



City of Ansonia
PLANNING AND ZONING COMMISSION

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Madeline H. Bottone
TOWN AND CITY CLERK
ANSONIA, CONNECTICUT.

October 28, 2013

Regular Meeting

Present: Bart Flaherty, Chairman
Michael Bettini
Jeff Lawlor
Jared Heon

Absent: Andrew Mark
James Martin
Kenneth Moffat

Others Present: Oswald Inglese, Planning Consultant
Fred D'Amico, City Engineer
James Tanner, Zoning Enforcement Officer
Joan Radin, Alderwoman 5th Ward
Tom Welch, P&Z Attorney

The Regular Meeting of the Ansonia Planning and Zoning Commission was called to order at 7:35 p.m. by Chairman Flaherty.

The secretary called the roll.

There was a quorum present.

Approval of Minutes

Mr. Bettini made a motion to accept as written and place on file the minutes of the September 30, 2013 Regular Meeting. Mr. Lawlor seconded. All in favor, the motion carried.

PZ102813

Approval of Bills

Mr. Bettini made a motion to pay the following invoices if found to be correct. Mr. Lawlor seconded. All in favor, so carried.

1. Thomas Welch, Attorney: Bill for professional service: \$887.50
2. Oswald Inglese, Planner: Bill for professional Service: \$318.75

Correspondence

Mr. Heon 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. Bettini seconded. All in favor, so carried.

1. Thomas J. Welch, Attorney: Re: letter to Woodbridge Town Plan & Zoning Commission dtd. 10/17/13
2. Thomas J. Welch, Attorney: Re: Letter to VCOG requesting assistance for 40 Hotchkiss Terrace dtd. 10/3/13
3. Newspaper Article from CT Post re; Recreational Marijuana 10/26/13
4. Christina Moreau, Agnoli signs re: letter requesting to be on agenda for Pylon sign for the Stop & Shop gas station on Divisoin St. td. 10/11/13

Stop & Shop Signage

Christina Moreau, Agnoli Associates was present.

Ms. Moreau said that she has been working with Mr. Tanner to get a pricing sign installed on the site. There is a pylon sign for the other tenants but the Gas Station is the only one not on the sign. All of the others are set back. The old sign is a separate stand-alone sign on the ground. The Gas Station is not doing as great as BJ's but the signage contributes to this. She said she is trying to get a pricing sign out there for the consumers. The Regulations only allow one pylon sign and there is no room for the Gas Station on the existing sign.

Chairman Flaherty said our Regulations don't allow more than one pylon sign on a lot. We can't allow you to do it. You can request we amend our Regulations or you can go to the Zoning Board of Appeals to get relief from the Regulation. He said he doesn't know how the Commission members feel about the sign or changing the Regulations. He said he doesn't have a problem with it.

Mr. Bettini said maybe Mr. Inglese can come up with a way this could be done.

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Chairman Flaherty said across the street there are a number of signs in the same stretch of roadway. Our Regulation exists to control a proliferation of signs on small lot frontages. If there are two signs on the Stop & Shop site, it will not be bad as Stop & Shop has a very large frontage on Division Street.

Mr. Inglese said in consideration of a potential change how much land is allocated for the Gas Station.

Ms. Moreau showed the members on her map where the sign will be located on the site and where the Gas Station is located on the site.

The Commission members discussed the location of the proposed new sign for the Gas Station. Mr. Inglese explained the Regulation for the sign.

Mr. Bettini said the parcel is a corner lot.

Mr. Inglese said he has to form a criteria in his mind as to the size and area where the sign will be located. He asked how much land Stop & Shop has control of.

Ms. Moreau could not read the numbers on the map that indicated the size of the parcel.

Mr. Inglese discussed Section 720.3 of the Regulations dealing with signs. He said he will think about the change for the Commission i.e. criteria for additional signs, size of sign, number of signs on any given parcel, and the major use on continuous frontage on at least one street. He said he will work on it.

