

**MINUTES FOR FIVE (5) PUBLIC HEARINGS
BY THE PLANNING AND ZONING BOARD
HELD TUESDAY, OCTOBER 15, 2013; AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET**

Chairman Mark Bender called to order the October 15, 2013 meeting of the Planning and Zoning Board at 7:30 p.m.

A. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

B. ROLL CALL

Members Present: Ward Willis, Jeanne Cervin, Benjamin Gettinger, Edward Mead, (Vice-Chair), Michael Casey, Joseph Della Monica; Tom Nichol, Mark Bender, Chairman

Not Present: John Grant and Dan Rindos

**C. PUBLIC HEARING – Close by 10/29/2013; expires on 1/2/2014
(Extended from September 17, 2013 agenda)**

1. **55 BEACHLAND AVENUE (ZONE R-5)** Petition of Warren Field, Jr. for Special Permit and Coastal Area Management Site Plan Review approval to construct a single family residence with grading in the flood plain on Map 38, Block 557, Parcel 11, of which Molly Land Company is the owner.

Joseph Codespoti, Jr., LS, Codespoti and Associates, Orange, CT, with Christopher Field representing MollyLand Company. The application is to take down a house that was damaged by storms Sandy and Irene and replace it with a flood compliant new single family residence. He described the details of the plan via a display. They require State approval on the application because work is being done below the Coastal Jurisdiction Line. A letter was received from Sue Jacobson approving this plan.

Ms. Harrigan: Explained the reason for the delay in hearing this application. This property is adjacent to the Calf Pen Creek Title Marshland and is a fairly low elevation across the roadway which extends onto this property. This area floods regularly because of the low elevation. For that reason the State had jurisdiction and they issued a Certificate of Permission, which is their permit to engage in the work described by Mr. Codespoti. The construction mitigations shown on the plan were reviewed by John Gaucher of the State DEP and he found them to be to his satisfaction.

Chairman Bender: Explained the public hearing procedure. Asked if anyone is in favor of the application (No response). Asked if anyone was opposed to the application?

Dawn Murphy, 51 Beachland Ave. Asked about the proposed grading because the area is prone to flooding and she wanted to know the impact on the street.

Mr. Codespoti: The only change in the grading would be minor and would have no impact on the present situation. The flooding that takes place on the street cannot be fixed, but the work that will be done will not add to any flooding that takes place.

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Ms. Harrigan: The Board had reviewed a prior application where there was some slight grading proposed on a commercial property adjacent to a marshland. When grading is proposed adjacent to a tidally influenced large body of water, the flood plain management rules are a little looser because it is a much larger volume of water. Adjacent to fresh water and floodways, you cannot have any rise due to grading.

Ms. Murphy indicated her question had been answered.

The Chair closed the public hearing.

Ms. Cervin: Made a motion to approve the petition of Warren Field, Jr. for Special Permit and Coastal Area Management Site Plan Review approval to construct a single family residence with grading in the flood plain on Map 38, Block 557, Parcel 11, of which Molly Land Company is the owner.

Mr. DellaMonica: Second.

Seven board members voted in favor. Ward Willis abstained from voting. The motion passed.

D. PUBLIC HEARINGS – Close by 10/22/2013; expires on 12/26/2013

1. **565 PLAINS ROAD (ZONE LI)** Petition of Randy Simpson for Special Exception and Site Plan Review approval to allow a sound barrier to remain and be completed on Map 62, Block 928, Parcel 5, of which Milford Riders Motorcycle Club is the owner.

Tom Murtha, Esq. representing Milford Riders Motorcycle Club, Inc. Randy Simpson, President of Milford Riders Motorcycle Club also present. Mr. Murtha apologized that the wall had been started without the necessary permits. The club did not know they had to get permits. There were complaints from neighbors and they attempted to remedy the problem without going through the proper channels. They have now gone through the proper channels in the process.

CL&P clear cut a long corridor and increased the sound to the neighbors. The neighbors started complaining. In an attempt to fix it the Club built an approximate 400 foot by 14.6 foot wall, which is very similar to the walls that are seen as sound barriers along the highway. It is telephone poles with 2' x 12's. One 400 foot wall is done. It is along the eastern border. They want to add 30 feet to the end going back towards Plains Road and they want to double lap it to keep the sound in. They also want to add a 150 foot section on the northern side so the sound cannot get out of the Raton and Plains Road area. It would be 14.6 feet by 155 feet and would tie in both existing walls and would be double lapped with soundproofing. The engineer said it would reduce the sound that leaves the property by more than 50 percent.

Mr. Sulkis: This application is unusual in that the applicant went ahead in an attempt to do something to correct something not necessarily for their own benefit but for their neighbors' benefit. The Club itself does not benefit by keeping the sound where it is but what they are trying to do is make a better situation for their neighbors, which is very unusual.

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The wall is mostly there. They want to put another 150 foot section down the back side and extend it another 30 feet where it currently is towards Plains Road. This is a Special Exception so it is totally up to the Board.

Mr. Willis: Asked if there was engineering documentation that this wall is adequate enough to keep the sound levels low.

Mr. Murtha: It will not keep all the sound out, but it will reduce the sound. He produced two reports from sound engineers who reviewed the area. Testers were sent to the neighbors' houses and tested on the portion that was done. However, it is only half completed. There is a reduction of sound already, even though it is not completed.

Mr. Sulkis: The site is a preexisting nonconforming situation that predates most of the residential development that is close by.

Mr. Murtha: It has been there with the same use since 1958.

Mr. Mead: Is the construction being continued at this time?

Mr. Murtha: Would like to complete the project immediately because the neighbors are so upset.

The Chair opened the hearing to the public. He asked if anyone wished to speak in favor of the application.

Greta Stanford, 32 Spice Bush Lane. Stated she was present to advocate for the neighbors of the Milford Riders. The problem there is noise, noise, noise. Although she is not a neighbor, she has visited the area a number of times and was amazed at the intensity of the noise that permeates the whole area. When the neighbors first moved in the Riders group was very small compared to what it is today. Over 30 years the membership has grown exponentially. The size of the bikes increased; lights were illegally installed; the number of events increased, as did the long hours of operation, extending on many nights to 10:00 p.m.

There is also the physical problem. It has been well documented that constant noise can produce hearing loss and also emotional disturbances, especially among the young. To say that the neighbors should not have bought homes there begs the question. When the neighbors bought their homes 20-30 years ago, the Riders was an entirely different group.

