

ADMINISTRATIVE SUMMARY FORM

DATE OF SUMMARY: 04/12/2022 (REV 4/18/22)

HEARING DATE: 04/15/2022

APPLICATION REQUEST: Proposed Cluster Development

ZONE: R-18

ADDRESS:

535-543 Plains Road

APPLICANT:

Nicholas Marlow &

Daniel Thornberg

REPRESENTATIVE:

Kevin Curseaden, Esq.

REVIEWS

DEPARTMENTS

APPROVED

DENIED

NEUTRAL

CONDITIONS

Engineering

Pending

Conservation

Pending

Fire Marshall

3/16/22

Health

N/A

Inland Wetlands

3/22/22

Police

3/1/22

Public Works

pending

Sewer Commission

3/31/22

Tree Commission

pending

DEEP

N/A

Building

N/A

Community Dev.

N/A

STAFF REVIEW/COMMENTS

The development consists of 6 development lots and 1 lot that is set aside for open space that is proposed to be "clustered" from an R-18 to an R-10 standard as shown in figure 7 under 5.9.4.4. The proposed road will be private and will not be provided City services.

The applicant's representative Jeff Gordon has stated, in a letter dated 2/10/2022 to City Planner David Sulkis, that a Homeowner's Association shall be responsible for the open space parcel, in accordance with Section 5.9.4.7 (2).

All utilities serving the new and existing dwellings will be located underground. No sidewalks are being proposed for the development, but the Board may make that a condition of approval in keeping with the City policy of providing new sidewalks where there is new construction.

The applicant has not provided legal documentation to the City Attorney in accordance with Section 5.9.3.1 (2) as part of the application per Section 5.9.3.1. The applicant requests that they be allowed to create and submit this documentation as a condition of approval.

The applicant needs to provide a written statement in accordance with Section 5.9.3.1 (1). The J. Gordon letter of 2/10/22 was in response to the staff review of the plans but may not be adequate to serve as the statement per Section 5.9.3.1 (1).

As of this writing, the City Engineer has not provided his report. The submission would appear to be substantially zoning compliant when all the required submissions in accordance with section 5.9 are complete.

Reviewer: David B. Sulkis, A.I.C.P.



City of Milford, Connecticut

Founded 1639
70 West River Street – Milford, CT 06460-3317
Tel 203-783-3245

Planning and Zoning
Office

Website: www.ci.milford.ct.us
Email: dsulkis@milfordct.gov

David B. Sulkis, A.I.C.P.
City Planner

PLANNING & ZONING BOARD REVIEW TRANSMITTAL

RE: 535-543 Plains Road

DATE: 2/23/2022

TO:

<input type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Engineer
<input type="checkbox"/> Mayor's Office	<input checked="" type="checkbox"/> Fire Marshal
<input checked="" type="checkbox"/> Conservation Commission	<input checked="" type="checkbox"/> Inland Wetlands Commission
<input type="checkbox"/> Health Administrator	<input type="checkbox"/> Open Space Agent
<input checked="" type="checkbox"/> Police Department	<input checked="" type="checkbox"/> Public Works Director
<input checked="" type="checkbox"/> Sewer Commission	<input type="checkbox"/> South Central Regional
<input type="checkbox"/> DEEP – CAM Report	<input checked="" type="checkbox"/> Tree Commission (203-878-4895)
Mail to: John Gaucher, DEEP	<input type="checkbox"/> Resource Report
79 Elm Street	<input type="checkbox"/> Community Development
Hartford, CT 06106	<input type="checkbox"/> Building Department
<input type="checkbox"/> DEEP Permitting	<input checked="" type="checkbox"/> Planning & Zoning Office (3 Sets)
Mail to: Sue Jacobson, DEEP	

SUBJECT: Proposed Cluster Development

ADDRESS OF PROPERTY: 535-543 Plains Road

MAP: 62 **BLOCK:** 928 **PARCEL:** 8 **ZONE:** R-18

APPLICANT/AGENT: Kevin Curseaden, Esq.

PHONE: 203-874-9500 **EMAIL:** kjcurseaden@cmctlaw.com

PROPERTY OWNER: Nicholas Marlow & Daniel Thornberg

PLAN TITLE: Proposed Site Development Plans Highland Estates #535-543 Plains Road

PREPARED BY: Codespoti & Associates, P.C.

DATE OF PLANS: 9/29/21; revised 1/27/22

DATE RECEIVED BY PLANNING & ZONING: 2/1/2022

PLANNING & ZONING CONTACT: David B. Sulkis

These plans/documents have been received and are transmitted to your office for review prior to the submission of a Cluster Development to the Planning & Zoning Board

ALL COMMUNICATIONS REGARDING THE REVIEW SHALL BE DIRECTED TO THE APPLICANT/AGENT WITH A COPY TO THE PLANNING & ZONING OFFICE

10 Sets of plans will be required for the Planning & Zoning Board Distribution.

*These commission reviews must be returned within 10 working days.

