

## PLANNING AND ZONING BOARD MINUTES FOR ONLINE MEETING HELD TUESDAY 15 JUNE 2021, 7:00 PM

The meeting of the Planning and Zoning Board came to order at 7:00p.m.

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

### B. ROLL CALL

**Members Present:** N. Austin, J. Castignoli, J. Kader, B. Kaligian, P. Kearney, C.S. Moore, J. Mortimer, J. Quish, M. Zahariades

**Not Present:** R. Satti

**Staff:** Joe Griffith, DPLU Director, David Sulkis, City Planner; Meg Greene, Rec. Sec'y

### C. NEW BUSINESS: None

### D. PUBLIC HEARINGS

**CLOSE BY AUGUST 19, 2021; VOTE BY SEPTEMBER 23, 2021**

- 1.) **140 Clark Street** (Zone R-10) Petition of Kevin Curseaden, Esq. for a Change of Zone from R-10 residential to CDD-1 on Map 53, Block 331, Parcel 11 of which Wallbanger Enterprises, LLC is the owner.

**Attorney Curseaden**, 3 Lafayette St., addressed the board. He said owner Harvey Armel was also present. He described the history of the property, starting with a zone change in 1988 from a previously residential zone to an RO (mixed residential/office) zone and subsequently to a residential zone again. He said at the time it was changed to RO, other RO districts were in the area, but now the area is all CDD-1. He said that if the change were made, the building would no longer be out of conformity with the surrounding commercial area. He said the goal was to legalize a basement apartment that existed when his client bought the property.

**Mr. Sulkis** provided an overview of the process for the zone change.

### DISCUSSION

**Mr. Kader** asked for clarification on the process for a special permit; **Mr. Sulkis** said most uses in CDD zone applications must be made via Special Permit. **Mr. Mortimer** confirmed that no new construction was involved. He commented that there's adequate parking onsite, while noting a concern that had been raised via email.

**Chairman Quish** asked for public comment; hearing none, he closed the hearing. He asked **Mr. Sulkis** if the Special Permit application would have to wait until the zone change took effect. **Mr. Sulkis** said that making the zone change effective on June 30<sup>th</sup> would encompass the 15-day waiting period and that permits would be withheld until June 30<sup>th</sup>, thus it would not be a problem to vote both items. **Chairman Quish** asked Mr. Griffith for his opinion, **Mr. Griffith** concurred. **Chairman Quish** asked for a motion.

**Mr. Castignoli** *moved to approve as presented* the petition Kevin Curseaden, Esq. for a Change of Zone from R-10 residential to CDD-1 on Map 53, Block 331, Parcel 11 of which Wallbanger Enterprises, LLC is the owner. Effective Date: June 30, 2021

**Second:** **Mr. Kader** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

- 2.) **140 Clark Street** (Zone R-10) Petition of Kevin Curseaden, Esq. for a Special Permit with Site Plan Review to add an efficiency apartment on Map 53, Block 331, Parcel 11 of which Wallbanger Enterprises, LLC is the owner.

**Attorney Curseaden**, 3 Lafayette St., continued, saying that when Dr. Armel purchased the property, there was an unoccupied unit in the basement that he later learned was illegal, so he was attempting to legalize it. He said that when the CDD 1 zone change becomes effective, the building automatically becomes compliant.

**Mr. Sulkis** agreed with the summary.

### DISCUSSION

**Mr. Mortimer** asked about occupancy of the apartment. Attorney Curseaden said a tenant was in the space who could not leave due to the COVID moratorium. He added that a sprinkler system would be needed to make the apartment fully conforming.

**Chairman Quish** asked for public comment. Hearing none, he closed the hearing and asked for a motion.

**Mr. Kader** *move to approve as presented* the petition of Kevin Curseaden, Esq. for a Special Permit with Site Plan Review to add an efficiency apartment on Map 53, Block 331, Parcel 11 of which Wallbanger Enterprises, LLC is the owner.

**Second:** **Mr. Castignoli** seconded.

**Discussion:** None.

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**Vote:** Motion carried unanimously.

**D. OLD BUSINESS – None**

**E. NEW BUSINESS – None**

**F. LIAISON REPORTS – None**

**G. SUBCOMMITTEE REPORTS—Chairman Quish** advised that the topic of Open Space was discussed at the last POCD meeting. He noted that meetings of the Regulations Subcommittee and POCD were scheduled for next Wednesday.

**H. APPROVAL OF MINUTES—5/18/2021** minutes were approved unanimously.

**I. CHAIR’S REPORT - Chairman Quish** reported that the General Assembly passed new legislation to promote more affordable housing. He called the changes substantial and will get further detail from the Regional Planning Association, the City Attorney’s Office, and perhaps elected representatives. He recommended that board members review information about the changes online to prepare.

**J. STAFF REPORT – Mr. Sulkis** reported that under the Governor’s Executive Order, using the Zoom meeting format will expire end of month unless the Legislature votes to give municipalities an ability to choose the format. He said the board should plan to return to City Hall for meetings. Discussion ensued about how the group feels about the experience of Zoom meetings versus in-person meetings.

**K. ADJOURNMENT** was at 7:45.

Attest:

M.E. Greene

**New Business, not on the Agenda, may be brought up by a 2/3’s vote of those Members present and voting.**

**ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE DIRECTOR OF COMMUNITY DEVELOPMENT, (203) 783-3230, FIVE DAYS PRIOR TO THE MEETING, IF POSSIBLE.**