

# Town of Trumbull

CONNECTICUT

**Planning and Zoning  
Department**  
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**Town Hall**  
5866 Main Street  
Trumbull, Connecticut 06611

## **PLANNING & ZONING COMMISSION**

To: MEMBERS OF THE PLANNING AND ZONING COMMISSION

RE: REGULAR MEETING – **WEDNESDAY, June 18, 2014**

The Planning and Zoning Commission will hold a regularly scheduled meeting on Wednesday, June 18, 2014 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

### **AGENDA AMENDED**

#### **PUBLIC HEARING**

#### **SUBDIVISION**

Application #14-06 – Mary Grace Mandanici and John Mandanici, Jr.

4 Lot Subdivision Plan Prepared for McGrath Meadows, dated October 29, 2007 with street address of 254 Shelton Road. HEARING CONTINUED FROM MARCH 19, 2014.

#### **ZONING AMENDMENT**

Application #14-18 – Amending of Art. II, Sec. 1.2.4 to permit lights at athletic fields on land owned by non-profit secondary schools. Petitioner: Raymond Rizio, Esq., Attorney for Bridgeport Roman Catholic Diocesan Corp.

Application #14-19 – Amending of Art. II to add Sec. 3.3 to establish Village Retail Overlay District  
Petitioner: John F. Fallon, Esq.

#### **ZONE CHANGE**

Application #14-24 – Amending the zoning map and zone boundaries of the Town of Trumbull to change from Resident Zone A to Resident Zone A/Village Retail Overlay District, a parcel of land located at 4244 Madison Avenue containing 1.5 acres more or less. Petitioner: M.F. DiScala & Co.

## **SPECIAL PERMIT/SITE PLAN APPROVAL**

Application #14-12 – Donna & Joseph Szatkowski  
546 White Plains Road

Pursuant to Art. II, Sec. 2.1.3 and Art. XIII Special Permit to establish, within existing footprint, a professional office approximately 265 sq. ft. in size with associated parking and erect 2'x3' ground sign mounted on post. HEARING CONTINUED FROM MAY 21, 2014

Application #14-21 – Reid and Meredith Walsy  
4 Crocus Lane

Pursuant to Art. II, Sec. 1.3.2.7 Special Permit to establish a 706.5 sq. ft. accessory apartment within existing footprint.

Application #14-22 – Ruby Tuesday  
5065 Main Street (Westfield Shopping Center)

Pursuant to Art. II, Sec. 3.1.7, Art. XIII and Art. XV, Sec. 1 Special Permit to modify building façade and replace existing signage.

Application #14-23 – Robert O'Sullivan  
121 Cottage Street

Pursuant to Art. II, Sec. 1.3.2.7 Special Permit to construct 700 sq. ft. addition for use as an accessory apartment.

Application #14-25 – M.F. DiScala & Co.  
4244 Madison Avenue

Pursuant to Art. II, Sec. 3.3 Special Permit/Site Plan approval to construct a 16,000 sq. ft. retail plaza, with associated parking and site improvements.

## **REGULAR MEETING**

**Municipal Improvement** – Pursuant to Sec. 8-24 of the CGS request for P&Z recommendation for acquisition of charitable donation, to the Town of Trumbull, of property located 6175 Main Street

### **Request for Extension of Time to Start Construction**

Application #10-42 – The Village at Long Hill Green  
Broadway Road/Whitney Avenue

**Request for Bond Release**

Application #11-28 – 43 Monroe Turnpike LLC  
41-43 Monroe Turnpike  
Site Bond

**Acceptance of Minutes**

Accept minutes of the May 21, 2014 Regular Meeting.

**Pending Applications**

Consider and act on applications from tonight's Public Hearing.

**Planner's Report**

**Draft Amendments**

1. Medical Marijuana Regulations
2. Definition of front yard/side yard/rear yard.
3. Minimum number of lots on cul-de-sac.
4. Minimum box requirement on all lots.
5. Change in definition of frontage.

