

PLANNING AND ZONING COMMISSION
May 19, 2010

A meeting of the Planning and Zoning Commission of the Town of Trumbull was held in the Council Chambers of the Trumbull Town Hall on Wednesday, May 19, 2010.

Attendance: Gary Bean, Chairman
Anthony Chory, Chris Costa, Fred Garrity, Jr. and alternates
Steven Mahlstedt and Don Scinto

Also Present: Bill Levin, Town Planner and Stephen Savarese, Town Engineer

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 7:00 p.m.

Prior to the public hearing a preliminary pre-application discussion was held on options available for a proposed professional use in the Design District on lower Main Street.

The preliminary review was being held at the request of Christopher Hellthaler the owner of 5090 Main Street, one of the five designated properties included in the Design District.

Mr. Hellthaler requested guidance as to the possibility of expanding the existing dwelling to allow for two to three professional offices. Clarification was also needed regarding the regulation relating to owner occupancy.

The Chairman agreed that the language relative to multi-tenant use and owner occupancy is somewhat vague and will need to be re-addressed at a future work session. Mr. Hellthaler was advised that it was essential that any future proposal be in harmony with the residential character of the neighborhood.

PUBLIC HEARING

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

The following two letters pertaining to applications scheduled for hearing at tonight's meeting were read for the record. A letter from Attorney Robert Berchem indicating the withdrawal of Applications #10-10 and #10-11 and from Attorney Peter Gelderman requesting a continuance for Application #10-14.

MOTION MADE (Chory), seconded (Mahlstedt) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt) to continue Application #10-14 until the June 16, 2010 regularly scheduled meeting.

SPECIAL PERMIT

Application #10-14 – Gary Angon, 6 Ridgebury Drive

Pursuant to Art. II, Sec. 1.3.2.7 Special Permit to construct a 24x26.33 sq. ft. addition for use as an in-law accessory apartment.

Emilia Ferri conducted the presentation on behalf of the applicant. The submitted plan showed the proposed addition attached to the rear of the home.

The Town Planner indicated that there were no significant planning issues associated with this application. The Town Engineer added that he has reviewed the plans and all requirements relative to accessory apartments have been met. Upon inquiry, the Clerk confirmed that all required variances have been approved by ZBA.

Application #10-16 – Trumbull Shopping Park #2, LLC and WEA Connecticut Houses, LLC, 5065 Main Street

Pursuant to Art. II, Sec. 3.1 and Art. XV Special Permit to construct a 6,000 sq. ft. addition to an existing structure (former Circuit City building) for a proposed L.A. Fitness

Attorney John Knuff represented the applicant. Mr. Knuff began by noting for the record that the required landscaping attached to the approval of Westfield's previous application (#09-24) would be in accordance with the recommendations of the Town Tree Warden.

Mr. Knuff began the L.A. Fitness presentation by noting that tonight's application is for the facility only and that the signage aspect would be addressed separately. A brochure was submitted, which indicated the Club's floor plan and the amenities provided. The applicant's goal was to be able to open the facility by the end of November. Mr. Knuff also conveyed that L.A. Fitness would like to maintain the option to remain open for 24 hours a day, if there is a demand for it. James O'Sullivan of L.A. Fitness indicated that the typical hours are Monday-Friday 5:00 a.m. to 11:00 p.m. and 7:00 a.m. to 8:00 p.m. on Saturdays and Sundays. He reiterated that a 24 hour scheduled would only be engaged in, if there was a real need to do so.

A review of the submitted plans indicated a 6,000 sq. ft. expansion to the rear of the 39,151 sq. ft. existing building. Attorney Knuff stressed that there were no residential homes within close proximity to the existing or expanded structure. Five additional parking spaces were proposed with all existing landscaping being retained.

The proposed upgrades to the existing façade were provided. A letter from Fred M. Greenberg, P.E. of the BL Companies addressing the potential traffic impact was submitted. Based on traffic studies, Mr. Greenberg did not foresee any measurable impact to the current traffic pattern. A letter from the Town's Assistant W.P.C.A.

Administrator advising the there was adequate excess capacity to handle the facility's additional water flow was provided.

At an inquiry regarding lighting, Attorney Knuff responded that due to the topography there would be no negative impact to any residential dwelling.

Public Comment

Deborah Cox, Economic Director for the Town of Trumbull, spoke in favor.

Peter Toomey of 39 Gorham Place asked that the Commission consider the impact of noise and lighting pollution to the surrounding residential area. He requested that adequate buffering and erosion controls be provided.

ZONING AMENDMENT

Application #10-17 – Amending Art. II, Sec. 3.1.4 of the Zoning Regulations of the Town of Trumbull to add private occupational schools and private specialized schools as a permitted use in a Commercial B-C Zone, as proposed by the Planning and Zoning Commission.

The Town Planner reviewed the proposed language change. Mr. Levin noted that several of these types of facilities already operate within the B-C Zones and indicated that there is a demand for them. He defined these facilities as being more in the category of a commercial use than a regular educational school. The Town Planner foresaw no negative impact from a planning aspect.

Application #10-18 – Amending Art. XI (Flood Damage Prevention Ordinance) of the Zoning Regulations of the Town of Trumbull, as required by the State of CT DEP.

Bill Levin informed that the purpose of the proposed amendments were to bring the regulations into compliance with the requirements of the State and Federal Government. Specific language is required to allow the residents of Trumbull to continue to be eligible for Federal Flood Insurance.

This concluded the Public Hearing

REGULAR MEETING

Acceptance of Minutes

MOTION MADE (Chory), seconded (Costa) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt) to approve the minutes of the April 28, 2010 regular meeting.

Request for Bond Release

Application #07-38 – Woodland Hills, LLC
Site and Landscape Bonds

A letter from the Town Tree Warden recommending a bond reduction in the amount of \$175,000.00 was read for the record. Upon inquiry, the Town Engineer relayed that the site bond request was not received in adequate time for review prior to tonight's meeting.

MOTION MADE (Chory), seconded (Mahlstedt) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt), to table action until the next regularly scheduled meeting.

The Commission then considered and took action on tonight's applications as follows.

Application #10-15 – Gary Angon, 6 Ridgebury Drive

MOTION MADE (Costa), seconded (Chory) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt), to approve Application #10-15, as submitted.

Application #10-16 – Trumbull Shopping Park #2, LLC and WEA Connecticut Houses,
LLC, 5065 Main Street

MOTION MADE (Garrity), seconded (Costa) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt), to approve Application #10-16, as submitted (without signage).

Application #10-17 – Amending Art. II, Sec. 1.2.4.4

MOTION MADE (Costa), seconded (Chory) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt) to approve Application #10-17, as submitted.

Application #10-18 – Amending Art. XI (Flood Damage Prevention Ordinance)

MOTION MADE (Costa) seconded (Chory) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt) to approve Application #10-18, as submitted.

There being no further business to discuss a motion was made by Commissioner Chory and seconded by Commissioner Costa to adjourn. The May 19, 2010 meeting of the Planning and Zoning Commission adjourned at 8:35 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog
Clerk of the Planning and Zoning Commission