SUBJECT TO REVIEW AND APPROVAL

PLANNING AND ZONING
September 17, 2014

The Planning and Zoning Commission of the Town of Trumbull met for a regularly scheduled meeting on Wednesday, September 17, 2014 in the Council Chambers of the Trumbull Town Hall.

Members Present: Anthony Chory, Chairman
Richard C. Deecken, Vice Chairman; Tony Silber, Secretary
Fred Garrity, David W. Preusch and alternate Don Scinto

Also Present: Jamie Brätt, Director of Planning and Development
Vincent Marino, Town Attorney

The following is a brief summary of the meeting; a complete record is on tape, on file, in the office of the Planning and Zoning Commission located in the Trumbull Town Hall.

With a quorum being present, the Chairman called the meeting to order at 7:37 p.m.

PUBLIC HEARING

Application #14-26 – MGM Properties
6528 Main Street

Pursuant to Art. II, Sec. 3.2 and Art. XIII Special Permit to construct a 9,280 sq. ft. two-story retail/office building with associated signage, parking and site improvements. HEARING CONTINUED FROM AUGUST 20, 2014.

A letter from David S. Bjorklund was read advising that his client is withdrawing his application from consideration and will resubmit at a future date.

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to waive any related re-application fees.

Application #14-30 – St. Joseph's High School
2320 Huntington Turnpike

Pursuant to Art. I, Sec. 1.2.4.4 (as amended effective 9/10/14) Special Permit to install four (4) 70' permanent light poles to illuminate athletic field.

Attorney Raymond Rizio came forward representing the applicant. He advised that St. Joseph's High School is currently the only high school who's athletic program does not allow for night games. Mr. Rizio maintained that by permitting the lighted fields St. Joseph's athletic program would be competitive with other secondary schools in the area.

The newly adopted regulation was then reviewed and Attorney Rizio detailed how the proposal meets with all standards related to Art. I, Sec. 1.2.4.4.

The lights will be shielded and stand on top of 70' poles. The applicant's representative indicated that there was no potential for light spillage, as the lights will be pointed towards the field. The light fixtures will be installed no less than 200' from the nearest residential property and well buffered with mature landscaping. Mr. Rizio stressed that there would be no negative impact to the surrounding residential neighborhood.

The proposed lighting design and illumination summary as detailed on the photometric plan was reviewed by the project's lighting expert, Mark Reynolds of Techline Sports Lighting, of Austin, Texas. Mr. Reynolds maintained that the design meets the light level standards as set by IESNA, the governing agency for sport field lighting.

The following items were submitted as part of the presentation.

Photographs of the lighted Westport High athletic field were distributed to provide a sense of what a field looks like when the lights are on.

An illustration of the shields to be utilized on the light fixtures.

A comparison study between Trumbull High School's lighting system and the proposed system for St. Joseph's was also submitted into the record. Mr. Rizio advised that the proposal would have far less potential impact than that of Trumbull High School.

The applicant's representative offered the following, as conditions for approval.

1. Field lighting to be utilized only during the following time periods.

   March 15th thru June 15th
   August 15th thru December 15th

2. Lighting to be shut-off at 10:00 p.m. for games and 9:00 p.m. for practice sessions.

3. Lighting to be reduced to 50% capacity during practice sessions.

4. Full lighting to be utilized only for games.

5. Field lighting to be utilized for St. Joseph High School events only.

6. Lighted fields cannot be rented for any outside vendors.

7. Light shields to be installed on fixtures.

8. Maximum of three night games per week.

9. An average of 60% of foot candle lights for games and 50% for practice sessions.

The Town Planner informed that she inquired as to the standards set by other neighboring towns and a copy of these findings was submitted for the record.

Dr. William Fitzgerald, President of St. Joseph's High School, spoke to the high school's campus describing it as beautiful and a complement to the neighborhood.

Public Comment

The following spoke in favor:

Karen DeBroff, 2220 Huntington Tpke; Joe DellaVecchia, 30 Ridge Circle; Steven Waizenegger, 82 Lorma Ave.; Mary Hirschbeck, 12 Isinglass Terr; Norman DeTullio, 94 Golden Hill; Kellie Vazzano 2456 Huntington Tpke.

The following spoke in opposition:

Jeff Strouse, 80 Ironwood Rd.; Scott Thornton, 24 Cherry Gate La.; Joanne McEniry, 11 Applegate La.; Michael Love, 22 Ironwood Rd.; S. Etemad, 23 Applegate Rd.; Jai Singh, 86 Ironwood Rd., who submitted letters in opposition from adjoining neighbors who were unable to attend; Larry Ganim, 45 Ironwood Rd.; Lars Jorgensen, 34 Ironwood Rd., Robert Hemond, 145 Sterling Rd.; Archana Upall, 18 Cherrygate La.; Geraldine and Charles Brady, 11 Tait Rd. and Bibha Shah 64 Copper Kettle Rd.

The letters submitted in opposition were then read by the Secretary.

Following public comment the applicant's representative offered the following additional conditions for approval.

> No music to be played, when field lights are on.
>
> During night games, public address system to be utilized only for boys varsity football and lacrosse.

Upon inquiry, Mr. Rizio estimated football game attendance between 1,000 and 1,500.

Attorney Rizio informed that the applicant is only requesting a fraction of the use afforded to Trumbull High School and that the use will be tightly monitored through the proposed conditions.

SUBDIVISION

Application 14-31 – Peter V. Gelderman and Loreto Mallone
Three lot re-subdivison with street address of
5 & 19 Meadow Wood Road

Peter V. Gelderman conducted the presentation.

