

Zoning Commission Public Hearing and Administrative Meeting

June 28, 2016

The Zoning Commission held a Public Hearing and Administrative Meeting on Tuesday, June 28, 2016 at Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

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

Also Present: Jay Habansky, Planning & Zoning Administrator

Members Absent: None

Alternates: G. Forrester sitting for S. Philips

Call to Order: Chairman Fuller called the Public Hearing to order at 7:01 p.m.

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SUSAN M. PAWLOR
2016 JUN 29 PM 12:18
STRATFORD TOWN CLERK

Public Hearing

910 Barnum Avenue Cut-off – Petition of AMG Enterprises, LLC for approval of general repairers' license in a CA District – A. Gebuario, representing AMG Enterprises LLC, noted the current owner is doing business as an auto industry which will continue. Hours of operation will be M-F 8:00 a.m.-5:30 p.m., Sat. 8:00 a.m.-2:00 p.m. Ms. Pepin questioned the disposal of waste. **Seeing no members of the public speaking in favor or opposition of this petition, Ms. Pepin made a motion to close 910 Barnum Avenue. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.**

411 Barnum Avenue Cut-off – Petition of Aniello Lubrano for approval of a Class D Restaurant/Café liquor permit as required by Section 15 in an MA District – Architect, representing Ms. Lubrano, noted currently Villa Pizza has a beer and wine permit. Intention is to expand adding a small bar and serving liquor which will have the same operating hours as the restaurant. Chairman Fuller read into record a letter from T. Galatie in favor of this petition. Certificates of Mailings were submitted. **Seeing no members of the public speaking in favor or opposition of this petition, Mr. Farrington-Posner made a motion to close 411 Barnum Avenue Cut-off. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

1 Dorne Drive – Petition of Clammy Cousins, LLC to amend Section 15.8 of the Zoning Regulations by adding the MA District to the Class D classification allowing Restaurant/Café liquor permits in an MA District –

1 Dorne Drive – Petition of Clammy Cousins, LLC for approval of a Class D Restaurant/Café liquor permit as required by Section 15 in an MA District – Ms. Philips arrived and will be sitting in place of G. Forrester. Mr. Reale, representing Clammy Cousins LLC, submitted

Certificates of Mailings. It was noted that the Zoning Commission and Town Council had approved this location for use as a restaurant in 2014. Ms. Philips questioned what other areas of town this approval of an MA District would encompass. Mr. Habansky informed the Commission that all establishments in an MA District would have to come before this Commission, have individual review and would require four (4) affirmative votes to pass. Commissioners discussed hours of operation, security, lease and supervision of outdoor seating. Ms. Daden, 302 Curtis Avenue, spoke in favor of this petition noting restaurant was on original plans for this building. She also discussed hours of operation and essential need for a liquor license for this establishment. **Seeing no other members of the public speaking in favor or opposition of this petition, Mr. Farrington-Posner made a motion to close 1 Dorne Drive. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

Text Amendment – Petition of Barry Knott to amend Section 5.3.1 of the Zoning Regulations by reducing the minimum number of “10 or more families” to “8 or more families” for residence apartments – Barry Knott noted that two (2) applications for 164 Hamilton Avenue had previously been denied. Judge Belis suggested this amendment be obtained to come to a compromise on this property. Mr. Knott noted he cannot do less than ten (10) units on this property under Section 5.3 and is hoping this case can be settled at the next Administration Session. Chairman Fuller would like to speak with the Town Attorney due to the fact that almost every zone in town would be affected by this change. Mr. Habansky reiterated that there are only four (4) bedroom equivalents left in town. Mr. Knott has spoken to Councilman Kadeem and is willing to meet with residents to give them the opportunity to review plans.

Resident of 1372 South Avenue spoke in opposition to this project noted traffic concerns.

Resident of 173 Hamilton Avenue spoke in favor of having eight (8) single family homes at this location.

Resident of 1298 South Avenue spoke in favor of having eight (8) single family homes at this location.

