

## PLANNING AND ZONING BOARD MINUTES FOR ONLINE MEETING HELD TUESDAY 18 JANUARY 2022, 7:00 PM

The meeting of the Planning and Zoning Board came to order at 7:00p.m.

### A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

### B. ROLL CALL

**Members Present:** N. Austin, J. Castignoli, E. Hirsch, J. Kader, B. Kaligian, J. Mortimer, J. Quish, R. Satti, M. Zahariades

**Not Present:** C.S. Moore

**Staff:** Joe Griffith, DPLU Director, David Sulkis, City Planner; Meg Greene, Rec. Sec'y

**Chairman Quish** opened the meeting at 7:00.

### EXECUTIVE SESSION

Discussion of Connecticut Post Limited Partnership v. Milford Planning & Zoning Board (Docket No. AAN-CV21-6045201-S)

**Chairman Quish** asked for a motion to go into Executive Session.

**Mr. Castignoli moved to go into Executive Session.**

**Second: Mr. Kader** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

The session lasted from approximately 7:04pm to 7:48pm.

**Chairman Quish** announced that the 615 Plains Road application had again been postponed, so as not to inconvenience any interested attendees.

### C. NEW BUSINESS

**CLOSE BY FEBRUARY 22, 2022**

- 1) **Marceline Lane (Colberg Estates)** (Zone R-12.5) Request of Tom Collucci, Colberg LLC, for bond release for work associated with the subdivision known as Colberg Estates; in accordance with the memo from Greg Pidluski, City Engineer to David Sulkis, City Planner dated December 13, 2021.

**Mr. Sulkis** addressed the board. He said when large developments or subdivisions are approved, there is often a bond required for the public portion (streets, sidewalks, infrastructure, etc.) of the project. The bond can be released when the City Engineer is satisfied that the work is complete. He said that is the case with this bond.

**Mr. Satti moved to approve as presented** the request of Tom Collucci, Colberg LLC, for bond release of \$55,071 for work associated with the subdivision known as Colberg Estates; in accordance with the memo from Greg Pidluski, City Engineer to David Sulkis, City Planner dated December 13, 2021.

**Second: Mr. Castignoli** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

### D. PUBLIC HEARINGS

**CLOSE BY FEBRUARY 22, 2022; VOTE BY MARCH 30, 2022**

1. **Proposed Regulation Change to the CDD-3 Zone- Change #21-8 – Article III, Section 3.18.2 and 3.18.5; Multifamily Residential Buildings** Petition of John Knuff, Esq. for a change to the CDD-3 Zone regulations to allow multifamily housing on Map 025 Block 207 Parcel 50A of which Casey Associates Limited Partnership is the owner.

**Attorney Knuff**, Hurwitz, Sagarin, Slossberg & Knuff, LLC, 147 Broad Street, addressed the board. He said the goal was to permit multifamily development via a zone change. He stressed that the application was limited to a zone change request, with no Special Permit or Special Exception before the board. He described the plaza as having become rundown and said the owner's goal was to redevelop this large parcel to help revitalize the Devon section of Milford. He said the parcels in the Devon area tend to be small, making redevelopment more challenging. He said the impact to the surrounding area would be strong and positive. He listed challenges including incorporating a use with a demand, respect for the single-family homes in the surrounding area, and support for continuing a commercial use fronting on Bridgeport Avenue, maintain the existing commercial corridor. He said the multi-family development would be attractive and provide amenities. He reviewed the proposed regulation amendment in detail, highlighting a clause restricting the new use to large parcels, and another clause requiring removal of old structures to be replaced with significantly enhanced commercial buildings facing Bridgeport Avenue. He stressed a link between zoning permits being issued for

both residential and commercial portions of the parcel. He reviewed proposed density restrictions and subdivision restrictions. He noted how the lot depth will be used to add amenity space for the residents. He identified a target market of families in transition between various life stages. He noted that the project creates a pedestrian-scale, walkable community. He said the parking requirements would mirror existing CDD zones. He shared a concept plan screen with a “frontage facelift”. He introduced the landscape architect.

