

**PLANNING AND ZONING BOARD MINUTES FOR MEETING HELD TUESDAY, 7 FEBRUARY 2023, 7:00 PM**

The meeting of the Planning and Zoning Board came to order at 7:00p.m.

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

**B. ROLL CALL**

**Members Present:** N. Austin, J. Castignoli, E. Hirsch, J. Kader, B. Kaligian, C.S. Moore, J. Mortimer, R. Satti

**Not Present:** J. Quish, M. Zahariades

**Staff:** D. Sulkis, City Planner; M. Greene, Rec. Sec'y

**Vice Chairman Satti** announced that he would chair the meeting as Chairman Quish could not attend.

**C. NEW BUSINESS**

**VOTE BY APRIL 13, 2023**

- 1) **534 Oronoque Road** (Zone LI) Petition of Andrew and Maria Macri for a Site Plan Review to construct a caretaker's house at Map 84, Block 928, Parcel 17, of which Maria Macri is the owner.

**Ron Wassmer, PE, LS**, 158 Research Drive, addressed the board. He described the size and location of the parcel, noting that the request is a permitted use. He said the Health Department (due to septic) and City Engineer's office had also reviewed the plans. He said the Macris run a CSA (Community Supported Agriculture) farm and wish to build a caretaker's house on the property. When questioned as to whether the use was considered an Accessory Dwelling Unit, as defined in a recent regulation revision, **Mr. Sulkis** explained the accessory dwelling use for a caretaker or watchman under the Limited Industrial (LI) section of the regulations.

**Vice Chairman Satti** closed the hearing and asked for a motion.

**Ms. Austin moved to approve as presented** the Petition of Andrew and Maria Macri for a Site Plan approval to construct a caretaker's house at Map 84, Block 928, Parcel 17, of which Maria Macri is the owner.

**Second: Mr. Castignoli** seconded.

**Discussion:** None.

**Vote:** Motion carried unanimously.

- 2) **Extension of Moratorium 22-7** Petition of the Planning and Zoning Board for an extension of the existing moratorium while a new proposed Section 6.4.2 regulation for Non-Conforming Lots is drafted.

**Mr. Sulkis** reviewed the background of the need for a regulation change to manage lot certifications and reminded the board that the current moratorium expires at the end of February. He said the Regulations Subcommittee is close to finalizing a draft regulation but needs a little more time. He said the chair wished to extend the item until August. **Mr. Hirsch** confirmed with Mr. Sulkis that the next Regulations Subcommittee meeting is Wednesday, 2/15.

**Ms. Austin moved to approve** the Petition of the Planning and Zoning Board for an extension of the existing moratorium to August 15, 2023, while a new proposed Section 6.4.2 regulation for Non-Conforming Lots is drafted.

**Second: Mr. Mortimer** seconded.

**Discussion:** None.

**Vote: WITH THE MOTION: N. Austin, J. Castignoli, J. Kader, B. Kaligian, C.S. Moore, J. Mortimer**

**AGAINST THE MOTION: E. Hirsch**

**ABSENTION: R. Satti**

**D. PUBLIC HEARINGS**

**CLOSE BY JANUARY 11, 2023; VOTE BY MARCH 17, 2023**

- 1) **21 Ford Street** (Zone R-12.5) Petition of Kevin Curseaden, Esq. for a Zone Change to Map 64, Block 308, Parcel 04, of which Gold Coast Freehold, LLC is the owner.

**Attorney Curseaden**, 3 Lafayette Street, addressed the board. He reminded the board of the original request to proceed for a zone change application without a site plan being required, which the board approved. At that hearing, the chair asked for a conceptual plan, which Attorney Curseaden provided along with a new highlighted version. He verified that all legally required notices were made, the signage posted, and abutters notified. He said a house formerly occupied the lot and reviewed the acquisition of this lot

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and the surrounding properties, noting that those abutting properties were zoned CDD-1 rather than residentially zoned. He said the proposal is in accordance with the Plan of Conservation and Development (POCD) and Zoning Regulations because it is the only residential lot in an otherwise mixed-use zone.

### DISCUSSION

**Mr. Satti** confirmed with Attorney Curseaden that the change was necessary to make the adjacent lots profitable and that the ownership was the same for these parcels. **Mr. Hirsch** confirmed that no other abutting properties were intended for conversion to the CDD-1 zone as the abutters are already zoned CDD-1. **Attorney Curseaden** stated that the properties on the southern side of Ford Street are zoned R-12.5 and will stay that way. He shared a map showing the radius of abutters and underscored that the map did not describe the zone change. **Mr. Mortimer** confirmed that the proposed plan is for a building associated with Colonial Toyota. **Mr. Castignoli** confirmed that the lot's current use is vehicle storage for the dealership.

