

PLANNING AND ZONING
March 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, March 18, 2009.

Attendance: Timothy M. Herbst, Chairman
Gary Bean, Anthony Chory, Chris Costa, and alternates
Steven Mahlstedt and Don Scinto

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 7:30 p.m.

In the absence of Commissioner Fox, Steven Mahlstedt was designated as the fifth voting member for tonight's meeting.

Acceptance of Minutes

MOTION MADE (Bean), seconded (Costa) and unanimously carried (Herbst, Bean, Chory, Costa, Mahlstedt) to accept the minutes of the February 18, 2009 meeting as recorded.

Request for 90 Day Extension of Time to File Mylar Map

Application #08-39 – Debra & Ian Tetrault
2 lots, 21 Tashua Road
(1st request)

The written request from Debra & Ian Tetrault was read for the record.

MOTION MADE (Bean), seconded (Costa) and unanimously carried (Herbst, Bean, Chory, Costa, Mahlstedt) to approve a 90 day extension of time to file the mylar map for Application #08-39.

Application #08-34 – Michael Properties
Cal Drive
Relocation of Cul-de-sac
(1st request)

The request, which was issued by David Bjorklund, of Spath-Bjorklund Associates on behalf of his client, was read for the record.

MOTION MADE (Chory), seconded (Bean) and unanimously carried (Herbst, Bean, Chory, Costa, Mahlstedt), to approve a 90 day extension of time to file the mylar map for Application #08-34.

Request for Bond Reduction

Application #08-18 – Loreto Mallone, Meadow Wood Road
Request for site bond reduction to \$28,300.00, as per the Town Engineer

MOTION MADE (Chory) and seconded (Bean) to approve the proposed bond reduction for Application #08-18.

A letter from the Town Engineer, Stephen Savarese, recommending that the bond be reduced to \$28,300.00 was read into the record.

MOTION MADE (Chory), seconded (Costa) and unanimously carried (Herbst, Bean, Chory, Costa, Malmstedt) to amend the previous motion to reflect that the bond for Application #08-18 be reduced by \$90,359.95 leaving a \$28,300.00 cash balance.

Vote: (Original Motion as Amended) – Unanimous (Herbst, Bean, Chory, Costa, Malmstedt). MOTION CARRIED

The three remaining items on the agenda were then addressed.

Bill Levin informed that he has received several requests to postpone discussion on a potential Demolition Delay Ordinance. There was agreement that this item be revisited at a later date in order to allow for additional study and research.

The Town Planner provided a summary of his written reports relating to the establishment of a Design District on lower Main Street and the adoption of an Adaptive Reuse Regulation.

A discussion followed on the proposed adaptive reuse concept. The intent was to consider establishing a regulation, which would allow properties to be used for something other than a residence without altering the residential character of the neighborhood.

The exchange of views centered on the guidelines that should be put in place within the regulation. Other topics for discussion included which residential areas in town would be most suitable for this type of activity and whether it should be restricted to only those properties having a pre-existing non-conforming use. A requirement that the residence be owner occupied was also brought up for consideration.

There was general agreement that procedural safeguards are needed to allow neighbors, within a certain radius, to petition against a proposed non-conforming use. A suggested

criteria for inclusion in a protest petition was 20% of property owners within a 200 ft. radius of the property being considered for adaptive reuse.

Commissioner Bean asked that the following points be considered as criteria for approval.

1. There shall be no additional intensity as a result of the proposed use change.
2. Residences are not to be considered on a specific or isolated basis.
3. Only those properties having an existing non-conforming use should be eligible for a use change.
4. A mechanism should be put in place that would allow the bar for approval to be raised from a simple majority to a super majority, if the abutting property owners oppose a proposed reuse.

All were in agreement that precise language would be needed to prevent the regulation from becoming a mechanism for spot zoning.

Bill Levin then spoke on several issues relative to the proposed establishment of a Design District on lower Main Street. The Town Planner suggested that only homes visible from Main Street should qualify for a non-conforming use. Due to the close proximity of these homes, he strongly suggested that a traffic study be made part of the application process. Chairman Herbst proposed that the regulation require that the applicant furnish the funding for the traffic analysis. The Chairman also stressed the need to reduce the number of entrance curb cuts.

The Town Engineer, Stephen Savarese, noted that Main Street is a State roadway and any changes to the road would require coordination with the DOT.

The consensus of the Commission was to pursue these objectives and proceed to a public hearing. The Town Planner agreed to generate a written report based on tonight's comments for review at the next regularly scheduled meeting.

At this time, a motion was made by Commissioner Bean, seconded by Commissioner Chory and unanimously carried to amend the agenda to allow for further discussion relative to the previously approved lot line revision policy.

Commissioner Bean asked that the Commission amend the previously approved policy to require that a visual inspection be conducted as part of the approval process. An on-site inspection would insure that there is no negative impact to the subject properties, as a result of the new lot configurations.

MOTION MADE (Bean), seconded (Costa) and unanimously carried (Herbst, Bean, Chory, Costa, Malmstedt) to amend the approved lot line revision policy to include the following.

Prior to the required signature sign-offs, a visual site inspection shall be conducted by either the Zoning Enforcement Officer, Town Planner or Town Engineer to insure that there is no negative impact to the subject properties as a result of the new lot configurations.

There being no further business to discuss the March 18, 2008 meeting of the Planning and Zoning Commission adjourned at 8:50 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog
Clerk of the Planning and Zoning Commission