

**MINUTES FOR FOUR (4) PUBLIC HEARINGS OF THE
PLANNING & ZONING BOARD
HELD TUESDAY, OCTOBER 16, 2007; 7:30 P.M.
CITY HALL AUDITORIUM, 110 RIVER STREET, MILFORD**

Chairman John Ludtke called to order the Public Hearings of the Planning and Zoning Board for October 16, 2007 at 7:35 p.m.

A. ROLL CALL

Members Present: Scott Willey, Anthony Giannattasio, Jeanne Cervin, Mark Lofthouse, Kevin Liddy, Jack Jansen, Frank Goodrich, Pat Champney, Nanci Seltzer, Chairman John Ludtke.

Staff: David Sulkis, City Planner; Peter Crabtree, Assistant City Planner; Phyllis Leggett, Board Clerk.

1. **8-24 APPROVAL** – Request of Mayor James L. Richetelli, Jr. for Connecticut General Statutes 8-24 Approval to accept a donation of approximately three (3) acres of open space on Pond Point Avenue, Map 56, Block 529, Parcel 26-3 of which Margaret L. Ignatowski is the owner.

Mr. Sulkis: Mayor is unable to attend tonight's meeting. The Board received the memo and map of the property. Mr. Sulkis gave the background of this donation of property to the City. The Julia York Estate had donated adjacent property to the City last year. It is a section of salt marsh that is wetlands.

Mr. Lofthouse: Made a motion to approve the Mayor's request to accept the donation of three acres of open space.

Ms. Seltzer: Second.

Chairman Ludtke: Explained the Board's role as it relates to 8-24 approval.

There was no further discussion.

All members voted in favor. Motion carried unanimously.

A. PUBLIC HEARINGS

2. **414 ANSANTAWAE ROAD (ZONE R-18)** Petition of Hector and Gloria Malave for a Special Permit in order to construct an accessory apartment on Map 87, Block 709, Parcel 114, of which Hector and Gloria Malave are the owners.

Gloria Malave, 414 Ansantawae Road, Milford. Purchased the property approximately a year ago with the in-law apartment, which apparently was illegal,

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but was not represented that way in the MLS. Would like to make this accessory apartment legal.

Mr. Liddy: Asked who would be living in the apartment and if the applicant knew the rules concerning accessory apartments.

Ms. Malave: Stated her parents would be living in the apartment and she knew the regulations concerning the accessory apartment.

Ms. Cervin to Staff: Asked for comments.

Mr. Crabtree: This was left over from the prior owner. The apartment was oversized and it was recommended that they install a partition and make the rear area for storage only and accessible only from the outside. That way there will not be any issues about using it and it will reduce the size of the apartment to a standard that complies.

Chairman Ludtke: Anyone to speak in favor of the application? (None)
Anyone to speak in opposition? (None)

Declared the public hearing portion closed.

Asked if the Board would like to move on this application.

Mr. Willey: Motion to approve.

Ms. Cervin: Second.

Mr. Jansen: Asked about the partition that Mr. Crabtree mentioned. Stated there was a doorway between the apartment and the storage room.

Mr. Crabtree: The proposal is to close the door off and make it one continuous wall. The only way they would be able to get to that area is through the outside from the deck.

All members voted in favor. Motion carried unanimously.

3. **85-95 BUCKINGHAM AVENUE (ZONE MCDD)** Petition of 31 Developers LLC for a Special Permit, Coastal Area Management Site Plan Review and Site Plan Review in order to construct two three-unit apartment buildings on Map 55, Block 591, Parcel 2, of which 31 Developers LLC is the owner.

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Thomas Lynch, Esq., Lynch, Trembecki and Boynton, 63 Cherry Street, Milford. Representing 31 Developers LLC and Warren Field, Jr. John Wicko, is the Architect; and Ron Wassmer is the engineer from Civil Group.

