

PLANNING AND ZONING COMMISSION
November 20, 2013

The Planning and Zoning Commission of the Town of Trumbull met for a regular meeting on Wednesday, November 20, 2013 in the Council Chambers of the Trumbull Town Hall.

Members Present: Anthony Chory, Chairman
Richard C. Deecken, Secretary
Fred Garrity and alternates Steven Mahlstedt and Don Scinto

Also Present: Jamie Brätt, Director of Planning and Development
William Maurer, Engineering Department

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 located in the Trumbull Town Hall.

A quorum being present, the meeting was called to order at 7:30 p.m.

In the absence of Commissioners Fox and Silber, alternates Steven Mahlstedt and Don Scinto were designated the fourth and fifth voting members for tonight's meeting.

PUBLIC HEARING

SPECIAL PERMIT

Application #13-32 – St. Vincent's Special Needs Center, Inc.
95 Merritt Boulevard

Pursuant to Art. II, Sec. 4.3.7 and Art. XIII Special Permit to install an indirectly illuminated 4'x8' wall sign.

Attorney John Fallon came forward representing the applicant. The purpose of the proposed signage was to identify the Aquatic Therapy Center approved through Special Permit #13-06. Mr. Fallon described the proposed signage as conforming to zoning requirements, which was confirmed by the Town Planner.

Application #13-33 – Prime One Eleven
31 Monroe Turnpike

Pursuant to Art. II, Sec. 3.1.7.3 and Art. XIII special Permit to install an 18"x10' x 18"x24' non-illuminated wall sign to existing placard.

The applicant, Kurt Popick, presented his proposal for an additional identification sign for his restaurant.

Jamie Brätt noted that the applicant received prior approval to install a 14 sq. ft. indirectly illuminated tenant sign on the patio wall. The total area of signage allowable for this building is 59 sq. ft. and placement of a second sign of 51 sq. ft. would exceed the remaining 45 sq. ft. allowable.

In addition to the non-conformity in size, the proposal also exceeds the number of front signs allowable and the proposed method of illumination was inconsistent with the other face signs within the plaza.

The applicant advised that two signs was not his original intent but the existing sign, mounted on the patio wall, is not visible to the public once a vehicle is parked in front of it.

The general consensus was that the most feasible option, which Mr. Popick was in agreement with, was to reduce the expanse of the lettering to an area not to exceed 45 sq. ft.

SUBDIVISION

Application #13-34 – ABM Brothers, LLC
6540 Main Street

Re-subdivision Map of Lot 2, dated 10/30/13, Prepared for ABM Brothers, LLC 6540 Main Street (CT RTE. 111) Trumbull, Connecticut, 2 lots with street address of 6540 Main Street.

The project engineer, David Bjorklund, conducted the presentation.

In order to be able to obtain financing for construction of the commercial building approved for this site, a subdivision of the parcel will be required. Mr. Bjorklund informed that the required waivers relating to insufficient frontage and lot area have been provided by the Zoning Board of Appeals.

The Town Planner advised that the proposed division of land, as submitted, would not bring the prospective building, to be located on Lot 2A, into non-conformity.

Upon inquiry, the project engineer advised that, if approved, Marisa's restaurant would still be able to meet parking requirements. Mr. Bjorklund indicated further that the shared parking put forward under Special Permit #11-14, between Marisa's and the proposed office building would remain in effect.

A question also arose regarding the maintenance of the existing footbridge with the applicant's representative advising that an agreement would be worked out as part of the sale of Lot 2A.

A letter from the Town Engineer, listing engineering requirements for approval, was read for the record with Mr. Bjorklund indicating agreement to all conditions as listed.

This concluded the Public Hearing

REGULAR MEETING

Minor Deviation of Existing Special Permit

Special Permit #10-5 – Matthew E. Romano
6 Cutlers Farm Road

Matthew Romano came forward and detailed the proposed revisions. The plan was to move the approved signage to a location more visible from the road. Mr. Romano also noted that the materials to be utilized would differ, as the sign would be construction with the same stone applied to the building.

