

**PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD
TUESDAY, 5 FEBRUARY 2019, 7:30 PM, CITY HALL AUDITORIUM, 110 RIVER STREET**

The meeting of the Planning and Zoning Board came to order at 7:30 p.m.

A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

B. ROLL CALL

Members Present: Nancy Austin, John Grant, Jim Kader, Brian Kaligian, Peg Kearney, Scott Marlow, Carl S. Moore, Jim Quish, Robert Satti

Not Present: Tom Panzella

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

Chairman Quish opened the meeting and introduced the newly appointed board member Jim Kader from the 2nd District.

C. NEW BUSINESS

CLOSE BY March 12, 2019; VOTE BY April 11, 2019

- 1) **44-46 River Street** - 8-24 Approval for the sale by the City of Milford, of the Property known as 44-46 River Street.

Mr. Sulkis described the project and the nature of the 8-24 statutory approval process, wherein property sales by the City require a vote from the Planning and Zoning Board; if the Planning and Zoning Board approves the project, the Board of Aldermen can then approve it by a simple majority rather than a 2/3rd vote in the case of a denial.

Mr. Grant motioned to approve.

Second: Mr. Marlow seconded.

Discussion: None.

Vote: Motion carried unanimously.

- 2) **31 and 33 Pearl Street** (ZONE R-5) – Petition of Patrick Tarantino for Coastal Area Management Review, on Map 22 Block 459 Lot 27 and 27A; of which Patrick Tarantino is the owner.

No representative of this application appeared.

Chairman Quish asked **Mr. Sulkis** if the board might act without a representative present; **Mr. Sulkis** said it could. He summarized the application, saying it was zoning compliant, but any changes to Inland Wetland Agency requirements will require a need for additional review.

Chairman Quish said if the board was comfortable with plans, they could vote. **Mr. Grant** said he had seen no information on structural drawings for the foundation design. **Mr. Sulkis** said he thought Building Inspection review during permitting would be sufficient, but couldn't speak to an issue of Building Code. DPLU Department Director **Joe Griffith** was in attendance and went to the podium to address the issue, saying **Mr. Sulkis** was correct—Building Code compliance is addressed during permit application process. **Ms. Kearney** expressed concerned that no one was present. **Mr. Quish** said if a member was uncomfortable voting on an unrepresented application, it should be postponed. And the applicant advised.

D. OLD BUSINESS

VOTE by March 21, 2019

1. **0 and 990 Naugatuck Avenue** (ZONE HDD) – Petition of Jeffrey Gordon, for a Change of Zone from HDD to WDD, on Map 40, Block 300, Lots 2 and 3B; of which Recycling, Inc. is the owner. (CLOSED January 15, 2019)
2. **Proposed Change to City of Milford Zoning Regulations:** Article 3, Section 3.13.2.3 Special Uses, 3.13.3 Building Requirements and 3.13.4.3 Accessory Uses, Multiple Family Dwellings, in the WDD Zoning District, proposed by Jeffrey Gordon as agent for applicant Primrose Companies/Recycling, Inc. (Tracking #29-18) (CLOSED January 15, 2019)

Mr. Sulkis said the protest petition filed by Devon Power was valid; this triggered a requirement that any motion requires 7 votes to pass. **Chairman Quish** invited discussion. **Mr. Grant** said he preferred to see a job-creating use on land zoned as industrial and thus he is against the project. **Mr. Marlow** said he was concerned that if this particular project falls through, the regulation changes would persist and could have unforeseen consequences. **Mr. Sulkis** reminded the board that it had 2 decisions to make—first, whether to change the area from a HDD zone to a WDD zone; and second, whether to adopt the proposed regulation changes. He said as with any other application, the board can approve the proposal as submitted, deny it, or amend it. **Mr. Marlow** said if the regulation is changed and the project doesn't go forward, the zone will still have been changed. **Mr. Sulkis** said the developer would have to weigh any eventual zone changes against the viability of the project. **Chairman Quish** said the project had garnered the

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support of the neighbors, unlike most controversial applications. He said he felt it was a waste not to use riverfront property for residential enjoyment. Noting the presence of a new board member, he stated that he wanted to wait until Mr. Kader could prepare for a full board vote. **Mr. Marlow** agreed that a full board review was desirable, but again expressed concern for changing regulations to accommodate a specific project that may or may not happen, particularly a 60' height limit in any WDD zone. He said he was concerned about setting a precedent. **Mr. Sulkis** was asked to refresh the board's memory about the 3 WDD zones and he named 1) the area referenced in the application, 2) Baldwin Station, and 3) a portion of Devon north of Walnut Beach. **Mr. Marlow** and **Mr. Sulkis** discussed the idea that, although no site plan was submitted, the illustrative renderings prepared seemed to indicate that the buildings and parking took up most of the site. **Mr. Satti** agreed to wait on vote, but reminded the board that their deliberations are restricted to what was presented in the public hearings and questions put to staff. **Mr. Sulkis** reminded the board that all previously distributed materials are available for review in their City DropBox accounts. **Chairman Quish** added the item to agenda for next meeting.

E. PUBLIC HEARINGS: NONE

F. LIAISON REPORTS

G. REGULATIONS SUBCOMMITTEE

Mr. Grant said new amendments had been approved in the subcommittee meeting just held and would be circulated to the usual agency distribution.

H. APPROVAL OF MINUTES 1/15/2018: approved with an abstention from **Mr. Satti**.

I. CHAIR REPORT None.

J. STAFF REPORT: None

K. ADJOURNMENT was at 7:55

Attest:

M.E. Greene, Board Clerk