

**MINUTES FOR THE PUBLIC HEARING MEETING
OF THE PLANNING & ZONING BOARD
HELD TUESDAY, MARCH 15, 2011; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called to order the March 15, 2011, Planning and Zoning Board Public Hearing meeting to order at 7:30 p.m.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Members Present: Ed Mead, Mark Bender, Robert Dickman, Gregory Vetter, Vice-Chair; Janet Golden, George Gasper, Victor Ferrante, Susan Shaw, Chair.

Not Present: Kathy Patterson, Kevin Liddy

Staff: David Sulkis, City Planner; Emmeline Harrigan, Assistant City Planner; Phyllis Leggett, Board Clerk.

Mme. Chair: Stated that the public hearing noticed and scheduled to be heard tonight for 89 Pond Point Avenue for a three lot subdivision has been postponed at the applicant's request and should be heard at the next meeting.

Asked for a reordering of the agenda to move Item No. 2, the presentation of the QLess and Viewpoint software to be heard after Item G, Old Business.

Mr. Vetter: So moved.

Mrs. Golden: Second.

All members voted in favor of reordering the agenda.

- C. 1. 8-24 APPROVAL** – Request by Mayor James L. Richetelli, Jr., for approval under CGS Section 8-24 to purchase by the City of Milford, property located at 462 Oronoque Road, (13.45+/- acres), on Map 74, Block 928, Parcel 18, of which Oronoque Road LLC is the owner.

The Chair outlined the Board's role in the CGS 8-24 approval procedure

Mayor Richetelli: Respectfully requested under Connecticut General Statutes 8-24 for Planning and Zoning Board approval to purchase property known as 462 Oronoque Road, a parcel of approximately 13.45 acres.

History: Mayor Richetelli came into office in 2001. At that time of transition, Mayor Lisman identified certain pieces of property throughout the City that he had been working on with the Open Space Committee and other city officials. This was one of the parcels that the City has been keeping its eye on for decades, as a strategic piece of property that, at some point, the City would like to acquire.

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The property was described as rectangular in shape and surrounded on three sides by the River Crest Farm. It abuts on the back, or western side by the former D'Addario land fill. Access to the property has been an issue for decades. Somewhere in the 1970's, through a court order, access to the property from Oranque Road was granted by a court of a 15-foot right of way. By City standards, the 15 foot right of way has made it difficult to develop that piece of property.

Last year, an application was presented to the Zoning Board of Appeals for a variance to allow a 50-foot access way into the property with the intention of developing or using the piece of property for a used car lot. In the Mayor's estimation, that would be a junkyard. The application was denied by the Zoning Board of Appeals and it is currently on appeal in Superior Court. About a year or so ago, the City began foreclosure proceedings because the owner of the property is delinquent in taxes going back to the 1997 tax year. Two things were happening simultaneously: The foreclosure proceedings that the City had brought and the Appeal of the ZBA's denial of the variance to allow a 50-foot access into the property. He noted at the ZBA hearing there was substantial opposition from the surrounding neighborhoods. This property is zoned LI, but the entire area is surrounded by pockets of residential neighborhoods, and at the ZBA hearing, there was considerable public opinion that the application be denied.

The Mayor stated he is before the Board to ask for its approval to purchase the property. As a result of the foreclosure proceedings, the City began negotiations for the possible sale and a price has been reached which is believed to be fair. There is a gross price and then net out the back taxes. What this will do for the City is present a use of the property that is not in the best interest of the surrounding neighborhood. It is not going to be in the best interest of the City of Milford in the long run. He noted it will be the Board's determination as to what will go there at some point in the future if the City does not exercise its rights. However, allowing the City to purchase this property opens up many future options. If the City does not jump on this opportunity now, the future opportunities for this piece of property are severely limited, and possibly taken away.

If the City were to prevail in the ZBA appeal, there has always been the fear that the property owner would gain access, through an agreement with D'Addario, gain access through the western side, thus using the property for something like a used car lot, junkyard, or something of that nature. The Mayor does not believe that would be in the best interest of the City. This is River Crest Farm. It has been used as farm land for generations and he believes it is in the best interest of the City to exercise what may be a one-time opportunity to purchase this strategic piece of property.

Mrs. Golden: What would the City do with the property should it acquire it.

Mayor Richtelli: It would be land banked for the time being. There are no immediate intentions of using it. There are those who would like it dedicated as open space or as

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farm land in perpetuity. He cannot say at this time that would be the City's long term plan. However, there have been discussions with the owner of River Crest Farm about potential options for that piece of property in the future.

The property is right in the middle of the farm. It could be used as farm land. There could potentially be a land swap sometime down the road. But this purchase would allow the City at some point in the future the ability to determine how that piece of property will ultimately be used. Without exercising this right at this time, the City could lose that opportunity forever.

