

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
PLANNING & ZONING BOARD HELD TUESDAY, AUGUST 2, 2011; 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

The Chair called to order the August 2, 2011 meeting of the Planning and Zoning Board at 7:30 p.m.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Members Present: Victor Ferrante, Edward Mead, Robert Dickman, Janet Golden, KathyLynn Patterson, George Gasper, Susan Shaw, Chair; Mark Bender (7:40), Kevin Liddy (7:50).

Not Present: Gregory Vetter, Sr., Vice Chair

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

Mme. Chair: Noted that two Board members will be arriving late.

C. PUBLIC HEARING – CLOSED 7/19/ 2011; Expires 9/22/2011

1. **255-257 NAUGATUCK AVENUE (ZONE CDD-2)** Petition of Codespoti & Associates for a 3-lot re-subdivision, Site Plan Review and a Special Permit to allow tandem parking on Map 15, Block 244, Parcel 8, of which Titanium Properties, LLC is the owner.

Mme. Chair: Noted the public hearing had been closed at the previous meeting. Comments were heard from the public. The issue is tandem parking. This is in a CDD-2 zone.

Mrs. Patterson: Has an issue with the tandem parking which backs out to Manilla Avenue where there is a shopping center next door that also has an entrance. Believes that will be a hindrance to anyone going up and down the street.

Mme. Chair: Noted that the CDD-2 zone can have mixed uses; commercial as well as residential. She agreed that tandem parking can pose some issues on Manilla Avenue, but it is a less intensive use.

Mr. Mead: At one time this building housed a pharmacy and an auto parts store. The parking for those stores was where the tandem parking is proposed for the three homes. At any given time there were 5-6 cars that were backed onto Manilla Avenue. There was a fast turnover of people going in and out of the stores. This was in the late 1970's. Believes the proposed parking spaces will be minimal for people going in and out. The driveway across the way is not heavily used during the day. If Aldario's has overflow then the parking lot can be full. This building has been in disrepair for years. The roof collapsed and the whole area is overgrown and blighted. The last application was for two duplex homes. This is for three single family homes and the parking has been rearranged.

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
PLANNING & ZONING BOARD HELD TUESDAY, AUGUST 2, 2011; 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mrs. Patterson: Made a motion to deny 255-257 Naugatuck Avenue in the CDD-2 zone, petition of Codespoti & Associates for a 3-lot re-subdivision, Site Plan Review and a Special Permit to allow tandem parking on Map 15, Block 244, Parcel 8, of which Titanium Properties, LLC is the owner.

Mr. Gasper: Second.

Mr. Mead: When he came on the board two years ago and the two duplex homes were proposed and the parking was going to be in the rear, the Board's main concern was the way the parking was coming out from behind the buildings and up against the fence. They were asked to redesign the project and they came back with a smaller scaled project and the parking was easier to get in and out of, but the concern was the parking underneath with the snow plowing in the back yard up against the fence. He thought that now with it having access to the road, the parking will be easier to get in and out of, and it would be able to be cleared easier with snow removal.

Mme. Chair: Asked for a vote on the motion for denial.

Vote for denial: Mrs. Patterson, Mrs. Golden, Mr. Gasper

Opposed to denial: Messrs. Ferrante, Mead, Bender, Dickman, Susan Shaw, Chair.

Mme. Chair: The motion fails. Asked for another motion.

Mr. Dickman: Motion to approve 255-257 Naugatuck Avenue, Zone CDD-2, petition of Codespoti & Associates for a 3-lot re-subdivision, Site Plan Review and a Special Permit to allow tandem parking on Map 15, Block 244, Parcel 8, of which Titanium Properties, LLC is the owner.

Mr. Mead: Second.

Members voting in favor: Messrs. Ferrante, Mead, Bender, Dickman, The Chair.

Members opposed: Mr. Gasper, Mrs. Patterson, Mrs. Golden.

2. **ALPHA STREET HOUSING (ZONE R-18)** Petition of John Horton for a Special Exception and Site Plan Review to redevelop 15 existing single family residences and construct one single family residence on Map 69, Block 711, Parcel 17A, of which Milford Heights LLC is the owner.

