

APPROVED 5-6-19
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, April 1, 2019 at the North Haven Memorial Library, 17 Elm Street, in the Community Room, at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Ronald D. Penton, Vice-Chairman
Richard E. Wilson, Secretary
James J. Giulietti
Theresa Ranciato-Viele

MEMBERS ABSENT:

Lewis S. Borrelli Sr., Alternate
Edward M. Homa, Alternate
Joseph M. Solimene, Alternate

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
J. Andrew Bevilacqua, Town Engineer
Mary Lee Rydzewski, Public Stenographer
Pam Miller, Clerk
Jennifer Coppola, Town Counsel

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:01 p.m. He then introduced the Commissioners, town staff and the Court Reporter. Mr. Carlson then proceeded to ask the Land Use Administrator, Mr. Fredricksen if there were any changes to the agenda. Mr. Fredricksen stated that applications #P18-45, #P18-45A, #P19-04S, and #P19-10 have been postponed to the May 6, 2019 meeting, #P19-01, applications #P19-01 and #P19-01A have been continued to the May 6, 2019 meeting.

8-24 REFERRAL:

1. #P19-08 Application of the Town of North Haven for the Sackett Point Road bridge over the Quinnipiac River.

Mr. J. Andrew Bevilacqua, Town Engineer presented the 8-24 referral. He stated that the town is ready to start construction on the Bridge from Universal Drive to Republic Drive. The project will be done in 4 phases and is expected to start in May 2019. Construction should take approximately three years.

PUBLIC HEARINGS:

2. #P19-04S Special Permit Application (as authorized by Section 5.1.1.23) of Bill Ryan, Applicant, National Partners North Haven LLC, Owner, relative to 381 State Street, (Map 34, Lot 111). Plan Entitled: 381 State Street, North Haven, Connecticut. Prepared by: Nafis & Young Engineers, Inc. Dated: December 2018. Scale: 1"=20'. IL-30 Zoning District.

This application has been postponed to the May 6, 2019 meeting.

Mr. Wilson read the call for the first Public Hearing:

3. #P19-07 Subdivision Application of North Haven Homes, LLC, Applicant & Owner, for two (2) lots, relative to 678 Middletown Avenue, (Map 39, Lot 15). Plan Entitled: Property & Topographic Survey, Land Now or formerly North Haven Homes, LLC, 678 Middletown Avenue, North Haven, Connecticut. Prepared by: Bennett & Smilas Associates, Inc. Dated: January 31, 2019. Scale: 1"=40'. R-40 Zoning District.

Mr. Michael Bennett, Land Surveyor of Bennett and Smilas Engineering, presented the application to permit the subdivision of this approximately 4.75 acre parcel into two (2) residential building lots. The existing house on lot # 1 will remain. The Inland Wetlands Commission approved a Permit to Conduct Regulated Activity and a Positive Subdivision Referral (#I19-01) at their 27 March 2019 meeting. Mr. Bennett presented the site plan and described the proposed project. He explained the well and septic system and the drainage system. Then, Mr. Bennett stated that all staff comments are acceptable to the applicant and that a sidewalk waiver is requested.

The Commission asked questions and they were answered by Mr. Bennett.

Mr. Carlson asked for Public Comment:

There being no public comment, the public hearing was closed.

Mr. Wilson read the call for the last Public Hearing:

The Commission elected to hear Applications #P19-09S and #P19-09 together.

4. #P19-09S Special Permit Application of Timothy J. Lee, Applicant, Slate School, Inc., Owner, relative to 124 Mansfield Road, (Map 77, Lot 17). Plan Entitled: Greenhouse & Garden, Slate School, 124 Mansfield Road, North Haven, Connecticut. Prepared by: Milone & MacBroom. Dated: March 07, 2019. Scale: 1"=20'. R-40 Zoning District.

12. #P19-09 Site Plan Application of Timothy J. Lee, Applicant, Slate School Inc., Owner,

relative to 124 Mansfield Road, (Map 77, Lot 17). Plan Entitled: Greenhouse & Garden, Slate School, 124 Mansfield Road, North Haven, Connecticut. Prepared by: Milone & MacBroom. Dated: March 07, 2019. Scale: 1"=20'. R-40 Zoning District.

