

PLANNING AND ZONING COMMISSION
June 19, 2013

The Planning and Zoning Commission of the Town of Trumbull met for a regular meeting on Wednesday, June 19, 2013 in the Council Chambers of the Trumbull Town Hall.

Members Present: Anthony Chory, Chairman
Arlyne Fox, Vice-Chairman; Richard C. Deecken, Secretary
Fred Garrity and alternate Don Scinto

Also Present: Jamie Brätt, Director of Planning and Development
Mario F. Coppola, Town Attorney and
William Maurer, P.E.

The following is a brief summary of the meeting. A complete record is on tape, on file, in the office of the Planning and Zoning Commission.

A quorum being present, the Chairman called the meeting to order at 7:00 p.m.

In the absence of Commissioner Silber, alternate member Don Scinto was designated the fifth voting member for tonight's meeting.

PRE-APPLICATION PRESENTATION

The presentation, for a potential retail/residential development at 4244 Madison Avenue, was conducted by Attorney John Fallon on behalf of M.F. DiScala & Company, Inc.

The proposal was to establish a mixed use overlay zone, at the above noted site, allowing for the creation of a residential apartment/neighborhood village shopping complex. Attorney Fallon deemed the location appropriate due to the retail component already in existence within this area.

The proposed structure would accommodate small retail tenants only; national retail chains would be excluded from use. Tenant options being considered included a family oriented restaurant with an outdoor dining area, coffee shop, bakery and small boutiques. Sixteen upscale one bedroom apartments were proposed for the second floor level.

Ray Sullivan, the project architect, provided an overview of the schematic site plan. The submitted plan indicated a 34 ft. high two-story structure with a combined floor area of approximately 32,000 sq. ft. It was noted that the proposed 1,600 sq. ft. of first floor retail space was not dissimilar to the footprint of the existing Garden Exchange.

Mr. Sullivan indicated that extensive landscaping would be provided and the overall look of the proposed center would be colonial in nature. Ninety-five parking spaces were indicated, which he believed would be sufficient to meet the needs of both the residents and retail customers.

Several Commissioners viewed the proposed design as too overwhelming and not in character with this part of town. Traffic and parking concerns were also an issue and the developer's representative was advised that detailed data in these areas will be required. It was also brought to Attorney Fallon's

attention that any future application would also necessitate an extensive buffering plan to ensure that the surrounding residential homes are adequately protected. The applicant's representative was advised to seek input from the Town Tree Warden regarding this.

This concluded the pre-application phase of the meeting.

A two minute recess was held and the meeting reconvened at 7:50 p.m. with the scheduled Public Hearing.

PUBLIC HEARING

ZONING AMENDMENT

Application #13-18 – Amending of Art. II, Sec. 2 of the Zoning Regulations of the Town of Trumbull to establish size limitations on new structures created on consolidated lots within a Professional Office Overlay Zone. Petitioner: Planning and Zoning Commission

The Town Planner reviewed the proposed language, which excluded multi-family/affordable housing structures for professional use, established contingency parking requirements and specified a size limitation of 2,900 sq. ft. for professional structures constructed on two consolidated lots.

Ms. Brätt stressed that there was no change to the current regulations as it pertains to single lot professional use.

Chairman Chory asked that the amendment relating to multi-family/affordable housing be clarified to define that pre-existing non-conforming two/three family homes may be eligible for professional use.

Public Comment

In Favor – Attorney Raymond Rizio; John Pappas, 85 Botsford Place who advised that he also represents numerous residents within this area who are in favor of the proposed amendments, as presented.

Opposed – The following were opposed to the proposed maximum size limitation of 2,900 sq. ft. for professional structures on consolidated lots. They considered it too restrictive and requested that the maximum size allowable be redefined based on lot acreage:

Attorney John F. Fallon, representing the property owners of 4950 and 5010 Main Street. Mr. Fallon submitted comparison figures on floor area ratio limitations for existing zones and suggested revisions to the size restrictions; Albert Mastri, 68 Bonnieview Drive; Dave Anand and Dr. Rahul Anand, 58 Firehouse Road; Ilido Malheiro, 11 Botsford Place and Dino Tetu, Bunker Hill Drive.

Robin Gottheil of 94 Botsford Place noted, based on the current regulations, the large amount of parking spaces that would be required for professional structures larger than 2,900 sq. ft.

Following public comment the Commission took action as follows:

MOTION MADE (Fox), seconded (Garrity) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto) to approve Application #13-18, as modified to define existing non-conforming multi-family homes as being acceptable for professional office use.

Commissioner Garrity commented that he viewed this as a positive first step in addressing the issues surrounding professional structures to be established on consolidated lots.

Chairman Chory recommended that feedback from neighborhood residents be sought prior to any further revisions being brought forward.

Application #13-16 – Amending of Art. II, of the Zoning Regulations of the Town of Trumbull to add within Sec. 3.1.7 regulations permitting larger signs and a greater number of signs on certain parcels located in specific business commercial (B-C) zones. Petitioner: 41 Monroe Turnpike, LLC HEARING CONTINUED FROM MAY 16, 2013.

