

Zoning Commission Public Hearing and Administrative Meeting

January 26, 2016

The Zoning Commission held a Public Hearing and Administrative Meeting on Tuesday, January 26, 2016 at Stratford Town Hall, Main Street, Stratford, Ct per notice duly posted.

Members Present: L. Pepin, Chairman D. Fuller, M. Henrick, S. Philips, S. Farrington-Posner

Also Present: Town Attorney, Bruce Jackson

Members Absent: None

Alternates: G. Forrester, M. Juliano

Call to Order: Chairman Fuller called the Public Hearing to order at 7:04 p.m.

Chairman Fuller welcomed the new members to the Commission.

Public Hearing

265 Benton Street – Petition of Road Service Network for approval of location for a used car dealership on property located in a MA District – Petitioner noted he has had his business for approximately eight (8) years located at 294 Benton Street specializing in road service. Petitioner did not realize he had to submit Certificates of Mailings. Mr. Jackson, Town Attorney, suggested tabling the application until such time that Certificates of Mailings can be submitted to the Commission. **Mr. Henrick made a motion to table 265 Benton Street until Certificates of Mailings can be produced. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

3552 Main Street – Petition of Kasia Lindeberg for approval of a Special Case as required by Section 7.1.7.1 in order to operate a tea shop/juice lounge on property located in a CA District – Ms. Lindeberg, petitioner, submitted Certificates of Mailings and described operation noting hours would be from 9a.m. – 5p.m. with a few evening hours not surpassing 8:30 p.m. Commissioners discussed approval at a different location in Paradise Green in October, parking and Health Department regulations on food. **Seeing no members of the public speaking in favor or opposition of this petition, Ms. Pepin made a motion to close 3552 Main Street. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.**

Amendment to the Zoning Regulations – Petition of the Stratford Zoning Commission to amend the Zoning Regulations to extend the moratorium on medical marijuana dispensaries and producers and methadone clinics as described in proposed Section 3.30 attached – Chairman Fuller brought new members up-to-date on proposal noting it will lapse in February of this year. He read into record letter from Mr. Silhavey, Planning Commission, in favor of the

twelve (12) month moratorium. Discussion ensued on information that has been discovered during the past year on these facilities. Chairman Fuller also read into record letter from Ms. Ochman in opposition of approving these facilities in the Town. Ms. Philips suggested a joint meeting with the Planning Commission be scheduled to discuss this amendment. **Mr. Henrick made a motion to close Amendment to the Zoning Regulation. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

335 Ferry Boulevard – Petition of Ferry Boulevard Plaza, LLC for approval of a Special Case under Section 7.10 and 20 of the Zoning Regulations in order to construct 71 residence apartments on property located in an MA District and within the Transit Oriented Development Overlay District – Chairman Fuller noted that this Commission has not received information from the Inland/Wetland Commission on the approval of this property.

Attorney P. Sobel, representing the petitioner, submitted Certificates of Mailings, assessment card and letters of support for this project. He referred to his letter of January 15, 2016 addressing questions presented by staff on October 21st.

Engineer referred to the site plan noting there would be 71 units and Inland/Wetland Commission approved proposal on January 20th. He discussed TOD plan and LIP. He also discussed maintenance plan noting dumpsters will be self-contained in building and landscaping plan.

Project Architect referred to the site plan discussing the lower level garage area. There will be twelve (12) efficiency units, forty-five (45) one-bedroom units and fourteen (14) two-bedroom units. He discussed materials which will be used for construction.

Wetland Scientist entered into record, distributed and reviewed Bioswale Maintenance Plan”.

Traffic Consultant referred to the site map and discussed traffic patterns in that area noting vehicles will be parked in the rear of the building. He also discussed traffic counts and State DOT data.

Mr. Henrick made a motion to recess at 8:32 p.m. The motion was seconded by Mr. Farrington-Posner. Motion carried unanimously.

Public Hearing reconvened at 8:36 p.m.

Attorney Sobel referred to Gary Lorentson’ comments and his letter of January 15th to address these comments. He entered into record Stratford Star article date July 25, 2015 by Noah Daponte-Smith. A. Salce, owner of property, spoke on sidewalks in area.

Opposition:

Ms. Burns, 79 Homestead Avenue

Mr. Gabris, 75 Newtown Avenue

Ms. Walker, Riverview Place

Resident of 231 Housatonic Avenue

T. Manus, 10th District Councilwoman

Mr. Farrington-Posner made a motion to leave 335 Ferry Boulevard on the table for a continued Public Hearing at the February 23rd meeting of the Zoning Commission. The motion was seconded by Ms. Pepin. The motion carried unanimously.