MOTION MADE (Deecken), seconded (Mahlstedt) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto) to APPROVE the proposed minor deviations to Special Permit #10-5, as presented.

Special Permit #13-24 – Zero Gravity, LLC
25 Trefoil Drive

Jamie Brätt presented the applicant's proposal for the relocation of the front door and reduction in the approved number of parking spaces.

The Town Planner advised that Zero Gravity has decided to reduce their amount of rental space, which lessens the amount of required parking. Ms. Brätt added that emergency services have indicated no safety issues in regards to the proposed relocated access.

MOTION MADE (Deecken), seconded (Mahlstedt) and unanimously carried to APPROVE the proposed minor deviations of Special Permit #13-24, as presented.

Request for Bond Release

Jan's Land Development, LLC
Application #04-31
Settlers Ridge and Aspen Lane
Road Bond

The letter of request from Jan's Land Development and the recommendations of the Town Engineer were noted for the record.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried to APPROVE the release of the road bond posted for Special Permit #04-31, as per the recommendation of the Town Engineer.

R.D. Scinto, Inc.
Application #07-25
75 Corporate Drive
Landscape Bond

Letter of request from R.D. Scinto, Inc. and the recommendation of the Town Tree Warden were read into the record.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried to APPROVE the release of the landscape bond posted for Special Permit #07-25, as per the recommendation of the Town Tree Warden.

Request for Extension of Time for Recording of Subdivision Map

Attorney Raymond Rizio
Application #13-24
2 Lot Subdivision – 5 Springwood Drive

The letter of request issued by Attorney Raymond Rizio was read for the record.

MOTION MADE (Garrity), seconded (Scinto) and unanimously carried to approve a ninety day extension of time for the filing of the 5 Springwood Drive re-subdivision record map.

Acceptance of Minutes

MOTION MADE (Deecken) and seconded (Mahlstedt) to accept the minutes of the regular meeting of October 16, 2013, as recorded.

Vote: In Favor (4): Deecken, Garrity, Mahlstedt, Scinto - Abstention (1): Chory (not in attendance).

Planner's Report

Jamie Brätt summarized the Memorandum of Law, dated November 19, 2013, issued by of the Town Attorney, pertaining to the newly adopted legislation relative to the dispensing and producing of medical marijuana.

The State standards established on oversight and enforcement of use, certification to use and the sale and production of medical marijuana were reviewed.

A lengthy discussion followed on how the legislation should be addressed within the zoning regulations. Based on the Commission's feedback, the Town Planner will now prepare sample language for review. Jamie Brätt also agreed to look into the lessons learned from other states where similar legislation was previously adopted.

Pending Applications

Tonight's applications were reviewed and the Commission took action, as follows.

Application #13-32 – St. Vincent's Special Needs Center, Inc.
95 Merritt Boulevard

MOTION MADE (Deecken), seconded (Scinto) and unanimously carried to APPROVE Application #13-32, as presented and plans submitted.

Application #13-33 – Prime One Eleven
51 Monroe Turnpike

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried to APPROVE Application #13-33 SUBJECT TO THE FOLLOWING MODIFICATION.

Expanse of lettering shall be reduced to 45 sq. ft. in size.

Application #13-34 – ABM Brothers, LLC
6540 Main Street

MOTION MADE (Garrity), seconded (Scinto) and unanimously carried to APPROVE Application #13-34
SUBJECT TO THE FOLLOWING SPECIFIC CONDITIONS.

1. Shared parking policy, between Marisa's and projected office building, shall remain in effect in the event a transfer of ownership occurs.
2. Footbridge maintenance agreement shall be finalized prior to any transfer of property.
3. Stipulations of the Town Engineer, as specified in his letter dated 11/20/13, shall be complied with.

There being no further business to address a motion was made by Commissioner Deecken and seconded by Commissioner Mahlstedt to adjourn.

The November 20, 2013 meeting of the Planning and Zoning Commission adjourned at 9:05 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, December 18, 2013

Respectfully submitted,

Helen Granskog
Clerk