The comparison data requested by the Commission was presented by the Town Planner. The Chairman clarified that the information presented tonight was requested at last month's meeting to allow for a better understanding of the regulation's implications.

Mr. Brätt informed that the statistics compiled by ABC Sign Corporation, indicates that the vast majority of the existing signage at the Hawley Lane Shopping Plaza was in line with the proposed amendment.

Attorney Raymond Rizio, speaking on behalf of the applicant, advised of the proposed modifications which will tighten the amendment so that it would only apply to Hawley Lane and Monroe Turnpike.

Public Comment

Peter Toomey, 39 Gorham Place spoke in opposition advising of the negative impact that occurred to his property from the Westfield Mall signage. Mr. Toomey was informed that the application before us does not apply to the Westfield Plaza and that his concerns need to be directed to Westfield's management.

Following public comment, the Commission took action as follows.

MOTION MADE (Garrity), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto) to approve the modified text of Application #13-16, as presented.

SPECIAL PERMIT

Application #13-19 – Valerie Leinfelder
19 Rocky Ridge Drive

Pursuant to Art. II, Sec. 1.3.2.7 Special Permit to establish accessory apartment within existing structure.

Valerie Leinfelder reviewed her plans for the proposed basement apartment. The Town Planner informed that the submitted specifications meet with all applicable zoning requirements. Jamie Brätt

noted that the proposal is still awaiting septic authorization and recommended that approval of the sanitary plan by the Health Department be made a condition of approval.

Public Comment

Patricia Corey, 16 Rocky Ridge Drive questioned whether adequate on-site parking would be available and advised of the potential negative effect rental units have to the character of the neighborhood

Application #13-20 – ABC Sign Corporation
100 Quarry Road

Pursuant to Art. II, Sec. 4.2.7 and Art. XIII Special Permit to approve two existing 8'x6'1" ground signs and one 7'9"x4'6" (excluding base) ground sign.

Larry Bourque of ABC Sign Corporation conducted the presentation on behalf of the property owner. The application pertains to the placement of three ground signs on a single parcel containing two separate structures.

The Commission was advised that the two existing illuminated Bow Tie Cinema directional signs were placed without proper permits being issued. The signage is located at the entrance to the theatre's driveway and has replaced the previously approved markers. The third, non-illuminated double faced, identification ground sign will be placed in front of the newly constructed medical building on the existing base.

The Town Planner informed that the location for all three signs was previously approved by the Planning and Zoning Commission.

Application #13-21 – Michael Chang, Agent for Uniqlo USA, LLC
5065 Main Street (Westfield Shopping Center)

Pursuant to Art. II, Sec. 3.1.7 and Art. XIII Special Permit to install two illuminated tenant identification wall signs with combined total area of 38 sq. ft.

Peter Sandor, Tenant Coordinator for the Westfield Shopping Center, presented the application.

The new tenant wishes to place the proposed signage over and adjacent to the exterior entrance way. Upon inquiry, Mr. Sandor described the signage as being internally illuminated and lit only during business hours.

Staff advised that the proposal meets with zoning requirements.

Public Comment

Peter Toomey, 38 Gorham Place spoke in opposition for the reasons previously stated. Mr. Sandor agreed to make contact with Mr. Toomey.

Application #13-22 – Sound Development Group, LLC
41-43 Monroe Turnpike

Pursuant to Art. II, Sec. 3.1.7 and Art. XIII Special Permit to install tenant identification signage throughout shopping plaza in accordance with proposed unified signage plan.

Attorney Raymond Rizio came forward, on behalf of the applicant. Mr. Rizio informed that all proposed signage complies with the guidelines, as they were established tonight under Art. II, Sec. 3.1.7.

The project architect, Pat Rose, provided a handout, which detailed the design and size calculations for each proposed sign. Mr. Rose advised that all signage would be internally illuminated.

Mr. Rizio ended with reassurance that there was no anticipated impact to any residential area.

The Town Planner concurred that all proposed signage is in conformance with the regulations, as they were adopted this evening. Jamie Brätt noted that there is no signage plan in place for two of the anticipated tenants and that these retail operations will be applying separately for P&Z approval.

Application #13-23 – Greater Bridgeport Board of Realtors
843 & 847 White Plains Road

The proposal was presented by Attorney Raymond Rizio. The two noted locations are to be combined into one 1.6 acre parcel. The existing structures on these two lots will be removed and replaced with the proposed building, as shown on the submitted plans. The specifications indicated a two-story structure consisting of 2,000 sq. ft. on the first level and a second story of 900 sq. ft. The applicant's representative described the design, as being very consistent with the residential character of the neighborhood.

The main offices, along with educational and training facilities, of the Board will be located here. Nighttime classes were to be held on an intermittent basis.

Mr. Rizio advised that the proposed excess parking area, which he indicated would be utilized infrequently, will be installed with the "grasscrete", creating a lawn-like appearance. Access easements were also proposed for each side of the property. There was concern expressed regarding the possibility of parking lights being infiltrated onto residential properties. In response, Mr. Rizio advised that the landscape plan, approved by the Town Tree Warden, has provided adequate buffering in this area.