CAM REQUIRED

YES: NO:

MILFORD PLANNING & ZONING BOARD
APPLICATION FOR SUBDIVISION OF LAND

NAME OF SUBDIVISION: Highland Estates Cluster Development NUMBER OF LOTS: 6

I (WE): Nicholas Marlow and Daniel Thornberg

HEREBY MAKE AN APPLICATION FOR APPROVAL TO:

SUBDIVIDE: RESUBDIVIDE: MODIFY AN EXISTING SUBDIVISION:
Cluster Subdivision pursuant to MZR Sec. 5.9

ON THE FOLLOWING PROPERTY:

ADDRESS OF PROPERTY: 535-543 Plains Road SEWER: SEPTIC:

ASSESSORS MAP: 62 BLOCK: 928 PARCEL: 8 ZONE: R-18 ACRES: 3.10 +/-

LEGAL DESCRIPTION ATTACHED YES: NO:

APPLICANT'S NAME: Nicholas Marlow and Daniel Thornberg

PHONE NUMBER: 203.874.9500 Ext. 443 EMAIL ADDRESS: kjcurseaden@cmctlaw.com

APPLICANT'S MAILING ADDRESS: c/o Atty Curseaden, PO Box 31, 3 Lafayette St., Milford 06460

APPLICANT OR DULY AUTHORIZED AGENT SIGNATURE WITH TITLE:

Kevin J. Curseaden, Esq. 

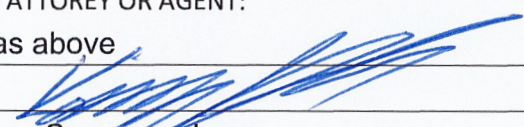
(I HEREBY CERTIFY THAT I AM THE DULY AUTHORIZED AGENT AND AM MAKING THIS APPLICATION ON BEHALF OF AND WITH THE FULL AUTHORITY OF THE OWNER OF THE PROPERTY)

PROPERTY OWNER'S NAME: Nicholas Marlow and Daniel Thornberg PHONE NUMBER: 203.874.9500 Ext. 443

PROPERTY OWNER'S MAILING ADDRESS: Same as above

IF APPEARING BY ATTORNEY OR AGENT:

NAME: Same as above

SIGNATURE:  PHONE NUMBER: 203.874.9500 Ext. 443

MAILING ADDRESS: Same as above

HAS ANY PREVIOUS APPLICATION FOR A SUBDIVISION OF THIS LONG BEEN FILED?

YES: NO:

IF YES, GIVE DECISION: APPROVED: DENIED: DATE: _____

For Office Use Only

NOTE: COPIES OF THIS APPLICATION WILL NOT BE ACCEPTED

FEE - SEE SCHEDULE OF ZONING FEES

WETLAND AREA YES: NO:

FLOOD HAZARD AREA YES: NO:

RECEIVED OF: _____ DATE: _____

RECEIVED BY: _____ AMOUNT: _____ RECEIPT NUMBER: _____

DATE APPLICATION FILED: _____ DATE APPLICATION CERTIFIED: _____

PLANNING & ZONING BOARD ACTION: DATE: _____ APPROVED: DENIED:

P-Z FILE #: _____

A CONFERENCE WITH THE CITY PLANNER IS REQUIRED PRIOR TO THE FILING OF AN APPLICATION FOR A SUBDIVISION OR RESUBDIVISION. AT WHICH TIME THE APPLICANT SHALL SUBMIT PLANS IN ACCORDANCE WITH SECTION 4.1 OF THE SUBDIVISION REGULATIONS FOR REVIEW PRIOR TO FORMAL APPLICATION BEING MADE. IF THE PLANS ARE FOUND TO CONFORM WITH THE ABOVE QUOTED SECTION, A TRANSMITTAL SHEET WILL BE PREPARED BY THE PLANNING & ZONING DEPARTMENT TO ALLOW SUBMISSION BY THE APPLICANT TO EACH CITY DEPARTMENT WHOSE APPROVAL IS REQUIRED. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL APPLICABLE CITY DEPARTMENT APPROVALS AND FORWARDING ALL REPORTS WITH PROJECT PLANS, A PROPERLY COMPLETED APPLICATION AND FILING FEE TO THE PLANNING & ZONING OFFICE FOR CERTIFICATION.

NOTE: A RESUBDIVISION REQUIRES A PUBLIC HEARING

MAPS WHICH ARE REQUIRED TO BE SUBMITTED FOLLOWING APPROVAL

TWO (2) MYLAR TRACING OF THE RECORD MAP

ONE (1) MYLAR OF THE RECORD MAP AT A SCALE OF ONE INCH EQUALS ONE HUNDRED FEET

ONE (1) MYLAR TRACING OF THE CONSTRUCTION PLANS

ONE (1) MYLAR TRACING OF THE PLAN PROFILES

SCHEDULE "A"

Received by Planning Office
Milford DPLU
2/24/2022

All that certain piece or parcel of land with all improvements thereon situated in the City of Milford, County of New Haven and State of Connecticut, being known and designated as Parcel A, as shown and delineated on a certain map entitled "Division Of Land Of The Estate Of Mary E. McAndrew Located At 543 Plains Road, Milford, Connecticut", Scale 1" = 40' dated 2/24/00, Revision 4-10-200 & 8-18-2000 and prepared by Codespoti & Associates, P.C., Site Planning Landscape Architecture, Engineering, Surveying" on file in the Milford Town Clerk's Office by the Map No. AB 2601.