The plan shows the subdivision of the property located at 136 New Haven Avenue. There will be six multi-family units in two units in the rear of the property as it is currently configured. Currently there is a two-family residence located at 136 New Haven Avenue. Through a "free split" of the portion of the property, another lot will be created. There will be a reconfiguration of the driveway. There will be two aprons and curb cuts coming off New Haven Avenue with two cars on either side of the residence. The fence and garage currently on the property will be demolished. The rear of the property will be developed. There has never been a subdivision of the property. There will now be a lot split. Minimum square footage in the MCDD zone is 2,000 SF. This lot will have 5,000 SF. All other regulations under the MCDD zone pertaining to the lot will be met.

Via the displayed site plan, showed the proposed layout of the property. 136 New Haven Avenue will be 5,000 SF and the rear portion will be 11,900 SF. The way the property is laid out there will be a curb cut onto Buckingham Avenue. The Police Report suggested a stop sign and a stop line be drawn at the exit of the property onto New Haven Avenue. It was also recommended that a one-way traffic sign be placed across the street on the Railroad Avenue side of Buckingham Avenue. Also recommended a sign be posted at the exit saying "No Right Turn". All these recommendations can be adhered to as part of the approval from the Board.

Six units is far below what would be allowed on the 11,900 SF property. Nothing proposed which exceeds the regulations. Parking that is required will be provided. There will be one handicapped spot. Trash enclosure meets the Board's specifications.

Recommendations were made by Mr. Brinton, the City Engineer and were discussed by Mr. Wassmer and Mr. Brinton and corrections were made. Plans do not call for sidewalks to be installed on the Buckingham Avenue side of the property. There are sidewalks on the New Haven Avenue side. There are no other sidewalks along developments adjacent to the property.

Referred to Sect. 7.2.3 as to how this plan conforms to the POCD. Mr. Lynch outlined the ways that this multi-family residential plan meets those goals.

John Wicko, Architect, 50 Broad Street, Milford. Discussed the site plan and how it meets the requirements of the zoning regulations. Described the construction, design and materials for the buildings, the landscape plan, lighting and the other specifications concerning sewer hookup, grading and soil erosion,

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which are in accordance with the regulations for the MCDD zone. Each unit will have parking at ground level with the second and third floor as living space totally 1200 SF per unit.

Mr. Lofthouse: Asked if two colors could be considered rather than using one color for both buildings.

Mr. Wicko: Explained why one color with the architectural design was chosen. The project is small enough to allow this.

Mr. Liddy: Asked if a walkway could be devised so that residents would not have to walk down Buckingham Avenue, but walk on New Haven Avenue, which is a nicer area.

Mr. Goodrich: Commented on the dumpsters and electrical boxes located in the buffer area.

Mr. Wicko: Explained why this location was chosen for these structures.

Mr. Goodrich: Asked if the transformer in the back could be moved.

Ron Wassmer: Answered Mr. Goodrich's question concerning the power placement.

Chairman Ludtke: Asked the audience if they wanted to review the site plans displayed.

Asked if there was anyone to speak in favor of the application? (No response)

Anyone to speak in opposition? (No response)

Declared the public portion of the hearing closed

Ms. Cervin: Complimented Mr. Lynch on the organization of the presentation. Agreed with Mr. Lofthouse about the colors of the building.

Mr. Jansen: Sidewalks were recommended by the Police Department. Stated that he would like to see sidewalks on this project so as to begin the process of installing sidewalks in this area for future projects.

Mr. Wicko: A lot of the existing trees on Buckingham Avenue are on the property line. If the sidewalk is put on the property line, the trees would have to be removed.

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Mr. Jansen: Stated that should not necessarily have to be the case.

Ms. Seltzer: Agreed with Mr. Jansen. The MCDD encourages walking in the downtown area. Sidewalks should be considered, even if it means going around the trees.

4. **44 CEDARHURST LANE (TIFFANY LANE) (ZONE R-18)** Petition of Raymond Paier, PE, Westcott and Mapes, Inc. for approval of a 6-lot subdivision on Map 89, Block 832, Parcel 13, of which Richard J. Rutkowski, Tiffany Lane LLC are the owners.

