

Town of Trumbull

Planning and Zoning
Department
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CONNECTICUT



Town Hall
5866 Main Street
Trumbull, Connecticut 06611

PLANNING & ZONING COMMISSION

To: MEMBERS OF THE PLANNING AND ZONING COMMISSION

RE: REGULAR MEETING – WEDNESDAY, December 16, 2015

The Planning and Zoning Commission will hold a regularly scheduled meeting on Wednesday, December 16, 2015 at 7:00 p.m. in the Council Chambers of the Trumbull Town Hall.

AGENDA

ELECTION OF OFFICERS

APPROVAL OF 2016 MEETING DATES

PRE-APPLICATION REVIEW

Preliminary proposal to construct a multi-family residential development, within an I-L2 Zone, with street address of 109 Oakview Drive. Petitioner: 2M Oak Partners LLC

PUBLIC HEARING

7:30 p.m.

LIQUOR LOCATION PERMIT

Application #15-41 – Maurizio Ricci
4244 Madison Avenue

Pursuant to Art. VII, proposed location for restaurant liquor permit.

Application #15-42 – Julie Stenz
4244 Madison Avenue

Pursuant to Art. VII, proposed location for restaurant liquor permit.

SPECIAL PERMIT

Application #15-43 – Christian Heritage School
511, 557, 575 White Plains Road

Pursuant to Art. II, Sec. 1.3.4 to construct 52'x67.5' two-story addition to existing academic building with associated site improvements.

Application #15-44 – Rings End
921 White Plains Road

Pursuant to Art. II, Sec. 3.1.7.2 (b) and Art. XIII to install multiple illuminated identification signage (3 signs totaling 20.5 sq. ft.).

ZONING AMENDMENT

Application #15-40 – Amending of Art. I, Sec. 3 to add definition of Medical Marijuana Dispensary and Retail Pharmacy; Art. II, Sec. 4.2.2 and Art. II, Sec. 7.1.2 of the zoning regulations of the Town of Trumbull to add retail pharmacies as a permitted accessory use in an I-L2 Industrial Zone and to include Medical Marijuana Dispensaries as a prohibited use in all industrial zones.

ZONE CHANGE

Application #15-45 – Amending the zoning map and zone boundaries of the Town of Trumbull to change from Industrial Zone I-L2 to Commercial Zone B-C a parcel of land located at 7180-7192 Main Street containing 2.324 acres more or less. Petitioner: 7182 Main Street, LLC and 7192 Main Street LLC

Application #15-46 – Amending the zoning map and zone boundaries of the Town of Trumbull to change from Industrial Zone I-L2 to Commercial Zone B-C a parcel of land located at 7120 Main Street containing 10.1 acres more or less. Petitioner: Seventy-One Twenty Main, LLC

REGULAR MEETING

Acceptance of Minutes

Accept minutes of the November 18, 2015 meeting.

BOND RELEASE

Application #12-14
140 Monroe Turnpike
Landscape Bond

NARRATIVE

The applicant respectfully requests a change in zone for the property located at 7120 Main Street from Industrial Zone I-L2 to a Commercial Zone B-C. Under the Business Development section of the 2014 Plan of Conservation and Development, it states that the goals of said Plan are to 1) "Attract, encourage and support high quality business development to build the tax base, provide jobs and provide services," 2) "Update zoning districts and regulations to encourage the types of businesses we want to see in Trumbull," and 3) "Tailor our business zones to reinforce the distinct roles of our business areas. The current building at 7120 Main Street has been vacant for ten (10) years and is not a viable or desirable industrial site. A change in zone will attract and encourage high quality business development to finally build the tax base, provide jobs and services on a grossly underutilized property. With specific reference to Upper Route 25, said Plan comments that "a combination of retail, office, and light industrial (and even some residential-type uses) might be appropriate for this area and labels it a "prime business development corridor." Changing the zone at said property to Commercial B-C will give this corridor the mixed-use potential contemplated in said Plan. Further, said Plan indicates in the Upper Route 25 area that "the overall intent is to tap into the commercial potential without impinging on the nearby neighborhoods." The change in zone for said property will clearly allow it to tap into its commercial potential, but it will not impinge on nearby neighborhoods as the property directly abuts the Trumbull Transfer Station and an industrial propane gas company.