Received for Record at Milford, CT
On 01/26/2021 At 2:08:14 pm

Karen Fortunati



City of Milford, Connecticut

Founded 1639
70 West River Street – Milford, CT 06460-3317
Tel 203-783-3245

Planning and Zoning
Office

Website: www.ci.milford.ct.us
Email: dsulkis@ci.milford.ct.us

David B. Sulkis, A.I.C.P.
City Planner

Milford Planning and Zoning Office Plan Review

535-543 Plains Road

Zone: R-18

Proposed Cluster Subdivision

Date Received: 11/4/21; Re-received 11/14/21; Comments Received 12/21/21

Date Reviewed: 11/16/21; Re-reviewed 12/9/21; Re-reviewed 1/5/22

Materials Received:

Sheet	Description	Date
EC	Existing Conditions Survey	4/12/21
DEM	Demolition Plan	9/24/21
SP1	Record Subdivision Map	9/24/21
SP2	Site Plan	9/24/21
SP3	Site Grading/Utility Plan	9/24/21
SP4	Soil Erosion and Sediment Control Plan	9/24/21
SP5	Landscape Plan	9/24/21
SP6	Plan and Profile	9/24/21
SP7	Sightline Plan and Profile	9/24/21
SP8	Erosion and Landscape Plan	9/24/21
SP9	Sewer and storm Details	9/24/21
SP10	Lighting Plan	9/24/21

Disposition of application:

- Drawings are presented for preliminary review and discussion only – no application is to be made; no drawings will be submitted.
- ✓ **Drawings and application are submitted for DPLU review and comment in preparation for application for cluster development approval. A single set of drawings are submitted, electronic set of drawings will be forwarded via email, CD, or via drop box.**
- ✓ Drawings, application(s), and fee(s) are final and submitted for submission to the Planning and Zoning Board.

The applicant is proposing a cluster subdivision which, instead of creating R-18 lots, would allow for lots to be clustered down to R-10 lots. A cluster subdivision is to meet the purposes as described in Section 5.9.1.

- 1) The applicant has not provided a conventional subdivision layout sheet in accordance with Section 5.9.3.1(5) as required. The conventional layout is required to determine the number of lots that could reasonably be developed to the R-18 standard per Section 5.9.3.2(2). **Submission made on 11/20/2021. 1/6/22 determined compliant**

The number of lots that can reasonably be developed under the R-18 standard, is then used as the maximum lots allowed under the Cluster regulation per 5.9.3.2, in conjunction with the further requirements of Section 5.9.4. **Submission made on 11/20/2021, conventional layout provided. 1/6/22 determined compliant**

- 2) Once the conventional conforming lot layout is submitted per Section 5.9.3.1(5), the full plan set can be reviewed for compliance with the Cluster Subdivision Regulation Section 5.9. **Submission made on 11/20/2021 plans can be reviewed. 1/6/22 determined compliant**
- 3) **Based on the 11/20/21** submission, the proposed cluster subdivision creates seven (7) lots where only six (6) are allowed per Section 5.9.3.2(2) which states:

“(2) The maximum number of lots to be created under the provisions of this Section shall not exceed the number which could be reasonably created in accordance with the provisions of the Residential District in which said development is located;” and shown on the conventional subdivision map Ec submitted on 11/20/2021. **11/20/21 Plan set is not compliant with the Cluster Subdivision regulations.**

Per Re-review 1/6/22: Upon re-review, it has been determined that the 7th lot, shown for open space, is allowed by virtue of Section 5.9.4.6. 1/6/21 determined compliant. The applicant shall propose a “Means for Open Space Preservation” per Section 5.9.4.7. It is recommended that it be held in corporate ownership by the lot owners of the subdivision, because of the private street drainage system is in the open space area.

- 4) State the purpose of pursuing a cluster subdivision in accordance with 5.9.1.**
- 5) SP-3 and SP-6 do not show the required underground electrical services as required by Section 5.9.4.12. Sidewalks and curbs are required to be provided per Sections 5.9.4.12 and 5.9.4.13.**
- 6) Sheet SP-5 lists existing tree caliper calculations for each lot, but the trees listed on the drawings don't add up to what the table states per Section 5.14.2(9). In addition, trees of 4" caliper or more shall be preserved and shown on the landscape plan per Section 5.14.2(6).**
- 7) As a condition of the board's approval, the language of Section 5.9.4.13, in its entirety, should be added to Sheet SP-1 for filing with the city clerk.**
- 8) As a condition of the board's approval, posting of a bond for improvements shall be required in the recommended amount to be determined in accordance with Section 5.9.3.3.**
- 9) Provide a written declarations and statements in accordance with Section 5.9.3.1 and a map showing all the protected areas and topographical conditions per Section 5.9.3.1(4).**

Conclusion:

As designated (checked) comply with the following:

- ✓ **Resubmit documents with corrections as noted and amendments as may be required for certification of the application's compliance with Milford Zoning Regulations.**
- ✓ **Resubmit corrected documents to be marked received by city planner, and for preparation by the city planner for interdepartmental transmittal.**
- ✓ **Provide electronic (PDF) submission or resubmission of all documents**
 - ✓ **Submit application and application fee for Cluster Subdivision and proposed for receipt by the Planning and Zoning Commission**

Review prepared for Jeff Gordon and Kevin Curseaden, Esq.