Ms. Sanford wanted to make it clear that the neighbors do not want to close the Riders, but they would like some respite from the noise. The neighbors are positive about the fact that the Riders want to erect a wall to help diminish some of the noise. They are also concerned that the proposed wall might not go far enough along the Plains Road property line. In that case sound could circumvent the barrier and some neighbors would still be affected. In the future the neighbors would hope that the Riders would continue to make adjustment in their hours of operation and their number of events. The Planning and Zoning Board and other City officials are directly responsible to all the citizens and it is their duty to do what is right for them.

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Robert Miller, 141 Cornfield Road. He is the main reason why this application is being made tonight. He brought this noise concern to the attention of the City officials and the Planning and Zoning enforcement officer four and a half years ago. It has taken that amount of time to get to this forum. He hopes when the Riders complete this wall that they continue to work on ensuring that if there are gaps found in this wall that these gaps are plugged. He concurs that it would be nice if the hours of operation be curtailed sometimes, especially until this wall gets completed, when hopefully everyone will go away happy.

Kathleen Zancewicz, 185 Cornfield Road. Would like to clarify some comments made by Attorney Murtha. He indicated the problem had to do with CL&P. That has never been made clear. Also, the RPMs on the bikes has increased significantly over the past few years. When she moved into the neighborhood, she could not hear the bikes. So the problem has to do with the bikes and the noise. She took issue with Mr. Sulkis' comment that they are putting up a wall with no benefit to themselves. No entity, business or club should be allowed to disturb a neighborhood's peace day after day. They are not doing it to benefit themselves; that is correct, but she pays over \$8000 in taxes and she would like some relief from the constant noise.

Chairman Bender: Stated he has been calling for people who are in favor of this application.

Ms. Zancewicz: Stated she is not. The people speaking are for the noise wall. Last year at a meeting with the Mayor, Randy [Simpson] indicated that there was no money to build the wall, so they will have to see what happens.

Chairman Bender: Clarified that she is for the wall.

Ms. Zancewicz: Yes.

James Ballas, 106 Cornfield Road: In favor of building the wall and concurs with the other speakers. Added that the club runs motorcycles that are 400 cc. That was not the case when he moved there in 1980. The decibels that the motor bikes run at are 90 decibels. One motorcycle at 90 decibels may not be very loud, but when you get 10-15 motor bikes running at 90 decibels, it compounds the sound. If the wall reduces the decibels and he does not know if they did a base line, what that base line is and when they finish the wall and they run an event is someone going to take a reading and see if they accomplished what the goal was. He does not know if that is going to be done and brought forth to the Board to prove that they accomplished what their goal was? He does not know. He is for the wall but would like to see some proof that it will do what it is supposed to do.

Maureen Miller, 141 Cornfield Road: In response to a comment made, the property may have been preexisting, the houses that are there now, but she does not think anywhere in the country does it allow anybody to impede upon other people's peace to the extent ---

She is for the wall because of the noise they are experiencing day in and day out. Would like the Board to look at the engineers' reports and make sure that the wall is built to the specifications that they are giving. The neighbors have been back and forth with this in the past. They want to make sure it is done right.

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Ed Fisher, 205 Cornfield Road. Lived there for 30 years. Not against the motorcycle club. Wants to make sure the wall acts as a sound barrier. Wants to make sure the engineering prevents the noise to the degree it is supposed to.

The chair asked if anyone was opposed to the application.

Rebuttal:

Mr. Murtha: For tonight's purposes the Riders have met with the neighbors many times. There are a lot of concerns they are working through. He thought tonight was only for the wall. He disagreed with much that was said. Thought tonight's meeting was only concerning this particular wall. It was started without a permit but they want to finish it with a permit. It is an engineered wall. It is more than just a wall. It is double lapped to stop the spaces. It has an "L" at the top with sound deadening material five feet wide. They want the wall to be very effective. They will not know until it is up. The engineers have told them it will work. There is money to finish it. They want to finish it and they believe it will be successful or they would not have undertaken the project. Three engineers had been hired to look at it. Tests were done before and after.

Chairman Bender: Questioned the Board's jurisdiction on the number of hours of operation.

Mr. Sulkis: It is a Special Exception. The issue is the wall. The Board had heard other concerns.

Chairman Bender: There was a statement about illegal lights. Is that accurate?

Mr. Sulkis: A lighting plan has been submitted to the Board. There have historically been a few lights and he understands that they have added lights over the years and as part of this application the Board will have a baseline of everything that is going on this property, which the Board did not have before because of the age of the use that is there.

Mr. Murtha: The last two pages of the application address each light and where the light spreads, where the light is located and how bright they are.

Mr. Bender: Asked if there was a Statement of Use.

Mr. Sulkis: One was attached to the plans that were submitted.

Chairman Bender: The people who spoke can speak again if they believe their questions have not been answered. The speakers can only speak to what the applicant spoke to.

Ms. Stanford: Not sure how far the wall extends to Plains Road.

Mr. Murtha: The wall ends approximately 375 feet short of Plains Road along the eastern border.

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Randy Simpson, President, Milford Riders Club: In response to Ms. Sanford's question, there is no structure going between Malaco Construction and the Riders extending out to Plains Road. If this wall is completely successful as they expect it to be, having consulted with many sound engineers, and if the State has gone through so much expense to block sound from interstates to neighboring residential areas, then they [Milford Riders] are on the right track. Depending upon that success, they would plan on extending the wall up Plains Road, with a 50% drop in DB level.

Chairman Bender: Asked who Justin O'Neill is on the plain letter that was submitted as part of the engineer's reports.

Mr. Simpson: Justin O'Neill is President of O'Neill Industries, Sound Specialists. His resume is extensive and he hold doctorates in sound engineering.

Chairman Bender: Asked for some backup as to who Justin O'Neill is.

Mr. Ballas: Is there a decible reading or a sound that was emanating from that piece of property before the wall was started and after this successful project is completed, what the reduction will be? What does successful mean?

Chairman Bender: There are numbers in the report but at this point numbers have not been attached to before or after. It is still part of the discussion going on right now.

Mr. Murtha: It is their hope to reduce the decible level by at least 50%. The sound engineer said more than 50%. That would be successful.

Chairman Bender: One of the concerns he would have is to put up a wall to reduce sound. If a number is attached that must be attained and it is not attained, the wall does not go up and you have nothing. He does not want to put an arbitrary number that they must achieve. This has to be thought out and make sure that sound engineers are giving realistic numbers that the Board can use as information. Thinks there should be some measurement system of a before and after. If there is this kind of money being invested in a wall, you want some kind of guarantee that it will work.

