

TO: MEMBERS OF THE PLANNING AND ZONING COMMISSION

RE: REGULAR MEETING – WEDNESDAY, MARCH 21, 2012

AT 7:00 P.M., THE PLANNING AND ZONING COMMISSION WILL MEET IN THE NICHOLS ROOM OF THE TRUMBULL TOWN HALL. THE COMMISSION WILL VOTE TO GO INTO EXECUTIVE SESSION TO DISCUSS A PENDING LEGAL ACTION, WOODLAND HILLS HOMEOWNERS ASSOCIATION VS. TRUMBULL PLANNING AND ZONING COMMISSION DOCKET NOS. FBT-CV12-6024475-S AND FBT-CV12-6024476-S

The Planning and Zoning Commission will hold a regularly scheduled meeting on Wednesday, March 21, 2012 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

AGENDA

PUBLIC HEARING

SETTLEMENT

The Town of Trumbull Planning and Zoning Commission will consider and vote to approve or deny the proposed settlement agreement for the pending legal action, Woodland Hills Homeowners Association vs. Trumbull Planning and Zoning Commission Docket Nos. FBT CV12-6024475-S and FBT-CV12-6024476-S

SUBDIVISION

12-03) David P. and Sharon Steeves. Re-subdivision Map Prepared for David Steeves, 115 Putting Green Road, Trumbull, Connecticut; 2 lots with street address of 115 Putting Green Road.

SPECIAL PERMIT

Application #12-02 – Tucker Chase
6523 Main Street

Pursuant to Art. II, Sec. 3.2 Special Permit to construct a 943 sq. ft. one story addition to an existing structure. HEARING CONTINUED FROM FEBRUARY 15, 2012

Application #12-04 – Digital 60 & 80 Merritt, LLC
60&80 Merritt Boulevard

Pursuant to Art. II, Sec. 4.3 Special Permit to construct an addition, approximately 74,000, sq. ft. in size, to an existing data center/office building with associated site improvements.

ZONING AMENDMENT

Application #12-05 – Amending of Art. II, Sec. 3.1.4 and 3.1.5 of the Zoning Regulations of the Town of Trumbull in relation to allowable uses and building standards in a Commercial B-C Zone. Petitioner: RDR 5520, LLC

MUNICIPAL IMPROVEMENTS REFERRAL

Proposed amendment to an existing lease between the Town of Trumbull and Global Signal Acquisitions IV, LLC for property at 307 Indian Ledge Park Road in Trumbull, CT.

REGULAR MEETING

Approval of Minutes

Accept minutes of the February 15, 2012 Regular Meeting.

Pending Applications

Consider and act on pending applications from tonight's Public Hearing.

By: _____

Helen Granskog
Clerk of the Commission

COMMISSION MEMBERS: PLEASE NOTIFY THE CLERK AT 452-5044 or hgranskog@trumbull-ct.gov, IF YOU ARE UNABLE TO ATTEND.

Hearing Items

1. 115 Putting Green Rd.

This is a request to subdivide a 6.27 acre lot into two interior lots of 2.03 and 4.24 acres. The larger lot contains an existing dwelling. In 1984 ZBA granted a road frontage variance to allow construction of this dwelling.

This proposal meets the basic requirements of an interior lot and the storm water management system meets applicable requirements. However, the shape of the larger proposed lot is very unusual. Applicant should be asked to explain the reason for the unusual configuration and whether the larger lot, which has two large sections connected by a narrow corridor, will be proposed for further subdivision in the future.

The approximate location of underground utilities for the existing residence should be shown on the plans and the applicant should address whether other utility easements will be necessary.

There has been significant filling with brush and construction debris in violation of Inland Waterways regulations in a location between flagged wetlands and the sanitary sewer easement, within a regulated area. This violation should be addressed and eliminated.

2. 6523 Main Street

This is a proposal to add a first floor addition to an existing two story wooden structure that was most recently used as a barber shop. The expanded structure would have 2611 square feet (1827 square feet on the first floor and 784 square feet on the second floor.) This is an increase of approximately 943 square feet from the existing structure. The expanded structure is proposed to be used for a real estate office which is an allowed use in the B-C Long Hill Green Zone.

The structure is proposed to be expanded to the north to within 6 inches of the property line of an adjacent parcel within the same zone and owned by the same property owner. No side setbacks or buffers are required between adjacent properties within the B-C Long Hill Green Zone. A street front sidewalk segment is proposed in conformance with the goal of creating a pedestrian orientation in the Long Hill Green area.

The package initially submitted for this project was incomplete and still lacks an officially stamped A2 survey which is required. The building and site plan were significantly revised after the initial submittal to address staff concerns regarding ingress/egress. Parking and ingress/egress in the revised submittal appear adequate to support the proposed project. The applicant should be asked to describe the hours of operation, number of employees/customers anticipated and provide verification that the existing septic system can support the expanded structure and change in use.

The modified plans were received only a week prior to the hearing. Some adjacent residents who were noticed of this project came to the P&Z office and reviewed the earlier plans but may not be aware of the later revisions.

Due to limited time for Staff and the Commission to review this project, and change to the plans after the project was noticed, a continuance or withdrawal/reapplication and renoticing may be necessary.

3. 60-80 Merritt Boulevard

This is a proposal to construct a 72,000 square foot addition to an existing data center/office building.