**Wayne Violette, BL Companies** reviewed landscaping, signage and lighting at the gateway to welcome community members and visitors. He said much more green space would be incorporated as compared to the current hardscape on the site. He said reducing impervious surface would also reduce runoff.

**Attorney Knuff** noted that the concept plan places 180 units on 11 acres, making it much less dense than is allowed in the CDD1 or CDD2 zones. He referred to a traffic letter from **BL Companies** projecting far less traffic with the residential use than if the site were re-tenanted with retail uses.

**Tom Scott**, architect, SGA Architecture Planning, Boston, commented on the differences between existing facades and the proposed improvements, with buildings that are designed to attract tenants. He noted the use of attractive, modern materials such as brick, tile, and other textured materials. He contrasted the current dated existing style with the proposed new presence along Bridgeport Avenue. He displayed new signage and a rendering of the potential residential buildings also with a variety of materials, a varied style of facades, and the inclusion of balconies.

**Attorney Knuff** noted that the board has great discretion in its legislative function and characterized this project as consistent with the Plan of Conservation and Development (POCD). He said the tax base would be positively impacted and the infusion of new residents would create demand for new restaurants and shops. He shared letters of support from several local business owners:

James A. Geraghty, C360 Software and Services

Dr. Vincent P. LoRicco, Connecticut Chiropractic Specialists, LLC

Dr. Frank J. Forte, Physical and Aquatic Therapy Center, Inc.

Jeffrey “Zee” Zoufaly, Executive Director, JZ Automotive Consulting, LLC

Bob Chicoine, CEO, Dockside Brewery, LLC

Harry Garafalo, Owner, ShopRite

#### BOARD DISCUSSION

**Mr. Satti** asked if changes to the regulation reflected input from DPLU Director Joe Griffith and City Planner David Sulkis; he was assured that it did. **Mr. Satti** asked how many parcels would be affected; **Attorney Knuff** said there was only one parcel of this size in the zone. They discussed the allocation of land between the commercial and residential portions of the parcel and the allocation of units per acre. They discussed the possibility of including affordable housing; **Attorney Knuff** said his client prefers not to provide affordable units. **Mr. Satti** also asked if the rooftop space could be solarized; **Attorney Knuff** said he would need to get back to the board with details on the idea.

**Attorney Knuff** and **Mr. Castignoli** discussed driveway entrances to and exits from the site, noting that most people would probably access the site via Lansdale Avenue. **Mr. Sulkis** was invited to comment by the chair; he and **Attorney Knuff** discussed potential future subdivisions and the underlying goals of the changes, mainly to ensure that the commercial portion of the project is pursued. **Mr. Castignoli** asked if Mr. Sulkis was satisfied with the explanation of acreage; he was. **Attorney Knuff** said he was confident that no similarly sized parcels exist in the CDD3. **Chairman Quish** asked for research to determine whether the zone contains other 10-acre-plus parcels.

**Chairman Quish** asked for public comment.

#### FAVOR

**Donna Dutko**, 236 Buckingham Avenue, said she considered the project a positive addition to the town, but agreed with Mr. Satti’s idea that affordable housing should be included. She specified a goal of 30%, in hopes of preventing renewed affordable developments pushing into single-family residential zones.

No further public comment was forthcoming.

**Chairman Quish** closed the hearing to public comment but left the public hearing open. **Mr. Satti** was concerned about traffic impacts, saying he drives through the area where there are line-of-sight issues and afternoon traffic intensifies due to the presence

of the high school with its normal open and closing hours as well as sports events. He stressed that he wanted to see incorporation of affordable housing and a solar. **Mr. Hirsch** echoed concerns that when the current moratorium ends, if the city does not have enough affordable housing stock, there will be a renewed push of affordable projects into residential zones.

**Attorney Knuff**, responding to traffic concerns, said that a Special Permit is required to go through Police Traffic Division review. He asked for comment from BL Traffic Engineer **Mike Dion**, who said there would be a significant reduction in traffic compared to when Kmart and other retailers occupied the entire site. He said the high school arrival times had been calculated in an earlier study, but not the afternoon dismissal hour, but that with a Special Permit application, a traffic study would reflect that period. **Attorney Knuff** also said a 5% allocation of affordable housing would be acceptable to his client.