Mr. Murtha: There is no guarantee from any sound engineers, but it was said if the wall is built as they designed it, it will reduce it by more than 50%, but it is not a guarantee. They do believe it will work. This was the best recommendation. There is not a more expensive way to do this. It mimics what the State does along the highways and adds an "L" at the top to contain the sound and takes into account specific factors for a certain race on this particular piece of property.

Chairman Bender: Noted on the report the noise reading was not able to be completed because the motorcycle used as a test broke down.

Mr. Murtha: This was only one test, but there were other tests done at different times.

Mr. Murtha submitted another report to the Chair which was date stamped into the record.

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Mr. DellaMonica: Have to come up with a baseline noise level. There is no number in place with a decible reading. If the peak time is at the start of the race, a cycle that breaks down is not a benchmark for a decible reading. Need to find the peak time, the most motorcycles that will be at the facility at one time racing will be the benchmark. From that it should determine what the 50% or more will bring the decible level to so that the neighbors have an idea and not a hope of what the decible readings will be once the wall is in place.

Mr. Murtha: The baseline has been established at the highest use time from the neighbors' houses. Cannot do a finished test until the wall is finished.

Mr. DellaMonica: That is correct, but the engineers will have to give specific numbers.

Mr. Murtha: Regretted using the word "hope". The engineers have put in writing that the sound will be reduced by 50% "or more". The numbers are there.

Mr. DellaMonica: Asked what the start and finish time for the wall is.

Mr. Murtha: If it was started now about 3-4 or 4-5 months to be safe.

Chairman Bender: How much of the wall is completed?

Mr. Murtha: On the east side there is approximately 400 feet of wall up right now. Thirty feet has to be added. On the north side there is some old wall. 155.2 feet would be added. Total of about 585 feet there is 400 in place, but it is not completed. Some additional work has to be done in order to finish the soundproofing.

Chairman Bender: Would like to see one of the sound engineers (David Collings) if he would come before the Board to answer questions, as he appears to be the expert.

Mr. Murtha: Would bring in two engineers if they are available.

Chairman: Thinks Collings' report is more comprehensive.

Asked for the engineer(s) to come to the next meeting to answer questions.

Mr. Mead: How many residences have been tested?

Mr. Murtha: Thinks there have been two testing times; one was four tests the other one or two tests. Thinks 6 tests have been taken.

Chairman Bender: Asked the attorney to make sure all the tests and summary of tests, where, what time of years, with foliage, without foliage, etc. are provided.

Mr. Willis: How safe is this wall for the riders and spectators.

Mr. Murtha: The wall is situated on an embankment and is not near the riding or spectator area . It is not really in play with much that is going on with the Club.

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Chairman Bender: The public hearing will be left open to receive additional information from the sound engineers.

2. **580 BRIDGEPORT AVENUE (ZONE CDD-3)** Petition of Key Hyundai of Milford for an Amendment to a Special Permit and Site Plan Review approval to delay constructing a building and establish a dealer parking lot in its place on Map 25, Block 385, Parcels 14 and 14A, of which J & J Milford, LLC is the owner.

Chairman Bender: Stated he and Mr. Sulkis discussed this matter about the possibility of it being an administrative decision and the Chair did not feel comfortable with it because it was adding a lot of parking and not getting anything for it, so he recommended the application come before the Board.

Chris DeAngelis, PE, Cabezas DeAngelis, Site engineers for the project. This project was previously approved by the Board to be a new service garage and parking area in support of Key Hyundai's main facility, which is mainly two lots west of the site. Since that time the owner, Jeff Merriam, has made the decision to hold off on the construction of the service area.

Via a displayed site plan, Mr. DeAngelis described the area where the proposed building would have been. It is now proposed to leave that area as a crushed stone, pervious surface. Perhaps the old health club building would be demolished, crushed up and used as surface there for parking of storage vehicles. All the other improvements around the perimeter of the site would be installed as per the previously approved plan. That includes the landscaping around the edges; parking in the center of the site for the tennis facility use. It includes the lighting around the perimeter and it also includes the improvements to city-owned parking lot in back of which they have a lease to operate as a parking facility. The idea is to build all the perimeter work as much as they can and leave the area that will be the future building as a pervious surface. They don't want to pave it, increase the runoff and then have to repave it later when a definite plan for the business has been determined.

Jeff Merriam, co-owner of Key Hyundai Milford. The predominant reason he does not want to construct the building is because there has been movement in buying the property in the middle. It is a small slice, approximately 100 feet wide and the length or depth of the property. There is a three building condo in the back and a small building in the front that is currently being leased by Key Hyundai to park their cars. Initially, when they were seeking to add on a service department, it would be ideal to add onto the existing dealership, but it could not be done because they did not own the property. Without title to the property they had to respect the zoning setbacks, side yards, etc. They attempted to buy the property in the past but were unsuccessful so they went ahead with the application that the Board recently approved. It would be much more expensive to build a new building than to add onto the existing building. There has been some movement with the owner and they have agreed to start negotiations to sell Hyundai the property. It is a slow process because the gentleman who owns the property is elderly and still lives there and has been reluctant to sell the property. If the property can be acquired by Hyundai they will most likely add onto the existing dealership and service area.

At this time they have a vacant building that is dilapidated, falling down and the roof leaks. It has no use and is an eyesore. It has been for lease for over ten years for another health club.

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Since Bally's vacated there has been zero interest in the property. Because of the parking situation, a health club requires a lot of parking which this property does not have. It is a single use building. It would improve the parking situation if they could actually park cars there as opposed to keeping cars parked in separate lots. The operation would flow more smoothly.

They would be willing to do all the site improvements and improve the area where there is public access with the back entrance that was part of the previously approved application, in return for approval to park cars for sale until a final solution for the service department is determined.

Mr. Sulkis: His report mirrors what the applicant said. If the Board wishes they can get a time line or stipulation from the application that this lot will be there forever or until they come back with a different site plan.

The Chair asked what the applicant would do if they purchased the sliver of property in question and could add onto their existing building.

Mr. Merriam: At that point they would like to keep it as a parking lot. It would drastically improve the location. They would have a bigger car dealership with a parking lot off to the side. He also believes it cleans up the tennis club. The way the building is built now is the health club, which was built after the tennis club and was fit into the tennis club. When the health club is demolished they will have the opportunity to refresh the face of the tennis club, which will then appear better from the street.

Mr. Mead: If the sliver of land is purchased by the dealership and the existing building is added onto, would it be enough space for what he is proposing to do?