By: \_\_\_\_\_  
Helen Granskog  
Clerk

**COMMISSION MEMBERS: PLEASE NOTIFY THE CLERK AT 452-5044 or  
hgranskog@trumbull-ct.gov, IF YOU ARE UNABLE TO ATTEND.**

**EXHIBIT A**

**SPECIAL PERMIT USES**

**in a**

**RESIDENTIAL AA ZONE**

**ARTICLE II - Section 1.2.4** shall be amended to read as follows:

4. Churches and other places of worship, including parish houses and Sunday School buildings; non-profit primary and secondary schools; and buildings housing personnel affiliated with said churches and schools. In addition, building in existence on the effective date of this amendment and used as housing for such affiliated personnel, may be converted to housing for students attending such schools and located on the same property as the school buildings. No building used for student housing shall be located closer than one hundred (100) feet from any property line. Permanent and temporary light poles for lighted athletic fields on non-profit secondary school property shall be permitted up to a height of eighty (80) feet for permanent and fifty (50) feet for temporary lights provided that all of the requirements of Article XV are satisfied.

### 3.3 VILLAGE RETAIL OVERLAY DISTRICT

#### 3.3.1 *Permitted Uses*

The purpose of this zone is to provide retail services and retail business locations in certain areas of Madison Avenue. The area to be included within this zone shall be Madison Avenue from Chestnut Hill Road to Chatfield Street. Within this area, no parcel shall be eligible for inclusion within this zone unless it has a minimum lot area of one acre and frontage on Madison Avenue of 200'. Within this zone no Building or Structure shall be erected, altered, occupied or used, arranged or designed to be used for other than one or more of the following specified purposes:

None.

#### 3.3.2 *Special Exception Uses*

The following Uses are allowed only by the issuance of a Special Exception by the Zoning Board of Appeals in accordance with Articles VI and XV of these Regulations:

None.

#### 3.3.3 *Special Permit*

The following Uses are allowed only upon the issuance of a Special Permit by the Commission in accordance with Article XV of these Regulations:

1. A retail business or retail service use including but not limited to those on the list occupation listed below, provided that there shall be no manufacturing or treatment in connection therewith, except such as is clearly incidental to the conduct of a retail business or service conducted on the premises:
  - a. The sale of any kind of food, including pastries and confections; (drive through service shall not be permitted)
  - b. Books, newspapers, periodicals or stationery;
  - c. Florist shop;
  - d. Gift shop;
  - e. Antiques;
  - f. Jewelry;

- g. Shoes and shoe repairing;
  - h. Home goods and furnishings;
  - i. Photographer's studio, yoga studio, artist studio and art galleries;
  - j. Barber shop and beauty parlor;
  - k. Clothing and related lines;
  - l. Restaurants, without drive thru.
2. Business and professional offices.
  3. Bank, without drive thru.

**3.3.4 Bulk (Building Standards)**

In the Village Retail Overlay District, the following shall apply:

1. Maximum Building Coverage shall not exceed 30% of the total site available for such use nor shall the Gross Floor Area of any buildings or other structures to be constructed exceed 50% of the total site.
2. No building in this zone shall exceed 35 feet in height.
3. Setbacks –
 

Front	50'
Side	50'
Rear	30'
4. Minimum Landscape Area Requirements (MLA)  
The area of the lot devoted to pervious landscaping will not be less than 25%.

For purposes of this Section, pervious landscaping will consist of any of the following or combination thereof: grass, ground cover, vines, shrubs, hedges and trees.

**3.3.5 Design Guidelines**

All new development in this zone shall be compatible in terms of materials, building siting, architecture and landscaping with surrounding development. Achieving compatibility does not require that the style or materials used must mimic those of adjacent buildings. Staggered or off-set unit facades and/or varied unit façade materials should be utilized.

### **3.3.6 Provisions for Vehicles**

Except as expressly provided otherwise for particular uses, any Use within this zone shall provide sufficient parking which reasonably accommodates the nature and purpose of the proposed use. On-street parking is prohibited. On-site parking areas shall be planted with trees (size and species as recommended by the Town Tree Warden) with at least one (1) tree for each twelve (12) off-street parking spaces. Parking adjacent to residential properties shall be screened with landscaped buffers.

