Zoning Commission Public Hearing and Administrative Session

September 26, 2017

The Zoning Commission held a Public Hearing and Administrative Session on Tuesday, September 26, 2017 at Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

Members Present: Chairman Philips, D. Fuller, M. Juliano, Ms. Pepin, Mr. Paul

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

Members Absent: None

Alternates: Mr. Raguskus

Call to Order: Ms. Philips called the Public Hearing to order at 7:07 p.m.

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Public Hearing

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

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

2339 Barnum Avenue – Petition of Rock Candy Enterprises LLC seeking approval of liquor location for a grocery/beer permit for a convenience store – Attorney Knott, representing petitioner, submitted Certificates of Mailings. He distributed photographs of property, plot plan, photograph of store on corner of Bruce Avenue and Hollister Street and floor plan of proposed project. He noted correction on plot plan and discussed distances from schools, churches, etc. Noted no negative impact on area – operating hours 5:30 a.m. until 9:00 p.m. – will only sell beer – digital cameras in place for security. **Seeing no members of the public speaking in favor or opposition of the petition, Mr. Paul made a motion to close 2339 Barnum Avenue. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

290 Ferry Boulevard – Petition of Majestic Motors LLC seeking approval of location for a General Repairer's License – Attorney Knott, representing petitioner, distributed photographs of the property, site plan, Zoning approval letter dated 12/19/2016, area of proposed business and site map. Noted it is now considered 280 and 290 Ferry Boulevard. Attorney Knott referred to comments by Zoning Administrator – on-site activities will remain the same – hours of operation 7:00 a.m.-5:00 p.m. M-F, 7:00 a.m. – 12:00 p.m. Sat. Commissioners questioned contamination, removal of waste and General Repairer's License vs. Body Work. **Seeing no members of the public speaking in favor or opposition of the petition, Mr. Fuller made a**

motion to close 290 Ferry Boulevard. The motion was seconded by Ms. Pepin. The motion carried unanimously.

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 – Chairman Philips noted the Public Hearing was left open for another month for the opportunity for the Community to voice their opinions.

S. Rubinsky – spoke of the adverse effects of marijuana usage.

Tammy Trojanowski – noted she is not in favor or opposition of the proposal. Submitted into record "Stratford Partnership for Youth and Families" packet.

Mr. Fuller reiterated this Commission is not looking to approve recreational use of marijuana only for prescription usage. He suggested Ms. Trojanowski do a peer review to offer any suggestions. Chairman Philips noted a study showed Medical Marijuana led to a significant reduction in opiate use.

Mr. Fuller made a motion to table Text Amendment. 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 – Chairman Philips recused herself from this petition. Ms. Pepin will be Chair. Mr. Raguskas will sit for Ms. Pepin. Attorney Bellis, representing petitioner, discussed fees for affordable housing applications (8-30g), zoning regulations and differences between Affordable Housing applications and Special Case applications. Noted clarification on fees for 8-30g applications need to be implemented.

Attorney Florek agreed with Attorney Bellis on the need for clarification of fees but disagrees in the regard that Stratford has the authorization to set fees for 8-30g applications as Special Case applications. The Commissioners could agree that Special Case fees are applicable to 8-30g fees.

Commissioners agreed that separate 8-30g fees should be separated from Special Case fees. They also feel adjustable fees should be implemented due to the size of the project.

Attorney Bellis feels initial concept plan fee should be lower than final concept plan fee. He referred to Connecticut State Statute on 8-30g.

Speaking in Opposition:

M. Prewitt, 575 Peters Lane, Concerned Citizens Group of Stratford, Inc., submitted for the record letter to Jay Habansky, Zoning Commission and the Town of Stratford.

C. Carroll, 120 Candlewood Road, spoke in opposition of lowering fees.

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J. Kubic, Attorney for Concerned Citizens Group of Stratford, Inc., discussed regulations and submitted proposed residential development plan for record. Noted thirty (30) people in the audience are in opposition of the fee change.

