

**PLANNING AND ZONING**  
**February 24, 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, February 24, 2010.

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

Staff Present: Mario Coppola, Town Attorney; 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 7:35 p.m.

**Public Hearing**

**Zone Change**

Application #10-2 – To amend Art. II, Sec. 2.1.2 so as to expand the White Plains Road Design District to include the following three properties, across from the Trumbull Town Hall, on Church Hill Road: 17 Church Hill Road, 29 Church Hill Road and 37 Church Hill Road. Petitioner: Kathleen Fearon HEARING CONTINUED FROM JANUARY 20, 2010.

The applicant, Kathleen Fearon, conducted the presentation. Ms. Fearon provided a description of the three parcels proposed for inclusion in the existing White Plains Road Design District. The properties included the former bank building and two residential dwellings. A letter of support from the prospective buyer of the bank building, Dr. Robert Patrignelli, was submitted for the record.

Ms. Fearon described the properties as being the ideal location for inclusion in a Design District as described in the Town of Trumbull Zoning Regulations. The applicant anticipated no significant change to the existing traffic pattern due to the limited types of low impact professional business that are allowed within a Design District. Ms. Fearon relayed her intent, if the application were to be approved, to purchase the property at 37 Church Hill Road and establish a professional business venue through a Special Permit.

It was the Town Planner's position that the properties are not ideally situated for single family use and would be a positive addition to the existing Design District.

## Public Comment

In favor: Jose Ochoa, the property owner of 29 Church Hill Road; Deborah Cox, Director of Economic Development. Ms. Cox submitted a letter in support from the Economic Development Commission.

The following addressed the Commission expressing concerns relating to traffic and buffering: Michael J. London, 15 Lake Avenue; Eleanor Douglas, 47 Long Hill Place; Marianne Savarese, 97 Cider Mill Lane. A petition of protest was submitted by Ms. Savarese. Nina Plukas, 49 Church Hill Road; Edith Baumgartner, 38 South Edgewood Avenue; Stephanie Fians, 93 Church Hill Road; Debbie Hunt-Scribner, 115 Pinewood Trail

In conclusion, the Chairman read into the record the names of those residents who have submitted letters both in support and in opposition to the proposed zone change.

Application #10-3 – RDR 5520 LLC, 5520 Park Avenue

Pursuant to Art. II, Sec. 3.1 and Art. IV Special Permit to construct a 10,300 sq. ft. medical building adjacent to an existing medical office building along with associated parking and site improvements.

Attorney Raymond Rizio represented the applicant. The proposed medical building would house a satellite facility of the Norma F. Pfriem Cancer Center.

Mr. Rizio made note that the proposal now before this Board created far less impact than the originally proposed 40,000 sq. ft. facility. In order to provide sufficient screening to the residents on Plattsville Road a 16' high dark green fence would be constructed in addition to extensive landscape buffering. Attorney Rizio relayed that the neighboring resident most affected by this proposal has expressed support for this application. It was further noted that IWWC approval has been received.

The following letters of support were submitted into the record. State of Connecticut Department of Health; Town of Trumbull Police Department; Town of Fairfield Engineering Department regarding the proposed roundabout traffic plan; State of Connecticut State Traffic Commission

Joe Pereira then came forward and provided an overview of the site plan. Upon inquiry, Mr. Pereira indicated that there would be no change to the existing lighting design.

Lynn Salsgiver of Bridgeport Hospital detailed the services that would be provided by the Cancer Center.

Landscape Designer, Dennis Laferriere, detailed the proposed landscaping plan, which was designed with considerable input from the Town Tree Warden.

Louis Davis, Dosimetizist and Dr. Frances Su described the radiation safety precautions and informed that inspections are conducted on a regular basis.

#### Public Comment

In Favor: Deborah Cox, Director of Economic Development

Opposed: Joe Tivadar of 139 Plattsville Road who raised concerns relating to noise, lighting and blight pollution and presented some possible mitigation plans. He submitted a packet of information relative to his concerns.

In conclusion, the Chairman read for the record a letter of recommendation submitted by the Town Tree Warden.

Application #10-4 – Celleo Partnership d/b/a Verizon Wireless, Lot 40, Merrimac Drive

Pursuant to Article XII Special Permit to establish a wireless telecommunications facility, consisting of 12 antennas mounted onto an existing water tank along with a 12'x30' equipment shelter and propane tank located at ground level in a fenced in area.

Attorney Kenneth Baldwin of Robinson Cole made the presentation on behalf of the applicant.

The proposed antennas would be placed on top of the water tank at a height of 43.10' from ground level. Mr. Baldwin provided an overview of the equipment shelter, which would house the generator and propane tank. The stated purpose of the generator and propane tank was to establish back-up coverage in the event of a power failure.

The submitted Radio Frequency Exposure Report indicated that the maximum permissible exposure would continue to be below the FCC limits with the addition of these antennas. Mr. Baldwin called the current screening adequate and that no additional landscaping would be required.

Carlo Santori, informed that the noise evaluation conducted on the generator and air conditioners determined the levels to be in compliance with State regulations.

#### Public Comment

Mahmoud Hassami, 112 Merrimac Drive and Louis Solari, 88 Merrimac Drive (by letter) indicated that the Aquarian Water Company has not complied with the screening requirements as stipulated in the court settlement.

The Town's ZEO, Fred Beitsch, informed that the Town Tree Warden determined the landscaping to be in compliance with the settlement and based on his recommendation the landscaping bond was released.

At the request of the Commission the applicant's representative agreed to continue the public hearing until the next scheduled meeting to provide the Commission with an opportunity to review the settlement agreement.

MOTION MADE (Chory), seconded (Costa) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt), to continue Application #10-4 until the next regularly scheduled meeting.

This concluded the public hearing.

A short recess was called and the regular meeting resumed at 10:30 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 (Costa), seconded (Chory) and unanimously approved (Bean, Chory, Costa, Garrity, Mahlstedt), to approve the minutes of the January 20, 2010 meeting, as they were recorded.

### **Pending Applications**

Application #10-2 – Amending of Art. II, Sec. 2.1.2 “Design District”

Action tabled until the next regularly schedule hearing.

Application #10-3 – RDR 5520 LLC, 5520 Park Avenue

MOTION MADE (Garrity) and seconded (Costa) to approve Application #10-3.

MOTION MADE (Garrity), seconded (Chory) and unanimously carried (Bean, Chory, Costa, Garrity, Mahlstedt) to amend the original motion to include the following specific condition.

1. Receipt of a cash bond, in the amount of \$60,000.00, as per the recommendation of the Town Tree Warden, to ensure completion of landscaping improvements.

Vote (Original Motion as Amended): Unanimous - (Bean, Chory, Costa, Garrity, Mahlstedt). MOTION CARRIES

At this point 10:35 p.m. Attorney Coppola and Stephen Savarese exited the meeting.

## **Discussion Items**

Application Fees: Following discussion, it was agreed that the application fees be maintained at current rates.

Commercial Residential Mixed-use Zone: The Town Planner distributed a list of issues that would need to be addressed before proceeding with a formal proposal.

It was agreed that a special meeting be called to provide the Town Planner with language guidelines for the initial regulation draft.

There being no further business to discuss a motion was made by Commissioner Garrity and seconded by Commissioner Costa to adjourn. The February 24, 2010 meeting of the Planning and Zoning Commission adjourned at 10:45 with unanimous consent.

Respectfully submitted,

Helen Granskog  
Clerk of the Commission