Mme. Chair: Asked for a motion to table this item, awaiting the arrival of another board member.

Mrs. Patterson: Made a motion to table Item No. 2.

Mrs. Golden: Second.

All members voted in favor.

Mme. Chair: Alpha Street housing is tabled.

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
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AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

3. **989 WHEELERS FARMS ROAD (ZONE R-A)** Petition of Ronald Standish for a two-lot Subdivision on Map 118, Block 904, Parcel1C, of which Frank and Virginia Camputaro are the owners.

Mme. Chair: This property received a waiver from the Zoning Board of Appeals in order to subdivide the property. The property is in an R-A zone. In that zone an acre is required. Part of the discussion was a question from the board regarding the necessity or not to have sidewalks on Wheelers Farms Road.

Mrs. Harrigan: Clarified there are two waivers requested, one of which is for curbs and the other is for sidewalks.

Mr. Ferrante: Thinks sidewalks should start to be created in this area. This project would be a good start.

Mme. Chair: Noted sidewalks could be a condition of approval. This is an R-A zone. It is one acre zoning. The ZBA has given them a waiver for this subdivision. She is aware of concerns from the community about open space and about keeping one acre lots in that area. She would go along with approval conditional on sidewalks being included.

Mrs. Patterson: Also believes sidewalks and curbs should be put in. This is her district and she realizes the area does not have many sidewalks, but sidewalks should be started in this area.

She made a motion to approve 989 Wheelers Farms Road, the petition of Ronald Standish for a two-lot Subdivision on Map 118, Block 904, Parcel1C, of which Frank and Virginia Camputaro are the owners, with a condition of sidewalks and curbs.

Mrs. Golden: Second.

Mme. Chair: Asked Mrs. Harrigan if the motion was specific enough with regard to the sidewalks.

Mrs. Harrigan: Suggested the application be approved, but deny the waivers requested, because then they would be required to provide them.

Mme. Chair: Asked to have the motion removed.

Mrs. Patterson: Moved to remove her motion.

Mrs. Golden: Removed her second.

Mr. Dickman: Asked if there should be two motions; one to deny the waivers and a second to approve the application.

Mrs. Harrigan: Stated it could be inclusive in one motion, because there is only one application.

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
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Mrs. Patterson: Moved to approve 989 Wheelers Farms Road, Zone R-A, the petition of Ronald Standish for a two-lot Subdivision on Map 118, Block 904, Parcel1C, of which Frank and Virginia Camputaro are the owners, and deny the waivers.

Mrs. Golden: Second.

All members voted in favor of approval of the application with denial of the requested waivers. The motion was approved.

4. **28 TOWER STREET (ZONE R-12.5)** Petition of Thomas Collucci for a two-lot subdivision on Map 53, Block 306, Parcel 45, of which Edward David is the owner.

Mme. Chair: Tower Street involves a rear lot. It received a variance from the Zoning Board of Appeals, but they also require a waiver from this board on the very same thing, because it is part of the Subdivision Regulations. She noted that there is a technical glitch, in that this is noted on the Site Plan as Zone R-12.5, when it is actually in a Zone R-10 for the front lot. That needs to be noted.

Mrs. Harrigan: However the Board chooses to discuss and deliberate this. She recommends the survey be corrected as a condition of approval, should the Board choose to go in that direction.

Mme. Chair: This board has had a number of discussions regarding rear lots and on the Subdivision Regulations, which are applicable here. Rear lots are required to be at least one acre. She knows that there have been a number of public hearings on various applications where the issue of density in the communities have come up. She is disinclined to waive the one acre that has been requested for the back lot.

She asked the Board for their comments.

Mr. Ferrante: Asked what the waiver was for.

Mrs. Harrigan: The waiver requested is for a rear lot to be a minimum of one acre.

Mr. Ferrante: Made a motion to deny the application of the petition of Thomas Collucci for a two-lot subdivision on Map 53, Block 306, Parcel 45, of which Edward David is the owner.

Mrs. Patterson: Second.

Mr. Dickman: Inclined to approve this application, because he would not want the ongoing discussions that the Board has had at previous meetings to affect this particular application. He understands there is a one acre requirement, but the rear lot, in this case, seems to be spacious enough to accommodate the proposed home.