I look forward to working with you on your project.

Reviewed by: David B. Sulkis, Reviewing Officer

CODESPOTI & ASSOCIATES P.C.

SITE PLANNING
LANDSCAPE ARCHITECTURE
ENGINEERING
LAND SURVEYING

263 BOSTON POST ROAD, SUITE #5
ORANGE, CONNECTICUT 06477
Phone: 203-799-1400
Fax: 203-799-0011
E Mail: jgordon@codespoti.net
Web: www.codespoti.net

~OVER 50 YEARS OF SERVICE~
JOSEPH R. CODESPOTI
(1939-2020)
Founder
Land Use Consultant
Land Surveyor
JEFFREY N. GORDON
Landscape Architect
Site Planner
ROBERT J. WHEWAY
Professional Engineer
JOSEPH M. CODESPOTI
Land Surveyor

February 10, 2022

Mr. David Sulkis, City Planner
70 West River Street
Milford, CT 06460

Re: 535-543 Plains Road Staff Review Response

Dear David,

Below, please find embedded a **response** to your Plan review of 1/5/22.

The applicant is proposing a cluster subdivision which, instead of creating R-18 lots, would allow for lots to be clustered down to R-10 lots. A cluster subdivision is to meet the purposes as described in Section 5.9.1.

- 1) The applicant has not provided a conventional subdivision layout sheet in accordance with Section 5.9.3.1(5) as required. The conventional layout is required to determine the number of lots that could reasonably be developed to the R-18 standard per Section 5.9.3.2(2). **Submission made on 11/20/2021. 1/6/22 determined compliant**

The number of lots that can reasonably be developed under the R-18 standard, is then used as the maximum lots allowed under the Cluster regulation per 5.9.3.2, in conjunction with the further requirements of Section 5.9.4. **Submission made on 11/20/2021, conventional layout provided. 1/6/22 determined compliant**

- 2) Once the conventional conforming lot layout is submitted per Section 5.9.3.1(5), the full plan set can be reviewed for compliance with the Cluster Subdivision Regulation Section 5.9. **Submission made on 11/20/2021 plans can be reviewed. 1/6/22 determined compliant**
- 3) **Based on the 11/20/21** submission, the proposed cluster subdivision creates seven (7) lots where only six (6) are allowed per Section 5.9.3.2(2) which states:

“(2) The maximum number of lots to be created under the provisions of this Section shall not exceed the number which could be reasonably created in accordance with the provisions of the Residential District in which said development is located;” and shown on the conventional subdivision map Ec submitted on 11/20/2021. **11/20/21 Plan set is not compliant with the Cluster Subdivision regulations.**

Per Re-review 1/6/22: Upon re-review, it has been determined that the 7th lot, shown for open space, is allowed by virtue of Section 5.9.4.6. 1/6/21 determined compliant. The applicant shall propose a “Means for Open Space Preservation” per Section 5.9.4.7. It is recommended

that it be held in corporate ownership by the lot owners of the subdivision, because of the private street drainage system is in the open space area.

5.9.4.7.2 Held in corporate ownership by owners of the lots, dwelling units or lots within the development. Where open space areas are intended to be held in corporate ownership, the applicant shall file with the Board the intended means by which title will be transferred. Membership in said corporation shall be mandatory for all lot owners in said development. Each deed conveyance to unit or lot owners in said development shall include the membership stipulation, the beneficial right in use of the open land, and all other restrictions pertaining thereto. The applicant shall record such deeds with all necessary legal documents in the City land records.

Title to Open Space shall be conveyed via deed to an association. Each deed to an owner of a lot shall include the necessary stipulations including the right to use the land and all restrictions thereto.

All documents will be approved by the Office of the City Attorney for compliance with the letter and intent of this regulation 5.9.4.7.2.

4) State the purpose of pursuing a cluster subdivision in accordance with 5.9.1.

The purpose of pursuing the Cluster Subdivision is to preserve certain site features, and create a private community. It will facilitate the preservation of a larger, existing home on the property. In addition, an Open Space area will create a buffer between the proposed development and some of the adjacent properties, which were also developed as a Cluster Subdivision. The Cluster will also incorporate a private road, which will lessen stormwater management and public maintenance requirements. The Cluster also provides design flexibility to best utilize the property. It will utilize less public resources and is anticipated that it will maintain a strong Grand List contribution.

5) SP-3 and SP-6 do not show the required underground electrical services as required by Section 5.9.4.12. Sidewalks and curbs are required to be provided per Sections 5.9.4.12 and 5.9.4.13.

As the proposal is for a Private Road, no sidewalk is shown. If required and practical, a sidewalk could be incorporated along the Plains Road frontage of Lot 1. It is concerning this could have an adverse impact on the existing trees along the Plains Road Right of Way.

