

**PLANNING AND ZONING**  
**March 20, 2013**

The Planning and Zoning Commission of the Town of Trumbull met for a regularly scheduled meeting on Wednesday, March 20, 2013 in the Council Chambers of the Trumbull Town Hall.

Members Present: Anthony Chory, Chairman  
Arlyne Fox, Vice Chairman; Richard C. Deecken, Secretary  
Fred Garrity, Tony Silber (arriving at 7:50 p.m.) and alternates  
Steven Mahlstedt (arriving at 7:55 p.m.) and Don Scinto

Also Present: Jamie Brätt, Director of Planning and Development  
Mario Coppola, Town Attorney and  
William Maurer, Engineering Department

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

A quorum being present, the Chairman called the meeting to order at 7:35 p.m.

**PUBLIC HEARING**

The Public Hearing opened with the announcement that Application #13-05 (Greater Bridgeport Board of Realtors, 843 and 847 White Plains Road) has been withdrawn.

**SUBDIVISION**

Application #13-03 – Estate of Raymond J. Egan and Hurd, LLC

Property Survey Prepared for Hurd, LLC, 151 Hurd Road, Trumbull, CT dated January 18, 2013, 2 lots, with street address of 151 Hurd Road.

Attorney Peter Gelderman presented the application on behalf of the applicant.

In order to obtain sufficient road frontage a small piece of land is now in the process of being purchased from the adjoining neighbor. The purchase of the neighboring land will bring the second lot into compliance with the Town's subdivision regulations.

A letter from the Town Engineer, dated 3/20/13 listing his concerns relative to this property, was read for the record. While it was established that several of these issues have been addressed, the representative from the Engineering Department indicated that groundwater concerns still exist.

The project engineer, Michael Buturla, came forward and agreed to provide further details concerning the calculations pertaining to the high water levels.

The Town Planner confirmed that the proposed land purchase will bring the proposal into conformance with the Town's subdivision regulations. Ms. Brätt did caution that this type of land division can lend itself to future property disputes pertaining to maintenance and other matters.

Mr. Gelderman advised that language concerning maintenance responsibility will be contained in the deed. He noted further that the proposed easement will run with the land and carry forward in perpetuity.

The Town Attorney also acknowledged that the covenants and restrictions will be stated in the deed.

#### Public Comment

Norman Rouleau, 14 Classic Drive and John Zikaras, 20 Fawn Hill Road, Shelton indicated that development of this site will cause the existing run-off problems on Hurd Road to escalate. Mr. Zikaras also had issues relative to the noise pollution that will occur from the blasting that will be needed due to the large amount of ledge in this area.

As there were issues still unsettled pertaining to the language to be applied to the deed covenants and the additional drainage data needed, the following motion was presented.

MOTION MADE (Garrity), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto) to continue the Public Hearing for Application #13-03 until the next regularly scheduled meeting (April 17, 2013). Commissioner Silber noted for the record that Mr. Scinto voted in his stead, as he was not present for the entire presentation.

#### **SPECIAL PERMIT**

Application #13-07 – Silver Nichols, LLC  
Parcel 101 Silver Lane

Pursuant to Art. II, Sec. 3.1.6 and Art. IV, Sec. 4 Special Permit to construct 29 additional parking spaces. HEARING CONTINUED FROM FEBRUARY 20, 2013.

Mike Early, of Pereria Engineering, and the property owner John Getz were the presenters.

The purpose of the proposed new parking area was to provide auxiliary parking for the existing medical building. The site is currently undeveloped and sidewalks will be constructed to connected this area to the building. The newly developed parking area will service the doctors and staff and eliminate vehicle parking on the street.

It was noted that the proposed landscape plan, which will buffer the properties on either side, has been reviewed and approved by the Town Tree Warden.

The lighting plan consisted of four LED dark sky friendly lights, which will be mounted on poles. The project engineer indicated that no illumination will emit onto any neighboring properties and that lighting would be shut-off during non-business hours.

Upon inquiry, the property owner informed that the application does not include any proposed identification signage and that the project has received approval from IWWC.

The Town Planner advised the Commission that she has reviewed the plan and that it meets with zoning requirements.

The following three letters submitted in conjunction with this application were then read into the record by the Secretary:

A letter indicating approval of the submitted landscape plan from the Town Tree Warden containing a request for a \$35,000 landscape bond.

A letter and photographs from Anne Chagnon, of 850 Silver Lane, Stratford, in which traffic and light pollution concerns were expressed and a letter from the Town Engineer, which listed his conditions for approval.

#### Public Comment

Attorney Earl Ormond, with offices on Silver Lane, spoke in opposition siting environmental and traffic concerns.

Application #13-09 – Timberline Carpentry, LLC, Agent for  
Jeanne Korman  
54 Frost Hill Road

Pursuant to Art. II, Sec. 1.3.7 Special Permit to construct 1,114 sq. ft. accessory apartment within existing footprint.

The project's contractor, Carl Loschiavo came forward and detailed the submitted plan for the proposed basement apartment.

Upon inquiry, the Town Planner advised that the proposal meets all requirements for the establishment of an accessory apartment.

Application #13-10 – Dave Monk  
100 Hawley Lane

Pursuant to Art. II, Sec. 3.1.7 and Art. XIII Special Permit to construct a 2'6"x12'7" exterior identification wall sign.

The applicant came forward and presented his plan for the installation of Subway identification signage. Mr. Monk informed that the proposed sign would replace the signage of the previous tenant. The applicant also advised that the square footage has been reduced from the original proposal of 31 sq. ft. to 25 sq. ft.

Jamie Brätt informed that the reduction in size has brought the signage into zoning standards.