Mr. Farrington-Posner is apprehensive of approving this amendment without seeing the conceptual plans. Councilman Kadeem reiterated he will seek a meeting with neighbors to review plans for this project.

Seeing no other members of the public speaking in favor or opposition of this petition, Ms. Philips made a motion to close Text Amendment. The motion was seconded by Ms. Pepin. The motion carried 4-1 with Chairman Fuller in opposition.

70-80 Hathaway Drive – Petition of Angela Pantalone for approval of a Special Case as required by Section 10.2.1 and 20.2 to establish an indoor dog park, veterinary office & kennel in an MA District – Attorney Knott, representing Angela Pantalone, submitted Certificates of Mailings and distributed and reviewed photographs of the property, property map and site plan depicting parking, dog play area, handicap ramp and interior floor plan. Ms.

Pantalone discussed her concept for the dog park noting boarding, grooming and vet care will also be available. Commissioners questioned maximum occupancy, fencing, licenses' needed and exterior of building. Mr. Forrester questioned if the animal control officer has been contacted for comment. Mr. Jeronczyk of Ansonia spoke in favor of this petition. **Seeing no other members of the public speaking in favor or opposition of this petition, Ms. Pepin made a motion to close 70-80 Hathaway Drive. The motion was seconded by Mr. Juliano. The motion carried unanimously.**

443 King Street – Petition of Merrill Anderson Co., Inc. requesting a change of zone from an RS-4 to an LB District – Continued until July

1166 Barnum Avenue – Petition of Merrill Anderson Co., Inc. to amend Section 6.1 of the Zoning Regulations by adding Restaurants & drive-through restaurants with outdoor seating as a permitted use in an LB District – Continued until July

1166 Barnum Avenue & 443-445 King Street – Petition of Merrill Anderson Co., Inc. seeking approval of a Special Case as required by the amended Section 6.1 to establish a restaurant with a drive-through & outdoor seating in an LB District –Continued until July

Recess – 9:19 p.m.

Resume - 9:29 p.m.

795 James Farm Road – Petition of 500 North Avenue LLC to amend the Zoning Regulations by creating a new Section 28 entitled “Julia Ridge Housing Opportunity Development Zone: in an RS-1 District -

798 James Farm Road – Petition of 500 North Avenue, LLC to changes the zone of a portion of the property, as shown on the site plan dated June 10, 2015, completed by Rose Tiso & Company from as RS-1 District to the proposed Julia Ridge Housing Opportunity Development Zone –

795 James Farm Road – Petition of 500 North Avenue, LLC for the approval of a site plan under the proposed Section 28 of the Zoning Regulations in order to construct a seventy-two (72) unit affordable housing development pursuant to Section 8-30g of the State Statues, on a property located in an RS-1 District – Mr. Forrester will be sitting in place of Ms. Philips for this petition. Mr. Forrester made a motion to take 795 James Farm Road off the table. The motion was seconded by Ms. Pepin. The motion carried unanimously. Mr. Farrinton-Posner noted for the record he cannot attend the June 29th meeting until 7:30 p.m. and requested time be changed.

Attorney Kubic, representing Concerned Citizens Group of Stratford, introduced S. Sharp, 155 Alexandra Drive, who discussed issues in installing sewer lines and emergency response times. She entered into record Medical Publication “Do Emergency Medical System Response Times Matter for Health Outcomes?”, Science Daily article and Policy Brief from “Reconnecting

America". Attorney Belis questioned if her close proximity to this project affected her opinion on these health issues. G. Jacopian, realtor, feels this project will have detrimental effect for this area. Attorney Kubic asked audience to raise their hand if they were in opposition of this project (approximately thirty (30) people raised their hands). He then distributed and reviewed twenty-eight (28) exhibits. He noted for the record that 500 North Avenue LLC is currently in Chapter 11 bankruptcy and distributed Bankruptcy Code 11USC327 and Bankruptcy Petition #14-31094. He discussed historical significance of property, lack of public transportation, archaeologist report and potential wall. He submitted four (4) photographs of property for record.