Mme. Chair: She has gone by the property and prefers that the acre be kept on this for the reasons stated in the Sudivision Regulations. Asked for a vote.

Members in favor of denial: Ferrante, Gasper, Patterson, Golden, Shaw.

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
PLANNING & ZONING BOARD HELD TUESDAY, AUGUST 2, 2011; 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Members against denial: Dickman, Bender, Mead.

Motion to deny carried. 28 Tower Street was denied.

D. NEW BUSINESS

5. **REQUEST FOR BOND RETURN – 282 WEST MAIN STREET**

Request by Two Nintety Six LLC for the return of its maintenance bond in the amount of \$2,029.00, in accordance with the memo from Bruce C. Kolwicz , Director of Public Works, dated July 15, 2011.

Mme. Ferrante: The Board has no knowledge of the bond or the work that was done in order to have the bond released, but relying on Bruce C. Kolwicz, Director of Public Works and his staff, he moved to approve the request by Two Nintety Six LLC for the return of its maintenance bond in the amount of \$2,029.00, in accordance with the memo from Bruce C. Kolwicz , Director of Public Works, dated July 15, 2011.

Mrs. Golden: Second.

All members voted in favor of approval.

[A recess was taken from 7:53 to 7:58 pm]

Mrs. Patterson: Made a motion to take Item 2 off the table.

Mrs. Golden: Second.

All members voted in favor of going forward with the tabled item.

2. **ALPHA STREET HOUSING (ZONE R-18)** Petition of John Horton for a Special Exception and Site Plan Review to redevelop 15 existing single family residences and construct one single family residence on Map 69, Block 711, Parcel 17A, of which Milford Heights LLC is the owner.

Mme. Chair: Summarized the public hearing and some of the issues, which include the ability or inability to put in sidewalks, as well as a discussion regarding rebuilding the house on lot 16; the placement of the mailboxes away from the individual houses, and the comments by the public.

This is a Special Exception and requires 2/3 vote of the Board members, which is seven. This application allows the Board latitude in order to redirect what they want to see in the community. Stated the presentation of the application at the public hearing was excellent, especially giving the history dating back to 1957.

The Board members have visited the site. She wholly agrees with the recommendations made by Staff and some that the Board members put forward in terms of open space at Lot 16, as well as finding a creative, or inventive way to allow some sidewalk or paths on Alpha Street. She gave the reasons stated by Mr. Gasper

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AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

and Mrs. Patterson concerning safety in walking from house to house and the bus shelter. There has to be something that binds this neighborhood together. It is no longer military housing and it needs to be more than houses on a lot. The Board, through this Special Exception, can work towards making this a very nice, livable community, both for starter families and perhaps for people who are 55 and older.

Mr. Bender: Said the location of the mailboxes on a private street is guided by the US Post Office. Did not necessarily think sidewalks were necessary. The City Engineer and Public Works were out there and came up with an agreement. He cited Surf Village Condos is private and does not have sidewalks. The Board has done no sidewalks before. He is in favor of sidewalks up to and around the corner. Thinks there should be open space at Lot 16, not necessarily a playground, but an open area.

Mrs. Patterson: Has the fear of safety. Currently the mailboxes are in front of the homes, so mail must have been delivered directly to each home. Thought where Lot 16 was located an open space area should be planned for community use.

Mrs. Harrigan: Not familiar with the postal regulations. A condition could be made that mailboxes shall be located at the individual homes, unless otherwise indicated by the Postmaster General.

Mr. Liddy: Wondered whether the streets were wide enough to put in sidewalks and be wide enough for cars.

Mrs. Harrigan: The street is 28-feet wide. Does not know what the minimal acceptable standard is in terms of pavement side to side by Public Works.

Mr. Liddy: Asked for further information from Public Works.

Mrs. Harrigan: The Public Hearing has been closed. Board cannot ask for or receive additional information.

Mr. Ferrante: Said the street was not very wide but believes that sidewalks would be appropriate.