6) Sheet SP-5 lists existing tree caliper calculations for each lot, but the trees listed on the drawings don't add up to what the table states per Section 5.14.2(9). In addition, trees of 4" caliper or more shall be preserved and shown on the landscape plan per Section 5.14.2(6).

The chart demonstrates compliance (by a factor of 3) with the requirement of 75" of tree caliper per acre. The overall development well exceeds this. We had a Silviculture professional walk the property, review and add notes to the existing conditions plan.

- 7) **As a condition of the board's approval, the language of Section 5.9.4.13, in its entirety, should be added to Sheet SP-1 for filing with the city clerk.**

5.9.4.13 Ownership and Maintenance: All private streets, parking areas, sidewalks, utilities, recreation facilities, open space areas and other private improvements, facilities and areas shall be owned, maintained and operated by the applicant, owner, association or corporation without expense to the City. The development site shall, at all times, be maintained in a safe, sanitary and presentable condition.

Agreed. This will be added to Sheet SP-1 before sign-off and filing, if approved

- 8) **As a condition of the board's approval, posting of a bond for improvements shall be required in the recommended amount to be determined in accordance with Section 5.9.3.3.**

Agreed. Public Improvements are limited, as previously noted

- 9) **Provide written declarations and statements in accordance with Section 5.9.3.1 and a map showing all the protected areas and topographical conditions per Section 5.9.3.1(4).**

5.9.3.1 Application: The applicant shall submit an application accompanied by the following additional information:

(1) A written statement of the intended ownership arrangement for the proposed Cluster Development, including means of open space reservation, whether streets are to be public or private, and ownership of common facilities.

Ownership of lots will be fee simple with an unincorporated association to own, manage and maintain the street and open space.

Open space land will be permanently deed restricted as such.

Street shall be private.

Written declarations/documentation will be forwarded and coordinated with the Office of the City Attorney for review and approval.

(2) Legal documentation, satisfactory to the City Attorney, assuring ownership, maintenance and operation of all private streets, parking areas, sidewalks, utilities, recreation facilities, open space areas and other private improvements, facilities and areas proposed for the Cluster Development.

The relevant easements or encumbrances are limited to the underground utilities, private road and open space. These are shown on the Record Subdivision and Site Plan Maps. They will also be incorporated in the Homeowners' Association documents.

Written declarations/documentation will be forwarded and coordinated with the Office of the City Attorney for review and approval.

(3) Worksheets showing calculation of GROSS ACREAGE as defined in Section 5.9.4.1 herein.

(4) Map showing all protected areas (inland wetlands other legal restrictions) easements and topographical conditions to be considered by the Board when determining reasonably permitted lots as stipulated in Section 5.9.3.2 and the reasonably permitted dwelling units as stipulated in Section 5.9.3.3 herein.

(5) Include an overlay depicting the location of lots/streets if the parcel were developed in accordance with lot and area requirements dictated in Sections 3.1.4 and Section 3.2.4 of the District in which said development is proposed. This overlay shall be compatible with the maps/sheets presented depicting the proposed Cluster Development for use by the Board in reviewing the subject proposal.

Already provided.

We trust this resubmission should bring the subject application to a level of compliance to proceed to Agency consideration.

Regards,



Jeffrey N. Gordon, PLA



City of Milford, Connecticut

- Founded 1639 -

Inland Wetlands Office
inlandwetland@milford.ct.gov

70 West River Street
Milford, CT 06460-3317
Tel 203-783-3256

March 22, 2022

Mr. Kevin Curseaden, Esq.
Curseaden & Moore, LLC
3 Lafayette Street
Milford, CT 06460

Re: IW-JR-22-0027; 535-543 Plains Road; Map 62 Block 928 Parcel 8, Alyssa Blume; Proposed 6-lot subdivision with one existing home to remain with no construction of grading in or within 100' of a wetland in the Housatonic River Watershed. P&Z Transmittal.

Dear Attorney Curseaden:

The Milford Inland Wetlands and Watercourses Agency has reviewed the Planning & Zoning Transmittal; site plans entitled "*Proposed Site Development Plans Highland Estates #535-543 Plains Rd, Milford, Connecticut*" by Codespoti & associates, P.C., cover and 12 sheets dated 9/29/21 rev 1/27/22. Based on a review the above information, the MIWA maps, and Regulations it reveals no work is proposed within 100' of wetlands on the property. This work as proposed on the plans, with the erosion and sedimentation controls and best management practices as shown on the plans will have no significant impact on inland wetlands and watercourses. Therefore, under section 2 of the MIWA Regulations a permit is not required from the MIWA at this time

To ensure protection of natural resources on and off your property please ensure that:

- Proper Soil erosion and sedimentation controls per the site plan and the *CT DEEP 2002 Erosion and Sedimentation Control Manual* are properly installed and maintained
- Any dewatering/discharge is to be to a sedimentation basin or dirt bag and **not** directly discharged through pipe or hose to catch basins, wetlands, or watercourses.
- Construction fencing should be properly installed and maintained.
- Dumpsters should be covered at night to prevent windblown debris
- Port-o-lets should be located away from catch basins, wetlands, and watercourses

The applicant is responsible for all other federal Local and State permits that may be required for the site. Should you have any questions concerning this matter, please contact the Inland Wetlands Agency Office at 203-783-3256.