Brian Lema, Esq., Berchem, Moses, Devlin, 75 Broad Street, Milford, appearing on behalf of the applicant for a 6-lot single family residential subdivision located on approximately 3.5 acres of land on Cedarhurst Lane. The parcel of land is located between the Post Road and Cedar Hill Lane near the Burger King. Project meets or exceeds the requirements for subdivisions in the R-18 zone. Favorable reports from the City agencies. No conditions were noted in the reports. The City Engineer noted there would be two technical waivers required regarding the street alignment of Tiffany Lane as it will intersect with Cedarhurst Lane. Mr. Lema described the two waivers and pointed out the area on the displayed site plan.

Mr. Lema presented agreements for the record from the Hufcuts and the Ellisons for a sight line easement. The formal document will be recorded on the Milford Land Records to perpetuate the easement. The Police Department suggested that a 250' to 300' sight line is adequate. The applicant proposes a 260' sight line and that measurement has been approved by the Police Department.

Raymond Paier, Chief Engineer, Westcott and Mapes, Inc. 142 Temple Street, New Haven, CT. Reviewed the site features. An existing house at 44 Cedarhurst Lane will be demolished to make way for this development. Described the property's boundaries on the 3.5 acres. No wetlands. Favorable reviews by the Tree Commission of the landscaping plan. All setbacks meet the requirements. Road geometry meets all the City standards. Homeowners association will control the snow shelf area, and maintain the drainage system. There will be an on-sight retention system that will also be maintained by the homeowners association at no burden to the City. Underground utilities. Landscaping exceeds all City standards and approved by the Tree Commission. Development is in conformance with the R-18 zone. All lots meet the subdivision requirements.

Ms. Cervin: Not clear about the buffer area in the rear. Asked if that was an open space allotment.

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Mr. Paier: No public open space. There will be a monetary contribution in lieu of open space. There will be a natural buffer area in the rear.

Mr. Goodrich: Lot 1 is right on the line of the conservation easement.

Mr. Paier: The intent is to have a 20-foot buffer between the King's property and the development. The existing trees within that area will be maintained. Additional plantings will be placed in that zone. The proposed house is abutting that open space buffer area. These homes demonstrate feasibility and compliance. The intent is to sell the lot and for each homeowner to provide their own house plans to meet the requirements.

Mr. Lema: In this instance, conservation easement is a generic term utilized in this instance. It is a private agreement between the present landowners stating that no development will take place in this area. It is not required by the regulations.

Mr. Jansen: Is Tiffany Lane a public or private street?

Mr. Lema: It will be a public street that will comply with all the City standards.

Mr. Jansen: Noted the street boundary is right on the property line. Asked if there was an opportunity for the Hufcut property to have the driveway onto that street, rather than have another curb cut out on Cedarhurst Lane.

Mr. Lema: That could be accommodated.

Mr. Lofthouse: Will the homeowners know that they are responsible for the storm drainage issues?

Mr. Lema: A homeowner's association will be filed. Each lot owner will be required to adhere to the regulations of the association. There will be a double layer of protection.

Mr. Goodrich: Asked how the Light the Night program would work in this subdivision.

Mr. Paier: Explained how this would work.

Mr. Lema: Stated there are letters of agreements from the two neighbors who immediately adjoin the property, as well as two letters of support from other people in the neighborhood. These letters were submitted for the record.

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A recess was taken at 8:42 p.m. for members of the audience to look at the displayed plans.

The meeting reconvened at 8:52 p.m.

Chairman Ludtke: Anyone to speak in favor of the application?

John Emmolo, 160 Ardmore Road. Approves this project.

Chairman Ludtke: Anyone to speak in opposition of the application?

David Tomasco, 118 Cedarhurst Lane. First time he has seen the plans. The applicants never contacted the existing neighborhood association to show them the plans. Right now it is just a plan. Does not like the establishment of an association. Property is on solid ledge. Trees won't get planted because the trees would be on solid rock. Overdevelopment of this property. Six houses are too many. Right next to the old Lechmere property. Property needs a buffer. The home that is being torn down is the first home that was ever built on Cedarhurst Lane. Cedarhurst Lane is heavily trafficked, especially at holiday time. Would like the number of proposed homes reduced.

Mr. Liddy: Stated there are photos showing trees all over the property. How could that be if it was stated that the property is all ledge.

Mr. Tomasco. Those trees have been established for many years. If one were to dig a hole to plant a tree, they could not shovel the area. It is all ledge.

