



City of Ansonia
PLANNING AND ZONING COMMISSION

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Elizabeth Lynch
TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

October 27, 2014

Regular Meeting

Present: Bart Flaherty, Chairman
Michael Bettini
Joseph Jaumann
Jared Heon
William Malerba
Andrew Mark

Absent: Maureen McCormack-Conrado

Others Present: David Blackwell, Zoning Enforcement/Blight Officer
Fred D'Amico, City Engineer
Oswald Inglese, Planning Consultant
Joan Radin, Alderwoman 5th Ward
Charles Stowe, Alderman 1st Ward
John Marini, Corporation Counsel
Sheila O'Malley, ED Director

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

All present stood and pledged allegiance to the Flag.

The secretary called the roll.

There was a quorum present.

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Approval of Minutes

Mr. Bettini made a motion to approve the minutes of the September 29, 2014 regular meeting and public hearing as written and place them on file. Mr. Jaumann seconded.

Mr. Malerba said there is a correction in the spelling of his name and Fred D’Amico’s name in the verbatim minutes as follows:

Page 3, Line 19: Spelled Molerba and should be Malerba
Page 25, Line 3: Spelled Amico and should be D’Amico.

Mr. Bettini amended his motion to approve with the corrections. Mr. Jaumann seconded the motion with the corrections. All in favor. The motion carried.

Approval of Bills

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

- 1. Oswald Inglese: Bill for professional Services: 9/16/14 to 10/15/14
Invoice 157 - \$525.00

DETAIL

<u>Date</u>	<u>Item</u>	<u>Time</u>
09/29/2014	PreparedFor&Attended PZC Meeting	4.25hrs.
10/02/2014	Reviewed/PhoneConversation Re: 204WakeleeAve. DayCareFacility	1.25hrs
10/03/2014	Letter Atty Marini Re: SaleCityProperties	<u>1.50hrs</u>
		7.00hrs..

Hourly Rate: \$ 75

TOTAL = \$525.00

- 2. Post Reporting Service: Inv 94407: \$438.65

Correspondence

Mr. Jaumann 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.

Public Session

Chairman Flaherty asked if there was anyone from the public who wished to address the commission.

Millie Rios
121 Great Hill Road
Ansonia, CT 06401

Mrs. Rios said she wasn't going to speak this evening but an incident happened today and she wanted to let the Commission know. She said that the trucks exiting the Fountain Lake property are some how raising dust and dirt which is falling on the road, to the side of the road and in front of her driveway. She said it is also falling in her neighbors driveway and on the road. She asked if someone can call the people who are tracking the dust and dirt and asked them to do a better job of not tracking this dirt and raising dust.

Mrs. Rios said that there is a road behind her property and there has been a plume of dust there. She said she had her home sided by DiGiorgi last week and it is beautiful. She said that her neighbor had his home done and he told her that she would have to have her home power washed more frequently because of the dust and dirt.

Chairman Flaherty said that after the site walk by the commission he has gone up there and there was not much dust. He said prior to the site walk there was a huge amount of dust from the property. He said there is a water truck up there for the dust and Mr. Scinto said he would take care of it. He said he didn't look for dirt on Great Hill Road so there could be an anti-tracking pad that is off and not doing what it is supposed to do. He said whenever he has gone up there he didn't see this happening. He said he is not saying that it isn't happening but he hasn't seen it since the site walk.

Mrs. Rios said that pictures are worth many words. She said she had no intention of saying anything tonight but this just happened today – the dust and the dirt in the road.

Chairman Flaherty said Mr. Scinto will look into curtailing the amount of dust and dirt coming off the site.

Mr. Scinto said he will take care of it.

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Joan Radin, Alderwoman 5th Ward
198 Wakelee Avenue
Ansonia, CT 06401

Alderwoman Radin said that the clothing bins are still on the property next door. She can't see a phone number on the bin. She said that the clothing bins for the Big Brothers & Big Sisters Organization are still there on the property. She said they don't look nice and are unsightly. She said they came before the Board for a variance.