**Chairman Quish** asked the board if a vote should be postponed and if so, asked for a motion to do so. **Mr. Satti** wished to hear responses to the board's concerns regarding traffic, affordable housing, and solar or other renewable energy options. **Mr. Mortimer** agreed. Without objection, the chairman announced that the hearing would be kept open.

- 2) **975 Bridgeport Ave** Zone (CDD-3) Petition of Jonathan Klein, Esq. for a Special Permit with Site Plan review for an Indoor Recreational Facility (axe throwing) on Map 43, Block 214, Parcel 42 of which AMJ Properties, Inc is the owner.

**Attorney Klein**, 1057 Broad Street, Bridgeport, addressed the board. He noted that his client, Leonard Alterio, was also on call. He reviewed characteristics of the site, saying the proposed business would occupy a unit in 6-unit strip mall. He described axe throwing as analogous to darts but with bigger projectiles. He said the sport has recently gained in popularity. He described the axes and targets, which would be organized into 9 lanes. He said there is a room with a gun firing training simulator, but said no firearms are involved. He said Mr. Alterio is a Bridgeport police officer and the shooting simulator is comparable to training devices for law enforcement. He said that due to his client's career in law enforcement, safety and security are important to him. He said a small bar with seating for 5 people would be onsite, like bars seen in bowling alleys. He said that 40 patrons could be accommodated at a time and light snacks would be available, with no hot kitchen. He said Mr. Alterio will apply for a liquor permit. He described the plaza's parking lot and asserted that other tenants' parking needs will not conflict with the schedule planned for the axe-throwing business.

#### DISCUSSION

**Attorneys Satti** and **Hirsch** disclosed they have encountered Attorney Klein in their practices of law, but both said they saw no conflict in voting on the matter. **Attorney Klein** agreed with them. **Mr. Sulkis** advised that indoor recreational uses always require a Special Permit application.

**Mr. Castignoli** asked if a bar is typical of the use; **Mr. Alterio** listed 3 sites in Orange, Oxford, and Wallingford that also serve liquor. **Mr. Sulkis** compared the use to a bowling alley with a bar. **Mr. Mortimer** and **Mr. Alerio** discussed the nature of the axes, plus games and targets offered. **Mr. Alterio** assured that all lanes are enclosed, and hatchets will not recoil or go outside lanes.

**Chairman Quish** asked for public comment. Hearing none, he closed the hearing and asked for a motion.

**Mr. Kader moved to approve as presented** the Petition of Jonathan Klein, Esq. for a Special Permit with Site Plan review for an indoor recreational facility (axe throwing) on Map 43, Block 214, Parcel 42 of which AMJ Properties, Inc., is the owner.

**Second: Mr. Mortimer** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

- 3) **352 Wheelers Farms Road** (Zone RA) Petition of Thomas Lynch, Esq. for a Special Permit, with Site Plan review for Church rectory and off-site parking facility on Map 96, Block 915, Parcel 10 of which Cornerstone Christian Center, Inc is the owner.

**Attorney Lynch** addressed the board. He introduced Ron Wassmer to provide detail on the plans. He noted that he has been working with the church for 2 years on development of the site and that the church has been in the community for 25 years. He reviewed how the church came to occupy its present address and said the proposal is to convert a single-family home on 1.47 acres to a rectory for the church. He said the rectory will also include an apartment for visiting guests of the church and that a parking lot will be constructed on the parcel to handle overflow parking at church events. He noted that churches can be in the RA zone as a special use. He said the parking lot was approved by the Inland Wetlands Agency and that the church was working with the Health Department to reconstruct the site's septic system. He said a sidewalk will be added along Wheelers Farm Road directly across from church's sidewalk. He suggested that a crosswalk could be a condition of approval and said that shuttle service will be

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activated between the 2 parking lots when needed. He noted that a variance was granted in 2019 by the ZBA because the parking lot exceeds conforming size. He said an adequate snow shelf was required by the City Engineer and would be accommodated.