Mr. Merriam: There is approximately 100 feet from the edge of the dealership to the end of the property line, but they do not have a plan for how they would add on at this time. Knows there will be one big piece of property with no setback issues.

Mr. DellaMonica: Asked if the 18 bays that were part of the approved application would be planned for the anticipated addition?

Mr. Merriam: Yes, a primary reason for the add on would be additional service bays.

Mr. Mead: Asked if there could be more landscaping around the front of the tennis club.

Mr. Merriam: Yes. That would not be an issue.

The Chair asked the applicant how long he would like to have a parking place of pervious material.

Mr. Merriam: Responded as long as possible, but if they could purchase the property immediately, they would bring in a new site plan within five months. Since they do not know how long it would take to acquire the property, they cannot give a specific time frame for the car parking area.

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Chair opened the hearing to the public: Asked if anyone was in favor of the application? (No response). Anyone opposed to the application? (No response).

The public hearing was closed.

[The Board took a ten minute break from 8:41 PM to 8:51 pm.]

3. **489 NORTH STREET (ZONE R-10)** Petition of Thomas Lynch, Esq. for approval to construct a two lot subdivision on Map 87, Block 801, Parcel 2, of which RKP Properties, LLC is the owner.

Thomas Lynch, Esq., Lynch Trembicki and Boynton, 63 Cherry Street, Milford representing RKP Properties, LLC. Robert Benedetto, a principal of the company is also present. Presenting an application that had been previously brought to the Board in December 2011 and ultimately denied by the Board. They have gone back to the drawing board, reviewed the comments that were made and the Minutes of the previous meetings. Ron Wassmer, the engineer and the principals of the company have returned with the current plan. The property is located in an R-10 zone and consists of 23,000 SF. By definition it is a double sized lot in that zone. Contained on that property is a residence that was constructed in 1840 originally known as the Woodruff House. He noted he had distributed a handout that had been given to the Board in December 2011 outlining the history of the home and the fact it is on the Inventory of Historic Homes in Milford. The handout includes a letter from City Historian, Richard Platt. The intent of this application is to provide for development of the property with keeping the historic home preserved.

After the application was denied, the applicant started the process for a demolition permit which has been issued. The intent is to go forward with the revised plans which address the concerns that the Board had at the prior public hearing. The intent is to ultimately subdivide this property with a straight line down the middle, if need be. The way that this plan was reconfigured was to provide for subdivision of the property; the construction of a new 2200 SF colonial on the Platt Lane property shown as Lot #2 on the plan and the preservation of the Woodruff House.

The prior application had the lot divided providing for frontage for Lots #1 and #2 on thru streets, because the property comes close to the "V" intersection of Platt Lane and North Street. He discussed Sheet 2 of 7, the Subdivision Plan. Originally it had the property divided so that waivers were necessary. There was not adequate lot width for North Street and Platt Lane. The way that the plan has now been redesigned, although not a perfect rectangular configuration, is to provide for Lot #1 being the lot with the restored Woodruff House with frontage on North Street and Lot #2 being the developed lot for the new residence on Platt Lane. The Plan Legend indicates that all of the zoning requirements are met. There are no waivers.

Attorney Lynch reviewed the remaining plans via the display. All departmental reports were favorable. The neighbors had concerns last time especially with regard to "variances" (waivers). This plan does not have waivers. This is a reasonable request for the subdivision of a piece of property that is more than twice the size that is required by the zone.

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Ronald Wassmer, PE, LLS, Connecticut Civil Group, 158 Research Drive. Described the site plans of a two-lot subdivision. The site has no significant topographic features to contend with. The site will be connected to City water and sewer. The landscaping plan proposes some trees along North Street; some evergreen trees and two street trees on Platt Lane. The Plan also indicates the trees that will be removed and protective fencing around the trees that will stay.

Mr. Sulkis: The presentation was accurate with what was submitted. The Tree Commission brought up the removal of a 16 inch maple tree for a dry well, which was not addressed by Attorney Lynch. Mr. Sulkis recommended an alternative for the dry well be found so the tree could be preserved. That was also the recommendation by the Tree Commission.

Mr. Wassmer: Stated he was certain an alternative location could be found 10-15 feet away from where it is proposed and allow the tree to remain.

Mr. Sulkis: If the Board approves this, it should be on the record that not only will the house be preserved, but they will also give up the demolition permit.

Attorney Lynch: That would be totally agreeable to his client.

Ms. Cervin: Asked if there would be a deed restriction on the historic Woodruff house. How would that be handled, so that the Board can know that the house will be preserved.

Attorney Lynch: Stated he would leave that to the City Attorney's office. If it is a condition of approval for the subdivision that that house not be demolished, logic dictates that the applicant will restore and renovate it. That is their intent. He believes the City Attorney's office could adequately address that.

Chairman Bender: Opened the hearing to the public. Anyone in favor of the application (No response). Anyone opposed to the application?

John McLean, 477 North Street. His house is on the north side of the property. He thanked the Board for listening to the neighbors speak out tonight against this subdivision. Two years ago he attended the hearing for the two lot subdivision that was proposed. Attorney George Adams represented Arnold Peck for a two lot subdivision with both houses having frontage on North Street and Platt Lane. At that time Mr. Adams stated the house on Lot 1 would not be torn down in view of its historic nature. On January 17, 2012, the Board voted to deny the subdivision. The Minutes reflected that the two houses would be located on two small parcels and they would not match the style of the neighborhood, as most of the houses had larger properties. It was also noted that the houses in the neighborhood face the street and the lot #2 house would not. It does not fit the style of the neighborhood.

Mr. McLean submitted a petition that was signed by the neighbors of 49 North Street that they are against this proposed subdivision. What makes this petition special is that there are 36 signatures of neighbors that live within a thousand feet of this property, either on the North Street side or Platt Lane side and they have said they do not want this subdivision. These

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people will be directly affected by the planned subdivision. He asked that the Board vote against it.

Richard Platt, 132 Platt Lane. He is in between on this matter. He sent the Board a statement in December 2011 saying that he was pleased that the old house would be kept. It is a Greek revival house built in 1840. It was a restaurant in the early part of the 20th century known as Trail's End. He was dismayed last January to receive an application to demolish the house. As was also said this house is on the Historic Resources Inventory. In this particular case he imposed the 90 day delay. That expired at the end of last April. He anticipated the house would be demolished but was pleased that it was not and they have changed their mind. His main concern is to keep the house and if that is stipulated as such, he does not care about how the property is divided. The neighbors are still against the subdivision. It appears to be the same except they are cutting the whole piece of property in a different way. He is not sure whether that is completely satisfactory or not as one of the lots is quite a bit smaller and does not conform to the rest of Platt Lane, but his main concern is that the historic house be kept.