Sincerely,

MaryRose Palumbo
Inland Wetlands Compliance Officer

c: DPLU
Engineering
Planning & Zoning
Jeff Gordan, Codespoti & Associates, P.C.



Milford Fire Department - Fire Marshal Office

72 New Haven Ave
Milford, Ct 06460



Site Plan Review Report

Date: Wednesday March 16, 2022

Applicant:

Kevin Curseaden - CMCT LAW
3 Lafayette St
Milford, CT 06460

Occupancy:

HIGHLAND ESTATES
543 Plains Rd
Milford, CT 06460

Project: Site Plan Review - Proposed Cluster Development
[535-543 Plains Road]

This office has reviewed the plans received on February 24, 2022.

This Report has been prepared for the review of the Site Plan only. A full set of architectural drawings will be required for review and approval prior to the commencement of any subsequent construction/remodel work.

If a fire sprinkler system is to be installed within the scope of this project, the underground fire service main will be required to comply with NFPA 13, Chapter 10 and be subject to acceptance testing witnessed by this Office.

This plan has been : **APPROVED as Submitted**

THIS OFFICE HAS NO OBJECTION TO THE APPLICABLE ZONING PERMIT BEING ISSUED.

This plan review does not relieve the architect, engineer, contractor and/or builder of meeting all the requirements of the Connecticut State Fire Safety Code and all other referenced Codes and Standards. A Final inspection is required for a final Certificate of Occupancy and/or completion.

The Fire Marshal's Office requires 72 Hours notice to schedule an appointment for inspections.

Reviewed By: Anthony Fino
Office: 203-874-6321
Email: afino@ci.milford.ct.us
Fax: 203-783-3744

MILFORD POLICE DEPARTMENT
TRAFFIC DIVISION

PLANNING & ZONING SUBMISSION REVIEW FORM

Name of Project: Proposed Cluster Development

Location: 535-543 Plains Rd

Date Received: February 23, 2022

Details of Investigation – Report # 2022023869

Blueprint Review: XXX Inter-Department Contact
Site Inspection: XXX Dept:
Applicant Contact: Other:

COMMENTS: See Additional Pages

By: SGT J. Kranyak
Date: March 1, 2022

Report Reviewed By: <u>DC305</u>	Report Approved By: <u>GD302</u>
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NOTICE

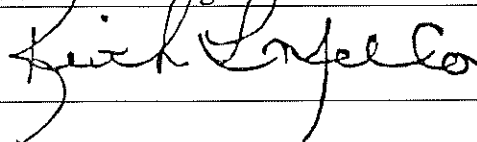
Approval / Rejection of P & Z submission is tentative, and is contingent upon approval of the Board of Police Commissioners. To Be Presented to Police Commission on (Date):

P & Z Submission ~~Tentatively~~ Approved

P & Z Submission Tentatively Approved With Listed Conditions

P & Z Submission Tentatively Rejected

Chief of Police Signature:

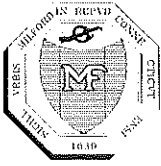


This application is a cluster development proposal for a piece of property at 535-543 Plains Rd that currently has four houses on it of which all have access via a shared driveway. The plans call for a demolition of three of the houses, property divisions and the construction of 5 more houses of which will be accessed via a private road which will be converted from the current driveway.

The separation of properties and creation of the roadway culminate in a cul de-sac named Highland Court. The plans call for a paver or stamped asphalt design in the cul de sac that will be there primarily for aesthetics and is traversable and plowable.

The private road intersects Plains Rd where there is already access to the current residences via the previously mentioned shared driveway. The plans show that trimming and pruning of trees will be completed further opening up a sightline to approximately 280ft. Five year accident history search for this area did not reveal any issues.

Based on the above, it is the recommendation of the traffic division to approve this proposal as it is submitted.



City of Milford, Connecticut

Founded 1639

70 West River Street – Milford, CT 06460-3317

Tel 203-783-3245

Website: www.ci.milford.ct.us

Email: dsulkis@milfordct.gov

Planning and Zoning
Office

David B. Sulkis, A.I.C.P.
City Planner

PLANNING & ZONING BOARD REVIEW TRANSMITTAL

RE: 535-543 Plains Road

DATE: 2/23/2022

TO:

<input type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Engineer
<input type="checkbox"/> Mayor's Office	<input checked="" type="checkbox"/> Fire Marshal
<input checked="" type="checkbox"/> Conservation Commission	<input checked="" type="checkbox"/> Inland Wetlands Commission
<input type="checkbox"/> Health Administrator	<input type="checkbox"/> Open Space Agent
<input checked="" type="checkbox"/> Police Department	<input checked="" type="checkbox"/> Public Works Director
<input checked="" type="checkbox"/> Sewer Commission	<input type="checkbox"/> South Central Regional
<input type="checkbox"/> DEEP – CAM Report	<input checked="" type="checkbox"/> Tree Commission (203-878-4895)
Mail to: John Gaucher, DEEP	<input type="checkbox"/> Resource Report
79 Elm Street	<input type="checkbox"/> Community Development
Hartford, CT 06106	<input type="checkbox"/> Building Department
<input type="checkbox"/> DEEP Permitting	<input checked="" type="checkbox"/> Planning & Zoning Office (3 Sets)
Mail to: Sue Jacobson, DEEP	

SUBJECT: Proposed Cluster Development

ADDRESS OF PROPERTY: 535-543 Plains Road

MAP: 62 BLOCK: 928 PARCEL: 8 ZONE: R-18

APPLICANT/AGENT: Kevin Curseaden, Esq.

