

PLANNING AND ZONING COMMISSION
May 15, 2013

The Planning and Zoning Commission of the Town of Trumbull met for a regularly scheduled meeting on Wednesday, May 15, 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 and alternates, Don Scinto and Jeff Williams

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

The following is a brief summary of the meeting. A 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 7:45 p.m.

In the absence of Commissioner Silber, alternate member Don Scinto was designated the fifth voting member for tonight's meeting.

PUBLIC HEARING

SPECIAL PERMIT/SITE PLAN
ZONE CHANGE

Application #13-17 – Woodland Hills Homeowners Association
53 Monroe Turnpike

Pursuant to Art. II, Sec. 4.2.7(c) Special Permit to install 6'9"x4'6" identification ground sign, including fieldstone base, (existing signage to be removed).

Attorney James Cordone addressed the Commission representing the applicant. A packet of additional information pertaining to the proposal was distributed.

Mr. Cordone advised that the current non-conforming signage was installed by the developer. The Association wishes to remove the original sign and install a new identification ground sign. The proposed sign would be placed within the center island at the entrance to the complex. It will be mounted on a fieldstone base and surrounded with perennials. The relocation will bring the signage into conformance with zoning requirements.

A floodlight will be directed onto the signage and would not extend outward beyond the sign itself. Upon inquiry, Attorney Cordone indicated that the lighting will be on a timer and that the shut-off would be adjusted based on the season.

This concluded the presentation for Application #13-17.

The Chairman then announced that Applications #13-13 and #13-15 would be heard concurrently, as they are interrelated.

Application #13-13 – Amending the zoning map of the Town of Trumbull to expand an existing business commercial (B-C) zone by approximately 60’ in an easterly direction including the rear portion of 139, 159, 189, 219 Plattsville Road, which are located in a residential (A) zone. Petitioner: RDR 5520, LLC
HEARING CONTINUED FROM APRIL 17, 2013.

Application #13-15 – RDR 5520, LLC
5520 Park Avenue

Pursuant to Art. II, Sec. 3.1.6; Art. IV, Sec. 4 and Art. XV, Sec. 1 Site Plan Modification to add 72 parking spaces and a temporary property access from Plattsville Road. HEARING CONTINUED FROM APRIL 17, 2013.

Attorney Raymond Rizio appeared representing the applicant.

The proposed modification would allow for 72 additional parking spaces and the placement of a temporary access from Plattsville Road to provide an entryway to the Radiology/Oncology Center. The temporary driveway would remain in place until construction of the parking garage and the medical building has been completed.

To allow for this, the requested zone change will be required. The applicant has entered into an agreement with the homeowners to purchase 60’ of the rear portion of the subject parcels. To protect the property owners the previously approved buffering will be shifted sixty feet closer to the residences.

The applicant’s representative advised that the driveway and parking area would be for the sole use of employees and patients of the existing Radiology and Oncology Center. Emergency vehicles needing access would also be permitted use of the driveway. Mr. Rizio stressed that construction and commercial vehicles would be prohibited from entering the site from Plattsville Road.

The project’s landscape architect, Channing Harris, spoke to the components of the proposed buffering. Mr. Harris advised that the site slopes downgrade, which will, along with the trees and heavy plantings, effectively eliminate any headlight infiltration into the neighboring properties. Attorney Rizio added that, as part of the purchase contract, all buffering must meet with the approval of the homeowners.

Conditions for approval were then discussed and Attorney Rizio indicated agreement with the following.

The temporary driveway will be discontinued at the time a Certificate of Occupancy is issued for the main building. With the exception of emergency vehicles, access and use of the parking area and driveway may only be by the patients and employees of the Radiation and Oncology Center. Use by construction vehicles of any kind will be prohibited. The house known as 139 Plattsville Road, which is owned by the developer, shall remain vacant until the driveway is discontinued. The temporary access, located on the 139 Plattsville Road property, will return to a lawn area once the driveway has been discontinued. All conditions of approval placed on the original application (#12-28) shall pertain to this proposal, as well.

The following correspondence was then read into the record: A letter from Jose Ortiz, 88 Raleigh Road, Bridgeport in opposition to the proposal. A memo submitted by the Town Engineer listing his conditions for approval and a letter from the Town Tree Warden indicating the conditions needed to ensure the completion of landscaping improvements.

ZONING AMENDMENT

Application #13-16 – Amending of Art. II, of the Zoning Regulations of the Town of Trumbull to add Sec. 3.1.7 (4.) to permit larger signs and a greater number of signs on certain parcels located in business commercial (B-C) zones. Petitioner 41 Monroe Turnpike, LLC HEARING CONTINUED FROM APRIL 17, 2013

Raymond Rizio conducted the presentation on behalf of 41 Monroe Turnpike, LLC.

The Town Planner distributed a summary indicating the current sign standards that apply to multi-tenant centers, and the proposed new text. Page 2, of the summary, contained a table comparing the current regulation to the proposed amendment. Jamie Brätt stressed that the proposed amendment is an addition to the regulations and not a substitution. Specifically, the added language speaks only to signage within multi-tenant shopping centers. She advised the Commission that her research has shown the proposed amendment to be consistent with requirements of other area towns.

