

Zoning Commission Public Hearing and Administrative Session

October 31, 2017

The Zoning Commission held a Public Hearing and Administrative Session on Tuesday, October 31, 2017 at Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

Members Present: Chairman Stephanie Philips, Dave Fuller, Mark Juliano, Steve Raguskas sitting for Ms. Pepin, Joe Paul

Also Present: Jay Habansky, Planning & Zoning Administrator, Town Attorney Florek, Town Attorney Bryan LeClerc

Members Absent: Linda Pepin

Alternates: Mr. Raguskus

Call to Order: Ms. Philips called the Public Hearing to order at 7:11 p.m.

Public Hearing

Continued Items

RECEIVED FOR RECORD
SUSAN M. PAWLOK
2017 NOV -2 AM 9:04
STRATFORD TOWN CLERK

211 Ferry Boulevard – Petition of Land Sail Properties LLC seeking approval to construct a 5,679 sq. ft. retail and 45 apartments in a CA/TOD Overlay Zone. Coastal Site Plan Review and an Erosion & Sediment Control application is required – Continued

Text Amendment – Petition of Stratford Zoning Commission to add a new Section 15B regarding medical marijuana dispensaries and production facilities and revise Section 3.30 regarding the moratorium on such facilities – Mr. Habansky reported that Ms. Trojanowski was not able to attend the meeting but entered a letter into record. Commissioners discussed age restrictions, entity responsible for compliance and State regulations. Attorney Florek cautioned to not micro-manage areas already covered by State regulations. He also noted that the dispensary is responsible for compliance. Mr. Habansky added that the Department of Consumer Protection enforces administration and State regulations. Seeing no members of the public speaking in favor or opposition of Text Amendment Section 15B, Mr. Fuller made a motion to close. The motion was seconded by Mr. Paul. The motion carried unanimously.

Text Amendment – Petition of 500 North Avenue LLC seeking to amend the fee schedule to exempt 8-30g affordable housing projects from fees when submitting applications – Ms. Philips recused herself as Chairman for this petition – Mr. Juliano will take her place. Attorney Steve Bellis, representing petitioner, discussed conceptual site plan sharing Supreme Court case. Seeing no members of the public speaking in favor or opposition of this petition, Mr.

Fuller made a motion to close Text Amendment 500 North Avenue LLC. The motion was seconded by Mr. Paul. The motion carried unanimously.

New Items

Text Amendment – Petition of Stratford Building Needs Committee to amend Section 6.1 regarding civic uses in an LB Zone – Continued

45 North Parade Street and 245 King Street – Petition of Stratford Building Needs Committee to change from an RS-4 to LB Zone – Coastal Site Plan Review application is required – Continued

140-180 Watson Boulevard – Petition of Asphalt Roof Recycling Center seeking Special Case approval to expand an asphalt recycling & processing facility to the adjacent property in an MB Zone. Coastal Site Plan Review application is required – Mr. Caissey, petitioner, submitted Certificates of Mailings, site plan, approval of February 2013, proposed site plan and photographs of electrical components. He discussed reasons for application. Commissioners discussed concerns of the DEEP's letter sent to Jay Habansky on October 31st, state permits and non-compliance. Mr. Caissey informed the Commission he would need approximately one (1) year to get into compliance. Commissioners were in agreement that they are willing to give a one (1) year window for compliance but would like to see current issues resolved within six (6) months. Chairman Philips recommended this petition be left open for another month and Mr. Caissey work with Attorney Florek to address issues.

Attorney Knott spoke in favor of this application.

Mr. Tom Quinn, Nuova Pasta Productions, LTD, spoke in opposition of this application.

Seeing no other members of the public speaking in favor or opposition of this petition, Mr. Fuller made a motion to table 140-180 Watson Boulevard. The motion was seconded by Mr. Raguskas. The motion carried unanimously.

Text Amendment – Petition of Urstadt Biddle Properties Inc. seeking to amend Section 10-.2.2 regarding the maximum allowable height in an MA Zone – Continued

50-104 East Main Street and 25-65 Sidney Street – Petition of Urstadt Biddle Properties Inc. seeking Special Case approval to construct a 121,296 sq. ft. self-storage facility in an MA Zone – Continued

RECEIVED FOR RECORD
SUSAN M. PAWLOR
2017 NOV -2 AM 9:04
STRATFORD TOWN CLERK

Administrative Session

Continued Items

RECEIVED FOR RECORD
SUSAN M. PAWLUK

2017 NOV -2 AM 9:04

STRATFORD TOWN CLERK

211 Ferry Boulevard – Petition of Land Sail Properties LLC seeking approval to construct a 5,679 sq. ft. retail and 45 apartments in a CA/TOD Overlay Zone. Coastal Site Plan Review and an Erosion & Sediment Control application is required – continued

Text Amendment – Petition of Stratford Zoning Commission to add a new Section 15B regarding medical marijuana dispensaries and production facilities and revise Section 3.30 regarding the moratorium on such facilities – Mr. Fuller made a motion to take Text Amendment 15B off the table. The motion was seconded by Mr. Paul. The motion carried unanimously. Commissioners discussed compliancy language and Federal Control Substance Act. They would like to wait until regular member Linda Pepin be in attendance prior to the vote. Mr. Fuller made a motion to table Text Amendment 15B. The motion was seconded by Mr. Juliano. The motion carried unanimously.

