

Zoning Commission Special Public Hearing

October 20, 2016

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STRATFORD TOWN CLERK

The Zoning Commission held a Special Public Hearing on Thursday, October 20, 2016 at Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

Members Present: D. Fuller, L. Pepin M. Juliano, G. Forrester sitting for Ms. Philips

Also Present: Jay Habansky, Planning & Zoning Administrator, Town Attorney K. Kelly and Atty Florek, Attorney Kubik, Attorney Bellis

Members Absent: S. Philips,

Alternates: G. Forester

Call to Order: In the absence of Ms. Philips, Ms. Pepin called the Public Hearing to order at 7:01 p.m.

Ms. A. Baker will be sitting in the vacated position of S. Farrington-Posner and is presently reviewing tapes of previous hearings. She will also be reviewing this evening's recording and all documents submitted into the record.

795 James Farm Road – Modified 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 – Modified 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 – Modified 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 - Attorney Belis, representing petitioner, informed the Commission that he had decided to come back to the Zoning Commission with a modified petition instead of going to court. Amended plan reduces density to sixty (60) units (eighteen affordable), parking to one-hundred thirty-four (134) spaces, 12.9 units per acre, 28.9% open space and area of development is 4.612 acres. He also noted that, if approved, the property will have to be sub-divided through Planning Commission and will have to go to the WPCA.

M. Silva, engineer with Rose Tiso and Company, distributed and reviewed site map, grading plan, erosion control, landscape plan and sanitary sewer plan. He also submitted for

the record "Site Engineer Design Report", response to Town Engineer comments and "Fire Apparatus Access Roads". He discussed Conservation Administrators' concerns.

Commissioners questioned the possibility of a second entrance to property, retaining wall integrity, signage at roadway, survey for sewer hookup and impact on existing sewer systems. Attorney Bellis assured the Commission if blasting would take place the State Statue reserves the sole jurisdiction with the Fire Marshall. Commissioners questioned driveway slope, actual acreage of property, placement of dumpster, installation of sidewalks and why Zoning was the first board to review this petition and not the Planning Commission. Attorney Bellis noted the acreage never changed (4.6) which is part of the CL&P acreage, discussed the upland review area noting Inland Wetland Commission has no jurisdiction to review.

Attorney Kevin Kelly, representing the Town of Stratford, submitted for record verified pleadings, discussed acreage of property and discussed judges' decision on Inland Wetland review. He requested Certificates of Mailings and would like the audience to raise hands if in opposition of this project. Attorney Bellis objected to the audience raising hands. Attorney Florek informed the Commission that it is his opinion that the audience can raise their hands in objection. Fifty-two (52) members of the audience raised their hands. Attorney Kelly read names into record of area residents who are in opposition of this project who were not notified by mailings.

Mr. T. Casey, STV Engineer, distributed and reviewed "Engineering Review Comments". He discussed the 5, 10, 50 and 100 year storms, discussed grading of the driveway and erosion control plan. Commissioners questioned if the wall could be compromised during 50 or 100 year storm.

Mr. T. Pietras, soil scientist, submitted for record "Site Plan Review"

Attorney Kelly noted this petition does not adhere to fire prevention codes for the following reasons:

- 1) Entry grade too steep
- 2) No secondary access
- 3) Insufficient fire lanes

B. Lambert, Stratford Fire Marshall, referred to fire prevention code NFPA1, noting this project needs a second access, needs access to water and water during an emergency would be equivalent to at least 50-year storm. He also noted blasting, if needed, would be regulated through his office. Commissioners questioned appropriate grade, operating fire trucks under power lines, tonnage of trucks and width of trucks. Commissioners would like to have a written summary of the Fire Marshalls' assessment.

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R. Basulto, Fire Engineer, discussed site plan, slope, and NFPA1 Fire Code. He noted code requires a 5% slope, fire water truck would produce more water than a 50 year storm and turning radius of fire equipment.

Attorney Kelly referred to sections of NFPA1 and requested this hearing be left open for summary of Fire Marshalls' and Mr. Basulto written review. He also noted that it is his finding that this project does not meet the necessary requirements for approval.

Recess: 9:39 p.m.

Resume: 9:46 p.m.

Attorney Kubik, representing neighborhood, submitted two (2) verified pleadings, new protest petition, assessors' map, list of adjacent property owners, and S. Danzer, soil scientist, report. He discussed changes in the modified site plan and the acreage. He submitted for the record "Minimum Standards of Accuracy, Content and Certification for Surveys and Maps", original site plan, business inquiry on Julia Ridge Business Management and photographs of tower reconstruction near power lines.

Attorney K. Ahlberg submitted for the record his written opinion, Bill of Sales, Probate Court document, Quit Claim deed and site maps #3279 and #3299.

Mr. Ezyk, James Farm Road, discussed retaining wall, trips need to transport fill and sewer installation.

Attorney Kubik noted reasons for denial – sewers and assessments, traffic and retaining wall. Substantial public interest that substantiates denial.

Resident, 70 Alexandria Drive, discussed blasting and septic systems

Resident, 265 Coach House Road, discussed sloped driveways

Attorney Bellis requests to leave the hearing open until which time he receives Fire Marshalls' summary. Attorneys' Kelly and Kubik object to leaving the hearing open. Attorney Florek informed the Commission that the statute states decision has to be made sixty-five (65) days after submission of modified plans. Discussion ensued.

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Mr. Forrester made a motion to recess until November 1st in order to receive comments made today by the Fire Marshall to be submitted into record. The motion was seconded by Mr. Fuller. The motion carried unanimously.

Seeing no other business to discuss, Mr. Fuller made a motion to adjourn. The motion was seconded by Mr. Juliano. Motion carried unanimously. Meeting adjourned at 10:45 p.m.

Respectively Submitted,

Gail Decilio

Recording Secretary

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