99 Carlson Drive, was concerned about the lack of a turnaround area, suggesting elimination of a building to add a turnaround driveway. She said the board was charged with protecting Milford's quality of life. She asked how snow removal would be done.

Applicant Rebuttal:

Mr. Cabezas said the City Engineer's requirement for a trench drain could be accommodated. He said the slope of the lot could be adjusted to accommodate runoff. He reviewed the plans for infrastructure to handle water runoff.

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Opposition Rebuttals:

James Lambert asked about flood projections.

Adam Weber noted that gravel would handle water better than grass seed.

Cordelia Isiofia said she is not an engineer, but felt the underground water table would be disturbed and affect surrounding properties.

Applicant Rebuttal:

Mr. Cabezas said gravel could be added rather than a lawn because gravel would be more absorbent albeit less visually appealing.

Chairman Marlow closed the hearing.

Mr. Quish said the board was in a difficult position regarding 8-30g projects and that the courts have overturned previous board denials. He said he understands that the neighbors are upset. He said he would like to see a smaller number of units. **Mr. Dolan** agreed, saying it was better to modify plans to address concerns, perhaps removing a building at the end to increase turning radius.

Motion: Mr. Quish motioned to approve the application on condition of removal of the rear building to create a cul de sac, with a condition of installing the drains requested by the City Engineer, and with the conditions of adding a paver walkway, a fence, and preservation of existing trees. **Mr. Sulkis** said curtain drains were less efficient than what was requested by the City Engineer and the motion was amended to reflect the drainage specified by the City Engineer.

Second: Mr. Grant seconded.

Discussion: None.

Vote: Motion carried with **Mr. Moore** voting against the motion.

E. CHAIR REPORT The chairman wished the board happy holidays.

F. LIAISON REPORTS None

G. REGULATION SUBCOMMITTEE None

H. APPROVAL OF MINUTES for 5 December 2017 was unanimous.

I. STAFF REPORT Ms. Greene thanked the board for their support and patience during the past 6 months.

J. ADJOURNMENT was at 9:05.

New Business, not on the Agenda, may be brought up by a 2/3 vote of those Members present and voting.

ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANT TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE DIRECTOR OF COMMUNITY DEVELOPMENT, 783-3230, FIVE DAYS PRIOR TO THE MEETING, IF POSSIBLE.

Attest:

M.E. Greene, Interim Clerk, Planning and Zoning Board

Note: Minutes are not official until approved by Board vote at a subsequent meeting.