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## Zoning Commission Administrative Session

August 24, 2016

The Zoning Commission held an Administrative Session on Wednesday August 24, 2016 at Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

**Members Present:** Chairman D. Fuller, L. Pepin, M. Juliano, S. Farrington-Posner, G. Forrester sitting for S. Philips

**Also Present:** Jay Habansky, Planning & Zoning Administrator, Mr. Florek, Town Attorney

**Members Absent:** S. Philips

**Alternates:** G. Forester

**Call to Order:** In the absence of Chairman Philips, Mr. Fuller called the meeting to order at 7:03 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 –**

**795 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 -**

Ms. Pepin made a motion to take all three (3) items for 795 James Farm Road off the table. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously. It was noted that a Verified Pleading and Protest Petition were submitted to the Commission. As for the verified pleading, Commissioners should specifically indicate whether the petition has been validly presented and, if so, must consider the potential harm to the natural resources

and any reasonable alternatives to the project as presented. If Commissioners find that the protest petition was validly presented and signed by 20% of the area lots within 500 ft. of the proposed development, the need for four (4) votes to approve the project will be triggered. Attorney Florek discussed the protest petition noting four (4) votes are required for the zone change. The verified pleading does not change the vote but alleges harm to the public interest. He also noted that the Commissioners are bound to determine if there are any reasonable alternatives which exist.

Mr. Habansky distributed Reasons for Approval, Reasons for Denial and discussion that must be on the record tonight. Under reasons for approval #12-15 were added. Mr. Juliano noted that #14 was worded well. Under reasons for denial, Mr. Habansky discussed #1, #2 (sub-set a-e), #3, changes to #4, wording revision on #8, #9, typing error #15, #17-20. Mr. Fuller would like to strike #11. He noted that all three (3) petitions should be voted on as one.

Mr. Fuller noted there has been many hours of public hearings and administrative sessions on this project and he is proud of the work that the Commission has accomplished. He also noted he is having a hard time supporting this project and believes the verified pleading has merit. He discussed sewer system, area wells and protected species.

Ms. Pepin agreed with Mr. Fuller and feels the petition needs more detail, in particular, the actual size of the parcel. She also believes it should go before the Inland Wetland Commission.

Mr. Forrester believes, if approved, this will put protocols in place for endangered species. He feels the verified pleading and protest petition meet the standards. He feels project will harm wetlands, well water and public interest will potentially be impacted. Therefore, the public interest outweighs the need for affordable housing.

Mr. Farrington-Posner noted the project should have gone to the Inland Wetland Commission prior to coming to Zoning. Feels there are too many unanswered questions.

Mr. Habansky questioned the commission if there are any reasonable changes which can be made that will not compromise the public interest. Commissioners discussed topography, fill and retaining wall. Mr. Forrester commented that this commission has to act on what is in front of them not what could potentially be in front of them.

Mr. Forrester commented on the interjection of the Town Council into this Zoning project. He noted that given the right project the Zoning Commission would approve as it has done in the past. Mr. Fuller has filed a "Freedom of Information" inquiry and feels that the Town Council is overstepping its authority.

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Mr. Forrester made a motion to deny 795 James Farm Road petitions 1, 2 and 3 for reasons stated on the denial brief. The motion was seconded by Ms. Pepin. Roll call vote taken:

- Mr. Farrington-Posner – deny
- Mr. Forrester – deny
- Ms. Pepin – deny
- Mr. Juliano – deny
- Mr. Fuller – deny

795 James Farm Road denied unanimously.

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Seeing no other business to discuss, Mr. Farrington-Posner made a motion to adjourn. The motion was seconded by Mr. Juliano. Motion carried unanimously. Meeting adjourned at 7:51 p.m.

Respectively Submitted,  
 Gail Decilio  
 Recording Secretary