R. Ezyk, 570 James Farm Road, Civil Engineer, submitted his license, resume, photographs of Bronco Wall, potential construction of wall and photographs of surrounding area. He discussed technical aspect of application which he feels is flawed. He also submitted into record correspondence with Doug Conley, Versa-Lok Northeast.

Resident of 292A Agawam Drive spoke in opposition of the project noting traffic and safety issues.

Mr. Forrester made a motion to continue the Public Hearing for 795 James Farm Road. The motion was seconded by Ms. Pepin. The motion carried unanimously.

Mr. Farrington-Posner made a motion to close the Public Hearing. The motion was seconded by Mr. Juliano. The motion carried unanimously.

Administrative Session

Chairman Fuller called the Administrative Session to order at 11:03 p.m.

910 Barnum Avenue Cut-off – Petition of AMG Enterprises, LLC for approval of general repairers' license in a CA District – Mr. Forrester made a motion to take 910 Barnum Avenue Cut-off off the table. The motion was seconded by Ms. Pepin. The motion carried unanimously. Mr. Forrester made a motion to approve 910 Barnum Avenue Cut-off with the standard stipulations. The motion was seconded by Ms. Pepin. The motion carried unanimously.

411 Barnum Avenue Cut-off – Petition of Aniello Lubrano for approval of a Class D Restaurant/Café liquor permit as required by Section 15 in an MA District –Mr. Farrington-Posner made a motion to take 411 Barnum Avenue Cut-off off the table. The motion was seconded by Mr. Forrester. The motion carried unanimously. Mr. Farrington-Posner made a motion to approve 411 Barnum Avenue Cut-off. The motion was seconded by Mr. Forrester. The motion carried unanimously.

1 Dorne Drive – Petition of Clammy Cousins, LLC to amend Section 15.8 of the Zoning Regulations by adding the MA District to the Class D classification allowing Restaurant/Café liquor permits in an MA District – Left on table

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Text Amendment – Petition of Barry Knott to amend Section 5.3.1 of the Zoning Regulations by reducing the minimum number of “10 or more families” to “8 or more families” for residence apartments – Left on table.

70-80 Hathaway Drive – Petition of Angela Pantalone for approval of a Special Case as required by Section 10.2.1 and 20.2 to establish an indoor dog park, veterinary office & kennel in an MA District – Ms. Philips made a motion to take 70-80 Hathaway Drive off the table. The motion was seconded by Ms. Pepin. The motion carried unanimously. Ms. Pepin made a motion to approve 70-80 Hathaway Drive adhering to all state regulations. The motion was seconded by Mr. Juliano. The motion carried unanimously.

443 King Street – Petition of Merrill Anderson Co., Inc. requesting a change of zone from an RS-4 to an LB District – Continued until July

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Approval of Minutes: Mr. Farrington-Posner made a motion to approve the minutes of May 31st and June 20th . The motion was seconded by Ms. Pepin. The motion carried unanimously.

C.A.M Site Plan Review: None

Zoning Enforcement Study - None

Accessory Apartment Applications – None

Sediment & Erosion Control Applications – None

Ms. Philips made a motion to move Administrative Sessions from Monday nights to Tuesday nights. The motion was seconded by Ms. Pepin. The motion carried unanimously.

Chairman Fuller noted he will be stepping down as Chairman at the next Administration Session on July 12th

Planning Projects –

- 1) **Greenway - No Report**

Goal Settings:

- 1) **Other - None**
- 2) **Affordable Housing - None**
- 3) **SAEP Property – None**
- 4) **A) Medical Marijuana – None**
B) Methadone Clinics – None
- 5) **Parking – None**
- 6) **Plan of Conservation and Development - None**
- 7) **Recommendations to the Town Council – None**

Seeing no other business to discuss, Ms. Pepin made a motion to adjourn the meeting. The motion was seconded by Mr. Farrington-Posner. Meeting adjourned at 11:11 p.m.

Respectively Submitted,

Gail DeCilio