**Ron Wassmer**, PE, LS, 158 Research Drive, reviewed the site plan in more detail. He shared a landscaping plan, indicating tree removal, but assured that no trees will be removed from wetlands, and that street trees and evergreen screening will be added to the site. **Attorney Lynch** said the parking lot proximity to another parcel is zoning compliant.

**Mr. Sulkis** read his report, which was generally consistent with the presentation.

### BOARD DISCUSSION

**Mr. Castignoli** and **Mr. Wassmer** discussed landscape buffers for a nearby, recently constructed office building, driveway, and apartment complex. **Mr. Kader** said he supported adding a crosswalk condition. **Chairman Quish** also emphasized need for a crosswalk. **Mr. Satti** asked about supplemental parking. **Attorney Lynch** said the sidewalk plan had been developed later but that the church will accommodate any request by the Police Department's Traffic Division.

**Chairman Quish** asked for public comment.

### FAVOR

**Carl Charles**, 7 Snug Harbor Road, a member of the church and its Director of Operations, spoke in support.

**Chairman Quish** closed the hearing and asked for a motion.

**Mr. Castignoli moved to approve with the following modification** the Petition of Thomas Lynch, Esq. for a Special Permit with Site Plan review for church rectory and off-site parking facility on Map 96, Block 915, Parcel 10 of which Cornerstone Christian Center, Inc. is the owner.

**Second: Mr. Kader** suggested adding a condition for a crosswalk to the motion; **Mr. Castignoli** accepted the amendment; then **Mr. Kader** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

- 4) **615 Plains Rd** (Zone LI) Petition of Durham Bus Company for a Special Exception, Coastal Site Plan Review, with Site Plan review for School Bus Depot and fueling station on Map 062, Block 928, Parcel 4B of which 615 Plains Rd, LLC is the owner with Kevin Curseaden, Esq. representing Durham Bus, and Thomas Lynch Esq. representing 615 Plains Rd LLC. **POSTPONED**

### **F. OLD BUSINESS**

### **G. LIAISON REPORTS**

**H. SUBCOMMITTEE REPORTS** **Chairman Quish** announced there would be a Regulation Subcommittee meeting next Wednesday.

**I. APPROVAL OF MINUTES of 1/4/21** was unanimous.

**J. CHAIR'S REPORT - Consideration of in-person meetings:** **Mr. Satti** said he wants to return to using them soon. **Chairman Quish** reminded the group that any change could not take effect until 2 meetings after a decision due to advertising requirements. The group floated the idea of having its first in-person meeting in March; Board Members Austin, Hirsch and Satti agreed with that timetable. **Chairman Quish** expressed concern that if the Health Department still mandates masking, conflict with attendees could arise if they refuse with mask. He asked **Mr. Sulkis** to research guidelines about this potential issue. **Mr. Castignoli** said that the March resumption of in-person meetings should be predicated on where the city's positivity rate is then. A vote was taken in favor of resuming in-person meetings in March with all but Chairman Quish voting in favor.

**K. STAFF REPORT** **Mr. Satti** wanted to see a timeline for educating the board on upcoming changes in zoning legislation. **Mr. Sulkis** said he would outline a breakdown of changes made in the state statute with ideas for compliance at the next meeting. **Mr. Kader** asked if 975 Bridgeport Avenue modifications must be discussed in a full public hearing. **Mr. Sulkis** said the applicant is likely to revise their presentation based on tonight's comments. **Mr. Castignoli** said the Board of Alders routinely caucuses and wondered if this board can also caucus. **Chairman Quish** said he will find out.

**L. ADJOURNMENT** was at 10:06.

Attest:

M.E. Greene

New Business, not on the Agenda, may be brought up by a 2/3's vote of those Members present and voting. ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE DIRECTOR OF COMMUNITY DEVELOPMENT, (203) 783-3230, FIVE DAYS PRIOR TO THE MEETING, IF POSSIBLE.