

**MINUTES FOR THE REGULAR MEETING OF THE
PLANNING & ZONING BOARD
HELD TUESDAY, JUNE 3, 2008; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called to order the Public Hearing of the Planning and Zoning Board at 7:30 p.m.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

MEMBERS PRESENT: Frank Goodrich, Mark Bender, Janet Golden, Kathy Patterson, Kim Rose, Kevin Liddy, Susan Shaw, Gregory Vetter, Victor Ferrante, Jeanne Cervin, Chair.

STAFF: David Sulkis, City Planner; Peter Crabtree, Assistant City Planner; Phyllis Leggett, Board Clerk.

Mme. Chair: Announced also present observing the Board's meeting, as a guest of Board member Mark Bender, is Colin Martin from Milford Troop 721, who is working on a Citizenship in the Community Merit Badge in the pursuit of becoming an Eagle Scout.

B. NEW BUSINESS

1. **51-53 EASTERN STEEL ROAD AND 287 WOODMONT ROAD (ZONE ID)**
Petition of James Connors for a Site Plan Review to construct two buildings on Map 80 Block 810, Parcels 13B1 and 13B2, of which Connors Properties, LLC is the owner.

James Connors, 322 Popes Island Road, Milford. Would like to build two buildings, which would be identical to the existing parcel, for additional space. The exact use is uncertain at this time. One building will replace the area where Center Towing has a storage yard. This will improve the area. Trucks and wrecked cars will be parked inside. Building will have landscaping and trees.

Mme. Chair: Asked Mr. Crabtree for his comments.

Mr. Crabtree: This is actually a build-out of an earlier project. All the buildings are on black top.

Mme. Chair: Did not receive a report from the Police Department.

Mr. Crabtree: No curb cuts being made so there was no need for a police report.

Mme. Chair: Asked about the trees to be planted.

Mr. Connors: On the site plan it was stated they would be added in, but the tree types were not specified. Bradford pear trees of 7' minimum height, as requested by the Tree Commission.

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Mr. Liddy: Asked about renumbering the buildings and if the Fire and Police Departments allow changing addresses.

Mr. Crabtree: Planning and Zoning does the address numbers. The proper departments, i.e., police and fire department are made aware of any address changes.

Mr. Goodrich: Made a motion to approve the application.

Mr. Vetter: Second.

All members voted in favor of the motion. The Motion passed unanimously.

2. **471 NAUGATUCK AVENUE (ZONE CDD-2)** Petition of Mathew Salomone for a Site Plan Review to construct a partial second floor addition and parking lot and convert the use from a single family to a two-family residence on Map 19, Block 237, Parcel 17, of which Mathew Salomone is the owner.

Mathew Salomone, 217 West Main Street, Milford. Before the Board for a change of use from a single family to a two-family residence in the CDD-2 zone.

Mme. Chair: Asked Mr. Crabtree for his comments.

Mr. Crabtree: Adding a small addition to the second floor that is not 50% of the square footage of that floor. Will have to move the driveway from the left side of the house to the right side. There will be a parking lot in the back.

Mme. Chair: Asked about the size of a proposed tree that was not according to the size required in the regulations.

Mr. Salomone: Stated he would adjust that tree to the dimensions required. Elaborated on additional landscaping, buffers and privacy plantings along the perimeter of the property, as well as the existing six-foot privacy fence.

Mr. Salomone distributed photographs of the house and the property as it looks now with the existing fence.

Mme. Chair: Commented this would be an improvement to the residence that is currently there.

Ms. Shaw: Asked how many bedrooms and apartments there would be.

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Mr. Salomone: Three bedrooms on the first floor and two bedrooms on the second floor. First floor just over 1000 SF. The proposed three bedroom unit is 1,073 SF and proposed two bedroom is 890 SF.

Mr. Liddy: 437 SF will be added to the second floor.

Mr. Salomone: 1,963 SF when completed.

Mr. Sulkis: Reminded the Board the square footage, number of bedrooms, or size of the house was not an issue for a site plan review.

Mr. Crabtree: Stated he did not have those measurements on the floor plans because it was not relevant to the site plan.

Ms. Shaw: Stated her intent was to clarify that this would be a two family and not a three family dwelling.

Mr. Salomone: Stated it would be a two family residence.

Ms. Rose: Stated this would be a major improvement to the street and the area and made a motion to approve the application.

Mrs. Golden: Second.

All members voted in favor of approving the motion. The motion passed unanimously.

