

PLANNING & ZONING
September 16, 2015

The Planning & Zoning Commission, of the Town of Trumbull, met for a regularly scheduled meeting on Wednesday, September 16, 2015 in the Council Chambers of the Trumbull Town Hall.

Members Present: Richard C. Deecken, Chairman
Anthony Chory, Vice-Chairman; Tony Silber, Secretary
Fred Garrity, David W. Preusch and alternate Don Scinto

Also Present: Jamie Brätt, Director of Economic and Community Development
Vincent M. Marino, Town Attorney
Bill Maurer, Assistant Town Engineer

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

With a quorum being present the Chairperson called the meeting to order at 7:06 p.m.

The voting members for tonight's meeting were Chairman Deecken, Anthony Chory, Fred Garrity, David Preusch and Tony Silber.

AGENDA

PRE-APPLICATION REVIEW

Construct approximately 5,000 sq. ft. of retail space on ground floor and 5,000 sq. ft. of medical office use at grade in rear of property located at 123 Monroe Turnpike.
Petitioner: Firgeleski Living Trust

Attorney Raymond Rizio conducted the presentation on behalf of the Firgeleski Living Trust. Preliminary renderings were distributed and reviewed. It was noted that the required permits from ZBA and IWWC have already been obtained.

The site is located in an I-L2 Zone, limiting the amount of retail uses allowable. The intent is to develop 5,000 sq. ft. for restaurant usage with the remaining area in the rear to be set aside for medical offices.

Mr. Rizio described the architecture as colonial in nature. He advised that the proposed 50 parking spaces were more than adequate for this type of use and that any overflow parking can be accommodated, as the peak hours of operation differ from each other. A preliminary landscape plan indicates extensive buffering along the side and rear boundaries. Attorney Rizio commented that there is no potential negative impact to any residential area from this location and indicated that his client hopes to apply for a special permit in October.

Several Commissioners noted that the character of this area is not colonial in nature and advised the applicant that he may want to consider modifying the façade to a more retail look rather than residential.

PUBLIC HEARING

The passing of former Commissioner Arlyne Fox was announced and a moment of silence was held in her honor.

A letter advising of the withdrawal of Application #15-32 (Silver Medical, LLC, 999 Silver Lane) was so noted for the record.

A request for continuance of Application #15-35 (NRG Renew Spark LLC, 20 Merritt Boulevard) was considered.

MOTION MADE (Chory), seconded (Silber) and unanimously carried to continue the public hearing for Application #15-35 until the next regularly scheduled meeting (October 21, 2015).

SPECIAL PERMIT

Application #15-30 – Marsel Huribal
2991 Nichols Avenue

Pursuant to Art. II, Sec. 6, Special Permit/Adaptive Reuse to convert existing dwelling into medical/professional office use. HEARING CONTINUED FROM AUGUST 19, 2015

Attorney Rizio resumed the presentation on behalf of the applicant. The applicant's representative reiterated that the proposal meets the criteria for adaptive reuse as the structure is historic in nature and is located on a State roadway. The structure is intended for professional office use only, as no patients would be seen or treated on site.

In response to a question concerning the current pre-existing non-conforming use of a two family home, Attorney Rizio advised that once the structure is converted to adaptive re-use the existing non-conformity is no longer in effect. .

A revised landscape plan, dated 8/13/14, approved by the Town Tree Warden, was distributed and reviewed. In addition to the existing extensive vegetation located in the rear, a row of evergreen trees would be planted to ensure that there is no light trespass onto abutting properties on Huntington Turnpike. The plan also indicated the area around the dumpster would be buffered and that landscaping improvements at the intersection of Nichols Ave and Huntington Turnpike would be provided.

Bob Camillo, of OWI Contractors, Stratford provided a detailed overview of the proposed design. He stressed that any part of the building that needs to be replaced will be reproduced to meet the existing characteristics of the structure. He advised that, other being more energy efficient, the building will be no different architecturally. In response to an inquiry as to whether the dwelling could be maintained as a residential use, Mr. Camillo advised as all the paint within the structure is lead based, which would require having to tear the building down to its frame in order to have it completely removed.

Public Comment

The following spoke in opposition to the change to commercial use:
Ellen McGovern, 4 Rocky Ridge Drive; Tom Pieragostini, 2944 Nichols Avenue;
Paul Lucas, 1573 Huntington Turnpike; Jennifer Debrosky, 1601 Huntington Turnpike

A letter of support submitted by Ken Martin, 1676 Huntington Turnpike was so noted.

Favorable reports issued by the Trumbull Police Department's Traffic Division, Health Department and the Historic Demolition Review Committee were read and submitted into the record.

The Assistant Town Engineer advised Attorney Rizio that, if the application is approved, compliance with the Town's Storm Water and Drainage Standards must be demonstrated prior to the issuance of a building permit.

There being no further input the following motion was made.

MOTION MADE (Silber), seconded (Preusch) and unanimously carried to close the public hearing pertaining to Application #15-30.

Application #15-33 – Cellco Partnership d/b/a Verizon Wireless
55 Corporate Drive

Pursuant to Art. XII, Special Permit to install 8 panel antennas on roof of building and installation of 12'x26' ground equipment shelter.

Attorney Kenneth Baldwin of Robinson & Cole presented on behalf of the applicant.

The antennas to be situated on top of a three-story office building located in an industrial park within an I-L2 zone. The applicant's representative advised that the proposed ground shelter, which will house equipment and a back-up gas generator, would be screened from view.

Attorney Baldwin informed that the purpose of the proposal was to deliver cell power to existing gaps within the area. He advised further that the current capacity is at its limit and the additional antennas will provide for needed capacity relief.

The following reports submitted with the application were noted and reviewed by the applicant's representative.