Commercial uses in this area would be more consistent with the development occurring on Main Street in Trumbull and Monroe. Said property is located under four hundred feet (400') south of the border with Monroe. By granting this zone change, a commercial corridor will be created that extends into Trumbull. Said property's location with direct entrance/exit onto Main Street will provide convenience for residents to access commercial uses and, therefore, be a strong draw for any possible commercial tenants. The change in zone will also be consistent with State and Regional Plans. According to the 2014 POCD, one of the principles of the State Plan is to "concentrate development around transportation nodes and along major transportation corridors to support the viability of transportation options." Not only is said property located on the major transportation Main Street corridor, it is located only half a mile north of the major intersection of Route 25 and Route 111.

For the above-stated reasons, the applicant respectfully requests approval for a zone change from Industrial Zone I-L2 to a Commercial Zone B-C for the property located at 7120 Main Street.

All that certain piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Trumbull, County of Fairfield and State of Connecticut, and shown on that certain map entitled "Map of Survey of Property in Trumbull, CT for: Allied Stores, Inc." dated April 27, 1965 and on file in the Trumbull Town Clerk's Office as Map No. 1300, said parcel being bounded as follows:

Northwesterly: by land now or formerly of Howard S. Rowan, 676.15 feet;
Northeasterly: by land of the Town of Trumbull, 807.26 feet;
Southeasterly: by Spring Hill Road, 58.98 feet;
Southwesterly: by land of the Town of Trumbull, 106.20 feet;
Southeasterly again: by land of the Town of Trumbull, 110.19 feet;
Northeasterly again: by land of the Town of Trumbull; 77.97 feet;
Southerly: by Spring Hill Road, 474.27 feet;
Southerly again: by land now or formerly of Kenneth and Grace Farrar, 89.73 feet;
Southeasterly again: by land now or formerly of Kenneth and Grace Farrar,
150.00 feet; and
Southwesterly again: by Newtown Turnpike, 384.50 feet.

Being all and the same premises conveyed to Alstores Realty Corporation by that certain Warranty Deed recorded in Volume 175 at Page 34 of the Trumbull Land Records, less that small portion of property conveyed to the Town of Trumbull by that certain Quit Claim Deed recorded in Volume 179 at Page 211 of the Trumbull Land Records.

TOWN CLERK'S OFFICE, TRUMBULL, CT MAY - 9 2002

RECORDED
BY 317P M. ATTEST

George S. Murphy
Attest.

NARRATIVE

The applicant respectfully requests a change in zone for the property located at 7180 - 7192 Main Street from Industrial Zone I-L2 to a Commercial Zone B-C. Under the Business Development section of the 2014 Plan of Conservation and Development, it states that the goals of said Plan are to 1) "Attract, encourage and support high quality business development to build the tax base, provide jobs and provide services," 2) "Update zoning districts and regulations to encourage the types of businesses we want to see in Trumbull," and 3) "Tailor our business zones to reinforce the distinct roles of our business areas. A portion of said property extends into Monroe where it is zoned commercial. A change in zone will create uniformity between the Monroe and Trumbull portions of the property to attract and encourage high quality business development to finally build the tax base, provide jobs and services. With specific reference to Upper Route 25, said Plan comments that "a combination of retail, office, and light industrial (and even some residential-type uses) might be appropriate for this area and labels it a "prime business development corridor." Changing the zone at said property to Commercial B-C will give this corridor the mixed-use potential contemplated in said Plan. The Monroe portion of said property is already zoned for retail. Further, said Plan indicates in the Upper Route 25 area that "the overall intent is to tap into the commercial potential without impinging on the nearby neighborhoods." The change in zone for said property will clearly allow it to tap into its commercial potential, but it will not impinge on nearby neighborhoods as the property directly abuts the Trumbull Transfer Station and an industrial propane gas company.

Commercial uses in this area would be more consistent with the development occurring on Main Street in Trumbull and Monroe. As stated above, a portion of said property extends into Monroe, where it is zoned commercial. By granting this zone change, a consistent and uniform commercial corridor will be created that extends into Trumbull. Said property's location with direct entrance/exit onto Main Street will provide convenience for residents to access commercial uses and, therefore, be a strong draw for any possible commercial tenants. The change in zone will also be consistent with State and Regional Plans. According to the 2014 POCD, one of the principles of the State Plan is to "concentrate development around transportation nodes and along major transportation corridors to support the viability of transportation options." Not only is said property located on the major transportation Main Street corridor, it is located only half a mile north of the major intersection of Route 25 and Route 111.

For the above-stated reasons, the applicant respectfully requests approval for a zone change from Industrial Zone I-L2 to a Commercial Zone B-C for the property located at 7180 - 7192 Main Street.

