

**PLANNING AND ZONING**  
**February 18, 2009**

A meeting of the Planning and Zoning Commission of the Town of Trumbull was held in the Courtroom of the Trumbull Town Hall on Wednesday, February 18, 2009.

Attendance: Timothy M. Herbst, Chairman  
Gary Bean, Anthony Chory, Arlyne Fox and alternates Steven Mahlstedt and Tony Silber

Staff Present: Bill Levin, Town Planner; Stephen Savarese, Town Engineer and James Cordone, Town Attorney

The following is a brief summary of the meeting. The 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 7:42 p.m.

In the absence of Commissioner Costa, Tony Silber was designated as the fifth voting member for tonight's meeting.

The Chairman opened the meeting by introducing and welcoming the Town's newly appointed Town Planner, Bill Levin.

**Acceptance of Minutes**

Upon review the following motion was made.

MOTION MADE (Fox), seconded (Chory) and unanimously carried (Herbst, Bean, Chory, Fox, Silber) to accept the minutes of the January 21, 2009 meeting as submitted.

**8-24 Municipal Improvements Referral**

Purchase parcel of land known as St. George's Church Rectory and parking area property (approximately  $\frac{3}{4}$  of an acre), 5490 Main Street for \$300,000.

Chairman Herbst recused himself from participation as a client of his has expressed an interest in this property.

Vice-Chairman Gary Bean chaired the portion of the meeting relating to the proposed acquisition.

Leopold DeFusco of 35 Catherine Street, a member of the Land Acquisition Committee, conducted the presentation.

Mr. DeFusco submitted a copy of the appraisal prepared by Sheehy Associates, LLC of Shelton, CT and an A-2 survey of the subject property, dated 11/26/08. A printout pertaining to other Land Acquisition Committees within Connecticut was also distributed. The appraisal valued the property at \$510,000.

Mr. DeFusco indicated that the rectory has become financially impractical for the church to maintain. Several solutions have been explored including the sale of the property, closing the home up or having it demolished. Mr. DeFusco described the property as a beautiful 150 year old home and considered it to be an important part of the historic nature of Main Street.

When asked as to what the municipal use of this property would be, Mr. DeFusco indicated that at the present time the Town had no specific plan in place for the use of this home.

Commissioner Fox commented that a private sale would not necessarily defer from the home's historic value. She added that neighboring residents are concerned that the property would not remain as an individual home.

Commissioner Bean noted that under private ownership P&Z would have more control over the home's use. State Statutes allows the Town to utilize the property as they see fit without notification to neighboring residents or obtaining P&Z approval. He indicated that he would be more comfortable, if he knew the exact municipal need the Town intended to use this property for.

#### Public Comment

Don Jordan, of Huntington and Chairman of St. George's Rectory Committee and Bill Kovachi of Fairfield, Council Chairman for St. George's Church confirmed that the cost to maintain the rectory has become prohibitive. They considered the sale of the rectory to the Town to be the most favorable option due to the home's close proximity to the church.

Ken Martin, 676 Huntington Turnpike and a member of the Historical Society, was in favor of the acquisition. He spoke to the home's historic value and indicated that there were a number of municipal uses available for this home that would benefit the community. He relayed his concern that there was nothing in the zoning regulations which addressed historic preservation.

Tom Kelly of 28 Plumb Road asked, if the Town were to purchase the property, were there any restrictions that could prevent the Town from re-selling the home in the future. Attorney Cordone responded that legally there is no way to prohibit a future sale of the property.

Commissioner Bean ended the discussion by extending an offer to Mr. DeFusco to have P&Z work more closely with his Committee in the exchange of ideas and observations.

Mr. DeFusco responded that the Land Acquisition Committee would welcome P&Z's input.

This concluded the presentation for the 8-24 – Municipal Improvement Referral.

The Commission recessed at 8:50 p.m. The meeting resumed again at 8:55 p.m. and the Chairman rejoined the meeting at that time.