Attorney Rizio informed that numerous discussions took place with the Town Planner to provide the most appropriate requirements for multiple use properties. He advised the Commission that current language does not satisfy the retailer's need for clear identification. Size of building needs to be brought into balance with signage size.

The amendment would require the submission of a unified sign design plan that meets with the Commission's approval. Safeguards have been included to ensure that the Commission has full discretion, as to whether the submitted plans are appropriate. Upon inquiry, the Town Planner informed that 150 sq. ft. limitation, based on frontage, would be placed on stand-alone retail buildings. The maximum for In-line tenants was not to exceed one sq. ft. in area for each linear foot of building wall. Once a design plan has been accepted substitutions could be approved administratively, if they are consistent with the adopted plan.

Pat Rhodes then came forward and clarified how the new amendment would affect the size of the proposed signage at 41 Monroe Turnpike.

Bill Maurer submitted measurements, taken at the request of the Town Planner, indicating the dimensions of the retail signage within the Stop and Shop Plaza on Quality Street.

Chairman Chory commented that since the size is based on a different variable he would need to see additional data on how the amendment would impact existing retail centers. Other Commissioners were in agreement that more time was needed to digest the information before action is taken.

Commissioner Garrity disagreed indicating that he was prepared to take action based on the research and information provided by the applicant and Town Planner.

MOTION MADE (Fox) and seconded (Scinto) to continue the Public Hearing for Application #13-16 until the next regularly scheduled meeting (June 19, 2013) Vote: In Favor (4) – Chory, Deecken, Fox, Scinto - Opposed (1): Garrity. MOTION CARRIES

The applicant's representative agreed to provide measurements and visual depictions of existing signage in multi-tenant shopping plazas, as well as linear front measurements from each of the corresponding stores. The requested information to be submitted for the Commission's review ten days prior to the Public Hearing.

This concluded the Public Hearing.

REGULAR MEETING

Request for Bond Release

Application #10-37 – R.D. Scinto
112 Quarry Road (Lot 2)
Site Bond

MOTION MADE (Fox), seconded (Deecken) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto), to approve the release of the site bond, in its entirety, as per the recommendation of the Town Engineer.

Application #04-31 – Jan's Land Development, LLC
Settlers Ridge and Aspen Lane
Road Bond

MOTION MADE (Deecken), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto), to deny the request for the bond release, as per the recommendation of the Town Engineer.

Application #01-48 – Tashua Tree Farm Development, LLC

MOTION MADE (Deecken), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto), to deny the request for the bond release, as per the recommendation of the Town Engineer and Town Tree Warden.

Approval of Minutes

MOTION MADE (Fox) and seconded (Deecken) to accept the minutes of the April 17, 2013 regular meeting, as presented. Vote: In Favor (4) – Chory, Deecken, Fox, Scinto - Abstention (1) – Garrity (Did not attend subject meeting.) MOTION CARRIES

MOTION MADE (Deecken) and seconded (Fox) to accept the minutes of the April 23, 2013 Special Meeting, as presented. Vote: In Favor (4) – Chory, Deecken, Fox, Scinto – Abstention (1) – Garrity (was not in attendance). MOTION CARRIES.

Pending Applications

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

Application #13-17 – Woodland Hills Homeowners Association
53 Monroe Turnpike

MOTION MADE (Garrity), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto), to approve Application #13-17, as presented and plans submitted.

Application #13-13 – Zoning Map Amendment
Plattsville Road

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

Application #13-15 – RDR 5520, LLC
5520 Park Avenue

MOTION MADE (Garrity), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Scinto), to approve Application #13-15 subject to the following specific conditions.

1. Approval of the driveway to Plattsville Road is on a temporary basis and shall terminate upon the issuance of a Certificate of Occupancy for the primary medical building.
2. Upon termination of the temporary access, driveway shall be restored to a residential lawn, as administratively approved by the Town Planner.
3. The temporary driveway may only be used for access by patients and employees of the Radiation and Oncology Center. Access by emergency vehicles shall also be permitted. Property access from Plattsville Road by construction and commercial vehicles is prohibited.
4. All conditions of approval relating to the original application for the primary medical building (Application #12-28) shall apply to this proposal.
5. During the period the temporary driveway is in use the house situated at 139 Plattsville Road shall remain unoccupied.
6. Approval is subject to the recommendations of the Town Tree Warden, as stated in his letter dated May 15, 2013, which includes the receipt of a landscaping bond in the amount of \$50,000.00, as calculated by the Town Tree Warden, to ensure completion of landscaping improvements.
7. Project shall meet the conditions of approval of the Town Engineer, as they are stated in his letter dated May 15, 2013, including the submission of a revised bond estimate to be approved by the Town Engineer.

There being no further business to discuss a motion was made by Commissioner Garrity and seconded by Commissioner Fox to adjourn. The May 15, 2013 meeting of the Planning and Zoning Commission adjourned at 10:30 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning and Zoning Commission will be held on Wednesday, June 19, 2013 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Clerk of the P&Z Commission