D. TABLED BUSINESS

3. **995 BRIDGEPORT AVENUE (ZONE CDD-3)** Petition of Andriopoulos Design Associates, LLC for a Site Plan Review in order to construct a partial two-story dry cleaners building on Map 43, Block 214, Parcel 41, of which 993 Bridgeport Avenue LLC is the owner.

Mme. Chair: The Board had requested the dumpster, fence and lighting plans, which were added to the site plan.

Bill Andriopoulos, Andriopoulos Design Associates; Don Strait of Grumman Engineering, Steve DeMarco, the owner/applicant, and Marie Genovese of Andriopoulos Design. Outlined the three items that the Board requested be added to the plans. The lighting has been shown on the building. Photographs of the two different types of light fixtures were included with the plans. The trash enclosure is shown at the rear of the property. A six-foot high wall on three sides was added with gates in the front. The type of fencing was changed for the

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property in front of the existing building to a wrought iron look picket fence.

Mr. Vetter: One of the new diagrams shows the right side of the building.

Mr. Andriopoulos: The Board had asked for this view and the elevations were provided.

Mr. Vetter: Questioned the three bays and a loading dock shown on the drawing and questioned whether parking would be available there.

Mr. Andriopoulos: The bays will be used for the company's vans. The parking spaces will be striped.

Mr. Liddy: Questioned a concrete curb cut that was on the new drawing that was not there on the previous drawing.

Donald Strait, Grumman Engineering, Norwalk, stated the curbing had not been changed and whatever is there will not affect water runoff.

Discussion ensued as to whether a curb cut was added. It was determined that the architectural plan differed from the site plan. Mr. Sulkis stated having the curbs was not an issue as long as it did not affect the water runoff. This can be double checked by the City Engineer. Mr. Strait showed the Board where the curb cuts would be located according to the site plan.

Mr. Vetter: Asked for clarification on the number of stories in the building.

Mr. Andriopoulos: It is a two-story building called a high bay commercial building.

Mme. Chair: Questioned the existing asphalt snow shelf and asked if that would remain asphalt or would grass be planted there.

Mr. Strait: Confirmed that the area would be grass.

Mrs. Patterson: Made a motion to approve 995 Bridgeport Avenue for a two-story dry cleaning establishment.

Mr. Vetter: Second.

Mme. Chair: Stated this will be a wonderful upgrade to the area.

All members voted in favor. The motion passed unanimously.

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E. PUBLIC HEARINGS HELD 5/20/08; exp. 7/25/08

4. **63 WASHINGTON AVENUE (ZONE CDD-1)** Petition of Thomas Collucci for Special Permit and Site Plan Review approval to construct a six unit multi-family building on Map 43, Block 331, Parcel 6, of which Thomas Collucci is the owner.

Mr. Ferrante: Stated Mr. Adams, who is representing the property owner, has been his attorney in the past, but did not feel this was a conflict for him and would not recuse himself from voting on the project.

Mme. Chair: In favor of this application. Architectually attractive and a big improvement to the area. Also getting two much needed affordable units for the City.

Several waivers are being asked for approval by the Board. Waivers have to be considered as to what is good for the City, what is good for the neighborhood and is it consistent and does it back up the regulations.

Ms. Rose: Stated she was in favor of the project. It is a win-win situation for the neighborhood.

Mr. Goodrich: Reviewed the three waivers: Dumpster location, side yard setback to the municipal parking lot and lot size requirement.

Mr. Vetter: Stated he had not heard the tape of the public hearing and would not be voting.

Ms. Shaw: Motion to approve the petition for a Special Permit to construct a six unit multi-family building at 63 Washington Avenue.

Mr. Goodrich: Second.

Mme. Chair: The motion includes approval of the three waivers that were requested.

Nine members voted in favor. Mr. Vetter abstained. The motion passed.

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G. PROPOSED REGULATION CHANGES

Mr. Sulkis: Stated he has been asked by the City Attorney to make changes in Sec. 4.1.1 (Accessory Buildings in Residential Districts) to add the words **structures or** before the words “accessory building”, which will better help the City enforce various issues that come up with properties. Asked the Board to approve the change in the form presented so that it could be included with the other approved regulation changes to be reviewed by the required agencies.

It was further explained that the sentence in the definition of “building” would be deleted, which would better clarify issues involving what are “structures” vs. what are “buildings”. This comes up often in litigation.

The City Attorney feels that this change will put the City in a stronger position to enforce the regulations.

Ms. Shaw: Asked for an example of how this change would be used in court.