Chairman Flaherty said P&Z doesn't grant variances. He said the bins are located on Clifton Ave. and Big Brothers & Big Sisters are operating a business. That is different from the bins next to Alderwoman Radin's property. The bins on Clifton Ave. are ancillary to their business.

Alderwoman Radin said they can put the bins on the other side of the property because they don't look very nice where they are located now.

Chairman Flaherty said we can send them a letter to move them.

Alderwoman Radin said they are still clothes bins and they don't look nice. St. Vincent DePaul have told her people put garbage in these bins. They don't look nice and they are near her Ward and next door to her property.

Chairman Flaherty asked three (3) times if there was anyone else who wished to address the commission. There was no one.

Mr. Bettini made a motion to close the public session. Mr. Malerba seconded. All in favor, so carried.

Chairman Flaherty said that if there is someone who wishes to address the commission on something that is on the agenda they can raise their hand to be recognized.

Constance Kolakowski/James Sheehy request for Re-subdivision of property located at 32 Hill St. and 6 Root Ave.

There is no one present.

Attorney James Sheehy sent a letter granting the commission a 65 day extension because the application has not been heard at ZBA.

Mr. Malerba made a motion to table. Mr. Jaumann seconded. All in favor, so carried.

Constance Kolakowski/James Sheehy request for Site Plan approval for property located at 32 Hill St. and 6 Root Ave.

There is no one present.

Attorney James Sheehy sent a letter granting the commission a 65 day extension because the application has not been heard at ZBA.

Mr. Malerba made a motion to table. Mr. Jaumann seconded. All in favor, so carried.

DeCarlo & Doll re: Consideration of approval of Re-subdivision & Special Exception applications for Lot 6 at Fountain Lake and scheduling of public hearing

Terence Gallagher and Robert Scinto, Jr. were present.

Mr. Gallagher said that he submitted two applications, one for re-subdivision and one for Special Exception for lot 6 at Fountain Lake Commerce Park. He said he will bring in a full Site Plan application before the November 24th meeting. The Re-subdivision and Special Exception applications will require a public hearing.

Re-subdivision

Chairman Flaherty said it is my understanding with the Re-subdivision of the site, time elapsed from the original approval and there has been no significant changes to the application and you are re-submitting an application that hasn't changed.

Mr. Gallagher said yes, that it was previously approved in 2007 but you did not approve the subdivision and the road is located in the subdivision and is has to be dedicated to the City of Ansonia. There is also 5.6 acres of Open Space to be dedicated to the City of Ansonia. He said everything was approved and the map shows a separate road, separate open space and separate eleven (11) acre piece for the tenant. All this has to be approved.

Chairman Flaherty said the thrust is not a significant change to the 2007 plan. A road was shown, the open space was shown and there is not a substantive change to the plan.

Mr. Gallagher said the subdivision is an approved plan from 2007. The road is rough grade and the black top has to be done by the City. The road was approved for the tenant's plan. The Site Plan will have the tenant's site with the buildings.

Chairman Flaherty said Mr. Gallagher will be coming back to P&Z with the Site Plan approval for Lot 6. He said this evening they are here for the Re-subdivision and for the special permit.

Mr. Bettini said he would like to go back to the last meeting where the commission was looking for the Storm Water Permit. He would like to clear up these matters.

Mr. D'Amico said he wrote a letter to Donna Serasin, DEEP Wetland and Watercourse on the Storm Water Permit.

Mr. Bettini asked if the letter was on the storm water permit.

Mr. Scinto said that he talked with Ms. Serasin and the DEEP officials and they are working on the Storm Water Permit.

Chairman Flaherty asked if the commissioners were comfortable setting a public hearing date.

Commissioners were all in favor of setting a public hearing date.

