

PLANNING AND ZONING

June 15, 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, June 15, 2011.

Attendance: Anthony Chory, Chairman; Arlyne Fox, Vice-Chairman;
Richard C. Deecken, Secretary; Christopher Costa, Fred Garrity and
alternate Don Scinto

Also Present: Mario Coppolla, Town Attorney; William Levin, Town Planner and
Stephen Savarese, Town Engineer

A quorum being present, the Chairman called the meeting to order at 7:33 p.m.

PUBLIC HEARING

SPECIAL PERMIT

Application #11-16 – Carrie Memmesheimer, 100 Corporate Drive

Pursuant to Art. II, Sec. 4.1.4 and Art. XV Special Permit to establish a
Children's Party Facility/Cookie Workshop

The proposal was presented by the applicant. The concept was to host parties, where the children would participate in the cookie baking. The applicant informed that she would also be offering bakery items for sale.

The proposed hours of operation were indicated as follows:

Monday- Friday 4:30 – 8:00 p.m.
Saturdays 10:30 a.m. – 6:00 p.m.
Sundays 12:00 p.m. – 5:00 p.m.

Ms. Memmesheimer advised that the existing parking area is more than adequate, as her business is conducted mainly on evenings and weekends. Upon inquiry, the applicant estimated that her operation will require approximately ten to fifteen spaces.

Photographs, which depicted the number of spaces being utilized at different points during the day, were submitted.

The Town Planner indicated that the applicant has adequately addressed the parking issue and recommended approval.

Public Comment

Deborah Cox the Director of Economic Development spoke in favor and presented a letter of support on behalf of the Economic Development Commission.

Application #11-17 – Michael F. Cusato, Agent for Michael and Andrea Rudolph, 60 Partridge Lane

Pursuant to Art. II, Sec. 3.2 and Art. XV Special Permit to construct an addition for use as an in-law/accessory apartment.

Michael Cusato appeared representing the property owners. The submitted plans indicated a 737' rear addition. Mr. Cusato provided an overview of the design components and noted that all setback requirements have been met.

The Town Engineer and the Town Planner confirmed that the submitted plan complies with zoning requirements.

Public Comment

John Gleason of 52 Partridge Lane spoke in favor.

Application #11-14 – ABM Brothers, 6540 Main Street

Pursuant to Art. II, Sec. 3.2 and Art. XV Special Permit to construct a one-story commercial building along with associated site improvements. HEARING CONTINUED FROM MAY 18, 2011.

ZONE CHANGE

Application #11-15 – Amending the zoning map and the zone boundaries of the Town of Trumbull so as to change from B-C Zone and Residential A Zone to B-C Long Hill Green Zone a portion of a parcel of land located at 6540 Main Street and portions of Main Street and Broadway Road adjoining 6540 Main Street, containing 2.85 acres more or less. Petitioner: ABM Brothers, Inc. HEARING CONTINUED FROM MAY 18, 2011

As Applications #11-14 and #11-15 were interconnected, it was agreed that they be heard concurrently.

Attorney Fredrick Ehram addressed the Commission representing the applicant. Submitted for the record was a portion of the zoning regulations, effective as of October 15, 1959, identifying the properties included in a residential A Zone and an appraisal map.

The project received previous approval in 2007 but due to the down turn in the economy the construction was put on hold. The submitted plan indicated a 6,000 sq. ft one-story commercial building, which Attorney Ehram noted is the same size, as was previously approved. The building would be occupied by a mix of retail, service and office space and entry would be gained from Broadway Road. A proposed pedestrian walkway to Long Hill Green was to be included.

All conditions of the previous approval have been complied except for the few maintenance items that still need to be addressed.

At inquiries made regarding the proposed signage and lighting, Mr. Ehram informed that lighting would be similar to what is in place on Long Hill Green and the proposed signage conforms to zoning standards.

David Bjorklund of Spath-Bjorklund Associates addressed the engineering aspects of the project. He submitted a scaled down version of the project's site plan.

The property consists of 4.3 acres and is located primarily in the newly established B-C Long Hill Green Zone, with a small portion contained in the B-C Commercial Zone. The requested zone change would place the entire parcel along with some adjoining property within the Long Hill Green Zone. Mr. Bjorklund informed that the project has received the necessary approvals from the Inland Wetlands and Watercourses Commission.

Forty-two parking spaces would service the building, which conforms to standards. Mr. Bjorklund noted that parking availability will not be competing with the restaurant as the peak hours between these two operations will differ.

Landscape plans, as approved by the Town Tree Warden and alternates to the original plan labeled A and B were submitted. The Commission was also informed that the concerns as was stated in the Fire Marshal's recent letter have been addressed. An additional letter from the Town Tree Warden recommending that a \$75,000 landscape bond be post was so noted.

Jim McElroy spoke to the building's architectural design, which reflected a village feel and incorporated the design aspects of some older buildings within the Town.

The Town Planner supported the proposed rezoning, as it was basically a clean-up of property which should have been included when the B-C Long Hill Green Zone was created. The Town Engineer requested that a site bond be added, as a condition of approval.

