

PLANNING AND ZONING
April 18, 2012

A meeting of the Planning and Zoning Commission of the Town of Trumbull was held in the Council Chambers of the Trumbull Town Hall on Wednesday, April 18, 2012.

Members Present: Anthony Chory, Chairman
Richard C. Deecken, Fred Garrity, Jr. and alternates
Steven Mahlstedt and Don Scinto

Staff Present: Mario Coppola, Town Attorney; Bill Levin, Town Planner and
William Mauer, Engineering Department

The following is a brief summary of the meeting. The complete record is on tape, on file in the office of the Planning and Zoning Commission.

A quorum being present the Chairman called the meeting to order at 7:00 p.m.

In the absence of Commissioners Fox and Silber, alternates Steven Mahlstedt and Don Scinto were designated as the fourth and fifth voting members for tonight's meeting.

At the request of the Town Attorney the following motion was made.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Mahlsted, Scinto) to enter into Executive Session for the purpose of holding discussion on pending litigation.

The Commission along with Attorney Coppola and Bill Levin entered into Executive Session at 7:04 p.m. While in session, the Commission requested the presence of Attorneys Cordone and Gelderman, counsel for the plaintiff and applicant, as they had pertinent information relative the subject litigation.

At 7:45 p.m. upon motion made by Commissioner Garrity and seconded by Commissioner Deecken and unanimously carried Executive Session was exited and the public meeting was reconvened.

PUBLIC HEARING

SETTLEMENT

The Town of Trumbull Planning and Zoning Commission will consider and vote to approve or deny the proposed settlement agreement for the pending legal action, Woodland Hills Homeowners Association vs. Trumbull Planning and Zoning Commission Docket Nos. FBT-CV-12-6024475-S and FBT-CV-12-6024476-S.

The proposed settlement was summarized by Attorney Mario Coppola. During review several issues arose relating to the proposed site and landscape plans. Agreement has been reached, between the Town and Attorneys Gelderman and Cordone, as to how these issues of concern would be addressed.

Public Comment

There was no response to the invitation for public comment.

MOTION MADE (Garrity), seconded (Mahlstedt) and unanimously carried (Chory, Deecken, Mahlstedt, Garrity, Scinto) to approve the settlement agreement for the pending legal action between Woodland Hills Homeowners Association vs. Trumbull Planning and Zoning Commission SUBJECT TO THE FOLLOWING.

1. The Town Attorney, staff, Chairman Chory and or Commissioner Garrity shall review and confirm that the proposed landscape plan conforms to what was approved.
2. Staff shall review all parts of the submitted settlement to confirm that it is in keeping with approved revisions and Town requirements.
3. The Town Attorney shall be authorized to make any amendments necessary to ensure that the proper bonding is posted, site and landscape bonds, prior to construction.

Special Permit

The Chairman announced that at the request of the applicant, Application #12-02 (Tucker Chase, 6523 Main Street) has been withdrawn.

Application #12-06 – Kevin and Marisa Petriello
54 Pert Street

Pursuant to Art. II, Sec. 1.3.2.7 Special Permit to construct an in-law/accessory apartment within existing footprint.

Kevin Petriello came forward and reviewed the proposed construction.

The Town Planner and the representative from the Engineering Department were in agreement that the proposed apartment conforms to Town standards and approval was recommended.

Application #12-07 – Patrick Burdo
5274 Main Street

Pursuant to Art. II, Sec. 1.3.2.7 Special Permit to re-establish existing in-law/accessory apartment.

Lucretia Roaleder, Executrix for the Estate of Patrick Burdo, was the presenter. Ms. Roaleder advised that the initial application (#06-23) was submitted by her father, who is now deceased. Records reveal that the original approval is null and void, as the applicant neglected to record the Special Permit on the land records.

Bill Levin commented that based on his review the application, as presented tonight, meets zoning standards and recommended that the previously approved apartment be re-established.

Application #12-08 – Pilot Corporation of America
60 Commerce Drive

Pursuant to Art. II, Sec. 4.3.6 and Art. IV Special Permit to reconfigure existing parking facilities to construct 26 additional parking spaces with associated site improvements.

Attorney James White addressed the Board representing the applicant.

Mr. White reviewed the proposed modifications, which included the construction of twenty-six additional parking spaces in front of the building. The Board was advised that the existing structure has been vacant, since 2009. The applicant's representative indicated that the proposed parking re-configuration and the added site improvements would make for a more marketable property. Attorney White noted further that the proposal conforms to zoning requirements.

David Bjorklund, of Spath-Bjorklund Associates, came forward and provided a detailed summary of the amended site plan. It was noted that two additional handicapped spaces have been added increasing the number of spaces to three.

Zoning Amendment

Application #12-09 – Amending of Art. II, Sec. 2.1.3.4 of the Zoning Regulations of the Town of Trumbull to eliminate prohibition on professional office use in homes constructed after July 1995. Petitioner: Planning and Zoning Commission.

The proposed amendments generated by the Town Planner were reviewed. Prior discussions on this issue indicated Commission support for the proposed revisions. The amended language stressed the discretion provided to the Commission in approving or denying potential proposals. As previously discussed, the importance of conformity to the scale and character of existing residential areas was also reflected in the language change

The Town Attorney presented some minor grammatical changes for consideration to reinforce the Commission's ability for discretion in their decision making.

Public Comment

Letters of concern, submitted by the following residents, were read for the record. Alexis Koulouris, 33 Botsford Place; Voula Thomas, 18 Botsford Place and Cecile H. Furkiotis, 69 Botsford Place.

Letters from the Regional Planning Commissions of the Valley Council of governments and the Bridgeport Regional Council, indicating that there were no issues from their perspective, were also read.

Robin Gottheil, 94 Botsford Place; Joseph Kalemkerian, 5030 Main Street; John Pappas, 85 Botsford Place and John Miolene, 60 Botsford Place all spoke in opposition citing traffic concerns and the potential altering of this residential area.

David Anon of 58 Firehouse Road, as well as a property owner within this area, spoke in favor.

This concluded the Public Hearing.

REGULAR MEETING

Tonight's applications were considered and the Commission took action, as follows.

Application #12-06 – Kevin and Marisa Petriello
54 Pert Street

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto) to approve Application #12-06, as presented and plans submitted.

Special Permit request conforms to zoning standards.

Application #12-07 – Patrick Burdo
5274 Main Street

MOTION MADE (Garrity), seconded (Scinto) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto) to approve Application #12-07, as presented and plans submitted.

Mirrors originally approved Special Permit.

Application #12-08 – Pilot Corporation of American
60 Commerce Drive.

MOTION MADE (Garrity), seconded (Mahlstedt) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto) to approve Application #12-08, as presented and plans submitted.

Modifications to existing Special Permit were determined to be minor in nature.

Application #12-09 – Amending of Art. II, Sec. 2.1.3.4 and 2.1.3.5.

MOTION MADE (Garrity) and seconded (Deecken) to approve Application #12-09 subject to the grammatical language changes, as presented by the Town Attorney.

Vote: In Favor (4): Deecken, Garrity, Mahlstedt, Scinto – Opposed (1): Chory

MOTION CARRIES

Chairman Chory commented that he was not prepared, at this time, to support this significant regulation change due to traffic issues and the uncertainty of the potential impact to residential areas.

There being no further business to discuss a motion was made by Commissioner Deecken and seconded by Commissioner Garrity to adjourn.

The April 18, 2012 meeting of the Planning and Zoning Commission adjourned at 10:00 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, May 16, at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Clerk of the Planning and Zoning Commission