



City of Ansonia  
**PLANNING AND ZONING COMMISSION**

RECEIVED FOR FILE

11 APR 29 AM 8:57

*Madeline N. Bettone*  
TOWN AND CITY CLERK  
ANSONIA, CONNECTICUT

April 25, 2011

Regular Meeting

Present: Bart Flaherty, Chairman  
Michael Bettini  
Jeff Lawlor  
James Martin  
Ed Phipps

Absent: Doug Furtek  
Jared Heon

Others Present: Fred D'Amico, City Engineer  
James Tanner, Zoning Enforcement Officer  
Oswalk Inglese, Planning Consultant  
Thomas Welch, P&Z Attorney  
Marjorie Shansky, Special Counsel

The regular meeting of the Ansonia Planning and Zoning Commission was called to order at 7:30 p.m. by Chairman Flaherty.

All present rose and Pledged Allegiance to the Flag.

The secretary called the roll. There was a quorum present.

**Approval of Minutes**

Mr. Phipps made a motion to accept as written and place on file the minutes of the March 28, 2011 Regular Meeting. Mr. Bettomo seconded. All in favor, so carried.

## **Approval of Bills**

Mr. Phipps made a motion to pay all bills if found to be correct. Mr. Martin seconded. All in favor, so carried.

1. Oswald Inglese: Bill for professional planning services: \$600
2. Thomas Welch: Bill for profession legal services: \$1191.95
3. George Boath: Bill for legal services Tice Bros.: \$137.50

## **Correspondence**

Mr. Martin made a motion to accept all of the correspondence received, dispense with the reading, and place them on file. If a member requests one read or acted upon the correspondence will be brought up individually. Mr. Phipps seconded. All in favor, so carried.

**Ansonia M&L Properties/Mark Tice request for Site Plan approval for building on 420 Main Street (12/27/10) 65 days is 03/2/11 extension (3/28/11) extension (4/25/11)**

There is no one present.

Chairman Flaherty advised the commission members that he received a letter from Attorney Lee stating that Mr. Tice has withdrawn his application.

Chairman Flaherty said for the record Attorney Lee continually refers to the property as 20 Chestnut Street in his correspondence but the property before the commission is 420 Main Street.

He continued stating Attorney Lee asked that that commission approve the withdrawal and to allow them to reapply without paying the fee. There have been times when the commission as a courtesy has allowed an applicant to withdraw an application and then reapply when there has been no work done on the application by the commission in those circumstances. A lot of work has been done on this application by our Engineer, Planning Consultant and Attorney when it was before the commission. Therefore this application goes above the threshold where we can say we will not accept the fee. The Board of Aldermen can waive the fee for Mr. Tice (after it has been paid).

Mr. Phipps made a motion to allow Mr. Tice, M&L Properties to withdraw his application for 420 Main Street. Because of the amount of time and work that has been spent on this application, the commission must charge an application fee when it is resubmitted. Mr. Lawlor seconded. All in favor, so carried.

**To Design/Ansonia Housing Authority request for site plan approval for improvements to the Riverside Apts on Riverside Drive (3/28/11)**

There is no one present.

Chairman Flaherty asked Mr. D'Amico if he has reviewed and verified the turning radius for access by a fire truck.

Mr. D'Amico said that he has checked the turning radius and he has also check with the Fire Marshall. He said the Mr. Tingley, Fire Marshall said there is no problem with access.

Mr. D'Amico said he feels it meets the 50 foot turning radius and there is no problem with a fire truck getting in there. He said there is also a grass area there where a fire truck could drive on if needed for extra room.

Mr. Inglese said he recommends additional lighting and some trees and that the discharge system into the river is installed before construction begins.

Chairman Flaherty said the concerns are the 50 foot radius for turning of large vehicles, additional lighting on the property and trees. He said he is not sure about the trees because the Ansonia Police Dept. is involved with the design. He said the Police Dept. should review the planting of trees because they are trying to keep the sight line open for safety.

Mr. Bettini suggested the Housing Authority plant low shrubs and flower beds instead of trees. This would make the area more pleasant.

Chairman Flaherty said that flowers may work.

Mr. D'Amico said that the entire site will be changed in the future. This is basically a security measure right now.

Mr. Phipps made a motion to approve with conditions the request for site plan approval for improvements to the Riverside Apartments on Olson Drive. Mr. Bettini seconded. All in favor, so carried.

**Conditions:**

1. A minimum turning radii at the entrance/exit drives be no less than the minimum necessary (+ or - 50 feet) for larger vehicles such as moving vans, ambulances and fire-fighting apparatus.
2. That additional street lighting be installed along the development frontage paralleling Olson Drive.
3. That flower beds be planted in the frontage areas along Olson Drive

4. That all Erosion & Sediment control measures preventing entrance of suspended soil and debris into the storm water system discharging into the Naugatuck River be installed prior to commencement of any site construction activity.
5. That all drainage systems into the river are installed before construction begins.

**Falcon Hall/Joseph Choromanski re: request for site plan approval for parking lot expansion at 108 Danielczuk Drive. (3/28/11)**

Mr. Jerry Kennedy and Mr. Joseph Choromanski were present.

Chairman Flaherty said that the commission has received a recommendation from the Planner recommending approval with conditions.

