

Zoning Commission Special Public Hearing and Administrative Meeting

March 22, 2016

The Zoning Commission held a Special Public Hearing and Administrative Meeting on Tuesday, March 22, 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, Attorney LeClaire

Members Absent: None

Alternates: G. Forrester, M. Juliano

Call to Order: Chairman Fuller called the Public Hearing to order at 7:02 p.m.

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. Noted Certificates of Mailings are not required for this petition. Located in a non-residential district.

Councilwoman Manus spoke in favor of this petition.

Seeing no other members of the public speaking in favor or opposition of this petition, Mr. Henrick made a motion to close 265 Benton Street. 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 – Mr. Farrington-Posner apologized and noted Attorney Sobel was correct in reference to the sidewalks being present. Attorney Sobel, representing the petitioner, noted Inland Wetland Commission has approved this application and submitted into record copy of approval. He discussed some of the comments from the last meeting – façade of building – and stated the project complies with all requirements for the Transit Oriented District overlay. Commissioners questioned overflow and emergency parking. 576-600 East Broadway has been purchased and eventually there may be a possibility of overflow parking in this area – also Blue Goose restaurant may be amiable to allow parking on an emergency basis. Flood zone elevation and street parking were also discussed.

Mr. Goodsell, 462 Housatonic Avenue, questioned that the façade did not meet the TOD standards on building massing, rooflines, height of building, parking, TOD, sidewalks on East Broadway, billboard and walkability to shopping center.

Mrs. Goodsell, 462 Housatonic Avenue, discussed the number of units.

Councilwoman Manus spoke in favor of this project noting after doing research towards the New York area every parking space is usually paid for by tenant. She also discussed a possible grant for a public transportation plan for the area.

Mr. Rimkunas, Second Avenue, submitted into the record process for TOD Development and February 19th draft of the TOD. Mr. Lorentson clarified the April 1st TOD was replaced with the current TOD regulations.

Attorney Sobel reiterated the parking for this complex complies with the zoning regulations, discussed MA vs. TOD district noting this property under the TOD is less intense than what could be built under MA district.

Seeing no other members of the public speaking in favor or opposition to this project, Mr. Henrick made a motion to close 335 Ferry Boulevard. The motion was seconded by Ms. Pepin. The motion carried unanimously.

96-140 West Beach Drive – Petition of Donald Gorlo for approval of a Special Case as required by Section 5.3 and 3.22.1 in order to reconstruct former seasonal residence into a year round residence on property located in an RS-3/RS-4 District – Attorney C. Smith, Shipmen & Goodwin, representing the petitioner, submitted Certificates of Mailings. He distributed and reviewed “Applications of Donald Gorlo for: 1) Special Case and 2) CAM Site Plan. He referred to letter from 1998 granting approval of this project. Referring to regulation 3.21.1, he noted this is not a substantial change to the original application and will not affect coastal resources. Attorney Smith referred to the COWI report and the fire building code.

Mr. Goven, Blades & Goven Landscape Architects, discussed the project referring to the site plan.

Opposition: Attorney Knott, representing Mr. DeRosa of Fifth Avenue and cottages on either side of the proposed structure, entered into evidence and reviewed signed petition, tax map, photographs of property, Notice of Intervention, Environmental Land Solutions LLC report, site map of redevelopment, Title 52 Civil Action and emails from Stratford Fire Marshall dated November 3rd and December 29th, 2015.

Favor: Councilwoman Manus spoke in favor of this project. Audience was questioned – Five (5) people in favor of this application and zero (0) in opposition.

Attorney Smith referred to Mr. Habansky's comments from February 17th, explaining that the structure was a legal, nonconforming structure, not a legal, nonconforming use. Mr. Habansky agreed. He also discussed submissions from Attorney Knott noting he has made an FOI request for emails pertaining to 96-140 West Beach Drive from Stratford Fire Marshall.

Seeing no other members of the public speaking in favor or opposition, Mr. Henrick made a motion to close 96-140 West Beach Drive. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.

164 Hamilton Avenue – Petition of Richard Lanza/LGK Properties, LLC for approval of a Special Case as required by Section 5.3 and 20 in order to construct a ten (10) unit residential development on property located in an RM-1 District – This petition will be continued until the March 29th meeting of the Zoning Commission. **A motion was made by Mr. Farrington-Posner to waive the rules. The motion was seconded by Ms. Pepin. The motion carried unanimously.** Attorney Knott, representing applicant, noted this was an error on his part.

Ms. Pepin made a motion to close the Public Hearing. The motion was seconded by Mr. Henrick. The Public Hearing closed at 9:24 p.m.