**Mr. Sulkis** read his administrative summary, which was consistent with the presentation.

**Vice Chair Satti** asked for public comment.

### OPPOSED

**Prashant Chandra**, 32 Ford Street, expressed concern that commercial traffic would use Ford, Peck and Gunn Streets. He reviewed promises that were previously made but not honored in an earlier purchase. He said 8 years had passed without fencing and sidewalks. He urged rejection of the proposal.

**Richard Platt**, 132 Platt Lane, Botsford Family Historical Association, which owns the property at 84 Gunn Street where it intersects with Ford. He was assured that the only parcel at 21 Ford would be affected by the change.

**Mary Edo**, 57 Gunn Street, was also concerned by the amount of development at the top of Gunn and Peck Streets and how it was affecting the historical parcel there. She said that commercial property was encroaching toward residential properties, eroding the character of the neighborhood.

### REBUTTAL

**Justin Raffone**, spoke on behalf of Robert Crabtree, 470 Boston Post Road, saying he had heard the concerns expressed by the neighbors and that the goal is to separate commercial activity from residential areas. He said that the unfulfilled commitments from the original acquisition were based on a change in strategy due to a subsequent acquisition. He said a hedge, berm, trees, and a taller fence would be installed, that the dealership intends to improve the curb appeal of the area, and that the only entries and exits to the site would be on Route One. **Mr. Hirsch** asked for detail and was told that the existing curb cuts would be reduced, trees planted, and sidewalks paved and that 435 and 439 Boston Post Road would be the areas for entering and exiting the site. He said that trees would be planted to reduce residential views of Rt 1 and no commercial access would be used from the back of the site. **Mr. Satti** confirmed that the notification radius map was not part of the planned development.

**Attorney Curseaden** reiterated that only 21 Ford Street is affected by the proposal and confirmed for Mr. Hirsch that the owners of 435 or 439 Boston Post Road also own 21 Ford Street—that they own all the parcels on that side of the street from Gunn Street to 31 Ford Street. **Mr. Mortimer** asked about feedback from mailings and said all the feedback he was aware of were in the form of the comments tonight. He said the reason activity required by the previous approval was not completed was due to a change in business ownership in 2014. He reiterated statements made by Mr. Raffone and clarified that the zone change enables a bigger building for the site but doesn't completely preclude a building. **Mr. Satti** assured people in the audience that board members were consulting devices to verify the location of trees currently on the site.

**ADDITIONAL COMMENT:** **Mr. Chandra** said another option would be to add a residential strip of zoning to the site.

### BOARD DISCUSSION

**Mr. Kader** asked if any other reason the parcel wasn't changed; **Mr. Sulkis** advised that it was merely because the previous owner wasn't interested in doing so.

Hearing no further comment, **Vice Chair Satti** closed the hearing and asked for a motion.

**Mr. Kaligian moved to approve** the petition of Kevin Curseaden, Esq. for a Zone Change from R-12.5 to CDD-1 to Map 64, Block 308, Parcel 04, of which Gold Coast Freehold, LLC is the owner, Effective date: 3/3/23.

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**Second:** Mr. Castignoli seconded.

**Discussion:** Mr. Mortimer asked if the board could approve a setback. Mr. Sulkis said that when the Special Permit application is submitted, it would most likely be zoning compliant, but that the board could change a zone at any time and if, for example in the future, a zone line could be moved across the property, it can be changed at that time. Mr. Moore was assured by Mr. Sulkis that the comments of the public had been noted for when application is made. Mr. Hirsch reminded all that the vote before them is for a zone change only.

**Vote:** Motion carried unanimously.

E. **OLD BUSINESS**—None.

F. **LIAISON REPORTS**—None.

G. **SUBCOMMITTEE REPORTS**—The Regulation Subcommittee is set to meet next Wednesday, 2/15, and the POCD Subcommittee met on 2/1. Mr. Sulkis noted that the POCD consultant will have a draft in early March.

H. **APPROVAL OF MINUTES**—1/17/2023 minutes were approved unanimously.

I. **CHAIR'S REPORT** – Vice Chair Satti noted that he had signed a lot adjustment for 3 Ridgewood Drive on behalf of the absent Chairman Quish.

J. **STAFF REPORT** – Mr. Sulkis reminded the group that March Land Use training is coming soon.

K. **ADJOURNMENT** was at 7:51.

Attest: M.E. Greene

New Business, not on the Agenda, may be brought up by a 2/3's vote of those Members present and voting.

ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE DIRECTOR OF COMMUNITY DEVELOPMENT, (203) 783-3230, FIVE DAYS PRIOR TO THE MEETING, IF POSSIBLE.