Specific parking requirements within this zone shall be as follows:

#### **3.3.6.1 Business and Professional Offices**

One (1) space for each two hundred and fifty (250) gross square feet of Floor Area.

#### **3.3.6.2 Retail Stores and Banks**

One (1) space for each two hundred and fifty (250) square feet of Gross Floor Area.

#### **3.3.6.3 Restaurants**

One (1) space for every forty-five (45) square feet of Patron Floor Area.

### **3.3.7 Signs**

1. Entrance signs shall identify the parcel and not any single tenant. These signs shall follow all the rules stated above for single use parcels; the maximum sign area shall be 40 square feet. The entrance sign maybe located on the front lot line and a minimum of fifteen (15) feet from any other lot line.
2. Unified Signage Plan for Tenant Signage – Applicant shall submit a unified sign design plan for approval by the Planning & Zoning Commission. Signs on multi-tenant buildings shall be of the same general type, character, size and relative location so as to provide a harmonious design. A sign design plan shall be prepared by a qualified sign designer, graphic artist, or architect, and shall include all proposed sign locations and designs including method of mounting, method of lighting, height, length, depth, and position on walls. The plan shall include a drawing showing the sign(s) dimensioned and to scale on the façade of the building(s) it will be attached to. The sign plan must be consistent with all

other elements of the signage regulations contained in this Section and Article XIII. Once a unified sign plan is approved by the Planning & Zoning Commission, substitutions that remain consistent with the originally approved sign plan may be approved administratively by the agent of the Planning & Zoning Commission. Any significant deviations from the plan must return to the Planning & Zoning Commission for review.

3. The following types of sign will be accepted:
  - a. Wood or composite carved and painted signs with adequate wall wash lighting in appropriate style to complement village lighting style
  - b. solid-color awnings with lettering (not graphics) as follows:
    - a. awnings to be constructed of fabric or canvas
    - b. lettering size not to exceed 25% of awning height or 50% of width of awning
  - c. A combination of awning and signage will be allowed providing it is in correct proportion of building façade
  - d. Internally illuminated signage not permitted
4. The total area of all building wall signs for each tenant shall not exceed one square foot for each linear foot of the front of the building, or 100 total square feet, whichever is smaller. The front of the building shall be defined as the longest building wall which faces directly onto a street or driveway. Signs may be placed on any side of the building that faces the roadway or substantial parking area.
5. Attached signs shall not protrude more than 12" from the building façade.
6. Signs may be non-illuminated by external spot light. External spot lights should be directed to minimize light shed onto or beyond the building façade. Internal illumination of signage is not permitted. In accordance with Article XIII, any method of illumination that shows the bulb (such as neon) is not permitted.
7. Notwithstanding anything above, the Commission may limit or prohibit the size, location or illumination of any sign deemed to be visible to a residential zone or structure within 1,000 feet of the Multiple Tenant Retail Center.

### 3.3.8 *Lighting*

1. Exterior Lighting shall be in accordance with the provisions of Section 4.2 and where used, shall enhance public safety, the building design and the landscape features.

2. Lighting shall be restrained in design and excessive brightness avoided.
3. Parking lot lighting to be addressed with building fixtures and minimal height poles and/or bollards of traditional design consistent in character with the proposed building and neighborhood. not to exceed twelve (12) feet in height.
4. All lighting shall be full cutoff and dark sky compliant.