The Town Tree Warden's letter of recommendations, which included a \$60,000 landscape bond, was then read for the record. William Maurer also noted that final site plans are to be reviewed and approved by the Engineering Department.

Public Comment

In Favor: Tom Whelan, 176 Pinewood Trail

The following spoke in opposition with concerns relating to light nuisance, traffic and parking: Nicholas and Rose Cacchione, 18 Alice Place; Sylvia Artia, 12 Alice Place; William Odendahl, 815 White Plains Road; William Wakeman, 5 Alice Place.

This concluded the Public Hearing.

REGULAR MEETING

At the request of the Town Planner the following motion was made.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried to add Request for Bond Reduction (Landscape Bond – Joe Voll, 6523 Main Street) to the list of agenda items.

Request for Extension of Time to Begin Construction – Special Permit #11-14
6540 Main Street (second request)

The letter of request from Attorney Frederick Ehram, on behalf of ABM Brothers, LLC, was read into the record.

MOTION MADE (Fox), seconded (Garrity) and unanimously carried to approve a one year extension of time to begin construction on Special Permit #11-14.

Request for Minor Deviation of Approved Site Plan – Special Permit #01-03
29 Trefoil Drive

Peter Corbett of InSports Centers came forward. The proposed site plan improvements were indicated as follows: Creation of 19 additional parking spaces, a connection to the upper level parking area and a connection to the rails to trails system.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried to approve the proposed site modifications as a minor deviation to Special Permit #01-03 subject to the following.

1. Proposed plans for the staircase connection to the upper parking level to be reviewed and approved by the Engineering Department.
2. Applicant to ensure that all necessary State permits and approvals have been obtained for the proposed Rails to Trails connection.

Request for Bond Reduction – Special Permit #12-11
6523 Main Street

The letter of recommendation issued by the Town Tree Warden was so noted.

MOTION MADE (Garrity), seconded (Fox) to approve the reduction of the landscape bond, issued to Special Permit #12-11, to \$5,000.00, as per the recommendation of the Town Tree Warden.

At the request of the Town Attorney the previous motion was amended to include the following.

MOTION MADE (Garrity), seconded (Fox) to amend the original motion to include the following condition.

1. Surety Bond shall include terms, as required by the Town Attorney.

Vote (Amendment to the Original Motion): Unanimous – Motion Carried

Vote (Original Motion, as Amended): Unanimous – Motion Carried

Approval of Minutes

MOTION MADE (Deecken), seconded (Fox) and unanimously carried to accept the minutes of the May 15, 2013 regularly scheduled meeting, as presented.

Pending Applications

Application #13-19 – Valerie Leinfelder
19 Rocky Ridge Drive

MOTION MADE (Garrity), seconded (Deecken) to approve Application #13-19.

MOTION MADE (Garrity) seconded (Deecken) to amend the original motion to include the following specific condition.

1. Special Permit subject to septic plan approval by the Trumbull/Monroe Health District.

Vote (Amendment to Original Motion): In Favor (4): Chory, Deecken, Garrity, Scinto - Opposed (1): Fox
MOTION CARRIES

Vote (Original Motion, as Amended): Unanimous – MOTION CARRIES

Application #13-20 – ABC Sign Corporation
100 Quarry Road

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried to approve Application #13-20, as presented and plans submitted.

Application #13-21 – Michael Chang, Agent for Uniqlo USA, LLC
5065 Main Street

MOTION MADE (Garrity), seconded (Fox) and unanimously carried to approve Application #13-21, as presented and plans submitted.

Application #13-22 – Sound Development Group
41-43 Monroe Turnpike

MOTION MADE (Garrity), seconded (Fox) and unanimously carried to approve Application #13-22, as presented and plans submitted.

Application #13-23 – Greater Bridgeport Board of Realtors
843 & 847 White Plains Road

MOTON MADE (Scinto), seconded (Fox) and unanimously carried to approve Application #13-23 subject to the following specific conditions.

1. East and west access easements to be provided.
2. Lighting in the excess parking area to be shut-off, when building is unoccupied.
3. Final landscape plan to be reviewed and approved by the Town Tree Warden to verify that automobile headlights will not penetrate buffer.
4. Final construction plans to be submitted to the Engineering Department for review and approval prior to issuance of a building permit.
5. Approval is subject to the recommendations of the Town Tree Warden, as they are stated in his letter dated June 18, 2013, including the receipt of a landscape bond in the amount of \$60,000.00, as calculated by the Town Tree Warden to ensure completion of landscaping improvements.

There being no further business to discuss a motion was made by Commissioner Garrity and seconded by Commissioner Fox to adjourn. The June 19, 2013 meeting of the Planning and Zoning Commission adjourned at 12:00 a.m. with unanimous consent.

There is no meeting scheduled for the month of July. The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, August 21, 2013 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Clerk of the Planning and Zoning Commission