Legal Description

7180 MAIN STREET

All that certain real property located partly in the Town of Monroe and partly in the Town of Trumbull, County of Fairfield and State of Connecticut, containing 1.373 acres and being shown on a certain map entitled "Site Plan of Property Located on the Bridgeport - Newtown Turnpike (Rt. 25) Monroe - Trumbull, Connecticut, prepared for Charles Polatssek" dated Feb. 9, 1982, revised 8/3/84, prepared by J & D Kasper & Associates, which map is on file in the Trumbull Town Clerk's Office as Map 2306 and on file in the Monroe Town Clerk's Office as Map 1739.

7192 MAIN STREET

All that certain piece or parcel of land located partly in the Towns of Monroe and Trumbull, County of Fairfield and State of Connecticut, more particularly described herewith to wit:

Beginning at a Connecticut Department of Transportation Monument on the east side of Route 25 (Main Street);

Thence, N 29° 03' 50" W 26.05' along east taking line of Route 25 (Main Street) to the northwest corner of property herein described;

Thence, N 60° 50' 22" E 461.61' along the southerly property line of land now or formerly of Vitramon Inc. to a point;

Thence, along a curve concave to the northwest having an internal angle of 05° 33' 35" and a radius of 210.00' and an arc length of 20.38' along the southerly line of property now or formerly of Vitramon Inc.;

Thence, S 26° 53' 51" E 376.32' along west line of other land now or formerly of American Trading Real Estate Properties, Inc.;

Thence, S 68° 18' 27" W 44.76' along north line of land now or formerly of McGrath to a point;

Thence, N 52° 51' 40" W 57.80' along east line of land now or formerly of Polatssek to a point;

Thence, N 47° 11' 12" W 187.85' along east line of land now or formerly of Polatssek to a point;

Thence, S 43° 18' 19" W 32.74' along north line of land now or formerly of Polatssek to a point;

Thence, S 36° 58' 12" W 114.24' along north line of land now or formerly of Polatssek to a point;

Thence, S 43° 01' 48" E 15.51' along west line of land now or formerly of Polatssek to a point;

Thence along a curve concave to the west having an interior angle of 131° 18' 04" and a radius of 58.77' and an arc length of 134.68' along west line of land now or formerly of Polatssek to a point;

Thence, S 78° 16' 12" W 171.79' along the north line of land now or formerly of Polatssek to a point;

Thence, N 29° 06' 57" W 151.67' along east taking line of Route 25 (Main Street) to a point;

Thence, N 18° 05' 27" W 78.36' along east taking line of Route 25 (Main Street) to the point of beginning.

Known and designated as Parcel 2 as shown on map entitled, "Boundary Survey for American Trading Real Estate Properties Incorporated Main Street (Route 25) Monroe/Trumbull CT, dated August 30, 1988, as revised, Scale 1" = 100', Codespotl & Associates, 3060 Main Street, Stratford, CT 06497, as filed in the Monroe Town Clerk's Office as Map No. 2182; and Map No. 2619 as filed in the Trumbull Town Clerk's Office.

EXHIBIT A

MEDICAL MARIJUANA DISPENSARY and RETAIL PHARMACY

in

DEFINITIONS

ARTICLE I - Section 3.0.102 and Section 3.0.125 shall be amended to read as follows:

3.0.102 Medical Marijuana Dispensary. A place of business where marijuana is dispensed or sold at retail to qualifying patients and primary caregivers, and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit or license to an applicant in accordance with Public Act 12-55, §21a-408, as amended, of the Regulation of Connecticut State Agencies.

3.0.125 Retail Pharmacy. A place of business where medical supplies and pharmaceutical drugs are dispensed or sold at retail, not for the purpose of resale, to qualifying patients and primary caregivers.

Sequential numbering in this section shall be amended to reflect the addition of two (2) new definitions

EXHIBIT B

PERMITTED ACCESSORY USES

in

INDUSTRIAL I-L2 ZONES

ARTICLE II - Section 4.2.2 Permitted Accessory Uses shall be amended add additional language as follows:

c. Retail Pharmacy located within a building that contains medical offices at the time of filing of such certificate of zoning compliance. Such Retail Pharmacy shall not exceed 2,000 square feet in size and shall not occupy more than ten percent (10%) of the building in which it is located. Access to such Retail Pharmacy shall only come from within said building. No drive-thru window shall be permitted in association with the Retail Pharmacy.

EXHIBIT C

PROHIBITED USES

in

INDUSTRIAL ZONES

ARTICLE II - Section 7.1.2 shall be amended to add additional language as follows:

7.1.2 Specific Use Prohibitions

- 19) Medical Marijuana Dispensary or any type of vendor that distributes medicinal marijuana