



City of Ansonia  
PLANNING AND ZONING COMMISSION

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Elizabeth Syre  
TOWN AND CITY CLERK  
ANSONIA, CONNECTICUT

November 24, 2014

Regular Meeting

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

Absent: Jared Heon  
Maureen McCormack-Conrado

Others Present: David Blackwell, Zoning Enforcement/Blight Officer  
Fred D'Amico, City Engineer  
Oswald Inglese, Planning Consultant  
Joan Radin, Alderwoman 5<sup>th</sup> Ward

The Regular Meeting of the Ansonia Planning and Zoning Commission was called to order at 8:05 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. Jaumann made a motion to approve the minutes of the October 27, 2014 regular meeting and Special Meeting November 8, 2014 as written and place them on file. Mr. Bettini seconded. All in favor, so carried.

### **Approval of Bills**

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

1. Oswald Inglese: Bill for professional Services: 10/16/14 to 11/15/14  
Invoice 158 - \$506.25

<u>DETAIL</u>		
<u>Date</u>	<u>Item</u>	<u>Time</u>
10/27/2014	Prepared for & Attended PZC Meeting	2.75hrs.
10/31/2014	Reviewed Applications Scinto et al	2.0hrs
11/06/2014	Revised/Sent Appendix A w/Instructions	<u>2.0hrs</u>
TOTAL		6.75hrs.

Hourly Rate: \$ 75

TOTAL = \$506.25

### **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.

Marcus Puptock  
Michael Horbal Surveyors  
Seymour, CT

Mr. Puptock said his client is proposing a three (3) lot subdivision that is currently before the Inland Wetlands Commission. He was advised by Mr. D'Amico to check with P&Z to see if they will allow a common driveway for the three houses. There is an existing house on Silver Hill Road and there will be a very long driveway with cut offs to the two rear lots for access. He said it was suggested that he come to ask if P&Z allowed this because if they can't do a common driveway he is asking for guidance.

Chairman Flaherty said in general it is not allowed. Each driveway has to have access to a City street. We recently had a bad experience where there were houses built in Seymour with access in Ansonia on a common driveway.

Mr. Puptock said they have the ability to have their own driveway out to a common driveway.

Mr. Inglese said Section 325 of the Zoning Regulations, which a subdivision will have to conform to - allows a single driveway – one lot to be served by one driveway.

Mr. Puptock said they can accommodate three driveways but they thought it would be a better situation.

Chairman Flaherty thanked Mr. Puptock for coming to the commission meeting seeking information before he gets IWC approvals and then has to change the plans.

Mr. Puptock said an access way has to be less than 250 feet.

Mr. Inglese said it has to be independent.

Mr. Malerba asked if he could make it a City street.

Mr. Inglese said yes, that is the standard.

Mr. Blackwell said the situation with the Seymour houses with access in Ansonia – the whole area was paved.

Joan Radin, Alderwoman 5<sup>th</sup> Ward  
198 Wakelee Avenue  
Ansonia, CT 06401

Ms. Radin said she didn't see a problem with allowing Sen. Crisco the use of the annex area for the Subway Restaurant but now there is a "For Lease" sign up. She said when Subway was granted approval to occupy that area they gave up the use of that area for

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parking spaces. They were short parking spaces for the Subway. That was part of the agreement.

Chairman Flaherty said that is part of their conditions of approval however they can get additional parking by entering into an agreement with Target for the parking that is required and they would have to come back to the Commission. He asked if they have an agreement with Target.

Ms. Radin said she didn't know.

Ms. Radin said the clothing bins are all over the city. There is one in the Maple Street Shopping Center (Koman) and they are on Wakelee Avenue and Big Brothers and Big Sisters has two bins in their front parking lot.

Chairman Flaherty said they are a problem and they are not maintained, they are located next to buildings which is a fire hazard and the sight line is obscured. He said that Mr. Blackwell was going to contact the owner of the one on Wakelee Avenue (Klanko parking lot) which is still there, is too close to the building and must be removed.

Mr. Blackwell said what is the ruling on the bin at the City dump. Isn't that part of their business?

Chairman Flaherty said they are not allowed in the City of Ansonia.

Mr. Bettini said do they qualify as blight – start blighting them.

Chairman Flaherty said Big Brothers and Big Sisters' bins are ancillary to their business. Mr. Blackwell was going to talk to them about moving the bins to the rear of the property.

Chairman Flaherty asked three (3) times if there was anyone else from the public who wished to address the commission. There was no one. The Public Session was closed.