Greg D'Andrea, 76 Cedarhurst Lane. Lives next to the Ellison house, which is at the stop sign on Cedarhurst across from Cedar Hill Road. Does not want a city street, which will be wider than Cedarhurst Lane. There are two blind areas. (Noted areas on the displayed site plan) There will be traffic congestion, blasting and development of the area. Overdevelopment of an older area. Too bad taking down an older house.

Irving Kinkle, 20 Cedar Hill Road. Concerned about the traffic impact on the neighborhood. Current situation is overburdened. Congestion between the streets from Cedar Hill to the proposed street and the obstructed view going to the Post Road.

Lily Flannigan, 44 Prospect Street. See if the house that was built in 1938 is on the National Registry.

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Rebuttal:

Mr. Lema: The use that is proposed is allowed in the R-18 zone. The development of this property preserves the integrity of the area for single-family use. The traffic that exists now has no bearing on the proposed development. The Police Department and engineers determined that the sight line is within the regulations.

Mr. Goodrich: Explained that the storm water system is completely underground. It is to retain extra storm water underground. It is not a retention pond.

Mr. Willey: Asked about the ledge situation and would the area have to be blasted. Also asked about tree growth in the area.

Mr. Paier: Stated tests were done and there was nothing in the area of the retention pond. However, there were ledge outcroppings as you walk further into the property. All the homes are elevated above the road, making use of the natural topography. Mr. Wing, the landscape architect, has made sure there is adequate room for root ball growth. A boulevard type of treescaping along Tiffany Lane is is totally feasible.

Chairman Ludtke: People who had previously spoken may further rebut, but only on matters that were previously raised.

David Tomasco: If the homes will be elevated, materials will have to be brought in to raise the area. Does not believe the project will be done properly.

The public portion of the hearing was closed.

Ms. Cervin to Staff: Any concerns on this project?

Mr. Sulkis: The proposed easement to the agreement for the sight lines was received this week. It has to go to the City Attorney for review and approval.

Ms. Cervin: Asked if Steve Wing could have further input as to whether trees could be planted in this area.

Mr. Sulkis: Steve Wing is the project landscaper and the Tree Commission report was done by the tree warden and he had no comments. The hearing has been closed. No further information can be obtained.

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5. **436, 446, 450 NAUGATUCK AVENUE (BEARDS PARK) (ZONE CDD-2)**
Petition of Kevin J. Curseaden, Esq. for approval of a 5-lot subdivision on Map 19, Block 12, Parcels 5, 6 and 7, of which LAG Realty, LLC is the owner.

Ms. Seltzer: Stated that Devon Days has received a donation from Gary Montano, but this would not affect her judgment in this matter.

Leo Carroll, Esq., 26 Cherry Street, Milford. Representing LAGG LLC, which is owned by Gary Montano and Louis D'Amato, Jr. Want to make a subdivision into a resubdivision of five lots. Currently four lots predate the adoption of zoning in Milford. The present site consists of Stop Light Deli. There is a residence next to it and on the corner there is a garage-type structure, which has been used for many businesses throughout the years. Gave the location of the property within the neighborhood. The four lots were there prior to the existence of subdivision regulations. Many permitted uses allowed in the CDD-2 zone. Plan is that one of the lots would have an entrance on Baldwin Street. The property presently has three curb cuts on Baldwin Street and three curb cuts on Naugatuck Avenue, which, under the proposed project would be reduced to one curb cut on Naugatuck and one curb cut on Baldwin Avenue. There will be a restriction on the land records that will require the owners of the two corner lots to exit and enter their lots from that one common driveway on Naugatuck Avenue, which will greatly reduce the traffic impact.

Proposed are five two-family houses. Approved by the City departments. Comments by the Fire Department and Engineering Departments will be addressed. All lots are conforming.

Unique form of Open Space contribution, a piece of property off Bray Avenue. It is approximately five blocks from the property in question. The property is all wetlands. The Milford Land Trust has approved this property as open space.

Mr. Carroll submitted a letter for the record that was sent to the Milford Land Trust asking them to accept this parcel as open space, and their acceptance thereof.

Provided a conceptual site plan to show what the area would look like, with the driveways. The project is less than what could be put on this property.

