

PLANNING & ZONING
July 20, 2016

The Planning & Zoning Commission, of the Town of Trumbull, met for a Special Meeting on July 20, 2016 in the Council Chambers of the Trumbull Town Hall.

Members Present: Fred Garrity, Chairman
Anthony Chory, Dan Helfrich, David Preusch, Tony Silber and alternates
Richard Deecken, Larry LaConte and Don Scinto

Also Present: Rina Bakalar, Director of Economic and Community Development
Rob Librandi, Land Use Planner
Vincent M. Marino, Town Attorney
William Maurer, Assistant Town Engineer

The purpose of tonight's Special Meeting was to address, time sensitive issues and pending items from the meeting June 22, 2016.

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.

A quorum being present, the Chairperson called the meeting to order at 7:08 p.m.

AGENDA

Public Hearing

Special Permit/Site Plan

Application #16-18 – Brinsmade Associates, LLC
965 White Plains Road

Pursuant to Art. II, Sec. 3.1.4, Special Permit/Site Plan approval to construct 21,813 sq. ft. one-story retail building, including 2 drive-throughs, within a B-C Commercial Zone.

Attorney Raymond Rizio came forward representing the applicant.

The proposal was to create a one-story 21,813 sq. ft. building of which 14,813 sq. ft. designated for a retail pharmacy, with drive-thru, and 7,000 sq. ft. of additional retail that includes a drive-thru coffee shop. The existing 58,107 sq. ft. three story brick building located on the 2.78 acre site will be demolished to make way for the new construction. Mr. Rizio informed that all required variances, pertaining to the proposed project, have been obtained from ZBA.

The submitted site plans were then reviewed.

- Proposed building to face White Plains Road.
- Two travel lanes, including a passing lane, provided for drive-thru windows.
- Pharmacy drive-thru for prescription pick-up only.

- Existing steep grades will significantly buffer the neighboring residential area.
- Site to be encircled with a landscape buffer ranging in width from 10' to 20'.
- Submitted traffic report concludes project will not result in any significant change to current traffic operations.
- Proposed parking, to be located in front of the building, exceeds required number of spaces and conforms to all other requirements.

The traffic study, compiled by F. A. Hesketh & Associates, Inc. was summarized by Scott Hesketh. Upon inquiry, pertaining to drive-thru back-up at peak times, Mr. Hesketh indicated that 18 vehicles can be accommodated at any one time but the odds of the queue exceeding 15 vehicles is 1%. An e-mail, issued by the Trumbull Police Department, concurred with the submitted analysis foreseeing no traffic issues but timing of signals may need to be adjusted. Following a discussion regarding the interior traffic pattern, the applicant's representative agreed to revise existing plan to incorporate a two-lane entry design up to the building.

The Assistant Town Engineer and Town Planner reviewed their requirements and recommendations for approval.

Robert Sonnichsen, project engineer, provided an overview of the landscape plan, approved on a conceptual basis by the Town Tree Warden. Mr. Sonnichsen advised that a significantly modified plan will be submitted based on input from the Town Tree Warden and other members of staff. Comment was made that a more detailed landscape plan should have been made available for the Commission's review.

The Commission indicated there are aspects of the project that need consideration. Recommendations included the establishment of bike racks, fencing and enhancing of the outdoor patio, and further measures to ensure more safe and friendly pedestrian walkways. Commissioner Silber also suggested that historical marker be established in the existing parking area across from the Helen Plumb building.

Public Comment

Dawn Cantafo, 72 Tait Road, advised of the traffic issues relating to the exiting of Tait Road. Ms. Cantafo was advised to contact the traffic division of the police department.

Shelby Levino, 255 Park Lane encouraged developers to consider pedestrian traffic in their plans and ensure that there are safe walkways.

Tony DaQuila, 29 Valley View Road commented that there are many discrepancies in the submitted plans. He spoke to his concerns, which included pedestrian and vehicle safety issues and the need for the establishment of concrete sidewalks in this area.

This concluded the public hearing.

Commission went into deliberation and upon review the following motion was made.

MOTION MADE (Helfrich), seconded (Silber) to approve Application #16-18 subject to the following specific conditions.

