

**PLANNING AND ZONING COMMISSION**  
**August 21, 2013**

The Planning and Zoning Commission of the Town of Trumbull met for a regular meeting on Wednesday, August 21, 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 and alternates Don Scinto and  
Steven Mahlstedt

Also Present: Jamie Brätt, Director of Planning and Development and  
William Maurer, P.E., Engineering Department

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 located in the Trumbull Town Hall.

A quorum being present, the Chairman called the meeting to order at 7:05 p.m.

**Pre-Application Presentation**

The presentation, for a potential professional structure at 4950-5010 Main Street, was conducted by Attorney John Fallon on behalf of the property owners, David Anand and Rahul S. Anand.

Mr. Fallon began by addressing the recently approved amendment (Art. II, Sec. 2.1.3.7) and its potential negative impact to the development of his client's property. Attorney Fallon maintained that the 2,900 sq. ft. maximum size allowable does not work for a property of this size. The combined parcel is well over an acre in size; situated on a State highway directly across the street from the Westfield Shopping Center and adjacent to the Bridgeport border. A fact sheet indicating the existing lot coverage standards between residential and professional structures in an overlay zone was distributed. A proposed revision to the newly adopted amendment was also presented. The revised language would allow for a gross floor area of up to 20% of the total acreage on combined parcels over an acre in size and located on a State highway.

The proposal being presented tonight was to establish a two-story 9,400 sq. ft. medical office building at the subject location.

Joseph Mingoello, the project architect, presented an overview of the site plan and the architectural design. The property would be accessed from the side streets of Botsford Place and Oschner Place. Parking was situated in the rear with additional spaces indicated on the side of the building facing Oschner Place. Two office suites were proposed for each floor. Mr. Mingoello described the proposed design as being traditional colonial both in scale and character.

Several Commissioners commented that although the proposal is consistent with what currently exists on the Bridgeport portion of Main Street, we must remain cognizant of the importance of having the lifestyle of Trumbull's residential side streets maintained. Extensive buffering and the setting of sidewalks were options that should be looked into. Constructive dialogue between the potential applicant, Planning and Zoning and the surrounding neighbors is essential.

Chairman Chory noted that parking on the side of a building is not permissible in a Professional Overlay Zone. He also commented that the proposed plan, as presented, does not appear to meet the intent of the regulation, which was to preserve the single family nature of our main roads. It also does not, in its current configuration, appear to be consistent with our Master Plan.

Jamie Brätt observed that the proposed 59 parking spaces seemed high in relation to the amount of square footage. Mr. Mingoello responded that additional spaces were added due to the nature of the business but that this could be scaled back, if necessary.

This concluded the pre-application portion of tonight's meeting.

### **PUBLIC HEARING**

A request for a continuance of the Public Hearing for application #13-27 (Prime One Eleven, 43-51 Monroe Turnpike) was considered.

MOTION MADE (Silber), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve a continuance of the Public Hearing for Application #13-27 until the next regularly scheduled meeting (September 18, 2013).

At this point, Commissioners Fox and Silber exited the meeting and alternates Steven Mahlstedt and Don Scinto were designated the fourth and fifth voting members for tonight's meeting.

Application #13-24 – Raymond Rizio, Trustee & Negreiro Development, LLC Re-subdivision Map 5 Springwood Drive (Assessor's Map/Lot E09-162) Trumbull, Connecticut Prepared For Raymond Rizio, Trustee, dated 6/1/13, 2 lots with street address of 5 Springwood Drive

Attorney Peter Gelderman conducted the presentation on behalf of the applicants. The proposal was for a 2 lot subdivision creating a rear lot behind the existing house. Mr. Gelderman noted that the proposal meets all standards, as they apply to interior lots.

The Commission was advised that the subdivision has obtained the required approval from the Inland Wetlands and Watercourses Commission. Mr. Gelderman also indicated that support has been received from the most effected property owner, Eric Castiello of 130 Inwood Road.

The project engineer, David Bjorklund of Spath Bjorklund Associates, provided a detailed overview of the proposed drainage plan. Mr. Bjorklund informed that the entire westerly portion of the lot would not be disturbed in any way. Any increase in run-off would be mitigated through the installation of underground galleys and the proposed rain garden.

Upon inquiry, the Town Planner confirmed that the proposal, as presented, complies with zoning requirements.

