

**PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD TUESDAY 17 SEPTEMBER 2019, 7:30 PM,  
CITY HALL AUDITORIUM, 110 RIVER STREET**

The meeting of the Planning and Zoning Board came to order at 7:30 p.m.

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

**B. ROLL CALL**

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

**Not Present:** Peggy Kearney

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

**Chairman Quish** stated that Item 3 had been postponed at the request of the applicant.

**C. OLD BUSINESS: None**

**D. NEW BUSINESS**

**VOTE BY NOVEMBER 21, 2019**

1. **119 High Street** (Zone MCDD) Petition of Patrick Lewis for a Site Plan Review to construct a Solar Carport on Map 54, Block 395, Parcel 1 of which The Milford Bank is the owner.

**Raymond Paier, PE, Westcott and Mapes**, addressed the board. He noted that Patrick Lewis from All Electric Construction & Communication was out of town and could not appear. He displayed a map with the solar panel delineated. He said no parking spaces or green areas would be disturbed, but that a canopy would support the solar array. He described interactions with various City departments. He described aspects of how the solar panels would work. He noted that clearances for tall vehicles were incorporated. He described the location of columns such that parking traffic patterns would not be impacted. He said the columns would be aesthetically consistent with the nearby bank and ATM structure. He said the carport would provide shelter for bank employees' vehicles, but that the main point of the project was to provide power without the use of fossil fuels.

**Mr. Quish** expressed approval for the bank's intention to help green the City. **Mr. Marlow** asked for assurance that the snow load wouldn't slide onto pedestrians. **Mr. Paier** said a structural element would prevent this. **Mr. Marlow** asked about the location of the columns with regard to the widths of vehicles; **Mr. Paier** said they would accommodate. **Mr. Sulkis** read his brief report.

**Motion: Mr. Kaligian moved to approve** the Petition of Patrick Lewis for a Site Plan Review to construct a Solar Carport on Map 54, Block 395, Parcel 1 of which The Milford Bank is the owner **with the following condition:**

**Condition:** The applicant shall update their drainage plans to the satisfaction of the City Engineer.

**Second: Mr. Kader** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously

2. **127 Shell Avenue** (Zone R-7.5) Petition of Ray Oliver for Coastal Area Site Plan Review to construct a single family dwelling on Map 27, Block 475, Parcel 22 of which John & Sara Longobardi are the owners.

**Mr. Oliver**, Architect, 3 Lafayette Street, addressed the board. He said the plan was to replace the old house with a new one that is fully FEMA compliant. He said variances had been granted by the Zoning Board of Appeals. He noted the public passageway from East Broadway at the eastern side of the house. He said the street ends there. He said parking had been a concern but that the elevation provided 6 parking places with more on the lot. He described the construction as having piers and flow-through vents. He displayed and described elevations and floor plans. He said the design was a coastal architectural design and listed features and details. He described landscaping and storm-water detention systems. He said the City Engineer had noted several technical details that would be reviewed by Building Inspection. He noted corrections to the Coastal Area Management application per the City Engineer.

**Mr. Sulkis** summarized the proposed plans.

**Mr. Satti** said the City Engineer's report referred to a 2009 CAM application; he asked for clarification. He also asked whether the changes to the application would affect the Inland Wetland Officer's prior approval. **Mr. Sulkis** confirmed for Chairman Quish that the CAM was accurate and acceptable to IWA.

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**Motion:** Mr. Satti moved to approve with conditions the Petition of Ray Oliver for Coastal Area Site Plan Review to construct a single family dwelling on Map 27, Block 475, Parcel 22 of which John & Sara Longobardi are the owners.

**Conditions:** The applicant shall update their plans to the satisfaction of the City Engineer for drainage, sidewalks, aprons and curbing and as found on the last page: findings 'a-k', and that the CAM application referred to on 16a, referenced in 'j' should be revised pursuant to that to interlocking comments.