Mr. Mead: After reviewing the photos and listening to the comments about putting in sidewalks, in some areas where the driveway slopes down too much, the applicant said if they put a three-foot sidewalk there as part of the apron, the car would bottom out. It would be hard getting in and out. Also, the photos show many mature trees. If you start digging up the ground the root systems will be affected and the trees will be destroyed. If they die, the trees will be cut down and the greenery of the established trees is desired.

Mme. Chair: Has reviewed the Tree Commission's report and takes it seriously. Because this is private property, she believes that some of the suggestions made at the hearing were to go around the trees. There are ways of doing this, especially on a private street. Sidewalks could be meandering or something that would be out of paving.

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
PLANNING & ZONING BOARD HELD TUESDAY, AUGUST 2, 2011; 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Where the Board appears to be heading is a 16th lot as open space. The Board can have an opportunity to discuss what type of open space.

Mr. Ferrante: Not sure if the area can be considered "open space". It is a bit crowded and if the mailbox pad is put in, it will cut into that lot. Maybe a bench or two.

Mr. Bender: If there is to be a mailbox pad, why not move it off the road a little bit and put it on the side near where the open space would be, so that people are not standing on the curb where cars turn the corner.

Mr. Ferrante: Agreed. There is also a bus shelter on Eels Hill Road.

Mr. Gasper: Agreed as well. Would like to see the bus shelter moved, and move the mailboxes up by the pad on Lot #16.

Mr. Liddy: Did not think it would be desirable for the mailboxes to be located so close to Lot #1 and the bus shelter and mailbox pad should be moved closer to Lot 16.

Mr. Ferrante: Consensus appears to be a sidewalk of some sort and open space at Lot 16.

Mme. Chair: Stated she would ask Staff to draft a motion per the discussion and suggestions of the Board. Requested a motion that presupposes both scenarios with regard to the sidewalk. Draft a motion that could go either way. The mailboxes in front of each home could be put forward as a condition of approval if it is allowed. Moving the bus shelter and potentially the mailbox pad location if delivery at each home is not allowed.

Mr. Gasper: Mr. Sulkis suggested Lot 16 be made into a playscape. He favors that idea with some park benches as well.

Mr. Bender: The applicant stated the homes would most likely not have children living there. He would be inclined to leave the space open. Did not think it necessary to be so specific.

Mr. Liddy: Suggested a community garden, or something creative.

Mme. Chair: Agreed and thought there is a big opportunity to make this a great neighborhood and addition to the community.

Mr. Liddy: Asked if the bus stop was for school children and thought it would be a big bus.

Mrs. Harrigan: Believes the applicant said school buses and Milford Transit.

Mrs. Golden: Clarified that Milford Transit has buses that are used for senior citizens and are smaller than school buses.

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
PLANNING & ZONING BOARD HELD TUESDAY, AUGUST 2, 2011; 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Mrs. Harrigan: Asked if the Board wanted two alternatives for sidewalks, i.e., one for what the City Engineer requires and then one with a little extra.

Mme. Chair: That would also include the Eels Hill sidewalk as well.

E. PROPOSED TEXT REGULATION CHANGE - Discussion

Section 2.5.5 Lot Access and Rear Lots

Mme. Chair: Not prepared to address this tonight.

E. BOARD MEMBERS GREEN GUIDELINE BOOK AND BY-LAWS

Mr. Dickman: The meeting that was to be held tonight was postponed to accommodate the absence of Messrs. Vetter and Sulkis.

Mr. Ferrante: Thought the members should proceed with scheduling another meeting

Mr. Dickman: Would like to have at least Mr. Sulkis present at the meeting on this topic. However, if the majority feels otherwise, he will go along.

Mrs. Patterson: Believes the Board needs to move forward on this, sooner rather than later, and if Mr. Sulkis cannot be present at the September meeting, the Sub-Committee should go forward.

Mr. Ferrante: Went along with these opinions.

G. PLAN OF CONSERVATION AND DEVELOPMENT

Mme.Chair: Ms. Harrigan has given her an update on the POCD. She has been meeting with the Open Space and Recreation commissions . Mrs. Harrigan has been meeting with the Open Space Advisory Committee and they are getting close to making their recommendations.