#### **Public Comment**

The following addressed the Commission with concerns relating to groundwater/stormwater retention and the clear cutting of trees: Beth and John Pinkussohn of 136 Inwood Road. Ms. Pinkussohn also

questioned Attorney Gelderman's assertion that Mr. Castiello supported the application, as it was her understanding that he was opposed to the project. Attorney James Miller spoke on behalf of the property owners of 155 Blackhouse Road and 163 Blackhouse Road. Attorney Miller requested that the dry wells proposed for the existing home be added to the new structure, as well. Secondly, his clients have requested the minimal removal of vegetation, particularly the trees along Horse Tavern Brook.

William Maurer of the Engineering Department advised that the proposed drainage plan should reduce the amount of run-off.

Attorney Gelderman indicated agreement to the request for the implementation of additional water retention measures at the proposed new structure.

The project engineer gave assurances that there would be no disturbance within the area of Horse Tavern Brook.

Letters, submitted by the following residents, which expressed stormwater runoff and environmental concerns, were read and submitted into the record: Elaine Spinelli of 11 Springwood Drive; Barbara Bakalar of 122 Inwood Road and Renee Brown/Audrey Brown of 116 Inwood Road.

A list of recommended conditions of approval from the Town Engineer was also noted and read into the record.

Application #13-25 – Peter J. Corbett  
29 Trefoil Drive

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

The applicant, Peter J. Corbett, came forward. Mr. Corbett identified himself as the owner of the large sports facility located on this site. The proposed liquor location permit would allow for the distribution of wine and beer at the 538 sq. ft. pub style restaurant located within the facility.

The Town Planner advised that the proposal meets the criteria for a restaurant liquor location.

Application #13-26 – Domenick A. Faustini  
40 Tashua Knolls Lane

Attorney Gerry Farrell addressed the Commission on behalf of the applicant.

Mr. Farrell advised that the applicant has had a long standing restaurant liquor license permit at this location. The application before the Commission tonight relates to the approval of an additional location permit for the consumer patio bar.

Jamie Brätt advised that there are no apparent conflicts with existing regulations.

This concluded the public hearing.

## REGULAR MEETING

### Request for Bond Reduction

Application #11-28 & #11-29  
41 & 43-53 Monroe Turnpike

A letter from the Town Tree Warden recommending that the requested reduction be postponed until a revised landscape plan has been approved and implemented satisfactorily, was read for the record.

A letter from the Town Engineer agreeing to a 75% reduction in the original site bond to a revised amount of \$314,724.00 was considered.

The Town Planner advised that as the landscape bond has not as yet been posted, action tonight will be for the site bond only.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto) to approve a 75% reduction in the site bond for Applications #11-28 and #11-29, as per the recommendation of the Town Engineer.

### Municipal Improvements

Pursuant to CT General Statutes 8-24, request for P&Z recommendation for the sale of Town property know as Parcel 224 located on the southeastern corner of Grandview Drive and Church Hill Road.

The Director of Economic Development, Ed Lavernoich, conducted the presentation at the request of the First Selectman.

Mr. Lavernoich informed that the subject parcel is approximately one-tenth acre in size. The adjacent property owner, Brinsmade Associates, LLC hopes to purchase the Town land and combine the two parcels. The intention of the developer is to demolish the existing office building and construct a multi-unit retail building which, from an economic standpoint, will provide a high tax paying project for the Town.

The site is used typically for overflow parking for the Trail and the Helen Plumb Building. Public safety personnel are in agreement that the area is inappropriate for parking, as pedestrians need to cross White Plains Road in order to access the Trail and the Helen Plumb Building. The Town's ultimate goal is to establish additional parking at the proposed visitor's center adjacent to the Helen Plumb Building.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto) to recommend approval of the sale of the Town property known as Parcel 224 located on the southeastern corner of Grandview Drive and Church Hill Road subject to the following.

1. Purchaser to install a sidewalk along Church Hill Road from the southeastern corner of Grandview Drive down to the entrance of the purchaser's current property at 965 White Plains Road.

2. Purchaser to allow the public usage of the parking lot until the parking spaces are replaced in another location.
3. The parking spaces lost will be replaced, by the same number of available spaces, for users of the Pequonnock Valley Trail either in the purchaser's parking lot and/or on the property of the proposed visitor's center.

Pursuant to CT General Statutes 8-24, request for P&Z recommendation for substantial improvement of Town Property at the Daniels Farm School, 710 Daniels Farm Road. Plans include expansion of existing modular facility with approximately 8,000 sq. ft. permanent addition, to be owned and operated by Trumbull Loves Children.