1. All requirements pertaining to the title transfer of land, at the corner of Grandview Avenue and Church Hill Road, to be complied with.
2. Development to conform to ADA guidelines.
3. All site line distances to be achieved.
4. Requirements of the Assistant Town Engineer, as stated in his letter dated July 20, 2016, to be complied with.
5. Applicant to participate in a pre-construction meeting.
6. Approval is subject to the recommendations of the Town Tree Warden, including the issuance of a \$75,000.00 bond to insure the completion of landscaping improvements.
7. Outdoor patio safety upgrades and aesthetic enhancements to be provided.
8. Applicant's responses to staff questionnaire to be fulfilled.
9. A revised landscape plan, as agreed upon by the applicant, Town Tree Warden and staff, to be submitted.
10. On-site bike rack to be installed.
11. Revised site plan, incorporating a two way interior traffic pattern, to be submitted and approved by the Town Engineer.
12. A separate special permit application shall be required for all future signage.
13. A walkway and steps to be created, in the rear of the parking lot, across from the Helen Plumb building.
14. Path of access to be established from the walkway on the corner of Church Hill Road and Grandview Avenue to the parking lot.

After much discussion it was unanimously agree that action be tabled until the next regularly scheduled meeting to allow time for a more careful review of the plans and the proposed conditions for approval.

Subdivision

Application #16-14 – Merry Go Round Properties, LLC & Tate & Associates, LLC
Re-subdivision plan, dated 4/25/16, prepared for Merry Go Round Properties, 2 lots
with street address of 151 Strobel Road HEARING CONTINUED FROM JUNE 22,
2016

James Tate of Tate & Associates, LLC came forward.

At the June hearing, the applicant was informed that action could not be taken until a determination was made by Demolition Review Committee as to the historic value of the four on site structures scheduled for

demolition. Mr. Tate advised that he has met with a representative from the review committee who has determined that the structures do not match any historical aspects.

Upon inquiry, the applicant verified that there would be only one dwelling situated on each lot. The Assistant Town Engineer indicated satisfaction with the proposal from an engineering standpoint and the Town Planner advised the application meets zoning requirements pertaining to subdivisions.

Public Comment

John D'Angelo of 6 Doe Hollow Drive spoke in favor.

Upon conclusion of the public hearing the following motion was made.

MOTION MADE (Silber), seconded (Preusch) and unanimously carried to approve Application #16-14 subject to the following.

1. Only one structure per lot shall be permitted.
2. Requirements of the Town Engineer to be complied with.

Zoning Amendment

Application #16-15 – Amending of Art. II, Sec. 2.1.3.7 (a) and (b) of the zoning regulations of the Town of Trumbull to increase number of lots that may be consolidated in a Professional Office Overlay Zone and permit a gross floor area not to exceed 18% of the total area of combined lots for parcels exceeding one acre in size with frontage on a state highway. Petitioner: 4950 & 5010 Main Street HEARING CONTINUED FROM JUNE 22, 2016

The Town Attorney made note that the public hearing was continued to provide an opportunity to determine the validity of the protest petition submitted at the June 22nd meeting. Attorney Marino advised that as the initial proposal would have modified the entire POOZ zone, he has determined the petition to be invalid as it lacks the number of signatures required by State Statutes. A copy of Mr. Marino's written judgement was submitted for the record.

A request was then made to allow for additional public input.

Albert Mastri of 5041 Main Street came forward and spoke in favor. John Papas of 85 Botsford Place commented that input from the Board of Education, the Fire Marshal and EMS should be sought prior to taking action.

This concluded the public hearing and the Commission proceeded with deliberations and review.

There was consensus that the regulation, particularly along lower Main Street, is not working as intended and needs to be modified in order to encourage professional development in this area.

Proposed revisions were discussed and assessed with the following action being taken.

MOTION MADE (Silber), seconded (Helfrich) to modify and approve Application #16-15, as follows.

Article II – Section 2.1.3.7.2 (Revisions in bold)

Consolidation of two (2) **or more** pre-existing lots **located south of Route 15 and north of the Bridgeport line**, having been previously included in the Planned Office Overlay Zone, is permissible. In the case of consolidated lots the new structure proposed for professional office use shall be limited in size to the larger of either.

