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PLANNING & ZONING COMMISSION

January 27, 2014

Public Hearing

Amendment to Zoning Regulations Section 420.3.2
Signs

Present: Bart Flaherty, Chairman
 Michael Bettini
 Jared Heon
 Jeff Lawlor
 Andy Mark
 William Malerba
 Maureen McCormack-Conrado

Others Present: David Blackwell, Zoning Enforcement Officer
 Oswald Inglese, Planning Consultant - Absent
 Fred D'Amico, City Engineer – Absent
 Peter Kelly, ED Director

The Public Hearing to hear the petition by the Ansonia Planning and Zoning Commission to amend the Zoning Regulations, Section 420.7.3.2 Signs was called to order at 7:15 p.m. by Chairman Flaherty.

All present rose and Pledged Allegiance to the Flag.

The secretary called the roll.

There was a quorum present.

The Chairman read the call of the meeting as follows:

PZPH012714

Notice of Public Hearing

January 27, 2014

The Planning and Zoning Commission of the City of Ansonia, Connecticut will hold a public hearing on Monday, January 27, 2014 beginning at 7:00 p.m. to hear the following:

1. Request for Special Exception: Coastal Carriers, Riverside Drive – 7:00 p.m.
2. Proposed amendment to the Zoning Regulations, Section 420.7.3.2 Signs - 7:15 p.m.

A copy of the file for the proposed Amendment changes and the Special Exception are on file at the Office of the Town & City Clerk, 253 Main Street, Ansonia, CT 06401.

At said hearing interested persons may appear and be heard and written communications will be received.

Dated at Ansonia, Connecticut this 16th day of January, 2014.

COMMISSION

ANSONIA PLANNING & ZONING

Bartholomew R. Flaherty, III, Chairman

Publish 2 times:
Thursday, 1/16/14
Thursday, 1/23/14

Mr. Heon made a motion to accept the call of the meeting as read. Mr. Bettini seconded. All in favor, so carried.

Chairman Flaherty welcomed everyone to the meeting this evening. He said the public hearing is to discuss the proposed amendment to the Zoning Regulations, section 420.7.3.2 Signs.

The amendment Section 420.7.3.2 is as follows:

PZPH012714

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**PROPOSED AMENDMENT TO THE
ANSONIA ZONING REGULATIONS.**

EXISTING LANGUAGE Re: Freestanding Signs

“420.7.3 **Freestanding Signs:** Notwithstanding the following two exceptions, in Paragraphs 420.7.3.1 and 420.7.3.2. there shall be permitted not more than one free-standing sign on any one lot. The total area of such free standing sign shall not exceed 50 square feet or one square foot for every 5 linear feet of frontage of such lot, whichever is smaller. No free-standing sign shall exceed a total height of 20 feet, measured above the ground. No such sign shall be located nearer to the side lot line than the width of the required side yard.

420.7.3.1 **Exception, "Corner Lot"** A corner lot having a public entrance to at least two public ways may have one (1) additional freestanding sign erected for and toward one other public way.

420.7.3.2 **Exception, "Identification Signs":** Two identification signs shall be permitted for a planned shopping center comprising fourteen or more stores, with one sign permitted for each frontage of the lot adjacent to a public street. The total area of each such sign shall not exceed sixty (60) square feet or one square foot for every five (5) linear feet of frontage whichever is less. Otherwise such signs shall conform with the provisions for freestanding signs.”

PROPOSED LANGUAGE Re: To allow Additional Freestanding Signs.

To be added following Subsection 420.7.3.2

“420.7.3.3 **Exception.** A “Complementary Free-Standing Sign”, with changeable copy, not exceeding thirty-two (32) square feet in total area and designed to call the attention to a use complementary to an existing major land use on the same premises, may be permitted providing that (a) that the premises is seven (7) acres or larger and has three-hundred (300) feet or more of frontage on a public highway; (b) that said sign shall not exceed the height limitations of subsection 420.7.3; (c) that the use to which the sign relates is at a distance of two-hundred (200) feet or more from the front property line of the public highway; and (d) that there shall not be closer than seventy-five (75) feet from another freestanding sign on the same premises; and (e) providing that an application has been approved by the Commission;

Chairman Flaherty said the existing language states you cannot have more than one sign on anyone lot. Stop & Shop requested this amendment to our regulations because they have approximately 400 feet of frontage and would like to have a sign put up for the Gas Station prices. Across the street there are a number of signs on small lots with small frontages. This would allow them to put up a sign with the prices of gasoline.

Mr. Bettini said Mr. Inglese did a great job on the amendment. It fits exactly what we want for our City.

Chairman Flaherty asked if anyone from the Planning & Zoning Commission has any questions. He asked three (3) times.

Chairman Flaherty asked if anyone from the public wished to speak to this amendment.

Ms. McCormack-Conrado asked the reason why the amendment has to be very specific.

Chairman Flaherty said P&Z tried to tailor it so anyone with a large frontage could put up a sign and we would not have more signs on a lot with 50 – 100 foot frontage – it would be overwhelming with signs.

Ms. McCormack-Conrado said she understands the frontage but the 7 acres what if it was 6 acres could they do it.

Mr. Heon said you have to have some means of control on this or we'll have a problem.

Chairman Flaherty said this came as a request and we complied with the request. He said he can't think of too many places like Stop & Shop and we don't want signs all over.

Mr. Malerba said someone can always come before the Commission if they want to change something again.

Chairman Flaherty said we can't vary our regulations.

Mr. Heon said a variance is only allowed with a hardship and you have to prove a non-compliant hardship.

Ms. McCormack-Conrado said it seems like it is a variance.

Mr. Heon said we gave them that option – they could go before the ZBA for a variance.

Chairman Flaherty said we can't vary the regulation. ZBA can vary a regulation. This is a self-imposed hardship. A hardship has to do with the land, the shape of land etc. that cannot comply with the regulation. ZBA can't vary use, if not allowed you can't vary the use. If it is a hardship of the land, they can vary the regulation.

Mr. Heon said we gave their Counsel that option.

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Chairman Flaherty said we did give their Counsel the option to go to ZBA. They wanted to amend the regulation. There is no opposition to changing the regulation.

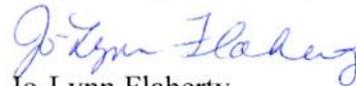
Ms. McCormack-Conrado asked if there is a course she can attend.

Chairman Flaherty said there are land use courses and seminars available. The commissioners went to a lot of these courses/seminars and we found them to be very helpful. Court cases and changes given to us by lawyers are the things that are upheld in court as the most recent findings. All Commissioners have attended numerous land use courses including Mr. Malerba.

Chairman Flaherty asked if there was anyone from the public who wished to speak to the sign amendment. He asked three (3) times. There was no one.

Mr. Bettini made a motion to close the public hearing at 7:30 p.m. Mr. Lawlor seconded. All in favor, so carried.

Respectfully submitted,



Jo-Lynn Flaherty
Secretary