Ms. Pepin made a motion to close the Public Hearing. The motion was seconded by Ms. Philips. The Public Hearing closed at 9:35 p.m.

Administrative Session

Chairman Fuller called the Administrative Session to order at 9:43 p.m.

265 Benton Street – Petition of Road Service Network for approval of location for a used car dealership on property located in a MA District – This petition will be left on table until which time petitioner produces Certificates of Mailings.

3552 Main Street – Petition of Kasia Lindeberg for approval of a Special Case as required by Section 7.1.7.1 in order to operate a tea shop/juice lounge on property located in a CA District – Ms. Pepin made a motion to take 3552 Main Street off the table. The motion was seconded by Mr. Henrick. The motion carried unanimously. Commissioners noted this application was previously approved by the Zoning Commission in October at a different location. **Ms. Pepin made a motion to approve 3552 Main Street with the stipulation that all Health Department guidelines are followed. The motion was seconded by Mr. Henrick. The motion carried unanimously.**

Amendment to the Zoning Regulations – Petition of the Stratford Zoning Commission to amend the Zoning Regulations to extend the moratorium on medical marijuana dispensaries and producers and methadone clinics as described in proposed Section 3.30 attached – Ms. Philips made a motion to take Amendment to the Zoning Regulations off the table. The motion

was seconded by Ms. Pepin. The motion carried unanimously. Ms. Pepin suggested the twelve (12) month moratorium be implemented with the stipulation that information be obtained from the Town Attorneys' office on how to move forward. Mr. Henrick suggested separating methadone and marijuana regulations. **Ms. Pepin made a motion to implement the twelve (12) month moratorium with the above stipulations. The motion was seconded by Mr. Henrick. The motion carried 4-1 with Mr. Farrington-Posner in opposition.**

335 Ferry Boulevard – Petition of Ferry Boulevard Plaza, LLC for approval of a Special Case under Section 7.10 and 20 of the Zoning Regulations in order to construct 71 residence apartments on property located in an MA District and within the Transit Oriented Development Overlay District – This application will be left on the table.

Approval of Minutes: Mr. Henrick made a motion to approve the minutes of the January 11th Organizational Meeting and Regular Meeting. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.

C.A.M Site Plan Review:

- 1) **335 Ferry Boulevard** – Will be left on table

Zoning Enforcement Study - None

Accessory Apartment Applications – None

Sediment & Erosion Control Applications – None

Planning Projects –

- 1) **Greenway** – Public Hearing was held on January 20th. There is currently a web site survey.

Final Plans – Re: Christ Church – 1969, 1995 & 2019 Main Street – This will be kept on table and new members will have a chance to review site plan.

Final Approval – Re: T & J Realty, 3563-3589 Main Street – Mr. Henrick made a motion to waive the rules to allow Mr. Nick Owens to speak. The motion was seconded by Ms. Philips. The motion carried unanimously. Mr. Owens distributed and review site plan and information from Robert Tobin Architect. He referred to the email from the Fire Chief and discussed the covered stairways and exterior design of the building. **Mr. Henrick made a motion to approve the plan submitted into record as the final site plan. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

Mr. Farrington-Posner made a motion to waive the rules to allow Mr. Owens to discuss 170 Oronoque Lane. The motion was seconded by Mr. Henrick. The motion carried unanimously. Mr. Owen discussed Stratford Zoning Regulations in comparison to State Law. **Mr. Henrick made a motion to extend this petition retroactively for eighteen (18) months back to March**

15, 2015. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.

Goal Settings:

- 1) Other - None**
- 2) Affordable Housing - None**
- 3) SAEP Property – In February developer and Town Staff will meet on overlay.**
- 4) A) Medical Marijuana – Commissioners discussed cultivating vs. dispensaries. Questioned if there is existing research. Ms. Philips made a motion to refer this matter to the Town Attorney or other staff to investigate what other towns are doing in reference to marijuana facilities. The motion was seconded by Ms. Pepin. The motion carried unanimously.**
B) Methadone Clinics – Ms. Pepin made a motion to refer this to the Planning Commission to separate the marijuana and methadone clinics. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.
- 5) Parking - None**
- 6) Plan of Conservation and Development – None**
- 7) Recommendations to the Town Council – None**

Seeing no other business to discuss, Mr. Henrick made a motion to adjourn the meeting. The motion was seconded by Ms. Pepin. The meeting adjourned at 10:27 p.m.

Respectively Submitted,

Gail DeCilio