

Zoning Commission Public Hearing and Administrative Session

July 26, 2016

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

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

Also Present: J. Rusatsky sitting for Jay Habansky, Planning & Zoning Administrator

Members Absent: L. Pepin

Alternates: A. Baker

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

Public Hearing

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

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

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

Lt. Gugliotti, Stratford Police Department, addressed the Commission noting he has no problem with the location even though it is a busy intersection. Suggested travel routes which should be implemented if this proposal is accepted, traffic control signal and signage. Mr. Farrington-Posner would like Lt. Gugliotti to research and report accident history in this area.

Attorney Rizio, representing petitioner, submitted certificates of mailings and site map into record. Referring to site map he discussed the zone change proposal which would encompass the two (2) family house behind the building which presently is in an RS-4 District. He discussed differences between a CA and LB zone and also noted there would be no intrusion into residential area. Commissioners questioned intensity, buffer zone, drive-through and comments from Jay Habansky. Attorney Rizio referred to Town's Plan of Conservation and Development.

S. Secola, traffic engineer for Frederick P. Clark Associates, entered into record "Traffic Access & Impact Study" and discussed times calculated for traffic study, traffic patterns throughout day and traffic patterns for current Star Bucks'. He reviewed accident table from 2012-2014 and noted there will be some increase in traffic but believes it would not be a significant safety hazard. Commissioners questioned accuracy of DOT traffic volumes vs. Stratford report, distance to next house on King Street, width of King Street, and counts of people going in and out of present Star Bucks'. Attorney Rizio will obtain calculations from other Star Buck locations which have drive-through's.

Resident of 492 King Street spoke in opposition of the project. Discussed DOT data from 2013, Stratford High School traffic generation, and traffic signal on Barnum Avenue and King Street.

Mr. Farrington-Posner read into record letter from resident of 350 King Street in opposition of this project.

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

45 North Parade & 245 King Street – Petition of the Building Needs Committee seeking approval of a Special Case as required by 4.1.6.1 to construct a new high school in an RS-4 & LB District – G. Perham, Antinozzi & Associates, reviewed the site plan and discussed interior and exterior design of the building. Bridge height will be 16'.

Engineer for Stantec discussed parking, drop-off areas, bus areas, landscaping, lighting and storm water management system. Addressed Town comments.

Traffic Engineer for Stantec discussed traffic study – counts done in October of 2015, bus patterns and traffic signal at California Street and Barnum Avenue.

Mr. Perham noted there has been two (2) public hearings and discussed length of time it took to get to this point. Commissioners questioned school enrollment projections and population cycles.

Councilman Llewelyn spoke in favor of this project discussing bond issue, proposed effort to construct school at Longbrook Park, traffic study and support for this project.

Mr. Ragunas, resident spoke in favor of project

Resident of 96 Homestead Avenue spoke in favor of this project.

Attorney Knott, representing Reef LLC, spoke in opposition to this project submitting site map, copy of appeal to Superior Court and 20.2.1 Special Case criteria. He spoke about impact on business during and after construction, height and size of building.

Mr. Perham and Mr. Llewelyn addressed Attorney Knotts' opposition discussing variances and contrasts he made to buildings at Big Y. They discussed construction time frame and conditions

of approval. Noted a dust fence was offered to be installed during construction to Reef LLC. Entrance and exit to the car wash was discussed. Mr. Llewelyn also discussed the withholding of state accreditation if building is delayed.

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

Recess: 9:59 p.m.

Resume: 10:11 p.m.

Chairman Philips recused herself for 795 James Farm Road. Mr. Fuller will take over as Chairman for this petition.

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 -

It was noted that Ms. Pepin and Mr. Forrester were not in attendance. Attorney Florek, Town Attorney, addressed the Commission as to what issues they felt are important and need researching. Mr. Farrington-Posner questioned Attorney Florek as to whether he is also representing the Town Council in matters concerning 795 James Farm Road and feels if this is the case it would be a conflict of interest to also represent the Zoning Commission. Mr. Fuller noted there is a rumor that the Town is negotiating to acquire this property. Attorney Florek assured the Commission there is no active negotiations to acquire this property. Mr. Farrington-Posner feels this is a conflict of interest and will compromise the integrity of the Zoning Commission if Attorney Florek is allowed to continue to represent the Zoning Commission.

Mr. Juliano made a motion to put 795 James Farm Road back on the table. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.

Ms. Philips will resume Chairmanship of this Commission.

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

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

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

Mr. Fuller made a motion to waive the rules to hear 45 North Parade. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.

45 North Parade & 245 King Street – Petition of the Building Needs Committee seeking approval of a Special Case as required by 4.1.6.1 to construct a new high school in an RS-4 & LB District – Mr. Fuller made a motion to take 45 North Parade and 245 King Street off the table. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously. Mr. Fuller commented that this has been a long process and commended the work of the Building Needs Committee. Mr. Farrington-Posner made a motion to approve 45 North Parade & 245 King Street with the stipulation that a 20' fence be installed during construction to protect adjacent car wash and oil change property from potential dust problems. The motion was seconded by Mr. Fuller. The motion carried unanimously.

Approval of Minutes – Mr. Farrington-Posner made a motion to approve the minutes of July 12th. The motion was seconded by Ms. Baker. The motion carried unanimously.

Discussion –

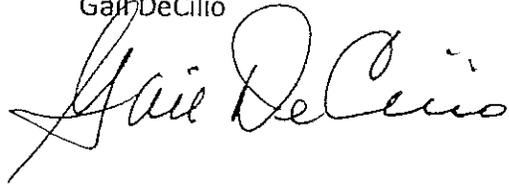
- 1) 164 Hamilton Avenue – Mr. Fuller made a motion to take 164 Hamilton Avenue off the table. The motion was seconded by Ms. Baker. The motion carried unanimously. Mr. Farrington-Posner made a motion to waive the rules to allow Attorney Knott to address the Commission. The motion was seconded by Mr. Juliano. The motion carried unanimously. Attorney Knott reviewed site map and all stipulations that were put in place for final approval. He also noted he has to return to Judge Belis to get final approval for settlement. Mr. Farrington-Posner made a motion to approve final plans for 164 Hamilton Avenue. The motion was seconded by Mr. Fuller. The motion carried unanimously.

Remainder of agenda will be suspended until the August 9th meeting of the Zoning Commission. Chairman Philips also suggested a Special Meeting be held the last Tuesday in August. Ms. Philips will be unable to attend the August 30th meeting. Mr. Rusatsky will get information on whether legal notice is required for the August 9th meeting for 443 King Street.

Mr. Farrington-Posner made a motion to close the Public Hearing at 10:51 p.m. The motion was seconded by Mr. Fuller. The motion carried unanimously.

Respectively Submitted,

Gail DeCilio

A handwritten signature in cursive script that reads "Gail DeCilio". The signature is written in black ink and is positioned below the printed name.