Upon inquiry, the Town Planner clarified that the referral being heard tonight is for a recommendation of approval of the amendment, to the current ground lease held by Trumbull Loves Children, to lease additional Town land to allow for the proposed expansion.

Attorney Benjamin Proto and Kenneth McCabe, Executive Director of Trumbull Loves Children conducted the presentation. A packet of additional information, which included the traffic statement prepared by Tighe & Bond, was distributed.

TLC currently provides before and after school care services, at Daniels Farm School, for approximately 50 school aged children. The hours of operation were indicated as being 7:00 a.m. to 6:00 p.m.

The Town proposes to allow TLC to utilize additional Town property to construct a two-story addition to the pre-existing modular units. The offices for TLC would be located on the first floor with the second floor dedicated to the new daycare program for approximately 18 to 20 infants and young children.

Traffic and parking concerns were brought to Attorney Proto's attention by several Commissioners. Chairman Chory noted the significant gridlock already existing, during this time, on Daniels Farm Road.

Mr. Proto responded that the proposed project creates no additional traffic concerns, as TLC's hours of operation would be off-time to school traffic.

Commissioner Garrity disagreed advising that there would be a definite traffic and parking overlap with the after school programs. Attorney Proto responded by noting the 23 additional parking spaces that are included in the proposal.

Joe Balskus, Director of Traffic and Parking for Tighe & Bond, Inc. summarized the traffic statement prepared for TLC. Mr. Balskus advised that the analysis has concluded that the project creates no significant traffic impact to Daniels Farm School or Daniels Farm Road.

### **Approval of Minutes**

MOTION MADE (Deecken), seconded (Scinto) and unanimously carried to accept the minutes of the June 19, 2013 regular meeting, as presented.

MOTION MADE (Deecken) and seconded (Scinto) to accept the minutes of the Special Meeting of June 26, 2013. Vote: In favor (4): Chory, Deecken, Mahlstedt, Scinto – Abstention (1): Garrity (not in attendance). MOTION CARRIES

MOTION MADE (Deecken) and seconded (Scinto) to accept the minutes of the Special Meeting of July 24, 2013. Vote: In favor (4): Chory, Deecken, Mahlstedt, Scinto – Abstention (1): Garrity (not in attendance). MOTION CARRIES

### **Planner's Report**

Jamie Brätt requested clarification on how broad a spectrum the language “other State licensed professionals” should be applied as a permitted use in Industrial Zones.

A list of professionals requiring licenses from the State was distributed. It was agreed that professional service based providers warrant further discussion. It was agreed that professional businesses with a retail component were not appropriate and should not be considered.

### **Pending Applications**

Application #13-24 – 2 Lot Subdivision – 5 Springwood Drive

MOTION MADE (Garrity), seconded (Mahlstedt) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto), to approve Application #13-24 SUBJECT TO THE FOLLOWING SPECIFIC CONDITIONS:

1. Proposed water retention measures for the existing house to be applied to the new structure, as well.
2. Recommendations of the Town Engineer as stated in his letter of August 19, 2013 shall be complied with.

Application #13-25 – Peter Corbett  
29 Trefoil Drive

MOTION MADE (Deecken), seconded (Garrity) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto), to approve Application #13-25, as presented and plans submitted.

Application #13-26 – Domenick A. Faustini  
40 Tashua Knolls Lane

MOTION MADE (Scinto), seconded (Garrity) and unanimously carried (Chory, Deecken, Garrity, Mahlstedt, Scinto), to approve Application #13-26, as presented and plans submitted.

Municipal Improvement CGS 8-24 – Trumbull Loves Children  
Town Property located at  
710 Daniels Farm Road

MOTION MADE (Garrity) and seconded (Scinto) to recommend approval of the proposed amendments to the existing ground lease of Town property located at 710 Daniels Farm Road. Vote: In Favor (4):

Deecken, Garrity Mahlstedt, Scinto - Abstention (1): Chory (traffic and parking concerns have not been adequately addressed).

There being no further business to discuss a motion was made by Commissioner Deecken and seconded by Commissioner Scinto to adjourn. The August 21, 2013 meeting of the Planning and Zoning Commission adjourned at 9:45 p.m. with unanimous consent.

The next regularly scheduled meeting of the Trumbull Planning and Zoning Commission will be held on Wednesday, September 18, 2013 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog  
Clerk

