

PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD TUESDAY 20 SEPTEMBER 2022, 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, J. Mortimer, J. Quish, M. Zahariades

Not Present: E. Hirsch, C.S. Moore, R. Satti

Staff: J. Griffith, Director of Permitting and Land Use; M. Greene, Rec. Sec'y

Chairman Quish opened the meeting, saying the public hearings would be reordered such that #5 would be heard first.

C. NEW BUSINESS

VOTE BY NOVEMBER 24, 2022

781 East Broadway (Zone R-5) Petition of Thomas Lynch, Esq. for a Coastal Area Site Plan Review to construct a single-family dwelling in the VE-13, AE-13 and Coastal AE Zone on Map 022, Block 474, Parcel 34, of which Kenneth Conston is the owner.

Attorney Lynch, 63 Cherry Street, addressed the board. He said that his client wished to make a permanent residence of a home owned by the family for many years. He described the lot and house built in 1910. He said he appeared before the ZBA and obtained several variances for the project. He said the house and garage had previously been located close to the street whereas the new house would conform to the current front yard setback. He reviewed the floor plans and noted the presence of Joe Rousseau who designed the house and was available for questions. He said the new house would have 2800 sf of living space and would feature an elevator, open floor plan, and tandem garage on the lower levels with bedrooms and baths above. He said the house conformed to flood mitigation guidelines, but there was ongoing discussion as to whether flood vents or breakaway walls would be required. He said staff review produced revisions, including review by the city engineer.

Mr. Griffith read the administrative summary which was consistent with the presentation and stated that plan revisions to accommodate flood mitigation would be made prior to the issuance of a permit and that no adverse coastal impacts expected.

Chairman Quish asked for a motion.

DISCUSSION

Mr. Castignoli moved to approve as presented the petition of Thomas Lynch, Esq. for a Coastal Area Site Plan Review to construct a single-family dwelling in the VE-13, AE-13 and Coastal AE Zone on Map 022, Block 474, Parcel 34, of which Kenneth Conston is the owner.

Second: Mr. Mortimer seconded.

Discussion: None.

Vote: Motion carried unanimously.

D. PUBLIC HEARINGS

CLOSE BY NOVEMBER 24, 2022; VOTE BY JANUARY 28, 2023

PLEASE NOTE: ITEM 5 WAS HEARD FIRST (SEE BELOW).

- 1) **41 Smiths Point Road** (Zone R-7.5) Petition of James Greer, Race Coastal Engineering for a Special Permit to repair seawall and remove boat ramp at Map 003, Block 90, Parcel 11, of which Point Lookout LLC is the owner

Jill Pietropaolo, Race Coastal Engineering, 611 Access Road, Stratford, addressed the board. She said that the project was to repair a pre-1995, approximately 80' long existing seawall in the Housatonic River. The project also involves removal of a concrete boat ramp. Permits have been issued by CT DEEP. The repair will cap the existing seawall with 3' of concrete. The project was initiated in 2021 but was paused when DEEP issued a notice of non-compliance, which has been resolved. DEEP also asked that the boat ramp be removed, also involving permission from an adjacent property owner, which was obtained. Soil and erosion control measures will be used, including installation of a silt fence landward of tidal wetlands.

Mr. Griffith read the administrative summary. It was consistent with the presentation with no adverse coastal impacts expected.

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

DISCUSSION

Mr. Mortimer moved to approve as presented the petition of James Greer, Race Coastal Engineering for a Special Permit to repair seawall and remove boat ramp at Map 003, Block 90, Parcel 11, of which Point Lookout LLC is the owner

Second: Ms. Austin seconded.

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Discussion: None.

Vote: Motion carried unanimously.

- 2) **230 Old Gate Lane** (Zone ID) Petition of John Schmitz, BL Companies, for a Special Permit with Coastal Area Site Plan Review to establish a truck dealership in the former CT Limousine building at Map 79, Block 811, Parcel 8A of which 230 Old Gate Lane, LLC is the owner.

Attorney Jesse Langer, Updike, Kelly, and Spellacy, PC, 225 Asylum Avenue, Hartford, addressed the board on behalf of Bridge-Haven Ford Truck Sales. He introduced his project team and described the Gabrielli company as a family-owned business with truck dealerships in the tri-state area and throughout New England. He said the old Connecticut Limo building would be significantly redeveloped by the project and create positive economic activity in Milford.

John Schmitz, civil engineer/project manager with BL Companies, 355 Research Parkway, Meriden, detailed the project's zoning compliance effort. He shared the site plan featuring 8.9 acres with about 5 acres currently developed but unoccupied. He reviewed neighboring sites and businesses and noted that the current Gabrielli site is further down Old Gate Lane, which sells another brand of truck. He said the new site would repurpose the existing building and add green space, including pulling paved area away from the wetlands. He said new systems and a water quality swale would be added to clean up stormwater discharge. He reviewed landscaping treatment including the addition of trees to the parking lot and a landscape buffer to the street. He said the rear of the building would be used for access by trucks. He reviewed the floor plan featuring service bays for vehicles, an area for rentals and sales, as well as a loading and storage area. He noted that the site is in the Coastal Area Management (CAM) zone. He shared elevations, discussed changes to the façade, and showed where the flood zone is, and said the building is elevated above it.

