

**PLANNING & ZONING**  
**December 16, 2015**

The Planning & Zoning Commission, of the Town of Trumbull, met for a regularly scheduled meeting on Wednesday, December 16, 2015 in the Council Chambers of the Trumbull Town Hall.

Members Present: Fred Garrity, Dan Helfrich, David W. Preusch, Tony Silber and alternate Don Scinto

Also Present: Rob Librandi, Land Use Planner  
Vincent M. Marino, Town Attorney (Arriving at 7:30 p.m.)  
Bill Maurer, Assistant Town Engineer

The following is a brief summary of the meeting. A complete record is on tape, on file, in the office of the Planning & Zoning Commission located in the Trumbull Town Hall.

Voting members for tonight's meeting were as follows: Fred Garrity, Dan Helfrich, David Preusch, Tony Silber and alternate Don Scinto, designated the fifth voting member in the absence of Commissioner Chory.

With a quorum being present the meeting was called to order, at 7:00 p.m., by the Secretary, Tony Silber.

Commissioner Silber moved to seat Commissioner Garrity as acting Chairman for the Pre-Application Review process. This was seconded by Commissioner Helfrich and unanimously carried.

Don Scinto recused himself from participation in this agenda item.

**PRE-APPLICATION REVIEW**

Preliminary proposal to construct a multi-family residential development, within an I-L2 Zone, with street address of 109 Oakview Drive. Petitioner: 2M Oak Partners LLC

Attorney John Fallon provided an overview on behalf of 2M Oak Partners LLC.

The parcel, which is currently vacant, is bordered on the north by the Merritt Parkway and is located on a cul-de-sac adjacent to an office building. The submitted plans indicated construction of a 75 unit residential development consisting of 30 one bedroom and 45 two bedroom rental apartments. Associated parking would be located underneath the buildings.

Mr. Fallon noted that the proposed project is consistent with the Plan of Conservation and Development's goal to provide new affordable housing opportunities for the elderly and young professionals.

Pat Rose of Rose-Tiso and Company reviewed the preliminary site and architectural plans. The submitted specifications showed a housing development consisting of a three-story and a 4 four-story building with a community plaza and commons structure in between. The building facades are to be varied having an overall townhouse appearance.

The Commission indicated they were open to the proposal, as it addresses the goals of the POCD. The area in question is also currently underutilized and isolated from other residential areas. The developer

was advised that the proposal would require a traffic study. The Commission also encouraged that the architectural design be reworked advising that any modifications do not necessarily need to be colonial in nature.

In response to a question as to how the use is to be applied from a zoning standpoint, Attorney Fallon indicated that the intent was to apply for an amendment allowing for multi-family development within an I-L2 zone with certain stipulations.

Upon conclusion of the pre-application review, Don Scinto resumed his seat as a voting member.

Attorney Marino arrived.

## **ELECTION OF OFFICERS**

Secretary Silber chaired.

Office of Chairman: MOTION MADE by Tony Silber nominating Commissioner Garrity for the office of Chairman. Motion was seconded by Dan Helfrich.

There being no further nominations, Fred Garrity unanimously elected Chairman of the Planning & Zoning Commission.

The remaining portion of the meeting chaired by Chairman Garrity.

Office of Vice-Chairman: MOTION MADE by Fred Garrity nominating Commissioner Silber for the office of Vice-Chairman. Motion was seconded by Dan Helfrich.

There being no further nominations, Tony Silber unanimously elected Vice-Chairman of the Planning & Zoning Commission.

Office of Secretary: MOTION MADE by Fred Garrity nominating Commissioner Chory for the office of Secretary. Motion was seconded by David Preusch.

There being no further nominations, Anthony Chory unanimously elected Secretary of the Planning & Zoning Commission.

## **APPROVAL OF 2016 MEETING DATES**

MOTION MADE (Silber), seconded (Helfrich) and unanimously carried to approve the scheduled 2016 meeting dates, as presented.

The Chairman announced that the following agenda items are to be continued until the January 20, 2016 meeting.

Application #15-43 – Christian Heritage School  
511,557, 575 White Plains Road

Application #15-44 – Rings End  
921 White Plains Road

Application #01-03 – 29 Trefoil Drive (Modification of Existing Special Permit)

## **PUBLIC HEARING**

### **LIQUOR LOCATION PERMIT**

Application #15-41 – Maurizio Ricci  
4244 Madison Avenue

Pursuant to Art. VII, proposed location for restaurant liquor permit.

The applicant came forward. Mr. Ricci advised of his intent to open a pizza parlor in Madison Village at the above noted address. He indicated that he currently operates a similar venue in Norwalk. Upon inquiry, the applicant informed that only wine and beer would be served on premises.

Staff advised that the application meets with zoning requirements.

MOTION MADE (Silber), seconded (Helfrich) and unanimously carried, to approve Application #15-41, as submitted.

Application #15-42 – Julie Stenz  
4244 Madison Avenue

Pursuant to Art. VII, proposed location for restaurant liquor permit.

Julie Stenz presented. She defined her establishment as a bakery/café, primarily serving breakfast and lunch. As she is contemplating expanding into the evening hours, with light dinner fare, her intent is to apply for a liquor license to have beer and wine available for purchase.

The Town Planner advised that the proposal complies with the zoning standards set for this zone.