Attorney Timothy Lee of Fasano, Ippolito, Lee & Florentine, LLC in New Haven presented the application to permit the construction of an approximately 35' x 18' greenhouse/potting shed, a 32' x 22' wood vegetable garden enclosure, three play feature areas and associated walkways and utilities at this existing private school. The Inland Wetlands Commission approved a Positive Site Plan Referral at their 27 March 2019 meeting (#I19-03). Mr. Lee presented a site plan and described the proposed project and detailed the locations of the greenhouse and planting areas.

Mr. Thomas Daly, Professional Engineer detailed the placement of the playground areas.

The Commission asked questions and they were answered by Mr. Lee.

Mr. Carlson asked for Public Comment:

There being no public comment, the public hearing was closed.

SITE PLANS:

5. #P18-37 Site Plan Application of K Brothers, LLC, Applicant & Owner, relative to 224 Quinnipiac Avenue, (Map 17, Lot 2). Plan Entitled: Site Development Plans, db Mart, 224 Quinnipiac Avenue, North Haven, Connecticut. Prepared by: Godfrey Hoffman Associates, LLC. Dated: August 27, 2018. Scale: 1"=20'. IL-30 Zoning District.

Mr. James Rotondo, Professional Engineer of Godfrey Hoffman Associates, presented the application to permit the enlargement of this approximately 2,000 square feet existing convenience store/gas station to approximately 2,730 square feet by the construction of two additions, one on the northwest side and one on the southwest side of the building. Also, a drive-thru service window is proposed with two ordering positions. The existing fuel stations and canopy are intended to be demolished and replaced in a new configuration. Mr. Rotondo distributed a landscaping plan as Exhibit A. Then, he presented a site plan and described the property and the proposed modifications to the site. The fuel pumps will be relocated and one gas pumping terminal is proposed to be added. Mr. Rotondo explained the landscaping plan which includes arborvitae and the existing pine trees. Mr. Rotondo explained the changes to the drainage and storm water management system.

Mr. Scott Hesketh, Engineer of F.A. Hesketh and Associates discussed the results of a traffic study that was conducted for the site. He stated that there may not be an increase in trip traffic in the morning hours and explained the projected traffic patterns on the site. He addressed the comments of the town staff, Police Chief, and Fire Chief.

Mr. Nadeem Khalid, property owner stated that the reason for the project is because there was a need to replace the fuel tanks.

Mr. Giuletti asked questions regarding the traffic study and they were answered by Mr. Hesketh.

Mr. Bevilacqua spoke about his comments regarding the automobile queuing at the drive through and stated that the project would appear to increase traffic volume on the site.

The Commission asked further questions and they were answered by Mr. Rotondo. Mr. Rotondo requested that the application be continued to the May 6, 2019 meeting.

6. #P18-44 Site Plan Application of North Haven Investments, Inc., Applicant & Owner, relative to 332 State Street, (Map 34, Lot 108). Plan Entitled: Site Restoration Plan. Prepared by: Kratzert, Jones and Associates, Inc. Dated: November 30, 2018. Scale: 1"=20'. CB-40 Zoning District.

Mr. Bernard Pellegrino, Attorney with the Pellegrino Law Firm, presented the application for the approval to restore areas of once existing buffers that have been removed and partially regraded. The project has been modified to eliminate the requests for the expansion of the existing parking lot area and for the outdoor storage of construction equipment. Mr. Pellegrino stated that the materials currently on the site will be removed and a waiver of sidewalks is requested.

The Commission asked questions and they were answered by Mr. Pellegrino.

The Commission requested to continue the application to the May 6, 2019 meeting.

7. #P19-01 Site Plan Application of Niklyn Corp., Applicant, Mettler Realty, LLC, Owner, relative to 400 Sackett Point Road, (Map 35, Lot 9). Plan Entitled: Site Plan Package, 400 Sackett Point Road, North Haven, Connecticut. Prepared by: Fuss & O'Neill. Dated: March 2018. Scale: 1"=40'. IG-80 Zoning District.