Mr. Griffith read the administrative summary which was substantially consistent with the presentation with mention of requirements from Inland Wetlands for stormwater treatment and the Fire Department for a new hydrant. No adverse impact to coastal area resources were anticipated.

Chairman Quish asked for public comment.

FAVOR

James Bigg, 254 Old Gate Lane, an abutter, supported the project, saying it would remove an eyesore.

Chairman Quish closed the hearing and asked for a motion.

DISCUSSION

Mr. Kader moved to approve as presented the petition of John Schmitz, BL Companies, for a Special Permit with Coastal Area Site Plan Review to establish a truck dealership in the former CT Limousine building at Map 79, Block 811, Parcel 8A of which 230 Old Gate Lane, LLC is the owner.

Second: Mr. Castignoli seconded.

Discussion: None.

Vote: Motion carried unanimously.

- 3) **Proposed Regulation Change #22-8** Petition of John Knuff, Esq. for a change to Article III, Section 3.18.2 Corridor Design Development District 3 – Bridgeport Avenue Design Corridor District: CDD-3; Article V, Supplementary Regulations Section 5.1 Parking and Loading Regulations.

AND

- 4) **589 Bridgeport Avenue** (Zone CDD-3) Petition of John Knuff, Esq. for a Special Permit with Site Plan Review, and re-subdivision to construct a residential complex at Map 025, Block 207, Parcel 50A, of which Casey Associates LTD Partnership is the owner.

Attorney Knuff 147 Broad Street, addressed the board, referring to his client as the contract purchaser of property. He reviewed the nature of the site and the disrepair in many areas. He said the redevelopment would improve the property as well as be a catalyst for improvements to the Devon area of the city generally. He reviewed previous board actions and restrictions on residential development consistent with the site's commercial aspects. He said the proposed unit count was 202, 10% of which will be affordable units. He said the same ingress and egress that currently exist on both streets will be maintained. He said the levels of service for traffic will still be excellent and there will be an improvement in stormwater management. He noted approvals from the Inland Wetlands Agency and the Zoning Board of Appeals. He said the site would incorporate robust landscaping, attractive architecture, and amenities, with the residential portion on a separate parcel, which accounted for a subdivision application before

the board. He said a few changes from the previous application would be outlined subsequently in the presentation. He said the number of units had not changed, but the size of the property they're located on had been reduced, resulting in a change in the regulations application. He said he had a good conversation with Fire Department Deputy Marshall Suden and the revisions based on it would be presented at the 10/18 board meeting. He said positive feedback had also come from the Police Department. He introduced the subsequent presenters.

John Schmidt, project manager/civil engineer, BL Companies, 355 Research Pkwy, Meriden, shared an existing conditions survey and reviewed the current businesses on site. He noted 3 access points, one full access on Lansdale Avenue and two other access points on Bridgeport Avenue. He reviewed the proposed subdivision line depicting the northerly portion of the site where commercial activities would be located and the southern portion featuring the residential units and amenities. He said Walgreens and Taco Bell would remain in place with other businesses to be renovated or demolished and rebuilt. He noted a total of 63,200 sf of commercial space with 510 parking spaces throughout. He then reviewed the residential portion with 5 buildings plus a community building, a pool area, and bathhouse. He said a self-contained trash disposal building would be on site. He pointed out a wetland area, a small part of which would have limited disturbances during construction. He reported that today stormwater from the parking lot is discharged toward Beaver Brook without treatment. He said that the plan provides detention/infiltration systems and catch-basin enhancements for stormwater treatment. He also indicated an increase at the site of nearly an acre of green space.

Chairman Quish asked Mr. Griffith if the site plan review was being presented prior to the zone change application or if the two applications were being presented simultaneously. **Attorney Knuff** said that in the interest of keeping the presentation concise, the two applications were being presented simultaneously as was done with the Special Permit hearing last winter. **Chairman Quish** confirmed that no site plan was presented last time. **Attorney Knuff** said the zone change, the special permit, the site plan review, and the subdivision were all being pursued at the same time.

Attorney Knuff then reviewed the material prepared by site architect Tom Scott, who could not attend. He noted a dramatic reduction in commercial space, particularly where the Kmart was previously located. He shared renderings of building facades and depicting the redesign of current commercial spaces with new facades and signage. He shared details on the façade materials.

Wayne Violin, senior landscape architect, BL Companies, 355 Research Pkwy, Meriden, said the multiplicity of uses created the landscape design. He noted a need to comply with buffer requirements to residential abutters and described a 25' wide buffer area featuring a robust evergreen screen of 300 trees and a northerly separation of commercial from residential spaces. He listed several species including shade deciduous trees in addition to the evergreens. He said the parking area featured shade trees and green space. He said the entrance from Lansdale Avenue is central to the residential area and merits special attention. He said irrigation is planned for high use zones and that a native enhancement scheme being presented to IWA for the wetlands on site.