Mrs. Harrigan: They have been very helpful in looking at new parcels to identify. Very impressed with the amount of open space that the City has acquired since the last Plan was implemented. Now the task is to make connections between those open space parcels to end up with a "green necklace", which will connect all of those parcels for a passive recreation trail of substantial distance.

Mme. Chair: Met with the Park and Recreation Commission at a long and informative meeting. She and Mrs. Harrigan will follow-up on some of the recommendations. They are going to provide an updated inventory of active ball fields, whether passive, where they are located and statistics having to do with the population (at the current 52,000), and what is ideal for recreation and what types, so that the Board and the public can look at this and reassess its needs and locations. The Chair is interested in passive in order to reclaim some of the duck pond and some of the other passive places that are not usable any more, but can be used for reading, picnicking, etc. The Park and Recreation Department has been very accommodating in providing information and

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answering all questions.

Mr. Liddy: Had been surprised to learn there were over 100 parks of some type in the City.

Mme. Chair: Has asked Mrs. Harrigan to print out the Eisenhower Park Plan. She would like to have a public hearing on this topic.

Added to open space was her request for an elaboration on residential character of neighborhoods.

Mrs. Harrigan: Census Data. The City should be getting new census data. Milford should be getting updated census data every three years. The 2010 census data is first coming out. She has gone through training as to how to utilize that data into mapping, and how it can be utilized for the Plan of Conservation and Development. This information will be incorporated into the Plan as well.

Mme. Chair: Historic Preservation: The public was vocal on this topic. Some issues have to be handled at the State level.

Mrs. Harrigan: How structures are preserved is strongly dictated by State statute. It limits what can be done by the municipality.

Mme. Chair: Agriculture is also part of the Open Space Advisory Committee.

Commercial Corridors: Alan Plattus from the Urban Design Institute has been working with the Board on a number of issues, such as, the Corridor Design Districts, the Waterfront Design District as well as working with Milford Progress, Inc. on the Downtown. Mrs. Harrigan will be working with or be on the Steering Committee for that plan.

Looking at October 4, 2012 for a public hearing on the Cherry Street Commercial Corridor, which will be before the regular meeting.

Mrs. Harrigan: Consultants have been hired to think about redesigning Fowler Field if potentially fields could be located somewhere else and what the potential is for utilizing that area in a different way.

Public Infrastructure and Transportation Circulation: This is for the bike plan and mapping. A lot of information was prepared by PED, which was part of the Mayor's

Task Force many years ago. They gave her their material and have put it together and will come before the Board to present it. Issues such as sidewalks, bike plans will be discussed as well as health and safety.

Mrs. Patterson: Asked if Safe Paths to School will be looked at.

Mme. Chair: When they met with Dr. McBride he reviewed that program which was in effect about four years ago and what was right and wrong with it, as it petered out.

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
PLANNING & ZONING BOARD HELD TUESDAY, AUGUST 2, 2011; 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Asked for mapping of all the sidewalks within a certain radius of all schools and a map around recreation areas and also a map of sidewalks around transportation/train station/recreation.

Mrs. Harrigan: Safe routes to school can be addressed in the Plan. This has to come through the Board of Education and Board of Aldermen recommendation. It is a multi-commission recommended policy.

Mr. Gasper: He met with the Devon Revitalization Committee and the Walnut Beach Association and presented the Plan of Conservation and Development and advised them the Plan was being updated. They are very excited about it and he will meet with them again in September, at which time he will receive their comments.

H. LIAISON REPORTS – None.

I. APPROVAL OF MINUTES – (7/19/2011)

Mrs. Patterson: Motion to approve.

Mr. Dickman: Second.

All members voted in favor of approving the Minutes of the 7/19/2011 meeting.

J. CHAIR'S REPORT

Introduced the new Chair of the Inland Wetlands Commission, Lynne McNamee and thanked her for attending this evening's meeting.

K. STAFF REPORT – None

Mr. Dickman: Motion to adjourn.

Mrs. Patterson: Second.

All members voted in favor of adjourning the meeting at 8:31 pm. The next meeting will be held on August 16, 2011.

Phyllis Leggett, Board Clerk

**CORRECTED MINUTES FOR THE REGULAR MEETING OF THE
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