### 3.3.9 *Additional Special Regulations*

1. **Rooftop HVAC Equipment.** All rooftop structures and all rooftop equipment, such as cooling, heating and other mechanical devices, shall be fully screened within architecturally compatible screening which shall be exhibited on a Site Plan to be submitted and approved by the Commission. Such screening shall prevent the visibility of these units within a radius of 200 feet from ground level. Such structures shall not exceed 30% of a single, contiguous roof area and shall not extend more than ten (10) feet above the roof;
2. **Uses to be Within Buildings.** All principal uses shall be conducted within a completely enclosed building, and the storage and display of materials, vehicles, merchandise or equipment between the street line and the front wall of any building is prohibited. Outside storage of goods, materials, work in process, finished products, trash, rubbish or other material or equipment, including trucks or other commercial vehicles used on the premises, shall be in a suitably screened area to reasonably prevent their view from adjacent zones or roadways. The Commission may approve outdoor use for a term not to exceed three (3) years for such uses as outdoor dining, cafes or other appropriate outdoor uses. Any such approval may be extended from year to year, on application to the Commission;
3. **Preservation of Existing Topography and Vegetation.** Development of the site shall retain, as nearly as practicable, existing topographic contours. Specimen trees and other existing vegetation within the buffer areas or as required in parking areas shall be protected during construction. Where the buffer is adjacent to a residential zone, the Commission may require additional screening, including evergreen plants with at least one tree for each ten (10) feet of buffer length. It is the objective of the buffer zone to provide, as nearly practical, a year-round screen so as to hide the commercial buildings and parking from view of the neighboring lots. Pursuant to this, the Commission may require berms, evergreen plants and/or erection of screens.

PLANNING AND ZONING COMMISSION  
TOWN OF TRUMBULL

# 14-24

REQUEST FOR ZONE CHANGE

Date: MAY 27, 2014

Name of Applicant: M.F. DISCALA & COMPANY Phone # c/o JOHN F. FALLON, ESQ.  
203-256-3247

Address of Applicant: c/o JOHN F. FALLON, ESQ. 53 SHERMAN ST. FAIRFIELD, CT 06824

Email address: jffallon@snet.net

Location of Property: 4244 MADISON AVENUE

Present Zoning District RES. A

Proposed Zoning District COMMERCIAL ZONE B-C

Assessor's Map No. 10 Parcel No. 37 Lot No. 40

Legal Description, on separate sheet, to be attached hereto.

Owner of Record: JEN CON PROPERTIES, INC.

Address of Owner of Record: c/o VINCENT L. NOCE, JR. ESQ. 3354 MAIN ST.  
BRIDGEPORT, CT 06606

Reason for Hearing: \_\_\_\_\_

REQUEST ZONE CHANGE, TEXT AMENDMENT AND SPECIAL PERMIT/SITE PLAN

APPROVAL TO CONSTRUCT RETAIL SHOPPING PLAZA AT 4244 MADISON AVENUE.

M.F. DISCALA & COMPANY

Signature of Applicant: 

BY: JEN CON PROPERTIES, INC.

Signature of Owner: 

BY:

**A FEE IN THE AMOUNT OF \$460.00 MUST ACCOMPANY THIS APPLICATION.  
Make check payable to TOWN OF TRUMBULL.**

**A 500 FOOT RADIUS MAP MUST ACCOMPANY THIS APPLICATION.**

**SCHEDULE A**

**PROPERTY DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon standing, situated in the Town of Trumbull, County of Fairfield and State of Connecticut, consisting in 1.54 acres, more or less, as shown and designated on a certain map entitled "Map of property prepared for Geiger's Garden Center Trumbull-Connecticut, scale 1"=20' August 5, 1982 Gregory Surveyors certified substantially correct as to the precision of a Class A-2 survey, Roger K. Gregory L.S. Connecticut, Registered #7025", which map is on file in the Trumbull Town Clerks Office as map No. 2536, more particularly bounded and described as follows:

NORTHERLY: 170.79 feet by land now or formerly of Steven & Gloria Curry;

EASTERLY: 309.31 feet in part by land now or formerly of Frank & Elizabeth DeLorenzo; in part by land now or formerly of Anthony & Carol Campanaro; and in part by land now or formerly of Kathren Panola;

SOUTHERLY: 23 feet by land now or formerly of Kathren Panoli;

AGAIN EASTERLY: 80 feet by land now or formerly of Kathren Panoli;

AGAIN SOUTHERLY: 151.23 feet by land now or formerly of Harold & Ann Wright;

WESTERLY: 388.61 feet by Madison Avenue.

TOGETHER with the benefit of an easement from Frank and Elizabeth DeLorenzo to Pablo L. and Diane Jimenez dated January 31, 1997 and recorded in Volume 916 at Page 140 of the Trumbull Land Records.

Said premises are also known as 4244 Madison Avenue, Trumbull