Jason Williams, principal landscape architect, Milone & McBroom, 95 Church St, New Haven, said a goal of the design was to create a residential feeling for tenants entering from Lansdale Avenue, featuring a full gate house, planted median, gateway and pergola, as well as a bypass road to the gate. He said a sidewalk would run from Lansdale to the residential area and that dog parks and open areas with screens would also be incorporated. He said nearby amenities included a clubhouse, and materials used featured a coastal theme. He said the pool has an organic shape to enable groups of people to gather in smaller areas with chaise lounges around the perimeter. He said there would be a pergola-covered outdoor kitchen, an open-air pavilion, a pool table, and a fitness room. He showed elevations of the clubhouse with materials including stone, metal, and other textures. He shared floor plans featuring a communal room for resident activities with kitchen and entertainment facilities, plus fitness and locker areas. He reviewed a 38-unit elevation and described the breakdown of apartment configurations. He described the materials to be used.

Patrycja Padlo, traffic engineer, BL Companies, 355 Research Pkwy, Meriden, said the following traffic times had been reviewed: weekday peak, afternoon commuter peak, school dismissal, and midday Saturday shopping. She shared a graphic with the location of traffic signals and signs on the site and reviewed data from the Department of Transportation. She provided a chart displaying trip breakdowns at the various times and overviewed the software used to analyze patterns. She said levels of service were acceptable but provided recommendations for stop bars and other pavement markings.

Attorney Knuff switched to the topic of changes to the proposed regulation. He distributed handouts featuring revisions to the regulation amendments passed last winter indicated in bold type, italics, or cross-outs. He reviewed the revisions in detail, including increasing units per acre from 17 to 19, due to retail tenant lease requirements. He said no extra units had been added, but the original 3-story design had been replaced with a 4-story design and the height raised from 45' to 55'. He noted a change in the required minimum acreage from 12 to 10. He maximum units per residential building in the previously passed regulation had been 36, with a requested increase to 38 units. He asked that a requirement to provide open space or a fee in lieu of be waived.

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Mr. Castignoli and Attorney Knuff clarified that the subdivision line was to be moved further north and discussion ensued about the new configuration of units and building heights to offset the smaller residential lot size. **Mr. Mortimer** asked if drawings had been distributed, saying that there was much to consider in this revised proposal. **Attorney Knuff** said he wanted to give the board a thorough overview without belaboring previously presented information and he wanted to give board members time to reflect.

Chairman Quish asked if the intention was to vote tonight; **Attorney Knuff** said no vote was expected because the zone change revisions and fire marshal comments necessitated changes to the plans. He said the 2 plans will be very similar but will incorporate minor revisions. **Mr. Griffith** said the intent was to have all public hearings left open until next meeting.

Chairman Quish asked for public comment, noting that the public hearing would not be closed.

OPPOSED

Robin Lewis, 195 Meadows End Road, said she lived near the proposed dog park. She said she was happy to see the property developed and secured, but opposed to the scope of it, such as having buildings 5 stories tall. She said 7- or 8-foot-tall trees wouldn't protect their privacy now. She was also concerned about dumpsters near Ocean State Job Lot being near a residential area. She felt that the amenities would be noisy for neighbors and lighting could also be a concern.

Thomas Rebello, 47 Meadow End Road, said he was concerned about the wetlands. He said he thinks there will be encroachment due to zone change and that height is a concern. He was worried about cutting down hardwood trees and said that wildlife in the area will suffer loss of habitat. He said he disapproves of the zone change.

Bob Rich, 95 Meadows End Road, said he is an abutter and appreciated that hearing would be held open. He said that since the height and unit density had changed, he wants to see accurate depiction of the new plans.

Attorney Knuff said no wetlands will be filled, but rather will remain in their present state with improvements to stormwater management. He said the photometric plan was fully compliant with regulations and that properties along Meadows End are several hundred feet from the closest building. He offered to meet with Ms. Lewis, saying the pool is about 400' from abutters.

Mr. Zahariades confirmed that the wetland that won't be disturbed and that the zone change from residential to mixed is being proposed to avoid a split-zoned lot. He also noted that stormwater flowing into the affected wetlands will be cleaner.

Chairman Quish said more questions could be heard later as the hearing remains open.

PLEASE NOTE: THIS ITEM WAS HEARD FIRST.

CLOSE BY OCTOBER 12, 2022; VOTE BY DECEMBER 15, 2022

5) **Proposed Regulation Change 22-4** Petition of Kevin Curseaden, Esq. for a change to Article VII, Sections 7.1.1.1, 7.1.1.2, and 7.1.1.3 to change Site Plan Review Procedures.

Attorney Curseaden asked for an extension to November 1st which was granted.

E. LIAISON REPORTS—None.

F. SUBCOMMITTEE REPORTS—Both committees met last week.

G. APPROVAL OF MINUTES—9/6/2022 minutes were approved unanimously.

H. CHAIR'S REPORT – None.

J. STAFF REPORT - None.

K. ADJOURNMENT was at 8:21.

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.