**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 continue to table because this item is still before ZBA. 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 continue to table because this item is still before ZBA. Mr. Jaumann seconded. All in favor, so carried.

**DeCarlo & Doll re: Re-subdivision of Lot 6-1 at Fountain Lake Commerce Park**

Terence Gallagher and Robert Scinto, Jr. were present.

Mr. Gallagher said as was noted in the public hearing there will be a 60,000 s.f. mixed use building that will have office space, research, manufacturing and warehousing. They will use the existing road that has a cul de sac. He explained the road and driveway for the building and the parking. There will be 154 parking spaces – 153 are regular spaces, five handicap with one van accessible and three loading spaces. The utilities will be underground.

Chairman Flaherty said this is a re-subdivision with the same plan as was approved in 2007 with a few changes in the road. The changes are:

1. Shuster has a 150 foot access easement
2. Open space will be a Conservation Easement to lot 6-2. The 5.6 acre open space is to be part of lot 6-2.

Mr. Bettini said down the road we may find ourselves with the open space on another parcel.

Mr. Inglese said the open space belongs to the entire property.

Mr. Bettini said who is responsible to maintain it when lot 6[2 gets subdivides.

Mr. Scinto said we can make it so that Scinto's is responsible to maintain it.

**Mr. Bettini made a motion to approve with conditions the re-subdivision of Lot 6 at Fountain Lake Commerce Park as presented. Mr. Jaumann seconded.**

**Conditions of approval:**

- 1. Conservation easement on lot 6-2 to be maintained by R. Scinto.**
- 2. Open space will be a Conservation Easement to lot 6-2. The 5.6 acre open space is to be part of lot 6-2.**
- 3. All conditions of the 2007 Resolution become part of this approval.**
- 4. All of Mr. Inglese's comments verbal and written become part of this approval.**
- 5. All required fees be paid.**
- 6. Easement for access to Shuster property is executed.**
- 7. There will be street lights on the road.**
- 8. Fire pump will be installed if there is inadequate water pressure for the fire hydrant**
- 9. Sedimentation pond will be fenced with temporary fencing for safety of the children**
- 10. The Inland Wetlands 2007 Permit will be confirmed and has to meet the IWC regulations.**
- 11. The drainage calculations must meet the design standards for Inland Wetlands Permit which is 100 year storm level event.**
- 12. Open Space is designated open space area whether parcel 6-1, 6-2 to be retained in natural state except when maintained.**
- 13. There will be street trees.**
- 14. There will be dust control during construction and excavation.**
- 15. The re-subdivision map/mylar for lot 6, lot 6-1, 6-2 must be filed in the Office of the Town & City Clerk.**
- 16. Bonds must be posted as required in 2007 approval or as required by the City Engineer.**

There was a discussion on sidewalks along the road. The commissioners noted that this is an industrial site and they did not feel a need for sidewalks.

Chairman Flaherty said as you drive up Birmingham Blvd about 100 feet to 150 feet past the entrance to the subdivision, left hand side, down the hill there is scouring down the hill – he asked what event caused that erosion.

Mr. Gallagher said he didn't know but he will go up there and take a look and let the commission know.

Chairman Flaherty asked if there were any other questions or comments before the commission votes. There were none.

**Chairman Flaherty called for a vote on the motion to approve with conditions. All in favor, the motion carried.**

**DeCarlo & Doll re: Special Exception for removal of material Lot 6, FLCP**

Terence Gallagher and Robert Scinto, Jr. were present.

Mr. Bettini said the developer must do a pre-blast survey and the results to be shared with the homeowners and the warning horn to be moved closer to the homeowners so they can hear it when it is sounded.

Chairman Flaherty said they are blasting on Friday. The original permit stated no Friday.

Mr. Scinto said there was a problem finding a blaster who would work four (4) days blasting. They need five (5) days. He said the former Mayor approved the Friday blasting.

Chairman Flaherty said you can't change a P&Z Resolution of approval. Any changes have to come back before the Commission. He offered to hold special meetings if necessary. He asked the Commissioners if they had any issues with changing item #13 of the 2007 Resolution to include Friday.

**Mr. Jaumann made a motion to approve with conditions the Special exception for removal of material Lot 6-1, Fountain Lake Commerce Park. Mr. Bettini seconded.**

Discussion on the conditions (conditions listed at end of discussion):

\*All conditions of the 2007 Resolution as amended (#13) become part of this approval.

