

PLANNING AND ZONING COMMISSION
October 15, 2014

The Planning and Zoning Commission of the Town of Trumbull met for a regularly scheduled meeting on Wednesday, October 15, 2014 in the Council Chambers of the Trumbull Town Hall.

Members Present: Anthony Chory, Chairman
Richard C. Deecken, Vice Chairman; Tony Silber, Secretary
Fred Garrity, David W. Preusch and alternate Don Scinto

Also Present: Jamie Brätt, Director Planning and Development
Bill Maurer, Engineering Department
Vincent M. Marino, Town Attorney

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.

With a quorum being present, the Chairman called the meeting to order at 7:35 p.m.

PUBLIC HEARING

David Bjorklund, the project engineer for Application #14-35 (16 lot subdivision, 147 Daniels Farm Road), came forward and requested that the public hearing be continued to the next regularly scheduled meeting. Mr. Bjorklund advised that the proposed subdivision has not, as yet, received the required approval from the Inland Wetlands and Watercourses Commission.

MOTION MADE (Deecken), seconded (Silber) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber), to continue the public hearing for Application #14-35 to November 19, 2014.

At the request of the Town Attorney, the following motion was then made.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber), to add Executive Session as an agenda item to tonight's meeting.

ZONING AMENDMENT

Application #14-33 – Amending of Art. I, Sec. 30.145 (Definitions) and Art. II, Sec. 1.1.4.4, 1.2.4.4 and 1.3.4.4 (Special Permit Uses) of the zoning regulations of the Town of Trumbull to include seminaries as a permitted use in residential zones. Petitioner: Bridgeport Roman Catholic Diocesan Corporation

Attorney Raymond Rizio came forward representing the applicant.

Mr. Rizio advised that the amendment would allow a religious institution to seek approval to utilize a structure for a seminary residence. If approved, any proposed use would be subject to the Special Permit process, which provides the Commission with discretion to consider the impact to adjoining properties.

Attorney Rizio proceeded to inform that the purpose of the requested text change was to allow the Bridgeport Diocesan to apply for a Special Permit to relocate its seminary residence from Stamford to its original location on Daniels Farm Road.

The following items were submitted into the record by the applicant's representative: Writings of the Bishop, copy of the current language and informational packet on the St. John Fisher Seminary.

The Town Planner believed the proposed text, as presented, requires further review. Language addressing buffering guidelines and the ability to base approval on the location of the proposed use needed clarification. Ms. Brätt recommended that the hearing be continued to provide time to work on revisions. Mr. Rizio indicated no objection to the proposed continuance.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to continue the public hearing for Application #14-33 until the next regularly scheduled meeting (November 19, 2014).

SPECIAL PERMIT/SITE PLAN APPROVAL

Application #14-34 – MGM Properties
6528 Main Street

Pursuant to Art. II, Sec. 3.2 and Art. XIII Special Permit to construct a 7,280 sq. ft. one-story retail/office building with associated signage, parking and site improvements.

Attorney David Quatrella conducted the presentation on behalf of the applicant.

The proposed project is situated in the B-C Long Hill Green Zone (Business/Residential). The subject site received approval for a 6,000 sq. ft. retail building in 2011. MGM Properties, LLC has since purchased the parcel and are seeking to slightly enlarge the approved footprint to a one-story 7,280 sq. ft. retail building.

The shared parking arrangement, with Marisa's Restaurant and the maintenance agreement pertaining to the pedestrian footbridge, connecting the two properties, runs with the land and shall remain in effect in perpetuity.

The engineering aspects were addressed by the project engineer, David Bjorklund. The number of parking spaces for the proposed use was indicated at 38 spaces with approximately 192 spaces overall between the two properties. Parking spaces in the front shall be designated customer parking with employee parking situated in the rear. Parking calculations and comparison figures pertaining to the previously approved plan and the current proposal were submitted into the record. Terms of the agreement between the Town and the State of Connecticut, pertaining to the use of the property, was submitted.

It was suggested that some sort of link with the Lugi's property and the Long Hill Green be looked into. The applicant's representative advised that part of the area, in question, has been deeded by the State to the Town as parkland. Any development in this area would require approval from the State and the Parks Commission but the applicant expressed a willingness to explore this.

Mr. Bjorkund then detailed three alternates to the proposed plan but described all three as being less favorable for a retail setting.

Christian LaVigna, the project architect, detailed the components of the proposed building. At an inquiry from the Town Planner he indicated that the walkway would be comprised of concrete brick pavers with concrete curbing.

Jamie Brätt also requested that a photometric lighting plan be provided. The applicant was asked to take note that only the submitted ground signage would be recognized as part of this proposal. Any proposed wall signage will require P&Z approval. It was also suggested that the final patio plan be brought to her for review. The applicant's representative indicated agreement with the Town Planner's requests.

