

**PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD  
TUESDAY 21 MAY 2019, 7:30 PM, CITY HALL AUDITORIUM, 110 RIVER STREET**

The meeting of the Planning and Zoning Board came to order at 7:29 p.m.

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

**B. ROLL CALL**

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

**Not Present:** Tom Panzella

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

**C. OLD BUSINESS**

- 1) **25 Meadowside Road 8-30g** (Zone R12.5) Petition of Thomas B. Lynch, Esq. for Special Permit with Site Plan review for 8-30g Affordable Housing on Map 35 Block 432A Parcels 4A, 5A and 6 of which GAMS, LLC is the owner (Hearing closed, 4/16/19; vote by June 20, 2019)

**Chairman Quish** asked Mr. Sulkis for a refresher on the topic, which was provided, including the fact that no comments for or against the project were made at the hearing before it was closed. **Mr. Kader** said he viewed the MGAT recording of the proceedings and was ready to vote. **Mr. Satti** said he appreciated Mr. Lynch's presentation but remained concerned about 8-30g projects and understood that there were constraints on the board.

**Motion: Mr. Kaligian** motioned to approve with conditions:

- 1) Installation of a 6' vinyl fence along entire property line with all neighboring properties.
- 2) Update the landscaping plan to add trees along the property line with 31 Meadowside Rd. Work with the City Planner for appropriate species selection for additional trees.
- 3) Remove conifer in corner of the property line with 31 Meadowside Road and replace with a new tree.

**Second: Mr. Grant** seconded.

**Discussion:** None.

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

- 2) **20 Tremont Street** (Zone R-5) Petition of Aviel Suarez for a Special Permit and Coastal Area Site Plan review for a single family house on Map 27, Block 452, Parcel 9 of which Kathy and Dimos Mitas are the owners. (Close by June 11, 2019; Vote by August 15, 2019)

**Mr. Suarez**, 45 Cooper Ave, addressed the board. He described the house and said it would be on driven pylons with a composite foundation system that requires no excavation.

**Mr. Sulkis** described the Special Permit requirement and said no adverse impacts to the coastal resources were anticipated.

**Mr. Satti** asked where Mr. Suarez had addressed the City Engineer's concerns. **Mr. Suarez** said he had replied to the original letter, but an additional letter from the City Engineer was given to him late that same afternoon, but would be addressed. He said one concern was the location and elevation of the air conditioning condenser which he said was located on the C1 drawing. He reviewed resolutions to the issue of identification of coastal resources, the Coastal Jurisdiction Line, roof rain harvesting calculations, and an affidavit by the owners locating the proposed grade level at 18" above the center line of the street elevation. He said tidal wetlands had been a concern; he directed the board to submitted correspondence between Inland Wetlands Officer MaryRose Palumbo and CT DEEP's John Gaucher. He said that no tidal wetland soil had been found on the property as confirmed by a soil scientist. He affirmed that the house's total height was < 35'.

**Chairman Quish** opened the hearing for comment. No one came forward.

**Motion: Mr. Satti** motioned to approve with the condition that the applicant satisfy the issues described in reports by the City Engineer dated 5/1/2019 and 5/21/2019 to the City Engineer's satisfaction.

**Second: Mr. Marlow** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

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- 3) **CGS 8-24 411 Welchs Point Road** Referral pursuant to CGS Section 8-24, to approve a Utility Easement into adjoining property which is owned by the City of Milford. (tabled from May 7, 2019)

**Robert Finlayson**, 411 Welchs Point Road, said easement was suggested by City Engineer, and that Board of Education administrators had reviewed and approved the project.

**Mr. Sulkis** said the City was requesting approval of the easement.

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

**Second: Mr. Marlow** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

**D. NEW BUSINESS**

**CLOSE BY JUNE 25, 2019; VOTE BY AUGUST 29, 2019**

1. **CGS 8-24 35 Mathew St** Referral pursuant to CGS Section 8-24, to authorize Skyview-Milford, LLC, its affiliates, designees and/or assigns to site, own, operate and maintain a solar array at the Margaret Egan Center, of which the City of Milford is the owner.

**Matt Coleman, 105 Prospect St., Greenwich**, Skyview, described the project, situated on the southern flat section of the building roof, stating that the installation would consist of a 76 kilowatt array, and would represent the 7<sup>th</sup> solar project for Milford, 6 of which were installed on schools last year with 6 more planned for this year.

**Mr. Sulkis** said it was part of the City's ongoing solar energy plan.

**Mr. Satti** confirmed that the contract was consistent with other contracts between the City and Skyview. **Mr. Marlow** confirmed that the board was not reviewing terms or conditions; **Mr. Sulkis** said the action consists of the board agreeing or disagreeing with the City's intention to enter into a contract. He said the PZ board's approval or disapproval changes the voting requirement for the Board of Aldermen's approval from a simple majority to a supermajority requirement.

**Mr. Satti** motioned to approve.

**Ms. Austin** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

2. **695 East Broadway** (Zone R5) Petition of Jeff Attolino for a Coastal Area Site Plan Review for a single family house on Map 22, Block 474 parcel 8 of which Mr. T. Bergstraesser is the owner.

**Thomas Lynch, Esq.**, 63 Cherry St, said his clients reside in Manhattan and wish to build a seasonal home on the site. He noted the presence of the developer and surveyor. He said the property had been vacant after the Irene and Sandy storms, 1979 variance granted to prior owner, so the survey submitted shows a single family house done in a modern style to be built within variance parameters. He said the CAM report had received comments from the City Planner which had been addressed. He said the structure was 34.5' in height, with no adverse environmental impacts anticipated, and that no Special Permit was required due to location of the property.