Special Exception

Mr. Gallagher said they will be moving about 360,000 c.y. of material on the site. The road will be roughed in, the plateau will be roughed in at different levels, the surveyor will go out and determine the amount of material, the upper pad is close to 340 elevation where the big rock is and that has to be leveled and the road has to be straighten out.

Mr. Gallagher said the previous approval conditions stated they will be blasting Monday through Thursday and they want to modify that to include Friday. He said they will have all of the supply data, cubic yards left to be moved, the changes (add fence, add sediment control traps, maintain the rock excavation, etc.) ready for the site plan submittal.

Chairman Flaherty said with regard to the pad at the top of the hill, Mr. Scinto said he had to come down four feet and the out cropping on the left side has to be removed.

Mr. Gallagher said yes.

Mr. Bettini asked about the road elevations shown on the map. He asked where the changes are located on map.

Mr. Gallagher said they are on the map. The design grade should be 10% down, there are two sediment pits located last 100 feet down to the boulevard where it flattens out. They re-stoned road from the top to the bottom and touched up the anti-tracking pad.

There was discussion on the road revisions, steepness, swales and sedimentation traps. The sedimentation tanks will go into the finished road.

Mr. Inglese said asked if they could envision what kind of driveways, landscaping, etc. they are planning for this site plan.

Mr. Gallagher said it is similar to the 2007 plan. The landscaping, lighting, buildings, etc. will on a full set of drawings and maps for the site plan application. There are higher slopes – 2 to 1 slope – he said he will sit down with Mr. D’Amico and Mr. Inglese to go over all of the details.

Mr. Inglese asked if they will furnish more information than what they have now.

Mr. Gallagher said yes.

Mr. Inglese asked for architectural plans.

Mr. Gallagher said he has some from the tenant.

Mr. Scinto said the tenant would like to remain anonymous at this time. Today’s purpose is for the subdivision and road.

Chairman Flaherty said on the Site Plan from 2007, the ANC Director Donna Lindgren came and voiced concern on birds and a bird fly away across that area and the impact the windows will have on the birds that use that area for a fly away. He asked that they take a look at that.

Mr. Scinto said he will look into that – it is not a problem.

Mr. Bettini asked how much time they need.

Mr. Gallagher said they will have the information ten (1) days before the November 24 meeting.

Mr. Scinto asked if the commission could hold a public hearing before the next meeting and rush the process to meet the time frame. He would like to have the public hearing and get the approvals.

There was discussion on public hearing dates and holding a public hearing the same night as the regular meeting. A public hearing can be held and a special meeting following the public hearing to vote on the proposal the same night. Another option is to hold the public hearing on the regular meeting night with the regular meeting to follow.

Mr. Bettini asked when the drawings will be available to the commissioners and the file.

Mr. Gallagher said ten (10) days before the Nov. 24, 2014 regular meeting.

Chairman Flaherty said the Re-subdivision and the Special Exception have been approved already. There is not a significant change to the plan. They are just re-approving what was approved – reapproving the roadway which is allowed. The City of Ansonia wants to see this plan go forward. There doesn’t seem to be any controversy.

Chairman Flaherty said to get the drawings to Mr. D'Amico, City Engineer and he will look at the right of way for impact. These two items will be scheduled for a public hearing.

Mr. Bettini made a motion to hold a public hearing on Monday, November 24, 2014 at 6:30 p.m. for the Re-subdivision of Lot 6, Fountain Lake Commerce Park and at 6:45 p.m. for the Special Exception for Lot 6, Fountain Lake Commerce Park. Mr. Heon seconded. All in favor, so carried.

Mr. Jaumann made a motion to refer these two applications – Re-subdivision of Lot 6 and Special Exception for Lot 6, Fountain Lake Commerce Park to VCOG Regional Planning Agency, City of Derby and Town of Seymour. Mr. Heon seconded. All in favor, so carried.

Reports: City Engineer

Mr. Fred D'Amico was present.