Mary McLean, 477 North Street. She lives next door to 489 North Street and opposes the subdivision. The lot is not that big and the house on Lot #2 will look out of place in the neighborhood. The historic house has been neglected and is in need of repair. Homeless people have lived there. Children run through it. The police have been called because of these issues. Platt Lane is a cut through to Orange Avenue. Having two more driveways on the street will inevitably have more cars parked there, which will add to the traffic flow. Asked that the subdivision be denied once more.

Burton Smith, Jr., 497 North Street. His property extends from North Street to Platt Lane. The southern part of his property adjoins the north part of the proposed subdivision. He agrees with the petition submitted by John McLean. Also agrees with Mary McLean's comments. There are 7 trees on his property line closest to Platt Lane. Only one of those trees is shown on the planned subdivision. He would like clarification on what will happen to the seven trees on his property. There are three trees on the planned subdivision for Lot #2 that are not shown. He would like clarification on the future of all ten trees.

Rebuttal by Applicant:

Attorney Lynch: He has the minutes of the 12/6/2011 meeting where Mr. McLean and the other opponents addressed the variances [waivers] that were being requested. Attorney Lynch read a portion of Mr. McLean's comments wherein he was concerned that the new house would ruin the neighborhood. All the properties' front doors face the roadway. He is happy the existing house would be kept.

Sheet 3 shows the new house would face directly onto Platt Lane. The prior application had the rear of the property facing Mr. Smith's property and the driveway would come in from Platt Lane so that the house would be running perpendicular, rather than parallel to Platt Lane. That is a large difference in this plan. The proposed house runs parallel to Platt Lane. This is an R-10 zone. The square footage is 23,000. Mr. Smith's concerns about the trees on his property were addressed by Ron Wassmer. He was assured that his trees would be protected during construction. This is an R-10 zone. This is the division of a 23,000 SF lot into two lots

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that are conforming. People do not like change in their neighborhood, however, the present plan addresses the Board's concerns from the prior application and seeks no waivers of the zoning regulations and should be approved.

Rebuttal by Opponents:

Mr. McLean: The original plans had the property facing with the back facing Mr. Smith's property and this property is now being shown facing the street, but it is a very packed piece of property. He said the division was going to be 13,000 SF for lot No. 1 and 10,000 SF for Lot 2. There is a lot packed on Lot 2 which is very close to the road. The Board should look at the property and see how this will be shoehorned in there. That is his only concern.

Chairman Bender: Stated for clarification that the Board members do visit the application sites, unless there is a reason they are not allowed to. Anything on the agenda the Board members make it a point to go by each property.

Attorney Lynch had no further comments.

Mr. Mead: Asked about the condition of the historic home and was it in good enough condition that after an inspection is done that it would be torn down.

Attorney Lynch: Mr. Benedetto has assured him that it would not be the case that the house would be torn down.

Ms. Cervin: Did not know how the Board could verify restoration of the house. How do they know what would be restored in that house and what would not and what can and cannot be. It is possible it could be a complete tear down inside and renovated. She would like the Board to know what is in the house and what should be preserved, historically.

Attorney Lynch: The house is not in an historic district, so those parameters and guidelines such as in the downtown historic district or South of the Green would be followed. Anybody renovating the house would have to submit a plan and have it reviewed by the historic district. It's common sense that the property will be developed. There will be a new house on one lot and if it is a condition of approval that the other house be kept and restored, then you are leaving it to the builder to use his best judgment and common sense to take the steps to restore the house and market it in a way that it will be attractive to someone who wants to buy an 1840 house. Other than that he does not know of any conditions that could be placed on an approval. If it was in an historic district there would be another means of ensuring that window replacement, siding, or anything along those lines would comply with their certificate of appropriateness.

Ms. Cervin: The Board can discuss this further. Asked about the 10% donation of funds in lieu of open space condition for subdivision.

Attorney Lynch: Yes.

Chairman Bender: Asked what is in place to stop that house from being torn down?

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Mr. Sulkis: Nothing.

Mr. Platt: Stated he would like a time line if the house is going to be restored, when would that be. Right away, within 5 or 10 years? When? Also, since this is an old historic house, the Connecticut Trust for Historic Preservation on its website has a list of approved contractors who specialize in old houses. Restoring old houses is highly specialized. He requested that it not be just any contractor but someone who knows what he is doing.

Attorney Lynch: Mr. Bennedetto has assured him that the work would be done right away.

Mr. Bender: Questioned whether the Board had the jurisdiction to put a condition on the contractor used. He could see that the Board wanted to be consulted.

Mr. Sulkis: Thought the Board could specify that something could be put on the land records as part of the approval saying the house has to be preserved or restored in the manner of that particular style. Nothing to say some of the language could not be borrowed from the historic districts, but at the same time you do not want to hamper someone who is buying this kind of house from making certain renovations since it is not in an historic district. Whoever buys this house would be someone who appreciates an historic property.

Attorney Lynch: Agreed that they type of buyer that would buy this house will buy it only if it has been restored a certain way. He further stated that conceptually a subdivision could be approved for this property conditioned upon the restoration being done on the historic house and once that is completed and a CO is issued then they can do the second house.

Chairman Bender: Expressed his concern that even though the house is historical there is also an economical factor if you are the owner or builder. Common sense may say something different than restoring the house to its original state.

Attorney Lynch: Those concerns were raised tonight and Mr. Bennedetto has stated it can be done.

The Chair closed the public hearing.

4. **109 SEASIDE AVENUE aka 70 KINLOCH TERRACE (ZONE R-7.5)** Petition of Thomas Lynch, Esq., for an Amendment to a Special Permit and Site Plan Review approval to construct a new supplemental parking lot on Map 35, Block 427, Parcel 14, of which the United Presbyterian Church is the owner.

Thomas Lynch, Esq., Lynch Trembicki and Boynton, 63 Cherry Street, Milford, representing the United Presbyterian Church. The Church is located at 113 Seaside Avenue and has been operating in this location since 1947. Also present is Reverend Ann Marie Meyerhoffer, who is the Church pastor. He asked if the Board had Statements of Use as part of their packets. (Statements of Use were distributed to the Board).