Mr. Vetter: Moved to approve the request by Mayor James L. Richetelli, Jr., for approval under CGS Section 8-24 to purchase by the City of Milford, property located at 462 Oronoque Road, (13.45+/- acres), on Map 74, Block 928, Parcel 18, of which Oronoque Road LLC is the owner.

Mrs. Golden: Second.

All members voted in favor. The motion passed unanimously.

E. PUBLIC HEARING CLOSES 4/19/11; Expires 5/19/11

3. **89 POND POINT AVENUE – 3 LOT RESUBDIVISION (ZONE R-12.5)**
Petition of Two Ninety Six LLC/Gregory Field, for approval of a three-lot re-subdivision to construct two single family residences on Map 57, Block 529, Parcel 45A, of which Two Ninety Six LLC is the owner.

Mme. Chair: This item is off the agenda for this evening.

F. NEW BUSINESS

4. **732 NAUGATUCK AVENUE (ZONE HDD)** – Petition of the United Illuminating Company for Coastal Area Management Site Plan Review approval to expand the Devon Tie Switch Yard Control House on Map 23, Block 301, Parcel 1C, of which The United Illuminating Company is the owner.

Adla Reddy , PE, United Illuminating Company, 6 Armstrong Road, Shelton.
Kathleen M. Shanley, 297 Georgetown Drive, Watertown, CT, representing the United Illuminating Company. The application is for an expansion of a control house and fence line to accommodate requirements that have been put on United Illuminating for their bulk power substations. The requirements come from the National Electric Laboratory Council. The National Electric Laboratory Council, is a branch of the federal government. The request is made because the Devon Tie is a big switching station in this area for laboratory purposes or for transmission system and separation must be

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made of the relaying and control portions in the primary and secondary portions. That is the main reason why this project is being undertaken.

Mrs. Harrigan: The reason this is before the Board is because it is within the Coastal Site Plan Review area. John Gaucher of the DEP reviewed the plan and had no issues with the proposed project.

Mr. Vetter: Moved to approve the petition of the United Illuminating Company for Coastal Area Management Site Plan Review approval to expand the Devon Tie Switch Yard Control House on Map 23, Block 301, Parcel 1C, of which The United Illuminating Company is the owner.

Mr. Dickman: Second.

All members voted in favor. Motion passed unanimously.

G. OLD BUSINESS

5. **23 BAYSHORE DRIVE (ZONE R-5)** - Petition of Quality Craft Builders, LLC for Revised Site Plan Review approval to construct stairs to an unfinished attic area, on Map 29, Block 565, Parcel 2, of which Kristen Arisian is the owner.

Mrs. Golden recused herself from participating in this application.

Mme. Chair: The Board has received the suggested motion based on the discussions that have been held regarding this application.

Mr. Bender: Asked if this was something that would be done for anyone else, or is it only because of the stairwell?

Mrs. Harrigan: Asked if Mr. Bender was referring to the agreement to be entered onto the land records.

Mr. Bender: Said he was referring to any of the requirements the Board was holding this person to. Is this done to anyone else, or is this only because of the stairs?

Mrs. Harrigan: It's because of the stairs.

Mr. Dickman: Moved to approve the petition of Quality Craft Builders LLC for revised site plan review to construct stairs to an unfinished attic area consistent with the plans received on December 29th 2010, based on the following:

1. The attic is and will remain an unfinished uninhabitable area.

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2. No additional exterior modification, such as dormers and/or skylights will be added to the unfinished attic area.
3. A restriction will be placed on the land records to require compliance with these terms for this property owner as well as any future heir, successors and assigns.

Mr. Ferrante: Seconded the motion.

Mr. Bender: Disagreement -- How does this pertain to --- nothing was said in the motion about it.

Mrs. Harrigan: That is Number 3 of the motion.

Mr. Vetter: Reiterated his comments and concern from the last meeting in that it sets a precedent for a fourth story being usable in future applications. The reason the stairs are required is to make sure that does not occur. Mechanized stairs and other options were discussed but they were not presented to the Board.

Mr. Bender: Noted that the Building Department and State laws do not allow that to happen, due to ceiling height requirements. Just because there are stairs, they are still restricted by building codes.

Mrs. Harrigan: Confirmed that the ceiling height in the attic area would have to be raised in order for it to be habitable based on the building code.

Mr. Dickman: Reiterated his former comments that were it not for medical necessity, he would think otherwise of this application.

A vote was taken: Six members voted in favor. Mr. Vetter voted against. The motion passed.

D. 2. PRESENTATION OF QLESS AND VIEWPERMITSOFTWARE

Jocelyn Mathiasen, Director of the Department of Permitting and Land Use will give a slide presentation of the new software which will be implemented in the Building, Planning and Zoning and Inland Wetlands Departments.