Joe Codespoti, the project engineer and John Wicko, architect of the project, were present to answer questions if necessary.

Ms. Seltzer to Mr. Sulkis: Please read responses from the City agencies.

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Mr. Sulkis: Noted the City departments that approved the project and read the responses of City departments where comments and/or recommendations were noted.

Mr. Ludtke: Reminded the Board members that Staff can give the members information at any time during the process, especially during deliberations. Asked for definitive questions to get the Board the information they need.

Mr. Carroll: Mr. Wicko had a meeting with the fire marshal after he wrote his response. A copy of Fire Marshal Cooke's second letter was circulated and stamped into the record.

Mr. Wicko: Explained what could be done to comply with the request of the fire marshal and what could not be done. A fire rated wall assembly will be considered.

Ms. Seltzer: Discussed that an extensive study had been done by Milone and McBroom, which was funded by the Devon Revitalization Committee to discuss the flooding issues on Naugatuck Avenue. This complex appears to be in the middle of this flooding issue, but it was not shown in the study. She suggested the applicants integrate their proposed plan with the study. There is over \$3 million worth of flood control work that has to be done in the area.

Mr. Carroll: Stated he did not think this project is in the flood area Ms. Seltzer was referring to. Thinks it is near St. Ann's. Does not recall this particular area flooding. Will look into it.

Ms. Seltzer: That piece of property was shown in the Milone and McBroom study. Suggested Mr. Carroll review the study so that the Board can see how this will affect Naugatuck Avenue and the surrounding area.

Mr. Carroll: Asked if the hearing could remain open to respond to this matter.

Joseph Codespoti, 504 Boston Post Road, Orange, CT. According to all the documentation they have on this property, it is a good distance from the flooding area that takes place at St. Ann's. No comments to this effect were made by the City Engineer.

Mr. Carroll: Read from the City Engineer's response dated September 10th, stating the drainage calculations for the project, which were acceptable.

Mr. Sulkis: Reminded the Board the applicant is applying for a re-division of the land and to move property lines around. That is the only issue before the Board at this time.

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Ms. Cervin: Open space allotment. The Board has the option to receive open space or monetary funds. Asked Mr. Sulkis for his input as to receiving open space that is off the property, and if the Milford Land Trust is the appropriate group to be dealing with regarding this. Asked for clarification and to leave this matter open for further discussion.

Mr. Sulkis: It is the Board's choice as to whether they want open space or funding. Open space off site is not common, but the Board can accept it.

Ms. Cervin: Asked if there is another city agency that might better handle the open space, i.e. Open Space Committee v. Land Trust.

Mr. Sulkis: That can be explored.

Mr. Ludtke: The Board has not heard from the public. Ask informational questions of the applicant.

Mr. Carroll: Responded to Ms. Cervin's comments on the open space and the Land Trust's response to the proposal. Stated they were amenable to other alternatives for open space if it was the Board's request.

Presented a corrected letter of ownership of the property and a letter from Louis D'Amato, Sr., who owns the parcel of property proposed as open space. (Letters were date stamped into the record.)

Mr. Jansen: Stated this resubdivision was for five two-family houses. Now stating it was only for the resubdivision of the land.

Mr. Carroll: Stated the renderings were conceptual. Just proposing this as a subdivision, which meets all the requirements.

Mr. Jansen: The proposed elevations and building layouts presented do not come close to meeting the separation for multiple buildings on a lot.

Mr. Carroll: The renderings are conceptual and non-binding. However, everything depicted complies with the subdivision regulations.

Mr. Jansen to Mr. Sulkis: Are they automatically allowed to take existing lots in a subdivision and re-conform them to a different number of lots?

Mr. Sulkis: They could get lot line adjustments.

Mr. Lofthouse to Staff: Does this zone require a business component?

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Mr. Sulkis: Not for one or two-family houses in this district.

Mr. Lofthouse: Has there been any attempt to help move the Stop Light Deli?

Mr. Carroll: Believes that business will be closing in the near future.

He further explained that the applicants have a lot of latitude as to what can be constructed and the number of units allowable in this district. They will attempt to construct something very decent for the area.