1. A Structural Feasibility Letter from Centek Engineering verifying that the building is capable of supporting the antennas.
2. A Calculated Radio Frequency Emissions Report verifying that the proposed wireless facility will operate well within the FCC's safety standards.
3. A Noise Evaluation Report, indicating the noise levels produced by the proposed generator meet the conditions for compliance, when projected to the nearest property lines.

Public Comment

The following spoke in opposition having health and noise level issues:

James Brian, 12 August Lane; Carl Kaplan, 8 August Lane; Suzanne Alent, 225 Teller Road

The residents also suggested that the antennas be situated on a building located more in the middle of the industrial park.

Attorney Baldwin responded that the Federal Government has strict standards regarding emissions and that the emissions created by the proposed project are four times below what is needed to comply. He reiterated that all aspects of the proposal meet with State and Federal standards. Relative to the location, he advised that the closest residence is 250' away and that the building chosen because of its height and the willingness of the property owner to allow for the antenna placement.

The applicant's representative submitted an aerial view indicating the proximity to the nearest residential dwelling.

There being no further input Commissioner Garrity moved to close the public hearing for Application #15-33 which was then seconded by Commissioner Chory and unanimously carried.

Application #15-35 – Stephen Wing, Agent for
Church of Jesus Christ of Latter-Day Saints
26 Bonnie View Drive

Pursuant to Art. II, Sec. 1.3.4.4 and Art. XV, Special Permit to construct 30'x60' open-sided picnic pavilion.

Stephen Wing landscape architect for the project presented. The submitted plans indicated the location to be in the rear of the property on a lawn area. The lawn would be extended by eliminating eight parking spaces with three being relocated to the rear southeast corner to meet parking requirements.

Lighting would be placed under the canopy and would only remain on during use. Mr. Wing advised that a six foot vinyl fence would be installed along the S/W line to ensure there is no light trespass onto neighboring properties. Photographs of the proposed fencing were submitted. Anticipated uses included picnics, ministry and other fellowship events.

Bruce Stratford of 189 Broadway Road, a member of the congregation, advised the facility would only be occupied by church members mainly during daylight hours. Adult supervision would always be on site with no alcohol being served. Mr. Stratford gave assurances that the noise ordinances would be complied with.

Several Commissioners voiced concern regarding the close proximity to the neighboring residential properties. Mr. Wing informed that the pavilion is located 70' from the nearest residential dwelling. He indicated that the neighboring properties were notified of the proposed intent with no negative feedback being received.

Bill Maurer advised the applicant that the proposed construction will need to show compliance with the Town's Storm Water Management and Drainage Standards.

A letter from the Town Tree Warden indicating his approval of the revised landscape plan dated 9/4/15 was read and submitted into the record. The applicant was advised of Mr. Jacques recommendation for the placement of a \$15,000.00 landscape bond.

Public Comment

The following spoke in favor: Ryan Munden, 2620 Reservoir Avenue; Ben Stratford, 189 Broadway Road
No one came forward in opposition.

This concluded tonight's public hearing.

REGULAR MEETING

Approval of Minutes

MOTION MADE (Chory), seconded (Garrity) and unanimously carried to accept the minutes of the August 19, 2015 regular meeting, as presented.

Extension of Time to Establish Liquor Location

Application #15-03 – Eugene Donnelly
6528 Main Street

MOTION MADE (Garrity), seconded (Chory) and unanimously carried to approve a six month extension of time, to February 12, 2016, for establishment of a liquor package store at 6528 Main Street.

Extension of Time to Record Subdivision Map

Application #15-24 – Richard Hansen
Huntington Turnpike opposite Carriage Drive

MOTION MADE (Garrity), seconded (Chory) and unanimously carried to approve a 90 day extension of time, to January 8, 2016, to record approved subdivision map pertaining to Application #15-24.

Planner's Report

Discussion on public notice requirements for proposed zoning amendments tabled to the next regularly scheduled meeting (October 21, 2015).

Pending Applications

Application #15-34 – Stephen Wing, Agent for
Church of Jesus Christ of Latter-Day Saints
26 Bonnie View Drive

MOTION MADE (Garrity), seconded (Chory) and unanimously carried to approve Application #15-34 subject to the following:

1. Demonstration of compliance with the Town's Storm Water and Drainage Standards to the satisfaction of the Town Engineer.
2. Approval shall be subject to the recommendations of the Town Tree Warden, including the issuance of a landscape bond in the amount of \$15,000.00.
3. Pavilion to be shielded with a six foot vinyl fence along the S/W property line.

Though there was concern regarding the close proximity to the neighboring properties, it was noted that no negative feedback from the property owners has been received. It was noted further that the abutting parcels are deep with the structures located near to the road.

Application #15-33 – Cellco Partnership d/b/a Verizon Wireless
55 Corporate Drive

MOTION MADE (Garrity) and seconded (Chory) to approve Application #15-33, as presented and plans submitted.

Vote: In Favor (4): Chory, Garrity, Preusch, Silber - Abstention (1): Deecken

Those voting in favor commented that the proposal, as presented, meets with all Federal and State guidelines.

Application #15-30 – Marsel Huribal
2991 Nichols Avenue

MOTION MADE (Preusch), seconded (Garrity) to approve Application #15-30.

Discussion followed with several Commissioners indicating that they would like additional time to deliberate on any stipulations that may be needed and to ensure that the concerns of the public have been addressed.

It was unanimously agreed to table action on Application #15-30 until the October 21, 2015 meeting.

There being no further business to address the September 16, 2015 meeting of the Planning and Zoning Commission adjourned at 11:00 p.m. with unanimous consent.

The next regularly scheduled meeting of the Planning & Zoning Commission will be held on Wednesday, October 21, 2015 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
P&Z Administrator/Clerk