Stephen Wing, landscape architect, highlighted the proposed landscape plan, which has received approval from the Town Tree Warden.

Bill Maurer, of the Engineering Department, submitted the conditions of approval of the Town Engineer and the IWWC. The Town Planner added that it should also be conditioned that no snow removal can be plowed into the wetlands or onto Town property.

SUBDIVISION

Application #14-32 – Joseph Giamei

Subdivision Map, Property Survey, dated 7/10/14, Prepared for J&G construction, 3 Lot subdivision with street address of 215 Rocky Hill Road.

Application presented by Attorney Raymond Rizio.

The parcel, originally 2 acres in size, was reduced to 1.5 acres through a taking by the State of Connecticut providing a legal hardship to receive approval for the required variances from ZBA.

The proposed subdivision has received wetlands approval and does not intrude on any neighboring properties. As per agreement, all lots to be connected to public water and sanitary sewers.

The Town Planner confirmed, with the required variances in place, the proposed plan meets with zoning requirements.

Bill Maurer noted the conditions of approval as state by the Town Engineer in his letter dated October 15, 2014.

This concluded the public hearing.

REGULAR MEETING

Bond Release

Application #98-91 – Country Builders, LLC
Clinton Street Extension
Landscape Bond

MOTION MADE (Garrity), seconded (Silber) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to deny applicant's request for release of the landscape bond, as per the recommendation of the Town Tree Warden.

Application #10-05 – Matthew Romano
6 Cutlers Farm Road
Landscape Bond

The letter from the Town Tree Warden, dated 9/30/14, recommending that the proposed bond release be denied, was read for the record.

The applicant's attorney, Peter Olson, came forward advising that some of the issues raised by the Town Tree Warden do not meet with the terms of the court settlement on this application.

Town Attorney, Vincent Marino, agreed to review the terms of the settlement and report back with his findings.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to table action on the proposed bond release for Application #10-05 pending legal counsel from the Town Attorney.

Application #05-81 – Home Depot
80-90 Monroe Turnpike
Landscape Bond

MOTION MADE (Silber), seconded (Garrity) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to approve release of the landscape bond, in its entirety, for Application #05-81, as per the recommendation of the Town Tree Warden.

Approval of Minutes

MOTION MADE (Deecken), seconded (Silber) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to accept the minutes of the August 20, 2014 Regular Meeting, as presented.

MOTION MADE (Deecken), seconded (Silber) to accept the minutes of the Special Meeting of August 27, 2014, as presented. Vote: In Favor (4) – Chory, Deecken, Preusch, Silber - Abstention: (1) Garrity (not in attendance). MOTION CARRIES

MOTION MADE (Deecken), seconded (Silber) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to accept the minutes of the September 17, 2014 Regular Meeting, as presented.

Pending Applications

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

Application #14-32 – Joseph Giamei
3 Lot Subdivision
215 Rocky Hill Road

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to approve Application #14-32 subject to the conditions for approval as required by the Town Engineer and the Inland Wetlands and Watercourses Commission.

Application #14-34 – MGM Properties
6528 Main Street

MOTION MADE (Garrity) and seconded (Deecken) to approve Application #14-34 subject to the conditions for approval as required by the Town Engineer and the Inland Wetlands and Watercourses Commission.

In holding discussion, there was consensus that some additional enhancement should be established to anchor the site to the Long Hill Green.

MOTION MADE (Garrity), seconded (Silber) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to amend the original motion to include the following specific condition.

1. Landscape plan to be revised to enhance the south corner to tie the project into the Long Hill Green.

It was agreed that a sub-committee, consisting of the Town Planner, Commissioner Preusch and Commissioner Silber, be formed to review the added enhancements with the applicant.

The recommendations of the Town Planner and Town Tree Warden were then reviewed.

MOTION MADE (Garrity), seconded (Silber) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to amend the original motion to include the following additional conditions.

2. Approval subject to the placement of a landscape bond in the amount of \$60,000.00 to ensure completion of landscape improvements.
3. Photometric lighting plan to be submitted.
4. Plowed snow shall not be deposited into the wetlands or onto Town property.

Vote: Original Motion as Amended – Unanimous MOITON CARRIES

Executive Session

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to enter into Executive Session for the purpose of holding discussion on pending litigation.

The Commission along with Town Attorney, Vincent Marino, entered into Executive Session at 11:00 p.m.

The regular meeting resumed at 12:05 p.m.

There being no further business to discuss, a motion was made by Commissioner Garrity and seconded by Commissioner Deecken to adjourn. The October 15, 2014 meeting of the Planning and Zoning Commission adjourned at 12:06 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, November 19, 2014 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Administrator/Clerk