- a. 2,000 square feet (in terms of net useable square footage as defined by the tax assessor); or
- b. no more than 20% larger (in terms of net useable square footage, as shown on tax assessor's records) than the average size of the two residential structures adjacent to (on either side of) the subject property or the two residential structures located closest to the subject property. If, however, the subject property is a corner lot, **has a total area after combination that exceeds one acre and has frontage on a state highway, the gross floor area of any building or structure to be constructed shall not be greater than 8,500 square feet.**

In an effort to lessen the impact to the abutting residential neighborhood the following motion was offered.

MOTION MADE (Silber), seconded (Helfrich) and unanimously carried to amend the original motion to include the following language.

Egress and ingress to any such corner lot development shall be from a State highway only.

Discussion then followed as to the maximum size to be placed on a development unable to obtain DOT approval for an access from Route 111.

MOTION MADE (Chory), seconded (Preusch) and unanimously carried to amend the original motion to include the following language.

In the event such development cannot obtain DOT approval for a State highway access, any such building or structure to be constructed shall not be greater than 4,000 square feet.

Vote (Original Motion as Amended): In Favor (3) – Garrity, Helfrich, Silber - Opposed (2) – Chory, Preusch MOTION CARRIES

Commissioner Chory remarked that the public should have been given an opportunity to comment on the amendments made to the initial language that was submitted. Commissioner Preusch added that no basis has been provided, as to how the maximum square footage was derived at. More time should have been taken to allow for a more careful review of the amendments being considered here on tonight.

Regular Meeting

Municipal Improvement

Pursuant to CGS 8-24 consider and act on P&Z recommendation to Town Council regarding proposed acquisition by the town of 93 Church Hill Road, 85 Church Hill Road, 77 Church Hill Road and 2 South Edgewood Avenue.

Acquisition details were provided by the Town's Director of Economic and Community Development. Ms. Bakalar advised that negotiations are well under way on 93 and 85 Church Hill Road with an agreement of terms to purchase in place. Informal discussions to purchase have only recently begun with the other two property owners.

The Director informed that bipartisan support has been received from the Town Council to begin discussions with the subject residents. All properties are within close proximity to the Town Hall and adjacent to the Pequonnock Trail. Acquisition of these sites will offer additional trail access and expansion of the Town Hall campus.

There was comment from the Commission that the lack of a cost analysis and a comprehensive community facility plan does not allow the benefits of acquiring these properties to be weighed, making it difficult to provide an objective recommendation.

Public Comment

Leonard Kerr, 39 Bonita Avenue; Vincent Convertito, 22 South Edgewood; Rob Janczewski, 109 Church Hill Road; Nicole McGee, South Edgewood and Vicky Tesoro of 133 Beechwood Avenue voiced concern regarding the potential negative impact to this residential area. It was further noted that the existing accesses to the trail are more than adequate. There was also comment that not enough back-up and data has been provided to justify the acquisition of these properties.

Tony DaQuila, 29 Valley View Road favored the concept of an expansion of the municipal campus in this area but had parking concerns; Debbie West, 85 Church Hill Road acquisition property owner advised of the perfect access to the valley from her backyard.

Carrie Martin, 77 Church Hill Road informed that she is still undecided regarding the offer by the town to purchase her home.

In response, Ms. Bakalar stressed that all subject property owners are under no pressure to sell their homes.

It was agreed to vote individually on each property.

85 Church Hill Road

A favorable recommendation to the Town Council for the acquisition of 85 Church Hill Road was carried by 3 in favor (Chory, Helfrich, Preusch) – 2 opposed (Garrity, Silber).

93 Church Hill Road

A favorable recommendation to the Town Council for the acquisition of 93 Church Hill Road was carried by 3 in favor (Chory, Helfrich, Preusch) – 2 opposed (Garrity, Silber).

77 Church Hill Road

An unfavorable recommendation to the Town Council for the acquisition of 77 Church Hill Road was carried by 4 (Garrity, Helfrich, Preusch, Silber) to 1 abstention (Chory).

2 South Edgewood Avenue

An unfavorable recommendation to the Town Council for the acquisition of 2 South Edgewood Avenue was carried by 4 (Garrity, Helfrich, Preusch, Silber) to 1 abstention (Chory).

There being no further business to address the July 20, 2016 Special Meeting of the Planning and Zoning Commission adjourned at 1:15 a.m. with unanimous consent.

Respectfully submitted,

Helen Granskog
P&Z Administrator/Clerk