Attorney Lynch presented the background of the application: The Church has been operating since 1947. In approximately 1997 the Church brought the property next door to the church

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building, 70 Kinloch Terrace. The intent at that time was to have the Church renovate the house and turn it into a community center. Once they got into it, the house had a crawl space and did not have a basement. It had mold and a variety of other problems. A decision was made to tear the house down. When the Church was first started there was a site plan that was approved. The property is located in the R-7.5 zone so a Church needed a Special Permit which was granted by the Planning and Zoning Board at that time. The application tonight is an amendment to that Site Plan. The proposal is fairly straightforward. The Church has limited funds. The request is to have a gravel parking lot at the 70 Kinloch Terrace property. This will provide nine additional parking spaces to the Church. The Statement of Use has shown what the main building of the Church is used for on a daily basis and weekly basis. It is used for worship in the Sunday morning hours, but the Church is also home to a variety of social groups and support groups. Alcoholics Anonymous uses it on a regular basis for their meetings; Narcotics Anonymous uses the building on Thursdays; there is a folk group that uses it on Sundays each month and there is a toddler playtime program on Monday and Tuesday mornings. The Church parking lot has been adequate for the Sunday services, but with all these other uses of the Church that are done during the week, if you drive by there there are cars parked on Kinloch and on Elder. This parking lot will alleviate and add nine spaces to the Church's use. The Police Commission made a comment in their report as to why the gravel lot is not paved. The reason is it is cost prohibitive to the Church. An email was sent in response to the the Police Commission comments relative to an oil separator; the paving cost, etc. It is a small congregation. The \$80,000 just for the oil separator and the paving would be cost prohibitive. The layout presented shows a new apron coming in off Kinloch Terrace. It shows the nine parking spaces. Under Section 5.16.6 there must be a landscaped buffer for off-street parking between other uses. That is the one waiver that is being requested because 10 feet is required for the buffer. The plan shows a 5-foot buffer on each side. The side to the west which abuts the current Church parking lot would have a landscaped buffer and on the McAllister property there would be a stockade fence within that 5-foot buffer. So there would be a 5-foot buffer instead of the 10 feet, but it will also provide for landscaping and a fence on the property line next to the McAllisters. Pastor Meyerhoffer spoke to the McAllisters who could not be present tonight, but her discussions with them prior to today was that they had no problems whatsoever with the fence separating the two properties. He considers this a reasonable request. It requires Board approval because it is an amendment to the Site Plan.

Ms. Harrigan: Had nothing to add to Attorney Lynch's summary. It is up to the Board to review and to determine whether they feel that the proposal will be adequate.

Attorney Lynch: Referred to the Police Report's comment about paving of the lot, which has been answered, and it precludes against plowing in the winter time. Pastor Meyerhoffer responded in an email that the lot will not be used if there is snow on the ground.

Chairman Bender: Asked if there was money available would the church want to build a building or pave the parking lot.

Ann Marie Meyerhoffer, Pastor, United Presbyterian Church. Responded that the building was in disarray and it was from her predecessor approximately 12 years ago. When she

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became pastor she asked the congregation what they wanted to do with the house. After a contractor looked at it and said the foundation was questionable with some other problems, the congregation voted to demolish the house in order to make it for use as additional parking. There are people who come to use the Church's facilities and they park along Kinloch. Concerned about safety and people being able to get to the main roadway. The congregation is very small and she is a part-time pastor.

Chairman Bender: Asked if she saw a building on that property as a youth center in the future, or will it always be used for parking?

Pastor Meyerhoffer: She does not have power in the Church. The congregation has the power. The Presbytery has to approve the Church's action on this before the next step can be taken.

Mr. Mead: Asked if some residual concrete debris that is presently there would be removed.

Attorney Lynch: Yes.

Ms. Cervin: Is that area currently used even though it wasn't a parking lot?

Attorney Lynch: It was until they were sent a Cease and Desist order.

The Chair opened the hearing to the public. Anyone in favor (No response). Anyone opposed?

Ed McCormack, 66 Kinloch Terrace. He lives adjacent to the Church. Via an easel display he showed a Google Earth picture of the parking lot, which showed the Church, the parking lot and his property. The primary use of the property as it was years ago was a church. It had Sunday services, youth groups and occasionally social meetings. Over the years they have been granted allowances to hold meetings periodically, i.e. NA meetings, AA meetings. These organizations do good work and he recognizes them as such. However, he does not think they are compatible with the neighborhood in this section of Milford. He pointed out the adjoining streets where on most days there are cars packed all along Kinloch Terrace and Street; on Seaside Avenue. They are asking for nine spaces, but the lot in question (indicated on the display), will not alleviate the problems that exist. He noted tonight's venue was not to discuss Church operations, but did not want to further their operations by allowing this to happen.

Mr. McCormack further stated that Church services and parking were not the issue. This became an issue as more and more meetings were being held. He is not aware of how the Church is paid for the use of their facilities, but the use of that facility is having an adverse impact on all the surrounding neighbors as well as himself, who is adjacent to the Church. People start arriving to meetings at 6:00 a.m. They play music in the car which permeates the quiet of the very early morning. This happens repeatedly. He noted a truck that parks repeatedly in a no parking area. Police have been called on many occasions. Even when there are parking spaces available he will park in the no parking area.

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The Church has not taken ownership of this situation. They are not there to maintain the meetings.

Chairman Bender: Asked Mr. McCormack to focus on the nine parking spaces in question.

Mr. McCormack: The nine parking spaces will bring the noise level closer to his house. It will not do anything to alleviate the parking problem that exists. The gravel parking lot will not help. Snow will pile up more towards his property. The Church is not set up for everything it is trying to do. The neighbors are not against the Church, but the usage under which they have been operating needs to be further examined. The expansion of the parking lot is not a step in the right direction.

James Loughlin, 67 Kinloch Terrace. Lives directly across from the parking lot that is being proposed and which the Church has done nothing with for the past 12 years. The nine parking spaces they are proposing to construct with a gravel parking lot that they will not plow or shovel in the winter that will not deter the members from the NA, AA meetings from arriving three times a day, six days a week. The nine parking spaces will not alleviate the problem that is there now. Asked the Board members to drive around this area on Monday mornings, Tuesday afternoons, Sunday nights. In the summer when the windows are open and the meetings are over the members congregate there long past the time that their meeting is over. He has to look at the neglect of the lot area every day for twelve years.

Dan Masterson, 5 Kinloch Street. He is opposed to the expansion of the parking lot. He lives across the street. He thinks the parking lot's current use is as a party zone. He feels if the parking lot size is increased, the party will be increased as well. Asked that the Board not approve the expansion of the parking lot.

