

APPROVED 6-3-19
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, May 6, 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
Lynn Sadosky, Director of Public Works

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 #P19-04S, #P18-45, #P18-45A, #P19-12 and #P19-12A have been postponed to the June 3, 2019 meeting and #P19-01 and #P19-01A have been withdrawn by the applicant.

8-24 REFERRAL:

1. #P19-13 Application is being made to the Town of North Haven for the acceptance of a land donation for 6 Banton Street.

Mr. J. Andrew Bevilacqua, Town Engineer presented the 8-24 referral and stated that the property is proposed to be acquired for open space.

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 June 3, 2019 meeting.

Mr. Wilson read the call for the Public Hearing:

3. #P19-14S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Fawn Meadow Associates, LLC, Applicant, 354 Washington Ave, LLC, Owner, relative to 344 Washington Avenue, (Map 85, Lot 123). Plan Entitled: 344 Washington Avenue, North Haven, CT. Prepared by: Centek Engineering, Inc. Dated: April 4, 2019. Scale: 1/4"=1'. CB-40/R-12 Zoning Districts.

Mr. Ray Lemley presented the application to permit the issuance of a Certificate of Location for a full service liquor permit for the proposed La Lupa Restaurant at 344 Washington Avenue. He presented the site plan and stated that the space is 4200 square feet and the applicant proposes interior renovations.

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

Mr. Carlson asked for public comment.

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

SITE PLANS:

4. #P18-37 Continuation of the 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. Fredricksen stated that the applicant is not intending to present tonight and that Town Counsel stated that the Commission should render their decision at this meeting. Mr. Fredricksen submitted Exhibit 1; an email from James Rotondo, Exhibit 2; a transmittal from Feb 20th, and Exhibit 3; meeting minutes from April 1, 2019. He stated that the applicants met with Town staff last week.

5. #P18-44 Continuation of the 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 approval to restore areas of once existing buffers that have been removed and partially graded. He stated that they have resolved the issues of the Town Engineer and that they are requesting a waiver of sidewalks. The applicant is planning on returning to the Planning & Zoning Commission in the future with a new site plan application.

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

6. #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 June 3, 2019 meeting.

7. #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 June 3, 2019 meeting.

8. #P19-01 Continuation of the 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 withdrawn by the applicant.

9. #P19-01A Continuation of the 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 withdrawn by the applicant.

10. #P19-10 Site Plan Application of Shoreline Acquisitions, LLC, Applicant, Anthony DePaola Family Trust, and Vincent A. DePaola Family Trust, Owners, 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.

Mrs. Ranciato-Viele recused herself from the application.

Attorney John Lambert presented the application to permit the development of this approximately .64 acre site with a paved parking area for the outdoor storage of no more than twelve (12) pieces of construction equipment as well as the construction of a 3,500 square feet structure for office space and the indoor storage of equipment. The Zoning Board of Appeals approved four (4) variances for this proposed development at their 21 February 2019 meeting (#19-02). The Inland Wetlands Commission approved a Permit to Conduct Regulated Activity and a Positive Site Plan referral (#19-02) at their 24 April 2019 meeting. Mr. Lambert addressed the comments of the Town staff and stated that a waiver of sidewalks is requested.

Mr. James Rotondo, Professional Engineer of Godfrey Hoffman Associates presented a site plan and described the parcel. He stated that the proposed building will contain an office and two garage bays. He explained the parking area and the dumpster pad. Then, he described the planting plan and the storm water management plan. He reviewed the staff comments and stated that they are in agreement with them. Mr. Carlson asked about the proposed fencing. Mr. Giulietti asked for a description of what is to be stored on the property and at what location. Mr. Rotondo responded.

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

11. #P19-12 Site Plan Application of North Haven Business Park LLC, Applicant, Alvina's LLC, Owner, relative to 71 Leonardo Drive, (Map 52, Lot 65). Plan Entitled: Site Plan Application of North Haven Business Park, LLC, 71 Leonardo Drive, North Haven, Connecticut 06473. Prepared by: Criscuolo Engineering LLC. Dated: 1/09/2013. Scale: 1"=20'. IL-80 Zoning District.

This application has been postponed to the June 3, 2019 meeting.

12. #P19-12A Site Plan Application of North Haven Business Park, LLC, Applicant, Alvina's LLC, Owner, relative to 71 Leonardo Drive, (Map 52, Lot 65). Plan Entitled: Site Plan Application of North Haven Business Park, LLC, 71 Leonardo Drive, North Haven, Connecticut 06473. Prepared by: Criscuolo Engineering LLC. Dated: 1/09/2013. Scale: 1"=20'. IL-80 Zoning District.

