

Zoning Commission Administrative Session

August 9, 2016

The Zoning Commission held an Administrative Session on Tuesday, August 9, 2016 at Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

Members Present: Chairman D. Fuller, L. Pepin, M. Juliano, S. Farrington-Posner, A. Baker sitting for S. Philips

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

Members Absent: S. Philips

Alternates: G. Forester, A. Baker

Call to Order: In the absence of Chairman Philips, Mr. Fuller called the meeting to order at 7:00 p.m.

795 James Farm Road – Petition of 500 North Avenue, LLC to amend the Zoning Regulations by creating a new Section 28 entitled “Julia Ridge Housing Opportunity Development Zone” in an RS-1 District –

795 James Farm Road – Petition of 500 North Avenue, LLC to changes the zone of a portion of the property, as shown on the site plan dated June 10, 2015, completed by Rose Tiso & Company from as RS-1 District to the proposed Julia Ridge Housing Opportunity Development Zone –

795 James Farm Road – Petition of 500 North Avenue, LLC for the approval of a site plan under the proposed Section 28 of the Zoning Regulations in order to construct a seventy-two (72) unit affordable housing development pursuant to Section 8-30g of the State Statues, on a property located in an RS-1 District -

Ms. Pepin made a motion to take 795 James Farm Road off the table. The motion was seconded by Mr. Forrester. The motion carried unanimously. Mr. Fuller reminded the Commissioners that a written decision is needed for 8-30g's. Mr. Habansky noted that even though the Town Council has taken James Farm Road under consideration there is no conflict of interest from the Town Attorneys' perspective.

Mr. Habansky distributed and reviewed "Reasons for Approval" and "Conditions of Approval". Attorney Florek informed the Commission that the preliminary deadline for approval is September 1st but thinks the applicant will consent to an extension until September 3rd. Commissioners discussed fire truck access, driveway high tension wires. Questioned fire truck accessibility. Mr. Habansky reminded them if approved they can list any conditions of approval they feel is appropriate. Attorney Florek discussed 3044 Main Street's denial and approval and discussed conditions in which project was ultimately approved.

Mr. Habansky distributed and reviewed "Reasons for Denial". Commissioners discussed Inland Wetland impact because of slope of property. It was also noted that former Zoning Administrator, Gary Lorentson, refused to accept application unless it was concurrent with an application made to Inland Wetland Commission. Court ruled that Zoning did not have the right to not accept application. Commissioners discussed a wetland review from DEEP standpoint. Attorney Florek noted that this Commission cannot require them to go before Inland Wetland Commission; but believes there is enough information on record to determine whether there will be an impact on the wetlands.

Mr. Juliano questioned the size of the parcel and the fact that it is not known if they can get water and sewer access. He also discussed OSHA rules in conjunction with the cleaning and maintenance of the sewer waste water system. Town Engineer will be inspecting the confined spaces and it is ultimately their responsibility to determine safety. Attorney Florek suggested if this is a public safety issue reasonable conditions can be attached noting the project has to conform to regulations of the Town Engineer and Building Department. Mr. Juliano suggested signage noting "Confined Space Area". Mr. Fuller questioned blasting and effects to surrounding sewer systems. Ms. Pepin questioned the density of project.

Mr. Farrington-Posner questioned if each application would be voted on separately. Attorney Florek noted there theoretically could be a problem with the zone change and text amendment but usually there is not. A vote needs to be taken on all three.

Commissioners discussed how the property was divided and the fact that the Planning Commission never heard this application.

Mr. Fuller would like to strike #18 under "Reason for Denial" noting that Plan of Conservation and Development is not a reason for denial. Commissioners would like to revise #14 under "Reasons for Denial" noting poor location, access is insufficient for density of project. Commissioners discussed safety of retaining wall and endangered species in the area. Attorney Florek suggested the Commissioners reflect on issues and reminded them the decision has to be based on fact.

Mr. Farrington-Posner made a motion to table 795 James Farm Road. The motion was seconded by Ms. Pepin. The motion carried unanimously.

Mr. Farrington-Posner made a motion to table the remaining agenda until the next meeting. The motion was seconded by Mr. Fuller. The motion carried unanimously.

Seeing no other business to discuss, Mr. Farrington-Posner made a motion to adjourn. The motion was seconded by Ms. Pepin. Motion carried unanimously. Meeting adjourned at 8:30 p.m.

Respectively Submitted,

Gail Decilio

Recording Secretary