Jocelyn Mathiasen, Director of Permitting and Land Use stated she was hired last August as part of an initiative to improve customer service in the permitting process. As part of this reorganization three departments were grouped together under one department: Inland Wetlands, Planning and Zoning and Building. They have been working on multiple fronts to try and focus on and provide more customer service and problem solving in the permitting areas.

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The presentation that she will show focuses more on the Building Department than on Planning and Zoning. However, in the spirit of it being one department and these improvements cutting across everything that is being done, she wanted to share this information with the Board so they could see what is going on in the Department in terms of technology.

She noted technology is one small piece of what you do when you try to improve customer service in a government agency. She does not see this technology as being a solution, but one of many tools used to improve customer service.

Ms. Mathiasen said she was presenting the two new technologies that will be implemented within the next couple of weeks in the Department.

She proceeded to show a presentation of the QLess system that would be used to address the issue of long lines in the Building Department. In searching for a solution to this problem she found there were many systems that are being used to manage queues without requiring the purchase of equipment. The system she chose was QLess which is used by DMVs, colleges and universities, and in many different situations. She explained how the QLess system will operate in all the DPLU divisions.

Board members presented different scenarios for queuing situations and Ms. Mathiasen noted how QLess would be implemented in these situations.

Ms. Mathiasen prefaced the next presentation by stating in September the Board of Aldermen approved the purchase of ViewPermit Software, which is a software system that will be used to manage the entire permitting process across the City. It is currently being employed for building permits but is being expanded for other permit types fairly quickly. The installation of the system has been completed and is in the process of testing and staff training has been completed.

Via a presentation, she walked the Board through the permitting process using the View Permit system and explained how and where permits could be obtained, method of payment, how it will be inspected, and all the other factors that are required in the permitting process at all levels.

As soon as the monitors can be installed, QLess will be implemented. On the back end ViewPermit system is waiting for a little more training and hopefully will be launched on April 1st, assuming all the quirks are worked out. She would like to pick a few contractors and train them on using the system at the front end, get them comfortable using the system and getting their feedback.

Mr. Vetter: Asked who hosts the systems.

Ms. Mathiasen: Both are hosted by the MS Cloud. They do not require any installation on the City servers.

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Mr. Vetter: Noted the official record of an application is the plan. Asked if this becomes the official record or are these documents printed out and stored in files?

Mrs. Mathiasen: That is still in the discussion stage. Currently the plans will continue to be required on paper and be stamped in. Expects that over time people will be able to come in with a thumb drive that has their official plans on it and that will become the official version. That will also avoid the problem of whether people did a bait and switch in terms of giving plans to one department and another set to the other department. The official plans will be those on the thumb drive.

Mr. Vetter: So this will result in moving away from paper plans.

Ms. Mathiasen: Does not see that happening in the immediate future, but it would be her goal, especially for more simple projects.

Proper authorization by a City official was discussed, as well as other aspects of this permit process was discussed.

Mr. Bender: Asked if the information that is presently on cards would be needed for this software.

Ms. Mathiasen: Responded that those cards, which are used in the Building and Permit Department, are being scanned and the history of a property, its permits, COs, etc. would provide the scanned history of that property. More in depth questions on properties would have to go back to the paper files.

Mr. Mead: Asked if the inspectors would be using laptops for their field inspections.

Ms. Mathiasen: Yes and they would have air cards linking them to the permit system, so they could record their inspections as they are doing them.

Mrs. Golden: Asked if applications going to the Board would be viewed on this system.

Ms. Mathiasen: Responded eventually and explained how the Board would use it.

H. PROPOSED TEXT REGULATION AMENDMENT TO ZONING REGULATIONS

Mme. Chair: Asked Staff if there was anything on the proposed fences regulation change.

Mr. Sulkis: Still doing research.

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Mr. Bender: In his travels he noted water areas where fences were very close to the water on home properties in Florida. He distributed some photos to the Board.

I. LIAISON REPORTS

Mr. Vetter: Asked if all the liaisons for City departments were assigned.

Mme. Chair: Will look at her information and report back.

J. APPROVAL OF MINUTES - (3/1/2011)

Mr. Vetter: Approved.

Mr. Bender: Second.

All members voted in favor.

K. PLAN OF CONSERVATION AND DEVELOPMENT

Mr. Sulkis: Currently working on a web page that will be very helpful to the public.

L. CHAIR'S REPORT

Mme. Chair: Said she would like to put the Green Book and by-laws on the agenda for the next meeting to see how the Board would like to handle this.

M. STAFF REPORT - None

Mr. Vetter: Motion to adjourn.

Mr. Mead: Second.

The meeting adjourned 8:35 pm. The next meeting will be held on Tuesday, April 5, 2011.

Phyllis Leggett, Board Clerk

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