### **Tabled Items from P&Z meeting of January 21, 2009**

Approve policy to allow for a lot line revision with a sign-off from the Town Planner, Zoning Enforcement Officer, Town Engineer and the Chairman of the Planning and Zoning Commission.

Bill Levin and Attorney Cordone indicated their approval of the proposed new policy.

Commissioners Anthony Chory and Arlyne Fox had reservations, as the policy would eliminate the opportunity for public input and that a new building lot could be created without approval from P&Z.

Upon further discussion and review the following action was taken.

MOTION MADE (Bean) seconded (Silber) that the following policy be adopted relative to proposed lot line revisions.

Lot line revisions may be signed off administratively upon the unanimous approval of the Town Planner, Zoning Enforcement Officer, Town Engineer and the Chairman of the Planning and Zoning Commission.

In the event a lot line revision results in the creation of a buildable lot the proposed plan must come before the Planning and Zoning Commission for approval.

Vote: In Favor (4) – Herbst, Bean, Chory, Silber – Opposed (1) Fox. MOTION CARRIES.

### **Request for Approval of Lot Line Revision**

Integrated Design & Construction, LLC – Lot line revision between 8 Windmill Lane and 4 Windmill Lane

Thaddeus Stewart of Integrate Design & Construction represented the property owners. He submitted a letter of intent signed by both parties and a set of plans indicating the proposed new lot configurations.

The parcel known as 8 Windmill Lane is currently before the ZBA for a variance to construct an addition 1.5' from the E/S property line. The revised lot line would lessen the setback to 15.2' at its closest point.

### **Request for Bond Release**

Application #04-60 – Jan's Land Development, LLC  
Site Bond/Cook Circle

Request for release of remaining \$1,000.00 balance of the bond, as per the Town Engineer.

A letter from the Town Engineer, Stephen Savarese, indicating that all requirements have been satisfactorily completed was read into the record.

MOTION MADE (Fox), seconded (Bean) and unanimously carried (Herbst, Bean, Chory, Fox, Silber) to release the remaining \$1,000.00 balance on the site bond for Application #04-60.

The next item on the agenda was discussion on priorities and objectives for Planning and Zoning.

There was an exchange of ideas with the following generally agreed upon as having priority: The establishment of a Design District on lower Main Street; revision of the subdivision regulations; adoption of an adaptive re-use policy; permitting mixed use within certain areas and revisiting the possibility of establishing a Village District within the Town Hall area.

Comment was made that capabilities for historic preservation and protection for older trees should be addressed. Commissioner Chory added that he would like to see viable rental options established for parishes.

The Commission then took action as follows:

Lot line revision between 8 Windmill Lane and 4 Windmill Lane

MOTION MADE (Chory), seconded (Bean) and unanimously carried (Herbst, Bean, Chory, Fox, Silber), to approve the lot line revision between 8 Windmill Lane and 4 Windmill Lane as submitted.

At this point (9:40 p.m.), Chairman Timothy Herbst left the meeting and alternate Steven Mahlstedt was designated as the fifth voting member. Vice-Chairman Gary Bean chaired the remaining portion of the meeting.

8-24 – Municipal Improvements Referral, St. George's Church 5490 Main Street

MOTION MADE (Chory) and seconded (Fox) to recommend that the Town of Trumbull acquire the  $\frac{3}{4}$  acre parcel of land owned by St. George's Church located at 5490 Main Street for \$300,000.

Vote: In Favor: 0 – Opposed (5): Bean, Chory, Fox, Mahlstedt, Silber MOTION DOES NOT CARRY

Those opposed indicated that though the preservation of the character of Main Street is of importance the Town has not demonstrated a municipal need for the acquisition of this property.

The Commission indicated that they would be favorable to re-addressing this proposed acquisition at a future date.

There being no further business to discuss a motion was made by Commissioner Chory and seconded by Commissioner Silber to adjourn. The February 18, 2008 meeting of the Planning and Zoning Commission adjourned at 9:50 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog  
Clerk of the Planning and Zoning Commission