This application has been continued to the May 6, 2019 meeting.

8. #P19-01A CAM Application of Niklyn Corp., Applicant, Mettler Realty, LLC, Owner, relative to 400 Sackett Point Road, (Map 35, Lot 9). Plan Entitled: Site Plan Package, 400 Sackett Point Road, North Haven, Connecticut. Prepared by: Fuss & O'Neill. Dated: March 2018. Scale: 1"=40'. IG-80 Zoning District.

This application has been continued to the May 6, 2019 meeting.

9. #P18-45 Site Plan Application of Bill Ryan, Applicant, National Partners North Haven LLC, Owner, (Map 34, Lot 111). Plan Entitled: 381 State Street, North Haven, Connecticut. Prepared by: Nafis & Young Engineers, Inc. Dated: December 2018. Scale: 1"=20'. IL-30 Zoning District.

This application has been postponed to the May 6, 2019 meeting.

10. #P18-45A CAM Application of Bill Ryan, Applicant, National Partners North Haven LLC, Owner, (Map 34, Lot 111). Plan Entitled: 381 State Street, North Haven, Connecticut. Prepared by: Nafis & Young Engineers, Inc. Dated: December 2018. Scale: 1"=20'. IL-30 Zoning District.

This application has been postponed to the May 6, 2019 meeting.

11. #P19-05 Site Plan Application of North Haven Surgery Center, Applicant, NH Medical, LLC, Owner, relative to 52 Washington Avenue, (Map 67, Lot 39). Plan Entitled: Renovation & Expansion for North Haven Surgery Center, 52 Washington Avenue; Suite 1, North Haven, CT. Dated: 12.18.2018, Scale: 1"=30'. CB-20 Zoning District.

Mr. James Rotondo, Professional Engineer of Godfrey Hoffman Associates, presented the application to permit an approximately 5' x 18' addition to the rear of this existing medical office building, underneath the existing building overhang. The purpose of the addition is to accommodate new, larger sterilizers for medical instruments used in the Surgery Center. An application, in accordance with Section 8.3.3.1 of the regulations, was approved by the Zoning Board of Appeals at their 21 February 2019 meeting, to permit the expansion of this non-conforming building. Mr. Rotondo presented Exhibit A; a site drawing and property photos.

The Commission asked questions and they were answered by Mr. Rotondo.

13. #P19-10 Site Plan Application of Shoreline Acquisitions, LLC, Applicant, Anthony DePaola Family Trust, and Vincent A. DePaola Family Trust, relative to 57 McDermott Road, (Map 6, Lot 35). Plan Entitled: Proposed Office and Storage Yard, 57 McDermott Road, North Haven, Connecticut. Prepared by: Godfrey- Hoffman Hodge, LLC. Dated: 02.27.2019. Scale: 1"=20'. IL-30 Zoning District.

This application has been postponed to the May 6, 2019 meeting.

14. #P19-11 Site Plan Application of Yale-New Haven Hospital, Inc., Applicant & Owner, relative to 6 Devine Street, Map 51, Lot 11. Plan Entitled: Yale New Haven Hospital, North Haven Medical Center, 6 Devine Street, North Haven, CT 06473. Prepared by: Tighe & Bond. Dated: 06/27/2018, rev. 03/08/2019. Scale: 1"=40'. O-12 Zoning District.

Attorney Susan Hayes, with Updike Kelly and Spellacy, presented the application for a Site Plan modification. She stated that they have no issues with the comments of the Town Staff.

Mr. Erik Lindquist, Professional Engineer with Tighe and Bond, presented a site plan and explained the proposed revisions which include changes to the front and side parking lots, generator location, and landscaping modifications.

The Commission asked questions and they were answered by Mr. Lindquist.

BREAK: 9:02-9:08 PM

DELIBERATION SESSION:

Mrs. Ranciato-Viele moved to go into deliberations; Mr. Wilson seconded the motion. All were in favor.

8-24 REFERRAL:

1. #P19-08 Application of the Town of North Haven for the Sackett Point Road Bridge over the Quinnipiac River.

Mr. Giulietti moved to approve the 8-24 referral; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The 8-24 referral was approved.