JoAnn Downey, 6 Kinloch Street, directly across the street from the existing parking lot. She is on the corner of Kinloch Street and Kinloch Terrace. She is in agreement with Mr. Masterson and opposes the expansion of the parking lot.

Rebuttal by Applicant:

Attorney Lynch: It sounds as though the people are opposed to the meetings that are being held, not the parking lot. There is off-street parking on the streets. Adding nine parking spaces is addressing the problem of having cars on the street. It does not address the concerns that the neighbors have about people staying late for the meetings and people being boisterous. The pastor has taken notes and would like to speak to the people who spoke in opposition because she is concerned about that. There are specific rules that the Church has with their outside groups who come in to use the building. Asked those who spoke in opposition to stay and speak with her. The amendment to the Special Permit was to allow for the parking lot. That will take any number of cars off the street. That would be a benefit to the neighborhood.

Rebuttal by Opposition:

Ed McCormack: The noise issue is a problem. By eliminating that green buffer zone

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between the existing parking lot and his house is going to aggravate the situation further. None of these things have been addressed by the Church for years. He asked if the Board will not deny the request to at least delay the decision until further communications can be worked out.

Dan Masterson: Disagrees with Attorney Lynch. The way the parking lot is set up people are not standing on the grass area. If there is a parking lot where there are going to be cars, more people are going to be standing in the parking area by their cars doing whatever they do. It is about parking.

JoAnn Downey: In the past the neighbors have publicly expressed before this Board their objections to the noise, loitering and the parking situation, for which nothing has been done.

James Loughlin: The neighbors have spoken to the Church. In 2000 when he moved in there was a petition circulating in the neighborhood in which the petitioners refused to allow the home that was previously there to be turned into a methadone center, not a community center. It was opposed then and the neighbors were upset when the Church tore the house down, ---

Chairman Bender: Advised that the house has nothing to do with the application.

Final Rebuttal by Applicant:

Ms. Meyerhoffer: She became pastor in February 2000. Prior to that time she had nothing to do with what occurred and has no record stating that people were complaining. She keeps a list of who calls her. One woman called her in 2007 and said there were some issues. The pastor took care of that. She meets with each group point person once a year with the whole group to go over the rules. If there are complaints she needs to know the date and the time of the occurrence so she knows which group to address. Also, there are different people coming in and out at all times. She has not seen a police report and never heard anything from the neighbors. It is not a partying parking lot.

Mr. DellaMonica: Made suggestions: The neighbors have issues with parking in illegal areas. He told them to speak to Sgt. Richards of the Milford Police Department and ask him to do a parking survey in the neighborhood. If there is a concern about any particular streets or areas where they find people parking, whether signed or unsigned, they can sit with the Traffic

Division personnel and they will look at it from their perspective of safety. The neighbors can make recommendations about where they believe there should not be any parking. They will evaluate the recommendations by the residents of the neighborhood.

The residents can also get past police reports of that parking lot over several years. When he was reporting in that parking lot it was not a partying area.

Mr. Willis: Asked about the Sunday worship service where there is no problem with people parking on the street. Asked how many people attended the non-church meetings.

Pastor Meyerhoffer: There is a 7:00 a.m. meeting Monday through Friday with approximately

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12 people; mostly professional people who meet and go to work. Monday, Tuesday, Thursday and Friday there are Noon meetings with approximately 25-35 and sometime 50 people in attendance. There is a meeting of special needs children from birth to three years old, open to the public, on Tuesdays and Thursdays in the morning, maybe 10 mothers. Saturday morning is the largest group that attends. She has only been there a couple of times but hears it gets very crowded. Sunday morning there are 50-60 in worship. She also noted a big funeral on Saturday morning and an annual folk concert on Saturday night which will draw a lot of people.

Mr. Willis: It's obvious there is a problem with parking. He does not think that nine additional spaces will alleviate this situation. Asked if Pastor Meyerhoffer had thought about not having some of these meetings?

Pastor Meyerhoffer: These are people seeking healing and hope. Her church is one of the few churches that will welcome such people. Also located down the block from the hospital. The church is the second chance church to help those looking for healing.

Mr. Willis: Agreed that it was a great thing the church was doing, but if there is not enough parking space to do this in this neighborhood might not be the right place for it.

The Chair closed the public hearing.

(Mr. DellaMonica left the meeting at 10:06 pm)

E. PUBLIC HEARING LEFT OPEN – Close by 10/22/2013; expires on 12/26/2013

5. **141-159, 146 MERWIN AVENUE (ZONE R-7.5)** Petition of Daniel Migliore, for Special Permit and Site Plan Review approval to construct six units of affordable housing, in an existing building, under CGS 8-30g on Map 59, Block 739, Parcel 2, of which Milwood Properties, LLC is the owner.

Chairman Bender: Public hearing was left open to get information from the City Attorney who said it should be handled between Staff and the Board. Closed the public hearing. Will discuss at the next meeting.

F. NEW BUSINESS

6. **47 HILLSIDE AVENUE (ZONE R-5)** Petition of J. Brady Garber for Coastal Area Management Site Plan Review approval to construct a Single Family Residence on Map 49, Block 723, Parcel 4, of which J. Brady Garber is the owner.

J. Brady Garber, 47 Hillside Avenue: His house was affected by a few storms shortly after he bought it in 1997. He decided he would demolish the house and replace it after Irene, then Sandy hit and knocked half the house down. It will be replaced in the same location. It was pulled back so as not to be in the VE zone under the new maps. Not seeking any variances. Keeping within the same footprint.

Ms. Harrigan: Property is unique in that it is in two separate flood zones and a portion of the

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property that is not in a flood zone. There was a slight change in the site plan with the rain gardens. There will be two separate structures. Because of the flood zone regulations the two structures have to remain separate. John Gaucher, DEEP approved the construction mitigation measures to be adequate for the site.

Mr. Casey: Made a motion to approve the petition of J. Brady Garber for Coastal Area Management Site Plan Review approval to construct a Single Family Residence on Map 49, Block 723, Parcel 4, of which J. Brady Garber is the owner.

Mr. Gettinger: Second.

All members voted in favor.

7. **142 WEST TOWN STREET/65 SPRING LANE** – Order by Director of Public Works to waive Subdivision Sidewalk Requirements.

Chairman Bender: The subdivision that this matter pertains to was approved some time ago which approval required sidewalks to be constructed on the property. There is an ordinance that says the Director of Public Works has the ability to waive that requirement. When it went before the City Attorney they said yes, that is correct. There is an appeal process that says the Board has the right to contest. That is why it is being discussed tonight.

