

Zoning Commission Public Hearing and Administrative Session

August 30, 2016

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STRATFORD TOWN CLERK

The Zoning Commission held a Public Hearing and Administrative Session on Tuesday, August 30, 2016 at Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

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

Also Present: Jay Habansky, Planning & Zoning Administrator

Members Absent: Chairman S. Philips

Alternates: None

Call to Order: In the absence of Chairman Philips, Ms. Pepin called the Public Hearing to order at 7:02 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 –

The above mentioned petitions have been continued until the September 27th meeting of the Zoning Commission.

2278 Main Street – Petition of Sherry Frank for approval of a Special Case as required by 14.2.2 & 210 to allow a psychic & life coach business in an RS-4 District – Attorney Proto, representing the petitioner, submitted Certificate of Mailing letters noting they had been mailed out but as of this date have not been returned. He informed the Commission that there will be no structural changes to the premises besides an ADA compliant handicap ramp. He also noted that the applicant has existing facilities in Boston and Falls River, Massachusetts. There will be no parking issues because clients are on an appointment only basis and applicant will have parking spots in the rear of the building stripped as suggested by the Zoning Department. Commissioners questioned hours of operation and services offered. Attorney

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Proto noted there will not be any neon lighting only a shade in the window advertising the business.

Resident of Frances Place questioned if the applicants was renting or purchasing the property and whether there is sufficient parking in rear.

Seeing no other members of the public speaking in favor or opposition to the application, Mr. Farrington-Posner made a motion to close 2278 Main Street. The motion was seconded by Mr. Juliano. The motion carried unanimously.

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

Administration Session

Ms. Pepin called the Administration to order at 7:36 p.m.

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

2278 Main Street – Petition of Sherry Frank for approval of a Special Case as required by 14.2.2 & 210 to allow a psychic & life coach business in an RS-4 District – Mr. Farrington-Posner made a motion to take 2278 Main Street off the table. The motion was seconded by Mr. Fuller. The motion carried unanimously. Commissioners agreed this would be a less intensive usage of the property and discussed stipulations for approval noting this application would also have to go before the Historic Commission. Mr. Farrington-Posner made a motion to approve 2278 Main Street with the stipulations that the applicant adhere to conditions set forth by the Historic Commission, closing time will be no later than 8:00 p.m., parking lot be stripped and there be no neon signage. The motion was seconded by Mr. Juliano. The motion carried unanimously.

900 Access Road – Petition of Burns Family Limited Partnership for approval of a Special Case as required by 7.1.7.1, 7.1.7.2, 10.1.3.1 and 20 to allow a drive-through restaurant with outdoor dining in an MA District – This item will be postponed until the September 27th meeting of the Zoning Commission.

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Approval of Minutes – Mr. Fuller made a motion to approve the minutes of July 26th and August 9th. The motion was seconded by Mr. Farrington-Posner. The motion carried unanimously.

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Mr. Farrington-Posner made a motion to waive the rules to have Attorney Florek discuss court disposition of 200 East Main Street (Popeye's). The motion was seconded by Mr. Juliano. The motion carried unanimously. Attorney Florek discussed the sustained appeal by 200 East Main Street LLC denial of Popeye's restaurant. He noted the commission can establish reasonable conditions on approval. He also noted client's conditions to which they will agree. Mr. Habansky informed the commission that the application also needs approval from the Department of Transportation. Mr. Juliano reiterated his concern with the separation tanks and their safety. Mr. Farrington-Posner would like to peruse original plans. Mr. Habansky noted original and new plans will be available in the Zoning office. Mr. Fuller made a motion to table 200 East Main Street LLC. The motion was seconded by Mr. Juliano. The motion carried unanimously.

Discussion –

- 1) 795 James Farm Road – Complete
- 2) 1254-1264 Linden Avenue – 18 month extension for submitting final plans for retail center – Will be heard at the Administrative Meeting on September 13th.
- 3) 3044 Main Street – Filing of final plans – Will be heard at the Administrative Meeting on September 13th.
- 4) 170 Oronoque Lane – 18 month extension to receive permits - Will be heard at the Administrative Meeting on September 13th.
- 5) 411 Barnum Avenue Cut-off – Fright Haven – Mr. Farrington-Posner made a motion to waive the rules to question applicant. The motion was seconded by Mr. Juliano. The motion carried unanimously. Mr. Levine informed the commission that this is a temporary use of the property. Police will be hired and a portion of the proceeds will go to MADD and the Stratford Police Athletic League. He also noted that the Stratford Fire Department is required to inspect prior to opening. Will be open September to October 31st. Mr. Fuller made a motion to approve Fright Haven with the final approval of the Police and Fire Departments. The motion was seconded by Mr. Juliano. The motion carried unanimously.

CAM Site Plan Review –

- 1) 900 Access Road – Will be heard at the September 27th meeting of the Zoning Commission.

Zoning Enforcement Study – Mr. Farrington-Posner has had complaints from constituents that it appears that someone is living in a camper on the old Parr Pool parking lot property on Ferry Boulevard. He also noted there is unregistered motor vehicles and trash on the property. Mr.

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Habansky will investigate. Mr. Fuller felt this is also a police department and public health issue.

Ms. Pepin reiterated the new housing on Main Street near Wendy's - aesthetics with the power meters in full view is an eyesore. Mr. Habansky suggested the Councilperson for that district speak to the owner of the property.

Accessory Apartment Applications – None

Sediment & Erosion Control Applications – None

Planning Projects –

1) Greenway – Ms. Pepin reported the Traffic Authority will be meeting on September 15th to make a judgement.

Goal Setting –

- 1) Signs**
- 2) SAEP Property**
- 3) A) Medical Marijuana Moratorium –** In the absence of any discussion from the Planning Commission, Mr. Fuller would like to forward a text amendment to the Planning and Zoning Administration and have this put on the agenda. **Mr. Fuller made a motion to have Medical Marijuana put on the agenda. The motion was seconded by Mr. Juliano. The motion carried unanimously.**
B) Methadone Clinic Moratorium – No discussion
- 4) Parking –** Discussed regulations – will take up restaurant parking first
- 5) Recommendations to Town Council –** Request sidewalk repair and address flooding issue on Hamilton Avenue – Noted chairman was going to draft letter – will put on the agenda for next month.
- 6) Other -**

Seeing no other business to discuss, Mr. Fuller made a motion to close the meeting at 9:09 p.m. The motion was seconded by Mr. Juliano. The motion carried unanimously.

Respectively Submitted,

Gail DeCilio