Chairman Ludtke: Asked if the audience wanted to review the displayed plans.

A recess was taken at 9:53 p.m.

The public hearing reconvened at 9:59 p.m.

Chairman Ludtke: Anyone to speak in favor of the application? (No response)

Anyone to speak in opposition to the application?

Charlie Bell, 12 Baldwin Street, Milford. Lives next door to the property they are proposing for the subdivision. That area needs improvement. There is a sewer grate that floods at Stop Light deli. Believes that they will have to take approximately 7" of his property for the subdivision. The number of units they are proposing would not be cohesive with the neighborhood. This is a plan for a cul-de-sac. Would not be part of the existing community. Too dense a project for the small area involved.

Michelle Greenwood, Matthews Street, Milford. Presently all one family ranches. Two family homes would look down into the one family yards. Not in keeping with the neighborhood. Sidewalks in the area are intermittent. They stop and start in the area.

Chairman Ludtke: Explained the requirement of an open space contribution as it relates to subdivisions.

David Greenwood, Matthews Street. Milford. The end of the street is an eyesore. Proposal is too dense.

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Applicant Rebuttal:

Mr. Carroll: Stated the opposition does not like the zone. The zone has at least eleven permitted uses. Stated putting residences in the area, not a mixed use building, is unique. People are opposed to change, which is understandable. Not taking anyone's property and not in a flood zone.

Rebuttal by Opposition:

Charlie Bell: Pointed out on the display where his property line was and how it would be affected. Not opposed to change but believes this is the wrong change.

Michelle Greenwood: Change is good but it has to serve the good of the people living in the area.

Chairman Ludtke: Declared the public portion of the hearing closed.

Ms. Seltzer: Asked if the hearing could be kept open with regard to the flood issue as it relates to the Milone & McBroom study.

Mr. Sulkis: Ms. Seltzer is asking for something that is not required under the subdivision regulations.

Chairman Ludtke to Ms. Seltzer: Asked what particular piece of information is being requested.

Ms. Seltzer: Since the plot of land is part of the solution, have a discussion to see if this property is affected by the study.

Mr. Sulkis: The City Engineer has reviewed this. The dialog can take place but the item is not directly related to the Subdivision Regulations or the application, which is strictly for the subdivision of land.

Chairman Ludtke: Flooding is not part of the subdivision. Has a problem keeping the public hearing open for items not directly related to what the Board has to do.

Mr. Goodrich: Milone and McBroom is an advisory group not related to the City. They are not relevant to this matter.

Ms. Seltzer: Asked for dialog between the applicants and Milone and McBroom concerning their study of the flooding in the area.

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Chairman Ludtke: They need to come back to the Board when they apply for a site plan review. At that time the flooding issue may come into place.

Ms. Seltzer: Withdrew her request.

Chairman Ludtke: The public hearing is closed.

B. NEW BUSINESS

6. 9-11 FLORENCE AVENUE (337 BRIDGEPORT) (ZONE CDD-2)

Petition of Carl Massaro, Jr., Esq. for approval of a Site Plan Review (with Free-Split), on Map 24, Block 203A, Parcel 37, of which 337 Bridgeport Avenue LLC is the owner.

Carl Massaro, Jr., Esq. 1261 Post Road, Fairfield, CT. Representing 337 Bridgeport Avenue LLC and John Miranda, the property owner.

Mr. Goodrich: Asked for an explanation of the information that had just been passed out to the Board.

Mr. Massaro: A letter had been sent to Mr. Sulkis concerning the fact that this is a lot split presented with the site plan. The letter is a result of reviewing the land records and that there is no subdivision requirement here. The land has existed since 1913, the original date of the area subdivision which predates the 1926 institution of zoning regulations in the City.

The reason for this application is that the preexisting site plan approval included a photography business use, which has ceased. It is now required to come before the Board to approve the proposed uses. The site plan shows the original parcel with the two existing properties. No changes are proposed for the buildings. Asking for Board approval of the site plan for a two-family use on each of what would become Lots A and B. Lot A will be known as 337 Bridgeport Avenue and Lot B would be known as 9-11 Florence Avenue. The only reason this is before the board is for the change of use. The regulations for the CDD-2 zone allows for residential uses for which there is the site plan. It is presented in the form of a lot split because the CDD-2 regulations do not allow two two-family houses on one lot. Codespoti and Associates have drawn the map, which is in complete compliance with all the zoning regulations with regard to lot size and set backs. No waivers are requested. The application is for the approval of two family uses on each of the two lots.