M. Brunner, 655 James Farm Road, spoke in opposition

Resident of 497 Iroquis Lane, spoke in opposition

J. Grey, 29 Shoreline Drive, distributed for the record "Overview of 500 North Avenue LLC".

Ms. Voight, 80 James Farm Road, spoke in opposition

Mr. Fuller made a motion to table Text Amendment. The motion was seconded by Mr. Raguskas. The motion carried unanimously.

Mr. Fuller made a motion to close the Public Hearing. The motion was seconded by Mr. Paul. The motion carried unanimously

Recess: 8:57 p.m.

Resume: 9:08 p.m.

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Administrative Session

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 – Chairman Philips noted production facilities need to be discussed. Continued

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 – Continued until recommendation from Planning Commission.

2339 Barnum Avenue – Petition of Rock Candy Enterprises LLC seeking approval of liquor location for a grocery/beer permit for a convenience store – Mr. Fuller made a motion to take 2339 Barnum Avenue off the table. The motion was seconded by Ms. Pepin. The motion carried unanimously. Commissioners discussed sale performance which has to be submitted to State of Connecticut. **Mr. Fuller made a motion to approve 2339 Barnum Avenue with the standard stipulations. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

290 Ferry Boulevard – Petition of Majestic Motors LLC seeking approval of location for a General Repairer's License – Ms. Pepin made a motion to take 290 Ferry Boulevard off the table. The motion was seconded by Mr. Paul. The motion carried unanimously. **Ms. Pepin made a motion to approve 290 Ferry Boulevard with the standard stipulations. The motion was seconded by Mr. Paul. The motion carried unanimously.**

Approval of Minutes – Mr. Fuller made a motion to approve the minutes of August 29th. The motion was seconded by Ms. Pepin. The motion carried unanimously. Mr. Paul noted reason he was unable to attend the meeting of August 29th.

Discussion –

CAM Site Plan Review – None

Zoning Enforcement Study – None

Accessory Apartment Applications – None

Sediment & Erosion Control Applications – None

Planning Projects –

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1) **Greenway** – Ms. Pepin reported they are in the process of writing the contract with BSD.

Other Items –

- **Design District Concept – Barnum Avenue & Paradise Green** – Mr. Habansky suggested Commissioners read and send comments to him. This will be discussed at length at a future meeting. **Mr. Fuller made a motion to refer the draft amendment to the Planning Commission. The motion was seconded by Ms. Pepin. The motion carried unanimously.**

Goal Setting –

1) **Other**
2) **Affordable Housing** – Mr. Habansky referred to drafts of "Public Act 17-155" and "Substitute Senate Bill 922" which offers a new form of Affordable Housing as temporary healthcare structures. Chairman Philips would like Mr. Habansky make a formal request to have a state legislature discuss this with the Commissioners.
3) **SAEP Property-** No Report
4) **A) Medical Marijuana Moratorium**
   B) Methadone Clinic Moratorium – Mr. Fuller made a motion to refer this item to the Planning Commission to extend moratorium for one (1) year. The motion was seconded by Ms. Pepin. The motion carried unanimously.

4) Parking – Mr. Habansky referred to "Stratford Policy Review of Parking Requirements" and chart comparing other Towns' parking requirements. **Mr. Fuller made a motion to refer draft items to the Planning Commission for an informal review. The motion was seconded by Mr. Juliano. The motion carried unanimously.**

5) Recommendations to Town Council - None

6) POCD – No Report

7) TOD – No Report

Mr. Habansky noted that 211 Ferry Boulevard has gone to Waterfront and Harbor Management.

Seeing no other business to discuss, Ms. Pepin made a motion to close the meeting at 9:37 p.m. The motion was seconded by Mr. Paul. The motion carried unanimously.

Respectively Submitted,

Gail DeCilio

Recording Secretary

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