Chairman Flaherty said he wanted to give Ms. Moreau a sense of the Planning & Zoning Commission regarding the sign. He said that she can pursue this at ZBA which may be a faster way but right now the P&Z cannot approve this request.

Ms. Moreau said she can wait.

Mr. Lawlor said he has no problem with Stop & Shop putting up another sign for the Gas Station.

Mr. Bettini said with a second sign you have to be very clear on the specifications. The next use might be different. It may be good with this use but the next person might have a different situation. Big Y has a sign on the corner and on the front and back of the property.

Mr. Tanner said Big Y has frontage on both entrances and both streets.

Chairman Flaherty said we can't allow the signage, our Regulation says it is not allowed. There seems to be a willingness of the P&Z members to amend the Regulation if

requested. The other option is to go to ZBA and ask to vary the Regulation to allow you to put up the sign. You have to make that decision.

Ms. Moreau said maybe the Regulations can be amended.

Chairman Flaherty said you will have to make application to the P&Z Commission to request a change in the Zoning Regulations. There is a fee for amending the Regulations. The Commission has to publish the legal ads, staff preparation, etc. He suggested she fill out the paperwork and Mr. Inglese will be working on the change. He said she can see the secretary for the paperwork. The second option would be to petition ZBA for a variance of the Zoning Regulations. To get this started you would have to get the application from Mr. Tanner and fill it out and submit. The ZBA will hold a public hearing on this request. He said either one of the above suggestions would have to be initiated by Ms. Moreau. He suggested that Ms. Moreau decide for herself how she wants to handle this and she should also speak with her client.

There was discussion on the length of time it would take for an amendment to the Zoning Regulations and/or application for variance through ZBA. P&Z for an amendment would take between one and two months (65 days). There is no one present that could speak to the length of time it would take at ZBA.

Ms. Moreau said that maybe she will make application to change the Zoning Regulations.

Reports: City Engineer

Mr. Fred D'Amico is present.

Coastal Carriers - Curb Cut – Fill measurement (Special Exception)

Mr. D'Amico said he sent a letter to Coastal Carriers advising them that they had to make application to the Planning & Zoning Commission and there is still no application. He will follow up and tell them they have to make an application to the Commission so that this could be finalized. He said they were approved at Inland Wetlands Commission but not at Planning & Zoning.

Jewett Street Sidewalk - Resolution with property owner

Mr. D'Amico said that the property owner installed the steps on Jewett St. but the sidewalk is still not done. He said he contacted the property owner as to whether he was going to finish the sidewalk along the property frontage where the existing sidewalk was located. He said that the property owner said there was probably a misunderstanding with the contractor and that he was supposed to put in a new sidewalk also. The contractor installed a walkway along the front of the building but he did not replace the

sidewalk that was removed. Mr. D'Amico said he will contact the property owner again to find out what was going on.

40 Hotchkiss Terrace

Mr. D'Amico said he will set up a meeting with himself, Mr. Schryver, PWD Supt., Seymour's PWD Supt. and the Seymour IWC to see what can be done about this issue. He said he spoke to Corp. Counsel Blake regarding the recent ordinance that was adopted on chronic nuisances. He said that may help because it is a chronic nuisance with the debris in the street and on the adjoining properties. He said he will go out to the site and document what is there.

Chairman Flaherty read a letter that Attorney Welch sent to Council of Governments regarding 40 Hotchkiss Terrace. He said maybe they may be able to help with this problem.

Fountain Lake – Rios Property (121 Great Hill Road)

Ms. Millie Rios was present.

Mr. D'Amico said he met with Ms. Rios on the fence and erosion problems she discussed at last month's meeting. He said that Ms. Rios met with the contractor and they don't want to come up with any funds. They told her she may have to retain an attorney.

Chairman Flaherty said that there was a fence there before and she said there is erosion and overgrowth on the corner.