**Second:** Mr. Grant seconded.

**Discussion:** Mr. Marlow asked for clarification of his impression that one of the conditions attached by Mr. Satti was a new CAM, whereas Mr. Marlow thought he understood that no new revised CAM was needed. Mr. Sulkis said there is a CAM, but the City Engineer had pointed out that something on a checklist was not classified properly; the applicant had testified that the correction would be made. Mr. Sulkis said no related approvals would be affected by reclassifying the checkmark. Mr. Marlow said he might have misunderstood the condition Mr. Satti had created. Mr. Satti explained that his conditions were meant to encompass all of the City Engineer's references, including the revision to the CAM that had just been discussed. Chairman Quish confirmed that the board would not need to see that CAM again.

**Vote:** Motion carried unanimously.

3. **771 East Broadway** (Zone R-5) Petition of S. William Hamilla for a Coastal Area Site Plan Review to construct a single family dwelling on Map 22, Block 474, Parcel 30 of which Constance Kolakowski is the owner. **POSTPONED**

**E. Public Comment**

- 1) **622 Gulf Street (R-18)** Petition of Kevin Curseaden, Esq. to create a 4 lot Subdivision and Coastal Area Site Plan review, on Map 28, Block 520, Parcel 26 of which George H. Ward is the owner. Action on proposed settlement for FRANCIS G. LUPERELLA, et al v. MILFORD PLANNING AND ZONING BOARD, et al, Docket #AAN-CV-18-6030115-S. If settlement is approved there will be a C.G.S. Section 8-8(n) hearing for the court to decide on the proposed settlement on Monday, September 23, 2019 at 9:30 AM, at the Superior Court for the Judicial District of Ansonia/Milford at Derby, 106 Elizabeth Street, Derby, Connecticut.

Thomas Lynch, Esq., 63 Cherry Street, distributed a handout. He said the court date was set to accept the settlement of his client's appeal to the Superior Court of the board's earlier decision. Attorney Lynch said the main dispute had been access via private driveway to the rear lots of the approved subdivision per a 1921 easement. He said his client was concerned that the easement would not safely accommodate modern cars, but that he and Attorney Kevin Curseaden worked out a settlement with redesigned driveway to access the rear lots. He said the Fire Marshall approved fire hydrant from the new driveway and that his clients had also gained the ability to put their house in closer proximity to the street. He said deed restrictions were negotiated into the settlement and would be recorded on the land records. He invited Attorney Curseaden to add any other comments and asserted that both parties were pleased with the outcome.

Mr. Satti confirmed with Attorney Lynch that the revised survey showed only the redesigned driveway and that else nothing had changed on the subdivision.

Kevin Curseaden, Esq., 3 Lafayette St, said Attorney Lynch had described the process correctly. He said that the board's approval was required for the settlement and then the court, in turn, needed to approve the settlement.

**Motion:** Mr. Marlow moved to approve the settlement.

**Second:** Mr. Panzella seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously

- F. **LIAISON REPORTS** Mr. Quish asked members to review the list. Mr. Satti noted as a point of order that half the board was up for re-election in November and it wasn't productive to create liaisons so close to that change; Chairman Quish agreed.

G. **SUBCOMMITTEE REPORTS: POCD.** Chairman Quish noted that this group met earlier. He described the new website for POCD, accessible via the city website. He noted that the committee would meet the before the meeting on the **third Tuesday of each month** going forward. He requested that POCD meeting minutes be emailed as well as put on website and Dropbox.

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**H. APPROVAL OF MINUTES** – 8/20/2019 approved unanimously

**I. CHAIR’S REPORT** –

**J. STAFF REPORT** – **Mr. Sulkis** reported a lot line adjustment that took for 4 non-conforming lots known as: 372, 374, 378 Milford Point Road & 0 Crabtree Lane and created 2 conforming lots. The lots are now 372 Milford Point Road and 0 Crabtree Lane.

**K. ADJOURNMENT** was at 8:14.

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.