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Mr. Crabtree: Explained that the rear building at 337 Bridgeport Avenue started out as an accessory building that changed into a one family and then a two family, for which zoning repeatedly sent violations for no permits taken out. By dividing the property, the issues involved can be corrected. There are no changes proposed to the buildings. Cross easements will be required.

Mr. Massaro: The two-family use with no commercial use will minimize any traffic flow. No concerns from any City departments, except the Tree Commission, and its recommendations will be adhered to by the applicant as a condition of approval.

Ms. Seltzer: Asked for clarification on the address of the property and questioned the driveways.

Mr. Massaro: There will be no change in the driveways except for the addition of a third parking spot, which will require some paving. Access to the property has always been on Florence Avenue.

Mr. Lofthouse to Staff: Asked if the garage has been existing and is it being used by the house.

Mr. Crabtree: Yes, that is the need for the cross easements. He clarified why the lot split was necessary in this zone in order to create the two separate lots.

Mr. Sulkis: There is enough land to divide up to create two conforming lots.

Chairman Ludtke: There is a request to add another item to the agenda.

Mr. Liddy: Made a motion to add an item of new business to the agenda.

Mr. Goodrich: Second.

All members voted in favor. The motion to add the item to the agenda passed unanimously.

7. **475 BOSTON POST ROAD (ZONE CDD-1)** Petition of Colonial Toyota for a Minor Amendment to a Special Permit and Site Plan Review to construct temporary office/sales trailers on Map 64, Block 310, Parcel 19, of which Sante and Rosemary Faustini are the owners.

Brian Lema, Esq., Renovation of Colonial Toyota at 470 BPR had been previously approved. The sales operation will close during the renovation. Asking for permission to set up temporary office space located at 475 Boston Post Road known as the Scion dealership. Three trailers, a double trailer that

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will be used for office, sales and bathroom. Will be used approximately 7-10 months. Restroom trailer is a single trailer and will be handicapped accessible. It will be connected temporarily to the city sewers. The three-trailers will be placed on an existing pad. No increase in impervious surfaces. All the trailers meet the setback requirements for the site. There will be a loss of some parking spaces, but the parking will still be within the regulations. City departments' responses have been received.

Tim Onderko, Langan Engineering, Long Wharf Drive, New Haven, CT explained the displayed site plan.

Chairman Ludtke: Spoke to Mr. Sulkis who felt that this could have been handled administratively, but brought it before the Board.

Ms. Cervin: Asked for clarification on the time frame for the trailers.

Jeff Carrington, Gen Mgr. Colonial Toyota, Milford. Stated the estimated time as being 7 months, but gave a range to 12 months to cover any extenuating circumstances that might occur.

Ms. Cervin: Made a motion to accept the temporary modification for a duration of up to 12 months.

Ms. Seltzer: Second

All members voted in favor.

D. TABLED BUSINESS

7. **214 BROADWAY (ZONE R-5)** Petition of Mark Pucci for a Coastal Area Management Site Plan Review and Site Plan Review to construct a single family residence on Map 13, Block 132, Parcel 5, of which Mark Pucci is the owner.

Chairman Ludtke: Item will remain tabled pending information to be received.

E. LIAISON REPORTS - None

F. PLANNING COMMITTEE REPORT

Ms. Seltzer: Meeting on Tuesday, September 23rd at 7:00 p.m.

G. APPROVAL OF MINUTES – 10/2/07

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Mr. Lofthouse: Made a motion to approve the minutes as submitted.

Mr. Goodrich: Second.

Minutes approved as recorded.

H. CHAIRMAN'S REPORTS – None.

I. STAFF REPORT

Linda is home and is feeling better.

Mr. Goodrich: Motion to adjourn:

Mr. Lofthouse: Second.

All members voted in favor. Meeting adjourned at 10:46 p.m.

Phyllis Leggett, Board Clerk