Administrative Session

Chairman Fuller called the Administrative Session to order at 9:31 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 – Mr. Henrick made a motion to take 265 Benton Street off the table. The motion was seconded by Ms. Pepin. The motion carried unanimously. Mr. Henrick noted this seems to be a routine application. Mr. Lorentson reviewed the stipulations for an automotive application. **Mr. Henrick made a motion to approve 265 Benton Street with the standard stipulations. 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 – Mr. Henrick made a motion to take 335 Ferry Boulevard off the table. The motion was seconded by Ms. Pepin. The motion carried unanimously. Mr. Henrick noted the applicants have done everything which was asked of them and feels this will be an asset to the Town. Ms. Philips recommended the Town look at cleaning sidewalk area. Mr.

Farrington-Posner is concerned with the overflow parking in this area, density of project, lack of retail and feels this is not a true mixed use project. Parking regulations were discussed. **Mr. Henrick made a motion to approve 335 Ferry Boulevard with the following stipulations: 1) Final site plan be submitted to the Zoning Commission 2) Final site plan to include landscaping plan 3) adherence to Health Department, Fire Department and Building Codes 4) lighting plan 5) letter to the Town of Stratford regarding sidewalk repairs and 6) more information as to how parking spaces will be assigned and discussed in future tenant's leases. The motion was seconded by Ms. Pepin. The motion carried 4-1 with Mr. Farrington-Posner voting in opposition.**

96-140 West Beach Drive – Petition of Donald Gorlo for approval of a Special Case as required by Section 5.3 and 3.22.1 in order to reconstruct a former seasonal residence into a year round residence on property located in an RS-3/RS-4 District – Mr. Henrick made a motion to take 96-140 Beach Drive off the table. The motion was seconded by Ms. Pepin. The motion carried unanimously. Mr. Henrick noted this is similar to approval granted in 1998. Mr. Henrick made a motion to approve 96-140 West Beach Drive with stipulation that strict adherence to building and Fire Marshall Codes be required. The motion was seconded by Ms. Pepin. Motion carried 4-1 with Mr. Farrington-Posner abstaining from the vote.

164 Hamilton Avenue – Petition of Richard Lanza/LGK Properties, LLC for approval of a Special Case as required by Section 5.3 and 20 in order to construct a ten (10) unit residential development on property located in an RM-1 District – Left on table.

Approval of Minutes: Mr. Henrick made a motion to approve the minutes of the March 14th meeting. The motion was seconded by Ms. Pepin. The motion carried unanimously.

C.A.M Site Plan Review:

1) 335 Ferry Boulevard – Mr. Henrick made a motion to approve 335 Ferry Boulevard. The motion was seconded by Ms. Pepin. The motion carried unanimously.

2) 96-140 Beach Drive – Mr. Henrick made a motion to approve 96-140 Beach Drive. The motion was seconded by Ms. Pepin. The motion carried unanimously.

A motion to waive the rules was made by Mr. Henrick for consideration of 300 Sperry Avenue CAM Site Plan Review. The motion was seconded by Ms. Pepin. The motion carried unanimously. Mr. Habansky noted this is for a garage which stores equipment and does meet zoning regulations. This application does not have to go to the Inland Wetland Commission under proposed plans per the Conservation Office. **Ms. Philips made a motion to approve the CAM Site Plan for 300 Sperry Avenue. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

Our Lady of Peace Church – Thrift Store – Mr. Habansky reported he has not received the requested information as of this date. This item will be left on the agenda.

Zoning Enforcement Study - None

Accessory Apartment Applications – None

Sediment & Erosion Control Applications – None

Planning Projects –

- 1) **Greenway** - Ms. Pepin reported a meeting was held with BSC. A future meeting will be held with the traffic authority.

Mr. Henrick would like clarification on alternates speaking at Public Hearings vs. Administrative Sessions. He also questioned cell tower devices on the cuphola at Town Hall.

Mr. Habansky noted the affordable housing application for 795 James Farm Road has been postponed until the April Zoning meeting.

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 –**

B) Methadone Clinics – Ms. Philips suggested a task force be implemented for discussion on both medical marijuana and methadone clinics. A list of potential members will be presented at the next Zoning Meeting. Mr. Farrington-Posner and Chairman Fuller volunteered to be on this task force.

- 5) **Parking** – Mr. Henrick will investigate the different types of parking especially restaurant parking. Possible sub-committee will be formed.

6) Plan of Conservation and Development – Ms. Philips suggested this Commission check with the Planning Commission so as not to duplicate what they are doing. Mr. Farrington-Posner would like to have an outreach forum to enlighten the public on the Transit Oriented Districts objectives.

- 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 10:38 p.m.

Respectively Submitted,

Gail DeCilio