PHONE: 203-874-9500 EMAIL: kjcurseaden@cmctlaw.com

PROPERTY OWNER: Nicholas Marlow & Daniel Thornberg

PLAN TITLE: Proposed Site Development Plans Highland Estates #535-543 Plains Road

PREPARED BY: Codespoti & Associates, P.C.

DATE OF PLANS: 9/29/21; revised 1/27/22

DATE RECEIVED BY PLANNING & ZONING: 2/1/2022

PLANNING & ZONING CONTACT: David B. Sulkis

These plans/documents have been received and are transmitted to your office for review prior to the submission of a Cluster Development to the Planning & Zoning Board

ALL COMMUNICATIONS REGARDING THE REVIEW SHALL BE DIRECTED TO THE APPLICANT/AGENT WITH A COPY TO THE PLANNING & ZONING OFFICE

10 Sets of plans will be required for the Planning & Zoning Board Distribution.

*These commission reviews must be returned within 10 working days.



City of Milford, Connecticut

- Founded 1639 -

OFFICE OF:

Sewer Commission

Thomas C. Parsons Office Complex
70 West River Street
Milford, CT 06460
Telephone: (203) 783-3249

March 31, 2022

Jeff Gordon
263 Boston Post Road
Orange CT 06477

Property: 535-543 Plains Road, Milford, CT
Map 62, Block 928, Parcels 8, Zone R-18

Owner: Nicholas Marlowe & Daniel Thornberg

We are in receipt, of your application dated February 25, 2022 received March 30, 2022, for a proposed 6 lot cluster subdivision.

Upon review by the Sewer Commission, it was determined that this application for a 6 lot cluster subdivision can be administratively approved.

The present flow is 342 GPD; Allowed flow per Sewer Commission Policies is 1,915 GPD (3.10 acres x 43560 x 85%/18,000 = 6.38 lots x 300); the Approved and Proposed flow is 1800 GPD (6 lots x 300 GPD).

Each home will require a separate application for Sewer Commission Administrative Approval.

Additionally, should the use of this property change, the owner/applicant must submit a new application to the Sewer Commission.

Very truly yours,



Edmund Q, Collier Chairman
Milford Sewer Commission

CC: Nicholas Marlowe & Daniel Thornberg
Planning & Zoning



City of Milford, Connecticut

- Founded 1639 -

Engineering Bureau

70 West River Street

Milford, CT 06460

Tel: (203) 783-3261

Fax: (203) 783-3676

TO: DAVID SULKIS
CITY PLANNER
70 WEST RIVER STREET
MILFORD, CT., 06460

FROM: GREGORY H. PIDLUSKI, P.E.L.S.
CITY ENGINEER
70 WEST RIVER STREET
MILFORD, CT.
06460

19 April 2022

Re: SUBDIVISION REVIEW
PROPERTY AT: 535-543 PLAINS ROAD
PROPERTY OF: HIGHLAND ESTATES
APPLICANT: NICHOLAS MARLOW & DANIEL THORNBERG

I am in receipt of the following:

- 1) Set of Drawings (13 sheets total, including cover sheet) entitled: "Proposed Site Development Plans, Highland Estates, #535-543 Plains Road, Milford, Connecticut, Zone: R-18, Tax Assessors Map 62, Block 928, Lot 8, Agency Submission Drawings", dated September 29, 2021, revised through January 27, 2022, prepared by Codespoti & Associates, P.C. Owner/Developer: Nicholas Marlow & Daniel Thornberg, 535-543 Plains Road, Milford, Connecticut, 06460.
- 2) Drawing entitled: "Proposed Site Development Plans, Highland Estates, For Nicholas Marlow et al, #535-543 Plains Road, Milford, Connecticut" (Soil Erosion and Sediment Control Plan), scale: 1"=30' dated 09/29/21, revised through 3.31.22, prepared by Codespoti & Associates, P.C.

- 3) Report entitled: "Drainage Report, 535-543 Plains Road, Milford, Ct., prepared for: Nicholas Marlow & Daniel Thornberg", dated March 2021, prepared by Codespoti & Associates, P.C.
- 4) Letter from Robert Wheway, P.E. (Codespoti & Associates, P.C.) dated April 12, 2022.
- 5) Drawing entitled: "Waiver Request for Sidewalks and Curb Lines, Highland Estates, 543 Plains Road, Milford, Connecticut" scale: 1"=30', dated 4/12/2022, prepared by Codespoti & Associates, P.C. (appended to letter dated April 12, 2022).