There was discussion on Item #13 - Blasting shall only be conducted between the hours of 10:00 a.m. and 2:00 p.m. Monday through Thursday. This will be changed as follows:

\*Item #13 – Blasting shall only be conducted between the hours of 10:00 a.m. and 2:00 p.m. Monday through Friday.

\*There will be a pre-blast survey of the surrounding homes. Results will be shared with the homeowners.

\*The horn will be moved closer to the homeowners so they can hear it when sounded.

There was discussion on Item #14. The commissioners stated there is a concern with the school children and the school buses.

Item #14 is: Trucking to and from the development site shall be limited to the hours of 9:00 a.m. and 3:00 p.m. Monday through Friday.

Mr. Bettini said the issue is there will be a lot of trucks going in and out of there.

There was discussion and the commissioners said that he can have his crew on the site getting prepared for the days work however they cannot begin until 9:00 a.m. and they stop at 3:00 p.m. with the trucks.

Ms. Rios said the trucks are running every day from 7:00 a.m. to 3:00 p.m. she said she hears them all the time.

Chairman Flaherty said there is not an issue in the summer months because there are no school buses.

\*Item #14 remains as written in the 2007 Resolution.

Mr. Malerba said they should be able to operate a half day on Saturday.

There was discussion on operating half day on Saturday – Item #12 is:

Item #12: Except as noted below, construction work shall be limited to the hours between 7:00 a.m. to 5:00 p.m. Monday through Friday and Saturdays between 8:00 a.m. and 2:00 p.m. There will not be construction work performed on Sundays and Holidays. No construction equipment shall be operated on site on Saturdays, Sundays and Holidays.

Mr. Malerba made a motion to allow construction work on Saturday half day from 7:00 a.m. to 12:00 noon. Also to allow trucking on Saturday from ;7:00 a.m. to 12:00 noon. Mr. Bettini seconded. All in favor, so carried.

\*Construction work and trucking will be allowed on Saturday from 7:00 a.m. to 12:00 noon.

Ms. Radin said that there are no covers or tarps on the trucks when they are full with material and debris. She asked that these truckers be advised of this requirement on the site.

\*Covers and/or tarps must be placed over the load on the truck to prevent spillage of material.

\*The Inland Wetlands permit is part of this approval. The IWC design standard is for a 100 year storm event.

There was discussion on the bonds for the road, sedimentation pond, etc. Mr. D'Amico said he will check on the bonds to see if any have been posted and he will report back to the Commission.

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- \*All bonds will be set by the City Engineer as stated in the 2007 Resolution.
- (a) A road construction bond in the amount of \$ \_\_\_\_\_ \* to insure satisfactory proper construction of the roadway; and
  - (b) An Erosion and Sedimentation Control Cash Bond in the amount of \$25,000.
  - (c) A dust control cash bond in the amount of \$ 5,000.
  - (d) A noise abatement cash bond in the amount of \$ 5,000.
  - (e) A site improvement bond in the amount of \$ \_\_\_\_\_\*.
  - (f) An environmental event cash bond in the amount of \$ 25,000.

\* Amounts to be fixed by the City Engineer.

\*The bonds should extend through the development as a whole.

\*All fees must be paid and bonds in place before any work can commence.

Chairman Flaherty asked if there were any other questions or comments before the commission votes. There were none.

#### **Conditions of Approval:**

1. All conditions of the 2007 Resolution as amended (#13) become part of this approval.
2. Item #13 – Blasting shall only be conducted between the hours of 10:00 a.m. and 2:00 p.m. Monday through Friday.
3. There shall be a pre-blast survey of the surrounding homes. Results will be shared with the homeowners.
4. The warning horn will be moved closer to the homeowners so they can hear it when sounded.
5. Item #14 remains as written in the 2007 Resolution.
6. Construction work and trucking will be allowed on Saturday from 7:00 a.m. to 12:00 noon.
7. Covers and/or tarps must be placed over the load on the truck to prevent spillage of material.
8. There will be dust control during construction and excavation.
9. The Inland Wetlands permit is part of this approval. The IWC design standard is for a 100 year storm event.
10. All bonds will be set by the City Engineer as stated in the 2007 Resolution.
  - (a) A road construction bond in the amount of \$ \_\_\_\_\_ \* to insure satisfactory proper construction of the roadway; and
  - (b) An Erosion and Sedimentation Control Cash Bond in the amount of \$25,000.
  - (c) A dust control cash bond in the amount of \$ 5,000.
  - (d) A noise abatement cash bond in the amount of \$ 5,000.

