

**PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD
TUESDAY, 19 FEBRUARY 2019, 7:30 PM, CITY HALL AUDITORIUM, 110 RIVER STREET**

The meeting of the Planning and Zoning Board came to order at 7:31 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, Tom Panzella, Jim Quish, Robert Satti

Not Present:

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

Chairman Quish said that in order to give more time for review to the board members who missed the lengthy presentations on agenda items related to 990 Naugatuck Avenue at the 4 December 2018 meeting and the 15 January 2019 meeting, the votes would be postponed until March. He said this was the fairest option for the applicants.

C. OLD BUSINESS

1. **31-33 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. (continued from February 5, 2019)

Surveyor Andrew Flanagan addressed the board. He said Mr. Tarantino proposed to build 2 elevated houses. He described the proposed houses and provided details on the lot, including water retention management. **Mr. Sulkis** said both houses were zoning compliant but that prior to building permits being issued, the submitted architectural drawings must be revised to be consistent with the site plan. He stressed that any changes impacting Inland Wetlands approval would trigger a new review by that agency. **Mr. Grant** asked about plan references to an expired IRC document. He also asked for details on footings boring information as FEMA requires anchoring.

Pat Tarantino, 23 Pearl Street, said borings had been done about a year ago and sent to the architect. **Chairman Quish** and **Mr. Sulkis** confirmed that the borings and footings would have to be demonstrably compliant during building and zoning permit review. **Mr. Grant** noted a discrepancy between the site and architectural drawings. **Mr. Flanagan** said he had also just recently noticed this and would communicate with the architect.

Motion: Mr. Satti motioned to approve. **Mr. Grant** asked to amend the motion such that survey and architectural drawings be updated and coordinated as a condition of the motion's approval, which Mr. Satti accepted.

Second: Mr. Grant seconded.

Discussion: None.

Vote: Motion carried unanimously.

[FOR NEXT 2 ITEMS SEE CHAIRMAN QUISH'S OPENING REMARKS]

2. **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)

POSTPONED

3. **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)

POSTPONED

D. NEW BUSINESS

None.

E. PUBLIC HEARINGS

CLOSE BY February 19, 2019; VOTE BY March 21, 2019

- 1) **Proposed Change to City of Milford Zoning Regulations:** Article 3, Section 3.9.6 Modification of Requirements 3.9.6.1 Lawful non-conforming lots; proposed by the Regulations Subcommittee (Tracking #41-18).

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Mr. Grant said the deletion was due to the current regulation being invalid. **Mr. Sulkis** said he thought the original intent was to preserve a nonconforming use, but that he wasn't aware of a situation that the regulation would apply to now.

Chairman Quish invited the public to speak; no one did, so he closed the hearing.

Motion: Mr. Marlow motioned to approve the change.

Second: Mr. Grant seconded.

Discussion: None.

Vote: Motion carried unanimously

- 2) **Proposed Change to City of Milford Zoning Regulations:** Article 4, Section 4.1.1 Structures or Accessory Buildings in Residential Districts, 4.1.1.7; proposed by the Regulations Subcommittee (Tracking #42-18)

Mr. Grant said the change was to reconcile two sections of the regulations; one dealing with structures to house animals versus regulations specific to poultry coops.

Chairman Quish invited the public to speak; no one did, so he closed the hearing.

Motion: Mr. Marlow motioned to approve with an effective date of 3/18/2019.

Second: Ms. Austin seconded.

Discussion: None.

Vote: Motion carried unanimously

- 3) **Proposed Change to City of Milford Zoning Regulations:** Article 5, Figure 4 Minimum Off-Street Parking Requirements (7); proposed by the Regulations Subcommittee (Tracking #43-18).

Mr. Grant said he wished to table this item pending further discussion in the subcommittee.

- 4) **Proposed Change to City of Milford Zoning Regulations:** Article 5, Section 5.1.4 Off-Street Parking Requirements 5.1.4.2 Prohibited Drive-Thru Windows, Curb Cuts and Driveways; proposed by the Regulations Subcommittee (Tracking #44-18).

Mr. Grant said the regulation was new and was intended to eliminate curb cuts in favor of pedestrian traffic in MCDD and CDD-2. **Mr. Sulkis** said it eliminates future drive-through windows.

Chairman Quish invited the public to speak; no one did, so he closed the hearing.

Mr. Satti asked why the MCDD and CDD-2 two zones were targeted; **Mr. Grant** said it was consistent with the POCD's goal of generating foot traffic in shopping areas and eliminating vehicular traffic. **Mr. Marlow** said he thought the proposed 1000' distance for separation of drive-through windows was excessive. **Chairman Quish** agreed. **Mr. Sulkis** said the distance could be changed with a motion. **Mr. Grant** said the distances were based on researching property widths and sight lines; he recommended no less than 800' separation, which **Mr. Marlow** still felt was excessive. **Mr. Satti** asked for measurement techniques to be used, agreeing that the distance was excessive. **Mr. Sulkis** explained that the 1000' distance is measured from property line to property line, not between the exact locations of drive-through windows. **Chairman Quish** suggested a motion be made with a specific distance to see how the vote plays out. **Mr. Kader** and **Chairman Quish** discussed the placement of curb cuts and whether they were problematic now.

Motion: Mr. Grant motioned to approve with a separation of 800 feet. The motion failed to get a second.

Motion: Mr. Marlow motioned to approve with a separation of 500 feet.

Second: Mr. Grant seconded.

Discussion: None.

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

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F. LIAISON REPORTS

G. REGULATIONS SUBCOMMITTEE

The Regulations Subcommittee recommended circulation for review the Items below. **Chairman Quish** asked for a motion to send all 5 changes to stakeholders.

Motion: Mr. Grant motioned to approve.

Second: Mr. Marlow seconded.

Discussion: None.

Vote: Motion carried unanimously

- 1) **Proposed Change to the City of Milford Zoning Regulations:** Article 5, Section 5.8.13.3, Mobile Homes in the VE Zone (Tracking #49-18).
- 2) **Proposed Change to the City of Milford Zoning Regulations:** Article 7, Section 7.1.3.5, Landscaping and Screening (Tracking #52-18)
- 3) **Proposed Change to the City of Milford Zoning Regulations:** Article 10, Section 10.4, Pending District Changes (Tracking #53-18)
- 4) **Proposed Change to the City of Milford Zoning Regulations:** Article 7, Section 7.3.4, Special Exceptions (Tracking #54-18)
- 5) **Proposed Change to the City of Milford Zoning Regulations:** Article 9, Section 9.2.1.1, Appeal Period (Tracking #56-18)

H. APPROVAL OF MINUTES 2/5/2019, unanimously approved.

I. CHAIR REPORT None.

J. STAFF REPORT: None

K. ADJOURNMENT was at 8:07.

Attest:

M.E. Greene, Board Clerk