The proposal creates three lots out of two existing parcels. The variances that were required in order to move forward with the submitted plan were granted by ZBA.

The Town Planner confirmed that through the acquired variances the proposal meets with the subdivision requirements for this zone.

ZONING/SUBDIVISON AMENDMENT

Application #14-28 – Amending of Art. I, Sec. 3.92 (Definitions) Lot Frontage; Art. I, Sec. 4.2.4 (Abandonment by Non-Use); Art. I, Sec. 5.2.2 (Fences and Walls to the Rear of a Lot); Art. II, Sec. 1.1.2.4, 1.2.2.4 and 1.3.4.4 (Recreational Structures); Art. II, Sec. 1.1.2.9, 1.2.2.9, and 1.3.2.9 (Tag Sales/Estate Sales); Art. II, Sec. 4.1.4, 4.2.4 and 4.3.3 (Special Permit Uses in Industrial Zones); Art. III, Sec. 1 (Minimum Box dimensions of Building Lots); Art. VII, Sec. 16 (Medical Marijuana Dispensary Facilities); Art. VII, Sec. 17 (Medical Marijuana Production Facilities); Art. XIII, Sec. 4.7 (Business Window Signs) and Art. XIII, Sec. 4.8 (Tag Sale Signs). Petitioner: Planning and Zoning Commission HEARING CONTINUED FROM AUGUST 20, 2014

Application #14-29 – Amending Sec. 4 of the Subdivision Regulations pertaining to prerequisites for proposed subdivisions on dead end/cul-de-sac streets. Petitioner: Planning and Zoning Commission HEARING CONTINUED FROM AUGUST 20, 2014

Jamie Brätt informed that Application #14-29 is being withdrawn from consideration and only the amendments to Art. I, Sec. 3.92 and Art. I, Sec. 5.2.2 will be addressed tonight under Application #14-28.

The proposed language was reviewed by the Town Planner. Ms. Brätt informed that the current language, as it pertains to the definition of lot frontage, makes it difficult to calculate what the appropriate lot frontage should be. The method being proposed is the generally accept practice and will be easier to cross-check using GIS or field measurements.

In addressing the revised language relating to fences and walls the Town Planner believed the current restrictions on fence height on corner lots to be overly cumbersome.

This concluded the public hearing.

REGULAR MEETING

Tonight's applications were reviewed and the Commission took action as follows:

Application #14-31 – Peter V. Gelderman and Loreto Mallone
3 Lot Subdivision 5 & 19 Meadow Wood Road

MOTION MADE (Garrity), seconded (Silber) and unanimously carried to approve Application #14-31, as presented subject to the stipulations for approval as submitted by the Town Engineer.

Application #14-28 – Amending of Art. I, Sec. 3.92 (Definitions) Lot Frontage and Art. I, Sec. 5.2.2 (Fences and Walls to the Rear of a Lot)

MOTION MADE (Deecken), seconded (Garrity) and unanimously carried to approve the amendments to Art. I, Sec. 3.92 and Art. I, Sec. 5.2.2, as presented.

Application #14-30 – St. Joseph's High School
2320 Huntington Turnpike.

MOTION MADE (Garrity), and seconded (Silber) to approve Application #14-30 SUBJECT TO THE FOLLOWING.

1. Only activities related to Saint Joseph's High School to take place on the lighted field.

2. Athletic field shall not be rented by outside or third party vendors.

3. Automatic shut-off of field lights to be as follows: 10:00 p.m. on weeknights, 8:00 p.m. on Saturdays, 9:00 p.m. for practice sessions and no lighted fields on Sundays.

4. Field lighting shall be permitted from March 15th thru June 15th and August 15th thru December 15th.

5. The lights shall be powered 100% for games at an average of 60 candle lights at the field and an average of 50% for practice sessions.

6. Only four light poles are permitted and subject poles are to be located only on the field.

7. Light shields are to be installed.

8. A maximum of three night games per shall be permitted.

9. No music to be permitted at night games.

10. With the exception of varsity football and lacrosse, public address booth shall not be utilized during nighttime games.

MOTION MADE (Silber), seconded (Preusch) and unanimously carried (Chory, Deecken, Garrity, Preusch, Silber) to amend the original motion to include the following additional conditions.

11. Lighting for practice sessions to be shut-off at 8:00 p.m.

12. Field lightings shall not be permitted on weekends.

MOTION MADE (Deecken) and seconded (Preusch to amend the original motion to include the following additional condition.

13. Boys nighttime varsity football games limited to four (4) games per season.

Vote: In Favor (4): Chory Deecken, Preusch, Silber - Opposed (1): Garrity MOTION CARRIES

Discussion followed as to whether the shift to nighttime games significantly increases the intensity of the use. Several Commissioners expressed concerns as to the potential for an increase in traffic and parking on the surrounding residential street.

MOTION MADE (Garrity), seconded (Silber) to make an affirmative finding under Art. XV, Sec. 4.14 Subsection 1 that the proposed change in use is not hazardous or inconvenient to, or detrimental to the characteristics of the neighborhood.

Vote: In Favor (3): Chory, Garrity, Silber - Opposed (2): Deecken, Preusch

Vote: (Original Motion as Amended) In Favor (2): Garrity, Silber - Opposed (2): Chory, Preusch - Abstention (1): Deecken MOTION FAILS

MOTION MADE by Commissioner Garrity and seconded by Commissioner (Silber) to adjourn.

The September 17, 2014 meeting of the Planning and Zoning Commission adjourned at 12:30 p.m.

Respectfully submitted,

Helen Granskog
Clerk