

PLANNING & ZONING
June 22, 2016

The Planning and Zoning Commission, of the Town of Trumbull, met for a Special Meeting on June 22, 2016 in the Council Chambers of the Trumbull Town Hall.

Members Present: Fred Garrity, Chairman
Anthony Chory, Dan Helfrich, David Preusch, Tony Silber and alternates
Richard Deecken, Don Scinto

Also Present: Rob Librandi, Land Use Planner
Vincent M. Marino, Town Attorney
William Maurer, Assistant Town Engineer

The purpose of tonight's Special Meeting was to address agenda items from the cancelled regularly scheduled meeting of June 15, 2016.

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.

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

AGENDA

Pre-Application Review

Preliminary proposal to remove existing maintenance garage and construct convenience store with drive-thru at 5771 Main Street.

Don Scinto recused himself from participation, as he has a personal interest in the subject proposal.

Jillian Martin, of Chestnut Petroleum Distributor, Inc., New Paltz, NY, and business owner, Sebastian Gangemi, 100 Kent Lane, presented.

The proposed site renovation was described as follows.

- Remove existing maintenance garage.
- Establish 800 sq. ft. Dunkin Donuts with drive-thru.
- Increase current building size by 320 sq. ft. to accommodate additional cooler and storage space.
- Replace fence with guardrail
- Construct new dumpster enclosure.
- Delineate parking spaces.
- Re-brand service station from BP to Shell.

The preliminary discussion centered mainly on safety issues and traffic impact. There was concern as to the location due to it being situated on a curve where the traffic accelerates. The potential applicants were advised of the importance of having a traffic study conducted prior to any submission of a formal application. Assurance of adequate parking and the creation of a drive-thru escape lane will also need further study.

Public Hearing

Don Scinto rejoined to the meeting.

LIQUOR LOCATION PERMIT

Application #16-11 – Joseph Criscuolo
6528 Main Street

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

The applicant came forward. The submitted application indicated a liquor permit for the serving of wine and beer has been applied for. Upon inquiry, Mr. Criscuolo informed that his restaurant, the Trumbull Pizza Company, was recently opened for business.

Mr. Librandi advised that the proposed location conforms to zoning requirements.

The public hearing was then concluded and the following motion was made.

MOTION MADE (Helfrich), seconded (Chory) and unanimously carried to approve Application #16-11, as presented.

SPECIAL PERMIT/SITE PLAN

Application #16-09 – Thomas Rizzetta
79 Sturbridge Lane

Pursuant to Art. IX, Sec. 2 (d) and 5, Special Permit to import fill in excess of the maximum amount allowable (25 c.y.) HEARING CONTINUED FROM MAY 25, 2016

Thomas Rizzetta came forward and advised that 100 c.y. of fill was transported to correct the ponding issue that occurred due to an existing low spot in the front of his house. The applicant informed that he hopes to bring in an addition 50 to 75 yards of top soil to plant grass over the area.

A revised plan indicating the corrections to the drainage system requested by the Town Engineer was distributed and reviewed.

The Assistant Town Engineer advised that the plan shows compliance with storm water and drainage standards. Mr. Maurer considered the proposed additional 50 c.y. of fill needed to finish off the project to be a reasonable request.

At the conclusion of the public hearing the following motion was made.

MOTION MADE (Helfrich), seconded (Chory) and unanimously carried to approve Application #16-09, as presented per the revised plans submitted.

Application #16-12 – Norman P. DeTullio
94 Golden Hill

Pursuant to Art. II, Sec. 1.2.2.7, Special Permit to approve existing 803 sq. ft. in-law/accessory apartment.

Mr. DeTullio came forward.

The applicant indicated that the apartment has existed over the garage for a number of years and he is now seeking to have it designated, by the Town, as a legal rental unit.

Bill Maurer informed that as the dwelling is located in a flood zone certain FEMA requirements will need to be met.

It was suggested and the applicant agreed to continue the public hearing until the next regularly scheduled hearing to have any FEMA related issues addressed.

MOTION MADE (Chory), seconded (Helfrich) and unanimously carried, to continue the public hearing for Application #16-12 until the next regularly scheduled meeting.

Application #16-13 – Christopher Proudfoot
566 Booth Hill Road

Pursuant to Art. II, Sec. 1.2.2.7, Special Permit to construct 1,011 sq. ft. in-law/accessory apartment within proposed two story addition.

The project architect, Paul Holub of Oxford, presented.