- (e) A site improvement bond in the amount of \$ \_\_\_\_\_\*.**
- (f) An environmental event cash bond in the amount of \$ 25,000.**

**\* Amounts to be fixed by the City Engineer.**

**11. The bonds should extend through the development as a whole.**

**12. All fees must be paid and bonds in place before any work can commence.**

**Chairman Flaherty called for a vote on the motion to approve with conditions. All in favor, the motion carried.**

**DeCarlo & Doll re: Request for Site Plan Approval for Lot 6, FLCP**

Mr. Terry Gallagher and Mr. Robert Scinto were present.

Mr. Gallagher explained the building stating it will be 60,000 s.f. and will be located at the highest point in the area. The site is cut down to grade and the new building will have office space, research, manufacturing and a warehouse. There will be 154 parking spaces, 153 regular spaces, 3 loading spaces, handicap parking and a pad for the dumpster. The 30,000 s.f. building is not built.

He said SP1-SP driveway shows the access road, the service drive area around the back of the building. The parking lot is tiered and stepped. This reduces the height of fill and slope. There will be a timber guide rail around the driveway and the parking lot.

Mr. Gallagher said the drainage will be tied into the access road with limited disturbance area around the site.

Chairman Flaherty asked about the temporary sediment drainage basin and the length of time it will be there.

Mr. Gallagher said it will be there to the end of the construction and completion of Lot 6-1. There will be a temporary fence around it.

Mr. Bettini said the tractor trailers will turn into the road – he asked the turn radius for these trucks.

Mr. Inglese said it is OK. The larger trucks may have to make a wider turn.

Mr. Bettini asked if a Fire Truck can make the turn.

There was discussion on the turn radius of the road and whether a Fire Truck can make the turn. Mr. Gallagher said they will make the turn radius wider.

Mr. Inglese suggested mountable curbing.

Mr. Bettini said the back side of the building – is there plenty of room for the tractor trailers to back in there.

There was discussion on the tractor trailers backing into the spaces and driving around the building. They also discussed a Fire Truck or Fire Ladder Truck having to get in and out of that area should there be a fire.

Mr. Inglese suggested the developer use 8x16 concrete blocks called grass pavers in there so the trucks can get around the building.

Chairman Flaherty asked if the access road radius is 100 feet.

Mr. Gallagher said he believes it is 100 feet but it will be whatever the City of Ansonia standard is.

Mr. D'Amico said it is 100 feet and the radius is 50 feet.

Chairman Flaherty asked about the snow removal on the cul de sac and where the snow will be put.

Mr. Gallagher said there is room to pile snow there – they have 10 feet to 15 feet to the toe of slope for snow. It is flat 15 feet to 20 feet in that spot and there is room for the drainage. There is 20 feet on the cul de sac.

Mr. Malerba said in the parking lot there is one exit that is in and out.

Mr. Gallagher said yes, the driveway is climbing and going up – so there is only one way in and out.

Mr. Malerba said will it be congested going in and out in one area.

Mr. Gallagher said the driveway is 24 feet.

Mr. Malerba said he would like to see two exits.

Mr. Gallagher said there is a 6 foot to 8 foot grade change in that area.

Mr. Scinto said there is about 80 people who will leave at different times so it should not be a problem.

Mr. Gallagher said he can look at the circulation from the 2007 Traffic Report. They had trip information in the report. He said last week he did a traffic study and there were 30 to 40 cars during the peak time.

There was discussion on the traffic flow. Mr. Gallagher will provide the 2007 Traffic Report to the Commission.

Mr. Inglese asked the type of trees that would be planted i.e. evergreen trees.

Mr. Gallagher said he can plant some White Pine, etc.

Mr. Inglese said that the area will be barren during the winter season. He discussed the light standards stating the regulation requires the lights to be shielded from the adjoining property and there would not be a glare seen from them.

Mr. Gallagher said he did put lighting in and they will use LED lights.

Mr. Bettini asked if there will be trees on the access road.

Mr. Gallagher said there will be shade trees and ornamental trees, planted 30 feet on center.

Mr. Inglese said there are pre-cast concrete walls – he asked about the design elevations on A-201. The walls are huge glass walls located there and they need something there to break the monotony of the glass and you get a lot of birds, the glass may disrupt their habitat.

Mr. Bettini asked if there is room to drive through.

Mr. Inglese said they should have room.

Mr. Bettini said as long as it doesn't impact our ability to get out in an emergency.

Mr. Inglese said there was a concern brought to our attention by former ANC Director Donna Lindgren for the birds that use that area for a fly through with all of the glass on the building.