PUBLIC HEARINGS:

3. #P19-07 Subdivision Application of North Haven Homes, LLC, Applicant & Owner, for two (2) lots, relative to 678 Middletown Avenue.

Mr. Penton moved to approve the application. Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

4. #P19-09S Special Permit Application of Timothy J. Lee, Applicant, Slate School, Inc., Owner, relative to 124 Mansfield Road.

Mr. Giulietti moved to approve the application. Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

SITE PLANS:

9. #P19-05 Site Plan Application of North Haven Surgery Center, Applicant, NH Medical, LLC, Owner, relative to 52 Washington Avenue.

Mrs. Ranciato-Viele moved to approve the application. Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

12. #P19-09 Site Plan Application of Timothy J. Lee, Applicant, Slate School Inc., Owner, relative to 124 Mansfield Road.

Mr. Giulietti moved to approve the application. Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

14. #P19-11 Site Plan Application of Yale-New Haven Hospital, Inc., Applicant & Owner, relative to 6 Devine Street.

Mr. Giulietti moved to approve the application. Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

3. #P19-03 Zone Change Application of Timothy J. Lee, Esq., Applicant, Pieper's Farm, LLC, Owner, relative to 343 Clintonville Road, (Map 69, Lot 55). Plan Entitled: Zone Change Map, 343 Clintonville Road, North Haven, Connecticut. Prepared by: Milone & MacBroom. Dated: January 2, 2018. Scale 1"=100'. R-40 Zoning District.

Mr. Penton moved to approve the application. Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – nay Ranciato-Viele – nay

The application was approved with appropriate conditions.

OTHER:

- 89 Mill Road

Mr. Arnold Gans, Architect representing the Animal Haven is requesting approval to add a transformer pad and two small condensers.

Mr. Penton moved to approve the request; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The request was approved.

- 341 State Street

Mr. Alex Blank, owner of Twelve Percent Brewing is requesting approval for a revision of the Site Plan to add a Chiller Pad and add a few parking spaces. Also, a condenser pad and a grain pad are requested to be relocated on the site.

Mrs. Ranciato-Viele moved to approve the request; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The request was approved.

- 455 Sackett Point Road

Mr. Jason Sweetman, site manager is requesting approval for a slab to add a dust collector.

Mr. Penton moved to approve the request; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The request was approved.

EXTENSIONS: None

CORRESPONDENCE:

- Quinnipiac River Watershed Water Quality Regulation Review

The correspondence was briefly discussed.

BONDS: None

CHANGE OF USE:

- 444 Washington Avenue, Units B & C

Ms. Jenifer Butler is requesting a change of use to expanded her dance studio to the next door unit.

Mr. Penton moved to approve the change of use; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

The change of use was approved.

MINUTES:

- February 4, 2019

Mr. Giulietti moved to approve the February 4, 2019 meeting minutes; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

EXECUTIVE SESSION:

1. Discuss status of the pending litigation in Anthony Peluso, et al. v. Town of North Haven Planning & Zoning Commission and possible action relating to same.
2. Consider whether to convene in executive session to discuss the status of the pending litigation in Anthony Peluso, et al. v. Town of North Haven Planning & Zoning Commission.
3. Discuss status of the pending litigation in Joseph Mineri, et al. v. Planning and Zoning Commission of Town of North Haven and possible action relating to same.
4. Consider whether to convene in executive session to discuss the status of the pending litigation in Joseph Mineri, et al. v. Planning and Zoning Commission of Town of North Haven.

Mr. Giulietti moved to enter Executive Session at 9:45 PM; Mrs. Ranciato-Viele seconded the motion. The Commission invited Jennifer Coppola, Town Counsel, Alan Fredricksen, Land Use Administrator, and J. Andrew Bevilacqua, Town Engineer, into Executive Session. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

Mr. Giulietti moved to exit Executive Session at 9:46 PM; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Wilson – aye Giulietti – aye Ranciato-Viele – aye

ADJOURN:

There being no further business, Mrs. Ranciato-Viele moved to adjourn; Mr. Penton seconded the motion. The meeting was adjourned at 10:47 PM.