Text Amendment – Petition of 500 North Avenue LLC seeking to amend the fee schedule to exempt 8-30g affordable housing projects from fees when submitting applications – Chairman Philips recused herself from this petition – Mr. Juliano will take over as Chairman. Mr. Fuller made a motion to take 500 North Avenue LLC off the table. The motion was seconded by Mr. Raguskas. The motion carried unanimously. It was noted that the Planning Commission made an unfavorable recommendation on this petition so this would require a four (4) vote majority to pass. Mr. Habansky informed the Commissioners that he would have a site plan review and a fee schedule for 8-30g for review at next months' meeting. Mr. Fuller made a motion to deny Section 15B without prejudice by recommendation of the Planning Commission being it is not in compliance with POCD. The motion was seconded by Mr. Raguskas. The motion carried unanimously.

New Items

Text Amendment – Petition of Stratford Building Needs Committee to amend Section 6.1 regarding civic uses in an LB Zone – Continued

45 North Parade Street and 245 King Street – Petition of Stratford Building Needs Committee to change from an RS-4 to LB Zone – Coastal Site Plan Review application is required – Continued

140-180 Watson Boulevard – Petition of Asphalt Roof Recycling Center seeking Special Case approval to expand an asphalt recycling & processing facility to the adjacent property in an MB Zone. Coastal Site Plan Review application is required - Tabled

Text Amendment – Petition of Urstadt Biddle Properties Inc. seeking to amend Section 10-.2.2 regarding the maximum allowable height in an MA Zone – Continued

50-104 East Main Street and 25-65 Sidney Street – Petition of Urstadt Biddle Properties Inc. seeking Special Case approval to construct a 121,296 sq. ft. self-storage facility in an MA Zone- Continued

Approval of Minutes – Mr. Paul made a motion to approve the minutes of September 26th. The motion was seconded by Mr. Juliano. The motion carried unanimously.

Mr. Fuller made a motion to take 1189 Barnum Avenue out of order. The motion was seconded by Mr. Juliano. The motion carried unanimously.

1189 Barnum Avenue – Minor Site Plan Modification – new exit onto Barnum Avenue – Town Attorney LeClerc suggested the Zoning Commissioner go into Executive Session. Zoning Commissioners, Jay Habansky, Zoning Administrator and Attorney Bryan LeClerc went into Executive Session at 8:50 p.m.

Return 9:09 p.m.

Attorney Knott, representing petitioner, submitted for the record site plan from 2001, approval letter from 2001, approved site plan from 2001 and proposed site plan. Mr. Fuller made a motion to approved 1189 Barnum Avenue for right turn only onto Barnum Avenue. The motion was seconded by Mr. Paul. The motion carried unanimously.

Discussion –

CAM Site Plan Review –

- 211 Ferry Boulevard– TOD –Continued
- 50 East Main Street – Self-storage – Continued
- 140-180 Watson Boulevard – Asphalt Recycling Facility – Tabled
- 6900 Main Street – Recycling Facility – Mr. Fuller made a motion to approve 6900 Main Street recycling facility. The motion was seconded by Mr. Raguskas. The motion carried unanimously.
- 6900 Main Street – PETTS Building – Mr. Fuller made a motion to approve 6900 Main Street PETTS Building on condition DEEP be satisfied with project. The motion was seconded by Mr. Paul. The motion carried unanimously.

Zoning Enforcement Study – None

Accessory Apartment Applications –

- Public Act 17-155: Temporary Health Care Structures - Mr. Habansky discussed last months' referral to the Planning Commission in which the Commission decided there would be negligible impact and chose to take no action. Zoning Commission concurred.

RECEIVED FOR RECORD
SUSAN M. PAWELCZAK
2017 NOV -2 AM 9:04
STRAFORD TOWN CLERK

Sediment & Erosion Control Applications –

- 211 Ferry Boulevard – TOD – Continued
- 50 East Main Street – Self-storage - Continued

Planning Projects –

- 1) Greenway – No Report

Other Items –

- 1189 Barnum Avenue – Minor Site Plan modification – new exit on Barnum Avenue – See above
- 1239 Broadbridge Avenue – Minor Site Plan modification – eliminate guard rail – Mr. Habansky informed the Commissioners of the November 2011 approval. Referred to letter from Orthodox Greek Catholic Church requesting a modification of the site plan. Commissioners discussed original approval plan, possible partial guardrail or substitute fencing. Mr. Juliano made a motion to have Mr. Habansky, Zoning Administrator, decide what would be appropriate to protect adjacent houses. The motion was seconded by Mr. Fuller. The motion carried unanimously.

Goal Setting –

- 1) Other
- 2) Affordable Housing –
- 3) SAEP Property- No Report
- 4)
 - A) Medical Marijuana Moratorium
 - B) Methadone Clinic Moratorium –
- 5) Parking -
- 6) POCD – No Report
- 7) TOD – No Report
- 8) Recommendations to the Town Council

RECEIVED FOR RECORD
SUSAN M. PAWLOR
2017 NOV - 2 AM 9: 04
STRATFORD TOWN CLERK
G

Seeing no other business to discuss, Mr. Raguskus made a motion to close the meeting at 9:38 p.m. The motion was seconded by Mr. Fuller. The motion carried unanimously.

Respectively Submitted,

Gail DeCilio

Recording Secretary