Mr. Sulkis: A map of the area in question, information and correspondence, including the City ordinance giving the Director of Public Works the ability to waive sidewalks was distributed to the Board. The Public Works Director waived the requirements for 142 West Town Street and the house that is part of that subdivision. The City Engineer would like to put in a sidewalk across the street on Spring Lane. There is an a sidewalk that is in disrepair there. An agreement with the development of the Spring Street site would put in sidewalks across the street to 83 Spring Street, so there would be some linkage of sidewalks on that corner from Tower Street down to Spring Lane.

He reviewed the aerial photo of the property in question which showed sidewalk locations. This street is within the area that the Board has prioritized as a high priority pedestrian transit oriented development area being so close to downtown. In this particular case the Board has the ability to start finishing the sidewalks that are going up this street. Apparently the Director of Public Works has the ability to say no.

In the information that was distributed there was an email from the Assistant City Attorney who spells out some of the criteria that should have been used by the Director of Public Works in making that determination.

This situation has occurred in the past, but not often. The Board could suggest to the Ordinance Committee of the Board of Aldermen that some new language be created to supplement Section 20-23 of the Code Ordinances that would keep the Director of Public Works' power exactly as it is but would remove his ability to waive the conditions of approval of the Planning and Zoning Board. That would simplify the issue so it will not reoccur In the future.

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Chairman Bender: In this case asked if Mr. Sulkis would recommend trading what has been waived and try to convince him to do 83 Spring Street instead?

Mr. Sulkis: There is no issue doing No. 83. The developer said he would do that and the City Engineer totally agrees. It is the Board's decision that if they feel strongly about sidewalks at 142 Town Street, it should make an appeal to the Public Safety Committee of the Board of Aldermen who could overrule the Director of Public Works.

Ms. Cervin: First, she would like to make available to the Director of Public Works a copy of the City's Plan of Conservation and Development. Second, she has never had the experience of knowing that the Public Works Director can overrule and change a site plan set by the Board. Third, the Board table this because there is a lot of information that the Board members need to read through. She has always been in favor of creating sidewalks, even "spot" sidewalks that have no continuity but will eventually be linked.

Chairman Bender: Asked if there was a time factor with regard to this matter.

Mr. Sulkis: Technically the Director of Public Works said you do not need sidewalks, but the Board has the ability to release the bond, so the bond cannot be released until the Board approves it.

Chairman Bender: Discussed how the bond return could be held up because the sidewalks are not installed. Would rather not get to that. Could get more information for the next meeting.

Apparently the Director of Public Works does not have to give a reason why sidewalks do not have to be installed. Chairman Bender will send a communication to the City Attorney's office to request a reason for the denial of sidewalks.

The item will be tabled for discussion at the next meeting.

G. REGULATION CHANGES – Update - Rear Lots

Mr. Sulkis: Stated he spoke with the Assistant City Attorney today and she said she would be getting him some new language.

Chairman Bender: Said he went through some old papers and he found a memo from May of 2011 on rear lots. That is how long the rear lot discussion has been going on. It might even have been before that.

Ms. Cervin: Asked if that was because of the Assistant City Attorney.

Chairman Bender: If you ask the Assistant City Attorney she would say it was the City Planner, and vice versa. It has been since 2011 and it is almost irrelevant at this point.

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H. REGULATION SUBCOMMITTEE – Update of proposed regulations

Chairman Bender: The proposed regulation changes were part of the packet distributed to the Board.

Mr. Sulkis: Based on discussions at the last subcommittee meeting, there are three proposed changes to the regulations. The first is the Special Event/Temporary Tent language; the next is the keeping of domestic poultry regulations (chicken regulations), which would update the regulations that we currently have. The last one is the numeric vehicle fuel filling station price sign regulations.

Chairman Bender: Noted he did not see anything on “reasonable”. There was going to be a definition of “reasonable”. He had given Mr. Sulkis all the information from other towns.

Mr. Sulkis: Stated he did not have that this evening.

Chairman Bender: Asked why.

Mr. Sulkis: Because there was no time to figure out -- based on the subcommittee – we just don’t have it.

Chairman Bender: It was on the list two weeks ago when we agreed to have it tonight and now we don’t have it. So, I don’t understand that. We had all the information from other towns. It was very clear, just come up with a number.

Mr. Sulkis: The Board can pick a number from 5 to infinity. The information given to the Board by the Council of Governments had numbers all over the place, so whatever the Board thinks is in its best judgment can be inserted.

Chairman Bender: It will be four (4) and he wants it by the next meeting.

Mr. Sulkis: That’s easy.

Chairman Bender: Agreed? We will have it in writing. The definition of “reasonable” will be four and it will be provided to the Board at the next meeting. He wants to make sure it is clear. He does not want any questions next time or failure in communication that this is what he wants. People have sat here all night waiting to hear that discussion because we said at the last meeting that it would be discussed and now it will not be discussed. That bothers him.

The Chair apologized to those people in the audience who stayed for that discussion.

The Chair asked the Board for their comments on the other regulations that were submitted. He noted these proposed regulation changes were left over from the last group of low fruit and they should be moved to the full board sooner than later.

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Ms. Cervin: Thought the Board was burned out at this point and perhaps the discussion could wait for the next meeting.

Chairman Bender: Asked the Board to read over the regulations and be prepared for discussion at the next meeting.

I. LIAISON REPORTS

Mr. Mead stated he attended the SCCRPC in the Chair's absence. Orange and Branford are putting on moratoriums for medical marijuana for distribution and growing of it for one year. The proposed Milford regulation amendments were passed by the Regional Council.

He noted that although it does not apply to Milford, the City of New Haven is proposing zone regulation amendments for downtown because they want to build bigger apartment buildings and they want zero parking requirements. They have a lot of people who use foot traffic and mass transit.

J. APPROVAL OF MINUTES – (9/17/2013)

Mr. Nichol: Made a motion to approve the minutes of 9/17/2013

Mr. Casey: Second.

All members voted in favor of approving the Minutes.

K. CHAIR'S REPORT –

It's been a long night with a lot of public hearings. He thanked the Board.

L. STAFF REPORT – None

Mr. Gettinger: Made a motion to adjourn.

Ms. Cervin: Second.

All members voted in favor of adjourning the meeting at 10:36 p.m.

Phyllis Leggett, Board Clerk

**MINUTES FOR FIVE (5) PUBLIC HEARINGS
BY THE PLANNING AND ZONING BOARD
HELD TUESDAY, OCTOBER 15, 2013; AT 7:30 P.M.
AT THE CITY HALL AUDITORIUM, 110 RIVER STREET**