Commissioner Fox indicated that she had concerns, as the applicant, in the past, has not complied to conditions of approval, particularly pertaining to wetland issues

Public Comment

Deborah Cox, Director of Economic Development spoke in favor and presented a letter of support from the Economic Development Commission.

Attilio Marini of ABM Brothers addressed Commissioner Fox's concerns, assuring that all conditions have or will be met. He reminded the Commission that the requested bonding will ensure complete compliance.

This concluded the Public Hearing.

REGULAR MEETING

Approval of Minutes

MOTION MADE (Fox), seconded (Deecken) and unanimously carried (Chory, Costa, Deecken, Fox, Garrity), to approve the minutes of the May 18, 2011 regular meeting, as submitted.

Discussion Items

Revisions to the Plan of Conservation and Development

The Town Planner provided an overview of the proposed changes to this document. . The main objective was to open up commercial and industrial areas to encourage more mixed-use development. A first draft proposal has been prepared and distributed by Mr. Levin for discussion purposes. The Town Planner indicated that in addition to the Commission he has also shared this initial proposal with outside interest parties for their review and comments.

Attorney John Knuff , representing Trumbull's Westfield Shopping Park, and Scott Wick of the Economic Development Commission submitted a summary of their recommendations and goals.

All were in agreement that an informal work session is needed to allow for an exchange of ideas between the Commission and interested parties.

Adoption of a First-Cut Division of Land Policy

The Town Planner informed that this item is presented at the request of the Town Attorney. Mr. Levin explained that adoption of the proposed policy will bring us into conformance with State Statutes, which allow first-cut divisions of land on properties where no previous subdivisions have occurred. Attorney Coppola advised that documentation must be provided confirming that the property was not part of any previous subdivision. The proposed division of land must also meet all zoning standards. The Town Attorney indicated that very few properties would be eligible.

Upon further discussion and a review of the policy and the proposed application form, to which a \$180 fee would be attached, the following motion was made.

MOTION MADE (Garrity), seconded (Fox) and unanimously carried (Chory, Costa, Deecken, Fox, Garrity) to approve the proposed application and check list pertaining to a first-cut division of land, as presented.

Proposed Amendments to the Fee Schedule

The proposed additional fees addressed the recently adopted policies relative to preliminary reviews, first-cut division of properties and requests for construction time extensions. The proposed fees, to be established for the purpose of covering noticing costs were as follows:

Request for Extension of Time.....	\$100.00
Pre-Application Preliminary Review.....	\$100.00
Application for First-Cut Division of Land.....	\$180.00

MOTION MADE (Fox), seconded (Garrity) and unanimously carried (Chory, Costa, Deecken, Fox, Garrity) to approve the proposed additions to the Planning and Zoning Fee Schedule, as presented.

Pending Applications

Tonight's applications were discussed and the Commission took action as follows.

Application #11-16 – Carrie Memmesheimer, 100 Corporate Drive

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Costa, Deecken, Fox, Garrity), to approve Application #11-16, as presented and plans submitted.

Application #11-17 – Michael F. Cusato, Agent for Michael and Andrea Rudolph, 60 Partridge Lane

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Costa, Deecken, Fox, Scinto), to approve Application #11-17, as presented and plans submitted.

Application #11-15 – Proposed amendments to the zoning map. Petitioner: ABM Brothers Inc.

MOTION MADE (Deecken), seconded (Costa) and unanimously carried (Chory, Costa, Deecken, Fox, Garrity) to approve Application #11-15, as presented.

Application #11-14 - ABM Brothers, 6540 Main Street

MOTION MADE (Deecken) and seconded (Costa) to approve Application #11-14.

MOTION MADE (Garrity) and seconded (Costa) to amend the previous motion to include the following specific conditions.

1. The landscaping plan for this development shall incorporate the previously approved plan pertaining to Application #07-03.
2. Receipt of bond in the amount of \$75,000.00 (as calculated by the Town Tree Warden) shall be submitted to insure completion of landscaping improvements. The bond shall be in the form of a certified check payable to the Town of Trumbull.
 - a. Receipt of signed agreement to complete landscaping improvements
 - b. No portion of the \$75,000.00 bond to be released until 100% of the landscaping improvements have been completed and approved by the Town Tree Warden.
3. Receipt of site bond, to be calculated by the project engineer and approved by the Town Engineer, to ensure completion of site improvements. The bond shall be in the form of a certified check payable to the Town of Trumbull.
 - a. Receipt of signed agreement to complete site improvements.
4. Piles of fill located on the N/E portion of the property to be removed and utilized in conjunction with the new construction project.
5. Drainage calculations to be submitted to the Town Engineer.

Vote: In Favor (4) Chory, Costa, Deecken, Garrity / Opposed (1) Fox – MOTION CARRIES

Vote (Original Motion As Amended): In Favor (4) Chory, Costa, Deecken, Garrity / Opposed (1) Fox – MOTION CARRIES

Application #11-14 – APPROVED AS AMENDED

MOTION MADE (Fox) and seconded (Garrity) to adjourn.

There being no further business to discuss a motion was made by Commissioner Fox and seconded by Commissioner Garrity to adjourn.

The June 15, 2011 meeting of the Planning and Zoning Commission adjourned at 10:30 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog
Clerk of the Planning and Zoning Commission