The submitted plans were reviewed. Several Commissioners commented that the submitted plans do not create an appearance of a single family home, as the existing house and the addition have the look of two separate structures. The applicant was advised that the regulations specify that the exterior of the home must provide a façade of a single family dwelling.

It was suggested, and the applicant's representative agreed, to continue the public hearing to allow for submission of revised architectural plans.

MOTION MADE (Chory), seconded (Helfrich) and unanimously carried to continue the public hearing for Application #16-13 until the next regularly scheduled hearing.

SUBDIVISION

Application #16-14 – Merry Go Round Properties, LLC & Tate Associates, LLC
Re-subdivision Plan, dated 4/25/16, Prepared for Merry Go Round Properties; 2 lots with street address of 151 Strobel Road.

James Tate of Tate Associates, LLC presented.

In the course of the presentation Mr. Tate made known that there were structures on the property, of a possible historical nature, that would be razed in connection with this project.

The Town Attorney interjected that the razing of these structures are subject to review by the Demolition Review Committee. Attorney Marino informed the applicant that all any required approvals must be in hand prior to consideration by Planning and Zoning.

It was suggested and the applicant agreed to have the public hearing continued to allow for evaluation by Demolition Review Committee.

MOTION MADE (Chory), seconded (Helfrich) and unanimously carried, to continue the public hearing for Application #16-14 until the next regularly scheduled hearing.

ZONING AMENDMENT

Application #16-15 – Amending of Art. II, Sec. 2.1.3.7 (a) and (b) of the zoning regulations of the Town of Trumbull to increase number of lots that may be consolidated in a Professional Office Overlay Zone and permit a gross floor area not to exceed 18% of the total area of combined lots for parcels exceeding one acre in size with frontage on a state highway. Petitioner: 4950 & 510 Main Street, LLC

Attorney David Quatrella came forward representing the applicant.

The proposed language was reviewed.

Attorney Quatrella noted that the current language limiting development to a maximum of 2,900 sq. ft. has deterred any new professional office development to move forward on lower Main Street. A larger allowable square footage is needed to encourage professional growth along lower Main Street.

The applicant's representative advised that the revisions to this portion of the zoning regulations are warranted. He noted that the regulations, as they now read, disregard typical Zone Development Standards such as lot size, floor area ratio and maximum building coverage. In the case of his client's property, the floor area ratio allowable translates to an extremely low FAR compared to other zoning districts in Trumbull and submitted a comparison list of FAR and building coverage requirements for the record.

Comments heard from the Commission included a reminder of the original intent and purpose of the POOZ zone, which was that professional office structures be residential appearance both in architecture and in scale; that development within this zone not conflict with surrounding properties and that the goal of this Board is to protect neighborhoods but that opportunity for improvements, particularly along lower Main Street, need to be considered.

Public Comment

In Favor: Dino Tetu, 8 Bunker Hill Road and Ildio Malheiro, 11 Botsford Place.

Opposed: George and Cecile Furkiotis, 69 Botsford Place. Pursuant to CGS 8-3(b), Mr. Furkiotis submitted a formal protest petition for this application. Photographs of 2,900 sq. ft. structures existing within the POOZ zones were submitted by Mrs. Furkotis; Wesley Gallaway, 65 Bonnie View Drive; John Pappas, 85 Botsford Place; Robert and Lynn Madar, 19 Oschner Place; John and Cheryl Miolene, 60 Botsford Place, who provided site area photographs and Robin Gottheil of 94 Botsford Place who contended the applicant's property is not being maintained and submitted a photograph of the subject parcels.

Those in opposition called the application out of character for the neighborhood and that the proposed construction would add to an existing traffic problem. The proposal also does not meet with the intent of the regulations, the POCD and the lower Main Street study conducted by the Town.

The following letters in opposition were submitted into the record. Patricia Anderson, 7 Village Drive; Grace Amorando, Bonnie View Drive; John and Vivian Thomas, 18 Botsford Place; Alexis and George Koulouris, 33 Botsford Place.

At this point, the Town Attorney advised that the public hearing on this application be continued to provide an opportunity to have the ownership signatures of the addresses listed on the protest petition verified.

MOTION MADE (Helfrich), seconded (Preusch) and unanimously carried, to continue the public hearing for Application #16-15 until the next regularly scheduled hearing.

ZONE CHANGE

Application #16-16 – Amending the zoning map and zone boundaries of the Town of Trumbull to change from Residential Zone A to B-C Long Hill Green two parcels of land located at 2&4 Broadway and 6 Broadway with a combined area of .76 acres more or less. Petitioner: JMMS, LLC

Attorney John Fallon presented on behalf of the applicant.