Application #13-11 – Massimo & Angela DeCarli  
15 Washington Street

Pursuant to Art. II, Sec. 1.3.7 Special Permit to approve an existing basement accessory apartment.

The submitted plans were reviewed by Mr. DeCarli. The square footage of the apartment was shown to be 844 sq. ft. The Town Planner indicated that the existing apartment conforms to zoning requirements and that the applicant wishes to have the existing apartment documented on the Town records.

Application #13-12 – St. Joseph’s High School  
2320 Huntington Turnpike

Pursuant to Art. II, Sec. 1.2.4 Special Permit to approve existing 1,200 sq. ft. press box/field house.

Attorney Peter Gelderman presented the proposal on behalf of the applicant. During the permit process for the Academic Center it came to light that no permits were ever issued for the subject field house. The applicant is now hoping to rectify this with the requested Special Permit approval.

The submitted plans indicated a three level structure to be utilized for storage, concession stand and the top level for members of the press.

Jamie Brätt advised that she will need to confer with the Building Department to determine that the submitted statement of use coincides with the usage as it is stated on the on the building permit. The structure has been inspected and approved by both the Building and Fire Marshal Department.

#### Public Comment

Marie Seavey, 32 Isinglass Terrace, had issue with an old press box in disrepair situated right next to her rear property line. Ms. Seavey was advised that her issue was not germane to this application but that the Zoning Enforcement Officer would be asked to investigate.

Tony Sarica, 46 Copper Kettle Road, advised the Commission of the noise pollution created by the activities associated with the high school. Mr. Sarica indicated that he has been unsuccessful in trying to make contact with a representative from St. Joseph’s. Attorney Gelderman agreed to provide Mr. Sarica with the appropriate contact information.

This concluded the Public Hearing

### **Regular Meeting**

**Temporary Sign Permit** – Home Depot  
80 & 90 Monroe Turnpike

#### **Request to Conduct**

**Outdoor Sale of Merchandise** – Home Depot  
80 & 90 Monroe Turnpike

It was agreed that the aforementioned two agenda items be heard simultaneously, as they are interconnected.

Shawn Quinn, of Home Depot, reviewed the particulars of the annual rug sale to be held within a 40'x80' tent set up on the parking lot. Mr. Quinn indicated that rugs and carpets would be the only merchandize sold. The Commission was advised that 16 parking spaces would be temporarily eliminated with the placement of the tent. It was also noted that the location has received Fire Marshal approval.

Upon inquiry, Mr. Quinn indicated that the tent and 4'x12' banner, set against the guardrail, would be in place two times a year during the following time periods.

April 11, 2013 – May 24, 2013  
September 5, 2013 – October 18, 2013

### **Approval of Minutes**

MOTION MADE (Deecken), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity Silber) to accept the minutes of the February 20, 2013 regularly scheduled meeting, as presented.

### **Pending Applications**

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

Application #13-07 – Silver Nichols, LLC  
Parcel 101 Silver Lane

MOTION MADE (Garrity), seconded (Deecken) to approve Application #13-07.

Discussion followed on the recommendations submitted by the Town Tree Warden, Town Engineer and Town Planner.

MOTION MADE (Deecken), seconded (Garrity) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to amend the original motion to include the following specific conditions.

1. Receipt of bond in the amount of \$35,000.00, as calculated by the Town Tree Warden, to ensure completion of the landscaping improvements.
2. Recommendations for approval, as submitted by the Town Engineer, shall be complied with.
3. Lighting to be shut off during non-business hours.

Vote: Original Motion as Amended – Unanimous MOTION CARRIES

Application #13-09 – Timberline Carpentry, LLC, Agent for  
Jeanne Korman  
54 Frost Hill Road

MOTION MADE (Deecken), seconded (Garrity) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve Application #13-09, as presented and plans submitted.

Application #13-10 – Dave Monk  
100 Hawley Lane

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve Application #13-10, as modified to 24.86 sq. ft. in size.

Application #13-11 – Massimo and Angela DeCarli  
15 Washington Street

MOTION MADE (Fox), seconded (Deecken) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve Application #13-11, as presented and plans submitted.

Application #13-12 – St Joseph High School  
2320 Huntington Turnpike

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve Application #13-12.

Upon discussion and review of the proposed outdoor sale of merchandise and temporary signage, as requested by Home Depot the following motion was made.

MOTION MADE (Deecken), seconded (Garrity) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve the temporary signage and outdoor sale of merchandise at the Home Depot located at 80 & 90 Monroe Turnpike subject to the following.

1. Temporary signage and outdoor sale of merchandise shall be restricted to the following time periods.

April 11, 2013 – May 24, 2013  
September 5, 2013 – October 18, 2013

### **Planner's Report**

Jamie Brätt led the discussion on accessory apartments and if changes to the regulations concerning them need reworking. A snapshot on accessory apartments and multi-family dwellings as they exist in Trumbull today was distributed. A summary of accessory apartment controls in other towns was also reviewed.

The possibility of conducting an amnesty program to provide an opportunity for property owners with unapproved apartments to come forward was discussed.

It was agreed that the Town Planner prepare an amnesty proposal for further discussion.

There being no further business to discuss a motion was made by Commissioner Fox and seconded by Commissioner Deecken to adjourn. The March 20, 2013 meeting of the Planning and Zoning Commission adjourned at 10:05 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, April 17, 2013 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

It was noted that a Special Meeting concerning the updating of the Plan of Conservation and Development will be held on Tuesday, March 26, 2013 at 7:00 p.m. at the location yet to be decided.

Respectfully submitted,

Helen Granskog  
Clerk of the Planning and Zoning Commission