1. Jewett Street

Mr. D'Amico said he sent a letter to the property owner. He gave the secretary a copy for the file.

2. Hotchkiss Terrace

No report on Hotchkiss Terrace.

3. Fountain Lake

Mr. D'Amico said he sent a letter to Donna Serasin, DEEP Wetland and Watercourse regarding the Storm Water Permit for Lot 6 Fountain Lake requesting an update on the Storm Water Permit. He said he will speak with Mr. Scinto on this permit.

Mr. Robert Scinto was present and he stated he is currently working with DEEP on the Storm Water permit. He will meet with Mr. D'Amico.

Chairman Flaherty asked Mr. D'Amico to speak with Mr. Scinto on the dirt, dust and tracking pad on the site and the material leaving site and being deposited onto Great Hill Road.

Reports: Zoning Enforcement Officer

Mr. David Blackwell was present.

a. Violations:

Mr. Blackwell said he doesn't have any new violations for the Commission.

b. Variances

Mr. Blackwell said he doesn't have anything new for the Commission. He said ZBA hasn't had a quorum to hear 32 Hill Street/6 Root Ave.

Reports: Planning Consultant

Mr. Oswald Inglese was present.

Marijuana Regulation

There has been no new correspondence received.

Chairman Flaherty said the commission has heard from the Police Dept. and the State of Connecticut is not doing anything with it.

Reports: Committee Reports

None

Any other business to come before the Commission

Chairman Flaherty said that the Commission should schedule a Site Walk at the Police Dept. where the generator is located.

Mr. Jaumann asked who applied for the temporary permit.

Mr. Blackwell said the Supt. of Public Works.

Mr. Malerba said we can't have every Department in the City doing this type of thing without coming before the Commission.

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Corporation Counsel Marini said we have to make sure the proper process is followed. He said PWD will say time constraints with this project. He said the Commission should

talk to the PWD Supt., Police and the Mayor. The site walk is the best way to resolve it, no one wants to see things done the wrong way. He said PWD was left with no other option. He said everyone (PWD, Police, PZ) can discuss this when we get together on the premises. He said that Supt. Novak has to go before ZBA on the temporary permit.

Mr. Jaumann said they waited until the absolute last minute on this and we are left wondering what happened. He said it should have come before the commission.

Corp. Counsel Marini said there is a communication issue on this and the Chairman recommended a walk through which would be beneficial. He said here is no problem in the Mayor's office.

Ann Pitney, President Board of Police Commissioners
159 Pulaski Highway
Ansonia, CT 06401

Mrs. Pitney said Chief Hale is on vacation and she is here this evening representing him. She is not familiar on how it occurred but Board of Aldermen and the Board of Police Commissioners were there. Nick Behun and Dave Blackwell were there looking at the site and there was a decision to put it in the front. There were people from the City of Ansonia there.

Chairman Flaherty said the issue is it wasn't brought before the commission.

Mrs. Pitney asked who is responsible because the letter was sent to the Chief.

There was discussion on the above.

Chairman Flaherty said we will have a site walk and resolve it.

Mr. Bettini made a motion to hold a Special Meeting/Site Walk at the Ansonia Police Dept. on Saturday, November 8, 2014 at 10:00 a.m. to look at the generator. Mr. Jaumann seconded. All in favor, so carried.

Executive Session

None

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November 2014 Meetings

Special Meeting/Site Walk: Saturday, November 8, 2014 at 10:00 a.m.

Public Hearing: Monday, November 24, 2014 at 6:30 p.m. Re-subdivision, Lot 6,
Fountain Lake Commerce Park

Public Hearing: Monday, November 24, 2014 at 6:45 p.m. Special Exception Lot 6
Fountain Lake Commerce Park

Regular Meeting: Monday, November 24, 2014 at 7:30 p.m.

Adjourn

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

Respectfully submitted,


Jo-Lynn Flaherty
Secretary