The purpose of the proposed zone change was to provide an opportunity for the applicant, Jason R. Oberhand, D.D.S., to relocate his dental practice to the Long Hill Green. Mr. Fallon believed the subject parcels to be well suited for re-zoning due to the existing mix of residential and business uses within

proximity to these properties. He advised of Dr. Oberhand's intention to ensure that future construction be harmonious with the character of the Long Hill Green.

The Town Planner found the proposed extension to be appropriate for the B-C Long Hill Green and consistent with the goals of the POCD.

This concluded the public hearing for Application #16-16 and the Commission took action, as follows.

MOTION MADE (Helfrich), seconded (Chory) and unanimously carried to approve Application #16-16, as submitted.

Application #16-17 – Amending the zoning map and zone boundaries of the Town of Trumbull to change from Residential Zone A to B-C Commercial a parcel of land located at 4141 Madison Avenue containing .53 acres more or less. Petitioner: Kathryn Baker, MD

Attorney John Fallon came forward representing the applicant.

The purpose of the proposed zone change was to allow for a relocation of Dr. Baker's pediatric practice to this site. Mr. Fallon advised that Dr. Baker has a strong commitment to this community and hopes to maintain her practice here in Town.

The proposed location was described as being well suited for a medical practice due to the mix of residential and business uses within proximity to this parcel. The plan is also consistent with the goals of the POCD as it relates to business development and with the pattern of zoning in this area. Mr. Fallon also made known that the existing architectural design of the structure would be maintained.

Public Comment

Jose and Michele DePina, 4 Green Street and Katie Brenna of 4146 Madison Avenue addressed the Commission in opposition asking that the property remain residential, as there were too many unknowns attached to B-C Commercial designation.

Attorney Fallon advised that any future proposed change of use would need approval from this Board.

The following letters in support were submitted for the record. Jamie Brätt, West Haven; Michaela Cutney, 50 Hilltop Drive; Theron Knapp, 2 Brookview Drive

Correspondence submitted in opposition from Judy Nighland of Green Street was also noted. Ms. Nighland objected to any further commercial encroachment into this residential area.

Following public comment, the Commission took action, as follows.

MOTION MADE (Preusch) and seconded (Helfrich) to approve Application #16-17.

Vote: In Favor (4) – Garrity, Helfrich, Preusch, Silber - Opposed (1) – Chory
MOTION CARRIES

In voting in opposition Commission Chory stated that he did not favor of a zone change from residential to commercial for one individual lot within a residential zone.

WORK SESSION

Bond Reduction

Application #14-03 – Bridges to Trumbull
2415 Reservoir Avenue

Landscape and Site Bonds

MOTION MADE (Helfrich), seconded (Silber) and unanimously carried to table action pending recommendations of the Town Tree Warden and Assistant Town Engineer.

Extension of Time

Application #15-33 – Cellco Partnership/Verizon Wireless
55 Corporate Drive
2 year extension (1st request)

The request submitted by the applicant's attorney, Kenneth Baldwin, was considered.

MOTION MADE (Helfrich), seconded (Chory) and unanimously carried to approve a two year extension of time, to and through October 7, 2018, to commence construction on Special Permit #15-33.

Municipal Improvement

Pursuant to CGS 8-24 consider and act on P&Z referral to Town Council regarding proposed discontinuance of Whalburn Avenue.

Attorney John Knuff appeared on behalf of Westfield Shopping Center located at 5065 Main Street. He advised that the purpose of the proposed discontinuance is to enable Westfield to utilize the land comprising Whalburn Avenue as part of the mall's development plan. He noted that Westfield owns, or will own, all the property located on Whalburn Avenue.

Upon discussion and review, the following motion was made.

MOTION MADE (Helfrich), seconded (Silber) and unanimously carried to recommend Town Council approval of the proposed discontinuance of Whalburn Avenue.

Acceptance of Minutes

MOTION MADE (Preusch), seconded (Chory) and unanimously carried to accept the minutes of the May 25, 2016 regular meeting, as recorded.

There being no further business to discuss a motion was made by Commissioner Helfrich and seconded by Commissioner Chory to adjourn.

The June 22, 2016 meeting of the Planning and Zoning Commission adjourned at 11:45 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, August 17, 2016 at 7:30 p.m. in the Trumbull Town Hall.

Respectfully submitted.

Helen Granskog
P&Z Administrator/Clerk