This application has been postponed to the June 3, 2019 meeting.

13. #P19-15 Site Plan Application of Robert A. Simone, Applicant & Owner, relative to 67 Old Broadway East, (Map 66, Lot 9). Plan Entitled: Zoning Location Survey, Proposed Garage Location, Land N/F Robert A. Simone at #67 Old Broadway East, North Haven, Connecticut. Prepared by: Winterbourne Land Services. Dated: December 6, 2017. Scale: 1"=20'. IL-30 Zoning District.

Mr. Robert Simone presented the application to permit the construction of a 30'x40' garage to the rear of the existing two story commercial structure on this approximately .56 acre parcel. An application for a 20' rear yard setback variance was approved by the Zoning Board of Appeals at their 19 July 2018 meeting, to permit the construction in its proposed location (#18-17). He submitted a drawing of the proposed garage as Exhibit A.

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

BREAK: 8:45-8:56

DELIBERATION SESSION:

Mr. Giulietti moved to go into deliberations; Mr. Penton seconded the motion. All were in favor.

8-24 REFERRAL:

1. #P19-13 Application is being made to the Town of North Haven for the acceptance of a land donation for 6 Banton 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 8-24 referral was approved.

PUBLIC HEARINGS:

3. #P19-14 Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Fawn Meadow Associates, LLC, Applicant, 354 Washington Ave.

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.

SITE PLANS:

4. #P18-37 Continuation of the Site Plan Application of K Brothers, LLC, Applicant & Owner, relative to 224 Quinnipiac Avenue.

Mr. Penton moved to deny 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 denied.

5. #P18-44 Continuation of the Site Plan Application of North Haven Investments, Inc., Applicant & Owner, relative to 332 State Street.

Mr. Penton moved to approve the application; Mr. Giulietti 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.

10. #P19-10 Site Plan Application of Shoreline Acquisitions, LLC, Applicant, Anthony DePaola Family Trust, and Vincent A. DePaola Family Trust, Owners, relative to 57 McDermott Road.

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

The application was approved with appropriate conditions.

13. #P19-15 Site Plan Application of Robert A. Simone, Applicant & Owner, relative to 67 Old Broadway East, (Map 66, Lot 9). Plan Entitled: Zoning Location Survey, Proposed Garage Location, Land N/F Robert A. Simone at #67 Old Broadway East.

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.

OTHER:

- 518 Clintonville Road #P14-19

Mr. John Parese is requesting approval of a waiver of 30 feet of sidewalks on the east side of the lot frontage and a detention basin modification. Mr. J. Andrew Bevilacqua discussed the proposed changes to the detention basin.

Mr. Wilson moved to deny the request; Mr. Carlson seconded the motion. The Commission voted as follows:

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

The motion was not passed.

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

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

The request was approved.

- North Haven Fair – Demolition Derby

Ms. Jeanne Lewis with the North Haven Fair is requesting approval to have a Demolition Derby at the North Haven Fair grounds. She stated that a derby vendor would run the derby. She stated that Jersey barriers and netting will be installed. They discussed a letter with the Commission from the Police Chief; Exhibit A.

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

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

The request was approved.

- 200 Universal Drive North - Target

Mr. Dean Apostoleris, representing the applicant is requesting approval to convert 6 existing parking stalls into 4 drive up/pick up parking stalls. A beacon sign is proposed to be installed near the parking stalls.

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.

EXTENSIONS:

- 15 Cottontail Lane

Mr. Fredricksen discussed the request for a 90 day extension for the application.

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

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

The extension was approved.

CORRESPONDENCE:

- Connecticut Federation of Planning and Zoning Agencies, Winter 2019

The correspondence was briefly discussed.

BONDS: None

CHANGE OF USE:

- 528 Washington Avenue

Ms. Cassie Fazzino of 252 Rimmon Road is requesting a change of use from office to a hair salon.

Mrs. Ranciato-Viele moved to approve the change of use; Mr. Penton 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.

- 117 Washington Avenue, Unit 21

Mrs. Nicole Deluca is requesting a change of use from retail to a smoothie and tea bar.

Mr. Penton moved to approve the change of use; Mr. Wilson 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:

- April 1, 2019

Mrs. Ranciato-Viele moved to approve the April 1, 2019 meeting minutes; 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 9:22 PM.