Variances to allow reduced setbacks of 74 feet from Merritt Boulevard and 11 feet from Nutmeg Drive where 100 feet is required, and to allow an 18 foot setback from another property line were approved by ZBA on March 7, 2011.

The setback variances approved by ZBA were the primary planning issue with this proposal.

Approval should be subject to any bonding requirements necessary for landscaping or site improvements to be determined by the Town Tree Warden and the Engineering Department.

4. Text change for Regional Medical Centers in B-C Zone

Background:

This is a proposal to add a new section to the B-C Zone regulations to permit medical facilities (medical office buildings, hospitals etc.) with different development standards than otherwise apply in the B-C zone.

This proposal would apply only to lots of 5 acres or more abutting a limited access highway and where at least 90,000 square foot of medical use will exist.

These conditions exist in only three locations in Trumbull: on Park Ave. south of the Merritt Parkway and at the Trumbull and Hawley Lane Malls.

The proposed language would allow buildings up to 75 feet tall (40 feet is the maximum allowed elsewhere in the B-C zone), maximum building coverage up to 50% of the total site available (20% is the maximum allowed elsewhere in the B-C zone), and gross floor area of up to 100% of the total site (40% is the maximum allowed elsewhere in the B-C zone). The minimum buffer or setback from adjacent lots is proposed to be 15 feet (a 100 foot buffer from residential lots and 50 feet buffer from all other lots is required elsewhere in the B-C zone.)

This proposal is being offered in order that an application can be submitted in the next few months for a significant expansion of the medical facilities that currently exists on Park Avenue both within Trumbull and in adjacent Bridgeport.

The Greater Bridgeport Regional Council initially recommended (February 22, 2012) against approval of this proposal citing negative regional impacts and incompatibility with surrounding residential uses but reconsidered the item in March 7, 2012 and now recommends approval.

Analysis:

If the Commission desires to approve the regulations proposed, it may want to consider suggesting that the proposed regulations be placed into an entirely new zone, perhaps called Medical Center Zone, rather than being included in the B-C zone. This suggestion is offered because the proposed bulk standards, height and setbacks would be significantly different from that elsewhere in the B-C zone. These standards would allow more intense development of a more urban character than is permitted elsewhere in Trumbull's existing B-C zone.

Staff also suggests that the text proposed by the applicant (which is shown in blue below) be augmented with some additional language (shown in red below). The revisions suggested by staff would clarify that the Commission has discretion to disapprove or request modifications to medical projects if they determine that they would result in negative impacts to surrounding property, particularly to adjacent and proximate residential areas.

- Amend Section 3.1.4(12) to include as Special Permit Uses in a B-C zone, Regional Medical Centers, Ambulatory Surgery Centers, Hospitals, Long or Short Term Medical Care Facilities, which uses shall include uses typically accessory to such Medical Centers, Surgery Centers, Hospitals and Medical Care Facilities. Such accessory uses include but are not limited to day care, cafeteria/food services, pharmacies, general office and medical office.
- Amend Section 3.1.5 to add subparagraph 5:

– 5. In the case of a Regional Medical Center, Hospital, Ambulatory Surgery Center or Long or Short Term Medical Care Facility the following shall apply and supersede any contrary or inconsistent provisions in these Regulations:

(a) Any building or group of buildings for any such use shall contain at least 90,000 square feet of space devoted to medical use.

(b) The facility shall abut a limited access highway.

(c) The minimum lot size within the B-C zone shall be five (5) acres.

(d) No building shall exceed seventy-five (75) feet in height. For proposed buildings over 40 feet in height, the Planning and Zoning Commission shall make a determination that the height of any proposed building shall have no negative visual impacts to any adjacent or proximate properties.

(e) Maximum building coverage shall not exceed fifty percent (50%) of the total site available for such use nor shall Gross Floor Area of any buildings or other structures to be constructed exceed one hundred percent (100%) of the total site, excluding any underground parking beneath any building. The maximum lot coverage shall be eighty five percent (85%) and there shall be a minimum of fifteen (15%) landscaped areas.

(f) The Planning and Zoning Commission shall make a determination that the proposed project will not negatively impact any adjacent or proximate properties for proposals where building coverage exceeds 30% of the total site available for such use, or if the Gross Floor area of any buildings or other structures to be constructed exceed 50% of the total site, excluding underground parking, or if maximum lot coverage exceeds 80%, or if landscaped areas are less than 20% of the total site area.

(g) There shall be a minimum fifteen foot (15) foot buffer along any boundary of any lot used pursuant to this Section 3.1.5(5) and any abutting property located in a residential zone for any proposed new building(s) and improvements, provided that said landscaped buffer area shall include landscaping as approved by the Tree Warden, in his sole discretion, and further provided that the Planning and Zoning Commission may eliminate the buffer requirement when it finds that such buffer would be inappropriate or impractical and such elimination does not adversely affect public health, safety or welfare. The Commission shall have discretion to determine whether a 15 foot buffer is adequate to provide for public health, safety or welfare or if a wider buffer is necessary in instances where the subject property abuts a residential zone.

(h) Minimum parking requirements may be met by including on-site parking and total parking spaces on an adjacent property (including spaces within a parking garage), whether or not such adjacent parking spaces are located in Trumbull or in another municipality.

(i) Any floor area regardless of the height above that area shall be deemed to be a single floor for the calculation of Gross Floor Area.

(j) The Planning and Zoning Commission shall have discretion to determine that the design and illumination of proposed buildings, parking areas and landscaped areas shall not negatively impact any adjacent or proximate properties