Mr. Crabtree: Explained how the change would affect the City’s position in a court matter and gave the example of a case where large ice machines were involved and whether they were considered buildings or not. The ice machines should be considered accessory structures.

Ms. Rose: Made a motion to approve the verbiage presented in the proposed regulation change of Sec. 4.1.1 through 4.1.1.8, as well as the definition change of “building”, to be sent for review by the other regulatory agencies.

Mr. Goodrich: Second.

All members voted in favor. The motion passed unanimously.

Ms. Rose: Asked Mr. Sulkis about addressing the 2,000 SF lot size minimum in the CDD-2 zone.

Mr. Sulkis: Stated he would recommend splitting the CDD-2 zone into three different zones: Boston Post Road, Naugatuck Avenue and the southern end of Naugatuck Avenue, which is presently commercial.

Mr. Sulkis explained the history of the CDD-2 zone, how it was intended to be and how it can eventually be. Suggested making changes to the zone gradually.

Mrs. Patterson: Expressed her feeling that this change should be a priority.

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Mr. Goodrich: Suggested he and Ms. Rose get together to discuss potential changes they would like to see in the CDD-2 zone and meet with Mr. Sulkis on their thoughts and then discuss them with the Board.

Ms. Rose: Thought this was a very good idea.

H. LIAISON REPORTS

Mr. Ferrante: Regarding the Conservation Commission, he did not attend their meeting but had a copy of their minutes. They are going through some changes and he will be attending meetings in the future.

Mr. Liddy: Received information from a friend in Washington, DC on Green Building: LEED. He distributed the article he was quoting from which stated Washington DC was the first major city to mandate LEED compliance for major projects. He said it would be a positive step for Milford to act along these lines, when possible.

Mme. Chair: The LEEDs programs are gaining in popularity and they are changing their guidelines somewhat.

Mr. Sulkis: Land use by the City is dictated by the State of Connecticut. Does not know what land use laws are applicable to Washington, DC. LEED is a very good marketing tool. In Connecticut, municipalities are acquiring the standards that municipal buildings be LEED compliant. That should be pursued in Milford. Not sure of the legality regarding making a private building LEED compliant.

Mr. Crabtree: Commented these are building code matters. LEED compliance is basically architectural codes regarding insulation and architectural techniques rather than land use. The community can set the example in municipal buildings.

Mr. Sulkis: Will check the ordinances from other cities and see if they can be worked in Milford's setting. The Board can then make a recommendation to the Board of Aldermen. An ordinance change would be involved.

Ms. Cervin: Defined LEED: Leadership in Environmental Engineering Design.

Mr. Crabtree: There are different levels of LEED as well.

Ms. Cervin: Attended the Board of Aldermen meeting. Issue with Caswell Cove. Gave the overview of the Caswell Cove controversy. Board voted to pass this on to P & Z because it appears to be a site plan issue and this matter may be brought before the Board in the future.

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Mr. Sulkis: Stated he will have to see what comes down from the Board of Alderman to the P & Z office. May be in the form of an 8-24 item. Will have to look into the history of this matter and what Planning and Zoning can do after something has been approved.

Mr. Goodrich: Commended the Chair for speaking at the Board of Aldermen's meeting and stating it was a Planning and Zoning matter.

Ms. Rose: Suggested this may be a zoning violation matter.

Mr. Ferrante: Stated he believed this was an enforcement issue, no matter how the Planning and Zoning Office learned of this matter, whether by a complaint to the office or an article written in the newspaper.

Mr. Sulkis: Stated Mr. Ferrante was correct and the office would be looking into the matter, but he would like to hear from the Board of Aldermen as to what they will expect from planning and zoning.

I. PLANNING COMMITTEE

Ms. Rose: The meeting scheduled for June 10th will be cancelled because Mr. Platt is not able to attend.

J. APPROVAL OF MINUTES – (5/20/08)

Mr. Bender: Motion to approve.

Mrs. Patterson: Second.

Nine members voted in favor of approving the minutes as recorded. Mr. Goodrich abstained.

K. CHAIR'S REPORT – None.

L. STAFF REPORT – None.

Mr. Goodrich: Stated in view of the fact the Caswell Cove matter most likely would be coming before the Board, the members should not state an opinion so they will not have to recuse themselves in the future.

Mme. Chair: Agreed.

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Mr. Bender made a motion to adjourn.

Mr. Ferrante: Second.

Meeting adjourned at 8:45 p.m.

Phyllis Leggett, Board Clerk.