MOTION MADE (Helfrich), seconded (Scinto) and unanimously carried, to approve Application #15-42, as submitted.

### **ZONING AMENDMENT**

Application #15-40 – Amending of Art. I, Sec 3 to add definition of Medical Marijuana Dispensary and Retail Pharmacy, Art. II, Sec. 4.2.2 and Sec. 7.1.2 to add retail pharmacies as a permitted accessory use in an I-L2 Industrial Zone and to include Medical Marijuana Dispensaries as a prohibited use in all industrial zones. Petitioner: Q & R Associates, LLC.

Attorney Raymond Rizio, of Q & R Associates, came forward and provided an overview of the proposed language, amended as of December 1<sup>st</sup>, which included the following stipulations.

1. An accessory retail pharmacy shall not exceed 2,000 sq. ft. in size and may not occupy more than 10% of the building in which it is located.
2. Access to an accessory retail pharmacy shall only come from within the building in which it is located.
3. No drive thru window shall be permitted in connection with the retail pharmacy.

4. Pharmacy may only be located in a building where there is a medical office and hours of operation may not extend beyond the hours the medical offices are in use.
5. The term “medical supplies” to be included under the definition of Retail Pharmacy (Art. I, Sec. 3.0.125), to identify the scope of goods that may be sold at these types of pharmacies.

Language prohibiting medical marijuana distribution within all industrial zones has been added to insure that accessory pharmacies cannot become dispensaries.

Staff indicated support of the application adding that extending the prohibition of marijuana dispensaries to all zones warrants consideration.

#### Public Comment

Letter in opposition from Paul G. Littlefield of 162 Hedgehog Circle was noted for the record. Mr. Littlefield indicated the use of pharmacies in an industrial zone would not be in the best interest of the Town’s development. He advised that small or large high tech industrial business, which bring employment and generate more taxes, would prove to be the better use for this area.

This concluded the public hearing for Application #15-40 and action was taken, as follows.

MOTION MADE (Helfrich), seconded (Preusch) and unanimously carried, to approve Application #15-40, as submitted.

#### **ZONE CHANGE**

Application #15-45 – Amending the zoning map and zone boundaries of the Town of Trumbull to change from Industrial Zone I-L2 to Commercial Zone B-C a parcel of land located at 7180-7192 Main Street containing 2.324 acres more or less. Petitioner: 7182 Main Street, LLC and 7192 Main Street, LLC

Application 15-46 – Amending the zoning map and zone boundaries of the Town of Trumbull to change from Industrial Zone I-L2 to Commercial Zone B-C a parcel of land located at 7120 Main Street containing 10.1 acres more or less. Petitioner: Seventy-One Main, LLC

It was agreed that the above two applications be heard simultaneously, as they are interrelated.

Attorney Raymond Rizio came forward representing the applicants.

He informed that there is opportunity for retail development on these properties but interested parties will not proceed until they have assurances that their business proposals can be considered a permitted use. The building located at 7120 Main Street has been vacant for eight years and is no longer considered a viable industrial site. A portion of the property known as 7180-7192 Main Street extends into Monroe, where it is zoned commercial. A zone change, on these underutilized properties, will create a more consistent commercial corridor that will also build the tax base and provide employment opportunities.

Mr. Rizio noted further that the proposal is consistent with Trumbull’s master plan, which encourages the growth of quality business development within this area.

Photographs of the site area, a signed petition in support, a zoning survey of neighboring properties and copies of the special permit criteria were submitted.

#### Public Comment

A letter submitted in opposition by Howell and Susan Jobbins, 7185 Old Turnpike Road, residing directly across from the subject location, was so noted for the record. The homeowners stated that the proposed zone change would bring increased traffic and excessive retail lighting creating a negative impact to their property.

Staff considered the proposed re-zoning of these two parcels to B-C to be a step forward in the right direction. Mr. Librandi also suggested that a further study be conducted on the feasibility of having this area re-zoned to consolidate the land use within this corridor.

The public hearing concluded and action was taken, as follows.

MOTION MADE (Silber), seconded (Preusch) and unanimously carried, to approve Application #15-45, as presented.

MOTION MADE (Scinto), seconded (Helfrich) and unanimously carried, to approve Application #15-46, as presented.

The Commission noted that the promotion of commercial use within this area is consistent with the goals of the POCD and beneficial to the Town's development. They noted further that all potential retail development will require special permit approval from this Board.

### **REGULAR MEETING**

#### **Acceptance of Minutes**

MOTION MADE (Silber), seconded (Preusch) and unanimously carried to accept the minutes of the November 18, 2015 meeting, as recorded.

#### **Bond Release**

Application #12-14  
140 Monroe Turnpike

MOTION MADE (Scinto), seconded (Helfrich) and unanimously carried to approve the release of the landscape bond pertaining to Application #12-14, as per the recommendation of the Town Tree Warden.

During the course of the meeting a request was made by the Chairman that staff research possible additional parking options for the retail center at 4244 Madison Avenue.

There being no further business to discuss, a motion was made by Tony Silber and seconded by Don Scinto to adjourn. The December 16, 2015 meeting of the Planning and Zoning Commission adjourned at 8:25 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, January 20, 2016, at 7:30 p.m., in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog  
P&Z Administrator/Clerk