Mr. D'Amico said the overgrowth is on Scinto's property. It is growing trees and there is not a grass area anymore. He said it may be better to let it grow wild. He said Ms. Rios' concern is that she may not be able to see Fountain Lake if the overgrowth grows up.

Mr. D'Amico said the last fence was a plastic fence. He spoke to Ron Scinto and he said he will be glad to put the fence back up. To date the fence still has not been installed.

Mr. D'Amico said with regard to the erosion, the slope is a 2 to 1 slope and is not an immediate danger section. The area is grassed and stabilized.

Chairman Flaherty said there is one section that is rock.

Mr. D'Amico said that is not near Ms. Rios' property. There are a few areas that eroded and Mr. Scinto can put dirt and seed there to stabilize it. There is a small area of some stones that washed but are OK.

Mr. D'Amico said he will get Mr. Scinto out there to put up the fence. The slope is seeded and basically stabilized but he will contact Mr. Scinto about the concerns brought forth.

Reports: Zoning Enforcement Officer

Mr. James Tanner was present.

a. Violations:

Mr. Tanner said there are no new violations.

b. Variances

Mr. Tanner said there are no variances.

Reports: Planning Consultant

Mr. Oswald Inglese was present.

Mr. Inglese said he has nothing to report this month.

Any other business to come before the Commission

2014 Meeting Schedule

Chairman Flaherty asked the commissioners if they want to keep the regular monthly meetings as scheduled on the 2014 Meeting Schedule and if they wanted to keep the time 7:30 p.m. or do they want to change it to 7:00 p.m.

Mr. Bettini made a motion to adopt the 2014 Meeting Schedule as presented. Mr. Lawlor seconded. All in favor, so carried.

Chairman Flaherty said the November meeting is scheduled for Monday, November 25, 2013 at 7:30 p.m.

Shell Station

Mr. Bettini asked if the commission can take a look at the Shell Station on Main Street and Division Street. They have wood back on the sidewalk and steps and the walkway is somewhat blocked to pedestrians. There are banners all over.

Mr. Tanner said he will go out and look at the Shell Station.

Woodbridge Zoning Regulation

Attorney Welch said he went to the Woodbridge Public Hearing on 9/4/13 on the Zoning Regulation affecting adjoining towns. The regulation has to do with access to property from another town. He said he sent them a written correspondence on Ansonia's concerns. He said they continued the public hearing to 10/13/13. He said they did not want to make a decision on that proposal and have sent it to their attorney.

Joan Radin, 5th Ward Alderwoman, Wakelee Avenue

Joan Radin was present.

Ms. Radin gave the Commission a newspaper article regarding Marijuana and she asked that every member take the time to read it. She said they are considering lowering the age to 18 years old for Recreational marijuana. She said this will destroy our Country. She asked that the Commissioners please read it and talk to their representatives in Hartford.

Chairman Flaherty thanked Ms. Radin for the article and advised everyone that there is a meeting on Medical Marijuana in the Scinto Auditorium, Shelton on November 18th.

Ms. Radin said she went to a seminar in the Scinto Auditorium on drug testing. They said the drug test result doesn't have to go the Employer and the Employee can go to work.

Chairman Flaherty said that P&Z has no issue with Medical marijuana. He said P&Z has a moratorium on it because P&Z wants to get the regulations in order. He said the Commission appreciates Ms. Radin's interest and information.

Executive Session

None

November Meeting

Regular Meeting: Monday, November 25, 2013 at 7:30 p.m.

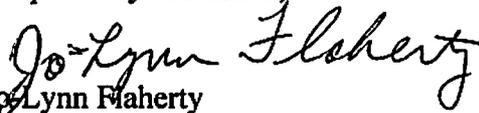
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Adjourn

Mr. Bettini made a motion to adjourn the meeting at 8:25 p.m. Mr. Lawlor seconded.
All in favor, so carried.

Respectfully submitted,


Jo-Lynn Flaherty
Secretary