Mr. Gallagher said the building height was off. A101 shows the uses inside the building. There is a 4000/4500 s.f. Research Plant, There is a 38 foot high bay and the building is 24 feet high. He reviewed the drawings A201 and A202 with the commissioners showing the building heights for the different uses.

Mr. Inglese said the walls of the building will be enhanced by Plantings.

Mr. Gallagher said yes.

Chairman Flaherty said the birds hitting the glass, there is certain glass that reflects so this doesn't happen to the birds – can you look into that type of glass for the building.

Mr. Scinto said yes, Buck Glace glass should not have a problem for the birds. He said he will look into it.

Chairman Flaherty said the signage must be consistent with the Signage Regulations. The lighting should be subtle.

**Mr. Malerba made a motion to approve with conditions the Site Plan for Lot 6-1, Fountain Lake Commerce Park. Mr. Jaumann seconded.**

**Conditions of approval:**

- 1. The fees must be paid.**
- 2. There will be lighting along the roadway that will not glare onto the adjacent properties.**
- 3. There will be access for Fire Vehicles around the building.**
- 4. There will be grass pavers in place where the fire vehicles will have access as discussed during the meeting and shown on the map.**
- 5. The Inland Wetlands permit is part of this approval. The IWC design standard is for a 100 year storm event.**
- 6. The State of Connecticut DEEP Storm Water Permit must be granted by DEEP and becomes part of this approval. A copy provided to the Commission.**
- 7. There will be lighting on the access road.**
- 8. There will be trees planted as discussed and shown on the map.**
- 9. Landscaping will be implemented.**
- 10. The bonds must be in place and approved before any work can commence on the site.**
- 11. Construction work and trucking will be allowed on Saturday from 7:00 a.m. to 12:00 noon.**
- 12. Bird proof windows will be implemented.**
- 13. A201 and A202 for lot 6-1 dated October 29, 2014 received 11/24/14 are included in the submittal.**
- 14. Water pressure must be adequate for fire protection or pumps must be added for this building.**

Chairman Flaherty asked if there were any questions or comments from the Commission members. There were none.

Chairman Flaherty asked if there were any questions or comments from the applicant. There were none.

**Chairman Flaherty called for a vote on the motion to approve with conditions. All in favor, the motion 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 and he gave a copy for the file at the last meeting. He said he still hasn't heard from the property owner.

2. Hotchkiss Terrace

Mr. D'Amico said that this has been resolved. He said Mr. Blackwell said the City of Ansonia paved the driveway and placed liens on the property for recovery of the cost of paving.

Mr. Blackwell said the cost is \$14,000 and the property owner will pay down the lien.

3. Fountain Lake

Mr. D'Amico said he spoke to Mr. Gallagher on the DEEP Storm Water Permit and Mr. Gallagher said he is working on it. Mr. D'Amico said he told Mr. Gallagher to get something in place with regard to the storm water permit with DEEP.

**Reports: Zoning Enforcement Officer**

Mr. David Blackwell was present.

a. Violations:

Mr. Blackwell said there is a violation at 10 Smith Street. It is a six bedroom one family residence and they removed people from the third floor.

He said at 19-21 East Street there is a boarding house and 26 Jewett Street there is a church in the old Cook Building which was closed down.

b. Variances

The commission received a copy of the variance request today that is currently before ZBA for 6 Hill St. and 32 Root Ave. The secretary read the correspondence received.

Mr. Jaumann made a motion to send a letter to ZBA stating "no comment". Mr. Bettini seconded. All in favor, so carried.

Mr. Malerba said that this corner is a mess and should be straightened out. He said he feels the variance should be approved.

**Reports: Planning Consultant**

Mr. Oswald Inglese was present. He said he has nothing for the commission this evening.

**Reports: Committee Reports**

None

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

Mr. Bettini made a motion to adopt the 2015 meeting schedule. Mr. Jaumann seconded. All in favor, so carried.

**Executive Session**

None

**December 2014 Meetings**

Mr. Bettini made a motion to change the Regular meeting scheduled for December 29, 2014 to Monday, December 15, 2014 at 7:30 p.m. Mr. Malerba seconded. All in favor, so carried.

**Regular Meeting: Monday, December 15, 2014 at 7:30 p.m.**

**Adjourn**

Mr. Jaumann made a motion to adjourn the meeting at 9:45 p.m. Mr. Malerba seconded. All in favor, so carried.

Respectfully submitted,

  
Jo-Lynn Flaherty  
Secretary