

PLANNING AND ZONING
March 16, 2011

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, March 16, 2011.

Attendance: Anthony Chory, Chairman
Richard Deecken, Arlyne Fox, Fred Garrity, Jr. and alternates
Don Scinto and Tony Silber

Also Present: Mario F. Coppola, Town Attorney; William Levin, Town Planner and
Steven Savarese, Town Engineer

A quorum being present, the Chairman called the meeting to order at 7:40 p.m.

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

PUBLIC HEARING

ZONING AMENDMENT

Application #11-05 – Amending Art. II, Sec. 2.1.2 and 2.1.3 to permit professional offices on properties subdivided subsequent to the establishment of the Professional Overlay Zone and to modify parking requirements. Petitioner: Joenic Associates, LLC

The proposed amendments were presented by the petitioner's representative, Attorney Raymond Rizio.

The first related to Article II, Sec. 2.1.2 prohibiting a professional office use on properties subdivided after the regulation was applied. Mr. Rizio contended that the restriction was not relative to the intent of the regulation, which was to help maintain the character of the older colonial type homes within these designated zones.

Joenic Associates are the owners of a parcel of land, located at 552 White Plains Road, which was subdivided 2003. The existing dwelling is a large older home, which meets the purpose for professional office use and having a location on a main thoroughfare not conducive for single family use. Photographs of the site area were then presented and reviewed.

The dwelling's location, on a corner lot, was the basis for the proposed amendment to Sec. 2.1.3. Attorney Rizio explained that a corner lot technically creates two front yards. As the regulations only permit parking in the rear and side yards, corner lots are restricted to a much smaller parking area. The proposed amendment would allow for parking on the side yard facing the street, up to the front of the building. The prohibition of parking in front of the dwelling would remain in effect.

A letter from the Greater Bridgeport Regional Planning Agency requesting additional information concerning the number of properties to be affected was read into the record.

The Town Planner indicated agreement with the proposal to remove the subdivision timeline. Mr. Levin did urge caution when acting on the proposed parking modifications, as it could effect the residential character of the neighborhood. If the modifications were to be approved, the Town Planner recommended that it be limited to corner lots only.

It was suggested, and Mr. Rizio agreed, to continue the public hearing to provide an opportunity to assess the properties affected and prepare revised language, specific to corner lots.

MOTION MADE (Silber), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber), to continue Application #11-05 until the next regularly scheduled hearing (April 20, 2011).

Application #11-06 – Amending Art. II, Sec. 3.1.4.8 to modify motor vehicle storage requirements and eliminate distance requirements between automobile service stations. Petitioner: 43 Monroe Turnpike, LLC

The proposed revisions were presented by Attorney Raymond Rizio.

The first revision eliminates sub-paragraph e., which prohibits automobile sales, gasoline filling stations and garages to be located within 1,500 feet of any other such use. Attorney Rizio contended the regulation to be inappropriate, as the three areas addressed are distinct businesses and should be separated. He then provided examples where the current regulation can prohibit the establishment of a conforming use due to the existence of a non-conforming use.

The second revision would ease parking restrictions to allow outside rear parking of registered vehicles awaiting repair within B-C Zones.

The Town Planner was in agreement with the proposal to eliminate the distance requirements. He added that he concurs with the Valley Council of Governments' recommendation that outside storage of automobiles be prohibited in locations adjacent to residential zones.

Public Comment

Deborah Cox, Director of Economic Development came forward and read into the record the letter of support issued by the Economic Development Commission.

Application #11-07 – Amending Art. II, Sec. 2.1.5 to eliminate owner occupancy requirement. Petitioner: Planning and Zoning Commission

The presentation was conducted by the Town Planner. This proposed change relates to a previous application, which eliminated the owner occupancy requirement for professional office use. During the course of the prior application process the subject section was overlooked and the language relating to owner occupancy remains in place. The proposed revision would bring the regulation into conformance with what was previously approved.

SPECIAL PERMIT

Application #11-08 – Robert Pacifico, 100 Corporate Drive

Pursuant to Art. II, Sec. 4.1.4 and Art. XV Special Permit to establish fitness center in an I-L2 zone.

The applicant, Robert Pacifico, presented his proposal, along with photographs of the site area, for the establishment of a 1,680 sq. ft. fitness center within an existing corporate building. The hours of operation were indicated as follows:

Monday to Friday - 6:30 a.m. to 9:30 a.m., a midday session and evening sessions between 5:00 p.m. to 8:00 p.m.
Saturdays – 9:00 a.m. to 10:00 a.m.

A Sunday morning session at 9:00 a.m. was also being considered.

The applicant commented that the proposed location would provide fitness services for the surrounding corporate facilities. Upon inquiry, Mr. Pacifico indicated that no more than ten clients would be on site at a time.

The Town Planner commented that this was a fairly small operation utilizing a limited amount of space within the existing building. Common parking is available and Mr. Levin did not foresee any potential parking issues attached to this application.

Public Comment

Deborah Cox, Director of Economic Development spoke in favor on behalf of the Economic Development Commission.

This concluded the Public Hearing.

REGULAR MEETING

Approval of Minutes

MOTION MADE (Fox), seconded (Silber) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber), to approve the minutes of the February 16, 2011 meeting, as submitted.

Pending Applications

Upon discussion and review the Commission took action as follows.

Application #11-06 – Amending of Art. II, Sec. 3.1.4.8

There was a consensus of agreement as to the business and consumer benefits of having complimentary uses within a concentrated area.

MOTION MADE (Garrity), seconded (Silber) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber), to approve Application #11-06 with the exception of those amendments relative to Art. II, Sec. 3.1.4.8 (b).

The Commission determined that additional input from the Town Planner is needed to support logical parking/storage guidelines and automobile salesrooms.

Application #11-07 – Amending of Art. II, Sec. 2.1.5

MOTION MADE (Garrity), seconded (Fox) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber), to approve Application #11-07, as submitted.

Application #11-08 – Robert Pacifico, 100 Corporate Drive

Comment was made that the application has very little impact and that adequate parking was available. There was general agreement that the proposal would be a beneficial addition to the community.

MOTION MADE (Silber), seconded (Garrity) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber), to approve Application #11-08, as submitted.

Application #11-02 – Amending Art. XV (Construction Time Limitations)

The Town Planner summarized the three options on the table for consideration. Mr. Levin's recommendation was for the adoption of Version 2.

MOTION MADE (Garrity), seconded (Silber) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve Application #11-02, as per the following specific condition.

1. Application is approved subject to Version 2, which allows for two one year extensions for the start of construction.

At this point Attorney Mario Coppola exited the meeting.

The next item on the agenda was a discussion to consider amendments to Art. II, Sec. 2.1.3.4 to allow professional office use in newly constructed homes located within a Professional Overlay Zone.

The Town Planner explained that under the current regulations newly constructed homes may only be used for residential use. Some potential applicants have indicated that certain locations are in poor repair or have layouts not suitable for professional office use. In order to encourage further use of this zone, a modification to permit professional use in replacement structures will need to be considered.

Mr. Levin was asked to prepare specific guidelines, including language addressing historic home preservation, for the Commission's review.

There being no further business to discuss a motion was made by Commissioner Deecken and seconded by Commissioner Fox to adjourn. The March 16, 2011 meeting of the Planning and Zoning Commission adjourned at 10:50 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog
Clerk of the Commission

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