**Mr. Sulkis** said Attorney Lynch's comments were accurate.

**Mr. Satti** clarified that only one map dated 5/16/19 had been submitted. He asked whether comments by the City Engineer had been addressed and **Mr. Attolino** addressed the board.

**Jeff Attolino**, 5 Mill Pond Close, said he had received the engineering report at noon that day, but was already addressing the City Engineer's comments. He said the City Engineer indicated approval of plan.

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**Motion:** **Mr. Moore** motioned to approve with the condition that the applicant satisfy the issues described in the report by the City Engineer dated 5/21/2019 to the City Engineer's satisfaction.

**Second:** **Mr. Marlow** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

3. **708 Boston Post Road** (Zone CDD 1 ) Petition of Thomas B. Lynch, Esq. for a Site Plan review For a Dental Surgical Center on Map 76, Block 918, Parcel 1 of which Wiehl Estate is the owner.

**Attorney Lynch** noted the presence of Dr. Paul Ciuci and Dr. Joseph Perrone, contract purchasers of the site, and Ron Wassmer, of CT Civil Group. Attorney Lynch reviewed details about the planned 5000 sf 1-story building which would house their Derby-Milford Oral & Maxillofacial Surgeons practice. He noted that the oral surgeons represent a 3rd generation of dental practice. He said that the site is at the corner of West River and Boston Post Road, and has been used as a gas station, a used car sales center, and that it currently leases space in a 2200 sf building to Starlander Beck, an auto electronics firm; the latter will remain. He said the other buildings are to be razed and that the new building would be located on the westerly side of the lot. He said the use is permitted use in the CDD-1 zone, and that the site is substantially zoning compliant. He said that environmental concerns about removed underground gas tanks and lifts had been addressed in a closure report. He said the property sale closing, if approved, would occur next week. He said the far easterly portion of the lot is in a flood zone, and that no construction was planned on that part of the property. He said the proposal had already been presented to the Inland Wetlands Agency and was approved at the March IWA meeting. He noted that there are no real delineated entrances now; new defined entrances and exits will be developed under the proposed plan. He said that upon exiting the site, only a right turn toward the west would be allowed. He said an easement would create a second driveway for eastbound or River Street-bound traffic. He reviewed City Department approvals, noting that the police report found sight line compliance and adequate parking. Mr. Wassmer addressed some comments of City Engineer. Statement of use 4/23. Dental surgery set up for 1-2 surgeons, reviewed floor plan and business hours.

**Ron Wassmer**, PE, LS; CT Civil Group, 158 Research Dr., reviewed the site plan with reference to abutting properties, including the Wepawaug River and an Inland Wetland Agency-regulated area with an AE flood zone requiring a 2' elevation above the Base Flood Elevation. He reviewed other existing structures to be removed. He said the current parking lot would be made zoning compliant and that the existing driveway aprons were overly large, having been built in 1930s. He said the traffic light would be used to direct traffic onto the Boston Post R. He said the new building would be positioned in the southwest corner of the property with parking to the east, and that all frontage parking at the Starlander Beck Building would be removed. He reviewed the landscaping plan including street trees and shrubs near the structures. He said evergreens would be planted as a buffer for a residential area to the north of the sit and that minimal grading was required. He said storm drainage would be added per modern requirements. He reviewed flood mitigation, sewer, water, erosion, illumination and other construction plans. He displayed elevations featuring simulated wood siding, stone veneer, and a sloped roof. He noted a seeding mix request by IWA in a small detention area. He said the City Engineer provided maintenance details for storm water management.

**Mr. Sulkis** said the presentation had been thorough. He reviewed his own summary.

**Mr. Satti** asked about the principals and confirmed who the current applicants were. **Mr. Marlow** said he knew it was just a site plan review, but said he hoped there would eventually be an appearance change to Starlander Beck. **Attorney Lynch** said his clients planned improvement for a long-time eyesore property.

**Motion:** **Mr. Satti** motioned to approve with the following conditions:

- 1) All landscape areas subject to 5.14.3 (5) and 5.14.4(2) be planted with grass in addition to any other landscaping shown on the plan.
- 2) That the compensatory storage basin shall have a seed mixture/stabilization plan to avoid erosion and colonization of invasive species.
- 3) A Drainage Maintenance plan shall be created and approved by the City Engineer.

**Second:** **Ms. Austin** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

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**E. PUBLIC HEARINGS**

**NONE**

**F. LIAISON REPORTS:** Mr. Sulkis handed out a list of liaison positions.

**G. REGULATION SUBCOMMITTEE:** Chairman Quish said the next session was planned for 1<sup>st</sup> meeting in June.

**H. APPROVAL OF MINUTES** – 5/7/2019 were approved unanimously.

**I. CHAIR’S REPORT** – Chairman Quish said the subcommittee on the Plan of Conservation and Development had its 1<sup>st</sup> meeting.

**J. STAFF REPORT**

- 1) **Mr. Sulkis** said that at 46-48 Cedarhurst Lane, a subdivision was approved by the board several years ago. A lot line adjustment was required because of a difference between the survey and a legal lot description discovered during the sale of a lot.
- 2) **DPLU Director Joe Griffith**, 634 Church St., Haddam, provided the board with the annual review of the Hazard Mitigation Plan and Flood Awareness. He described resources available on disaster preparation and recovery. He said citizens can sign up for alerts from the City. He said 25% of properties in the City have flood zones designations. He said the Hazard Mitigation Plan was updated last year and accepted on 8/7/18, noting that it is a multi-jurisdictional plan (available for review on the City website) and that it coordinates with a regional plan (available at the SCROG website).

**Mr. Quish** asked about other outreach to educate citizens. **Mr. Griffith** said mailers go out periodically and details are posted on the City website, among other programs.

**K. ADJOURNMENT** was at 8:35.

Attest:

M.E. Greene, Board Clerk