I have performed a limited site inspection and independently researched the FEMA website, the USDA (Web soil Survey) website, and the City of Milford GIS.

My observations are as follows:

1. The Applicant is proposing the Subdivision of the existing parcel into 6 Single Family Residential Lots.
2. The site presently has 3 One Family Residences with out-buildings, on the existing 3.1± Acre Parcel. The remainder of the parcel is largely grassed and meadow, with some wooded areas at the northerly end of the property.
3. The Applicant is proposing to preserve one of the existing residences while removing the remainder, including all out-buildings.
4. Applicant is proposing to develop the subject property into 6 lots for single family residences while providing a 0.60± Acre Open Space at the northerly terminus of the proposed road.
5. The Applicant is proposing to develop a Private Road (Highland Court), approximately 423 feet in length.
6. Concrete curbs and driveway aprons have been provided along Highland Court.
7. Concrete sidewalks have not been provided along Highland Court. Although they would be required for a street to be publicly dedicated, they are not required along a private street.
8. Concrete Curbs have been indicated along the Plains Road frontage. As indicated on the Drawing identified as #5 hereinabove, the curb is to be placed at the existing edge of the existing pavement or 10' from the street line, whichever provides the maximum paved width.
9. Concrete Sidewalks have been indicated along the Plains Road Frontage. However, the Applicant is requesting a waiver of same. Concrete sidewalks are required for new construction (Milford Code of Ordinances, Sec. 20-23). Curbs and sidewalks may only be waived by the Director of Public Works.
10. A Drywell Catch Basins proposed at the intersection of Highland Court and Plains Road. Based upon information provided by the Engineer, this appears to be

satisfactory. (No municipal storm sewers are available in the vicinity of the proposed project.)

11. The Applicant is proposing to provide a municipal sanitary sewer, approximately 391 feet in length, to be connected to the existing sanitary sewer in Plains Road.
12. The Applicant is proposing to construct 5 new single family (in addition to existing house #543 to be retained).
13. Applicant is proposing both individual underground storage systems (Galleries) for each residential lot and an additional underground gallery system to be located within the Open Space.
14. Stormwater mitigation system has been designed to provide mitigation for 100% of the artificial increase in runoff for storms through a 100 year, 24 hour event.
15. Soil Erosion and Sediment Control Plan appears to be satisfactory.

My recommendations are as follows:

- A) As Highland Court is not being constructed to City of Milford standards for City streets, it will be necessary for Highland Court to remain private (as indicated on the submitted plans).
- B) The City of Milford does not provide maintenance or services for private streets.
- C) As the sanitary sewer is located within Highland Court the sewer is to remain private and the full responsibility of the Owners of Highland Court.
- D) While plans indicate concrete curbs and sidewalks along the frontage of Plains Road, Applicant is requesting a waiver of same.
- E) The current paved width of Plains Road does not appear to meet current standards for City streets. As indicated on the Drawing identified as #5 hereinabove, traveled way will not be negatively impacted.
- F) Stormwater mitigation appears to be satisfactory.
- G) Plans are to be revised to clearly establish the parties responsible for the operations and maintenance of the underground stormwater retention system located within the Open Space.
- H) Please note that compliance with the development standards of the City of Milford does not relieve the developer of obligations with respect to abutting properties.

General Comments (as may be, or as may become, applicable):

- 1) The City reserves the right to make additional comments on other issues that may arise during construction.
- 2) Necessary permits from the City of Milford Engineering Department for the driveway apron and/or sidewalk/curb are to be obtained prior to construction and are to be constructed in accordance with the City of Milford Standards.

- 3) Necessary permits from the City of Milford Engineering Department for any sanitary sewer work are to be obtained prior to construction.
- 4) Developer is to take all necessary steps to protect Catch Basin(s) or other inlets (such as pipe culverts) located such that the site runoff will discharge, OR MAY DISCHARGE to any portion of the MS4 (storm sewer) system of the City of Milford. (In general, this would apply to catch basin(s) located at the subject property and the first catch basin(s) located down gradient of the subject property.) At a minimum:
 - a. Affected Catch basins are to be cleaned and proper protection (Silt Sack or approved equal, or better) is to be installed (at the Developer's sole expense) after the placement of required S&E Controls, prior to site disturbance. Placement of filter fabric geotextile placed between frame and grate is not acceptable.
 - b. Catch Basin protection is to be inspected regularly and cleaned, repaired, replaced, etc. until final site stabilization.
 - c. Upon final site stabilization protection is to be removed in a manner specified by the manufacturer and disposed of in an appropriate off-site location.
 - d. Prior to issuance of a Certificate of Occupancy, the affected catch basins are to be inspected and cleaned, as necessary.
 - e. Records of Items 4(a)-4(d) hereinabove are to be provided to the City of Milford Engineering Department prior to issuance of a Certificate of Occupancy.
- 5) All trenching within the traveled portion of the road (if any) are to be repaired in accordance with Engineering Department Drawings and Specifications.

Please feel free to contact me with any questions or comments.

Very truly yours,



Gregory H. Pidluski, P.E.L.S.
City Engineer