Mr. Bettini made a motion to approve with conditions the request for site plan approval for the parking lot expansion for Falcon Hall. Mr. Phipps seconded. All in favor, so carried.

**Conditions:**

1. They install one (1) tree at the end of the new row of parking spaces for a total of two (2) additional trees.
2. The lights will be box-type with shields to eliminate glare to residential properties. Lights on the building will be down and shielded so that the light doesn't splash off the site.
3. Strict adherence to the E&S plan submitted.
4. Erosion & Sediment control measures should be installed prior to construction and diligently monitored because of the close proximity to the Brook.
5. E&S measures may be modified at the discretion of the City Engineer and/or Zoning Official.

**Ansonia Commons/J. Nocerino re: Landscaping Plan for Antonio's Restaurant**

Jeremy Nocerino and Dina Nocerino were present.

Chairman Flaherty said that the commission has tabled this since December 6, 2010. He said that Mr. D'Amico was meeting with Mr. Jerry Nocerino over the last three months to develop a plan for some landscaping.

Mr. D'Amico said that he spoke with Mr. Jerry Nocerino today regarding the proposal tonight. They are adding trees along the south border. He said he asked Mr. Jerry Nocerino about planting some trees in the Municipal lot to satisfy his landscaping requirement for the restaurant but Mr. Jerry Nocerino said he was planting trees along the property line and that should be adequate. They are enclosing the dumpster with a chain link fence with slats so it will be blocked in that vicinity. There were some complaints on the dumpsters and he said he will have them picked up more often. Mr. D'Amico said he is showing three (3) new trees on that side of the lot.

Chairman Flaherty said he is showing three trees.

Mr. D'Amico said that is correct.

Chairman Flaherty said that the landscaping plan is separate from the new site plan application for the additional seating. The landscaping plan was part of the conditions of approval for the original Antonio's Restaurant back in October 2010.

Chairman Flaherty said how many parking spaces for the restaurant are in the Municipal lot.

Mr. Tanner said 12 parking spaces.

Mr. Inglese said the seating is increased and they should plant trees in the Municipal Parking lot. They need more parking.

Jeremy Nocerino and Dina Nocerino came forward at this time.

Jeremy Nocerino said that the letter they sent to the Commission explains what they want to do with the restaurant.

Chairman Flaherty said we are discussing the landscaping plan for the original approval right now.

Jeremy Nocerino said they added a planter with six plants and the dumpster was unsightly there and this would be a big improvement. He continued explaining the dumpster and stating that they are opposed to trees or plantings in the middle of the parking lot.

Chairman Flaherty said their complex was built in the 1960's style with a lot of impervious surface and hot black top. The commission was hoping to get some trees planted. The City municipal parking lot allows you to park there to fulfill your parking requirement for the original site plan for Antonio's. The commission realizes that the parking lot on your site is tight and therefore has suggested that trees be planted in the Municipal Parking lot to satisfy the requirement. By planting in the Municipal lot it enables you to retain the parking spaces you have in your lot. Public Works will be doing renovations in the Municipal lot and you could coordinate the plantings with Supt. Schryver. If you could plant a few trees that would be good.

There was discussion on planting along the sidewalk in the back of the building and it was determined there was not enough room.

The Commission members thought it would be a viable solution to the landscaping if the Nocerino's planted some trees in the Municipal lot.

Ms. Nocerino discussed her point on the trees and planting in the Municipal lot.

**Oswald Inglese - City Center Plan Amendment**

Chairman Flaherty said that Mr. Inglese has been working on the City Center Plan and that the changes are not operative but primarily housekeeping.

**Reports: City Engineer**

Mr. D'Amico was present.

Mr. D'Amico said he has nothing to report this month.

3 Kiely's Lane/Jewett St.

Mr. D'Amico said he has nothing to report on Kiely's Lane.

**Reports: Zoning Enforcement Officer**

Mr. Tanner was present.

Violations:

Mr. Tanner said he is still working on the pending violations. He has sent letters and some are still in court.

Variances

Mr. Tanner said there are no variiances this month.

**Reports: Planning Consultant**

Mr. Inglese is present.

The following items will be taken up at a special meeting of the commission at a date and time to be decided.

- Fences
- Pods & Hoop Houses
- Window Signs
- Itinerate Vendors
- Clothes Donation Bins

**Any other business to come before the Commission**

None

**Executive Session (Pending Litigation)**

Mr. Phipps made a motion to go into Executive Session at 8:05 p.m. and invite Attorney Welch, Attorney Shansky, commission members, Mr. Tanner. Mr. Martin seconded. All in favor, so carried.

Mr. Bettini made a motion to go back into regular session at 8:55 p.m. There were no votes taken in Executive Session. Mr. Martin seconded. All in favor, so carried.

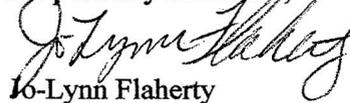
**May 2011 Meeting:**

Regular Meeting: Monday, May 23, 2011 at 7:30 p.m.

**Adjourn**

Mr. Phipps made a motion to adjourn the meeting at 9:00 p.m. Mr. Martin seconded. All in favor, so carried.

Respectfully submitted,



Jo-Lynn Flaherty  
Secretary