

APPROVED 2-3-20
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, January 6, 2020 at the North Haven Memorial Library, 17 Elm Street, in the Community Room, at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Richard E. Wilson, Vice-Chairman
Theresa Ranciato-Viele, Secretary
James J. Giulietti
Brian Cummings
Roderick Williams, Alternate
Paul J. Weymann, Alternate

MEMBERS ABSENT:

Joseph M. Solimene, Alternate

OTHERS PRESENT:

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

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:07 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 application #P19-37 has been postponed to the 3 February 2020 meeting.

PUBLIC HEARINGS:

1. #P19-37 Continuation of the Zone Change Application of Jarrett Rousseau, Applicant & Owner, relative to 8 & 10 Grasso Avenue, (Map 36, Lot 36 & Map 36, Lot 35). Plan Entitled: Existing Conditions Properties Located at #8 & 10 Grasso Avenue, North Haven, Connecticut. Prepared by: Criscuolo Engineering LLC. Dated: 4/16/2019. Scale: 1"=20'. R-20 Zoning District.

This application has been postponed to the February 3, 2020 meeting.

2. #P19-38 Application of Timothy J. Lee, Applicant, proposed Amendment to the North Haven Zoning Regulations to add Section 5.2.1.63 to permit retail store uses on Sackett Point Road between Route 5 and Universal Drive. The proposed amendment is on file in the Land Use Office and in the Office of the Town Clerk.

Attorney Timothy Lee with Fasano, Ippolito, Lee & Florentine, LLC in New Haven, presented this proposed amendment, being made on behalf of the owner of 370 Sackett Point Road, to permit the possibility of retail uses in General Industrial (IG-80) Districts on Sackett Point Road on properties located to the west of the railroad underpass. Mr. Lee discussed the permitted uses in the area and stated that if this amendment was approved, it would benefit many businesses. Mr. Giulietti discussed the present enforcement action for the furniture store on Sackett Point Road. Mr. Fredricksen explained the history of tenants at that location.

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

Mr. Lee asked that the Commission continue the application to next month's meeting to allow him to make revisions to his proposal.

Mr. Carlson asked for public comment.

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

3. #P19-39 Application of Timothy J. Lee, Applicant, proposed Amendment to the North Haven Zoning Regulations to amend Sections 5.1.3.16.1, 5.1.3.16.3, 5.1.3.16.13 and 4.4.1.38.3 to modify the requirements that permit ILUWMU and UWMU developments in IL-30 and CB-40 Zoning Districts. The proposed amendment is on file in the Land Use Office and in the Office of the Town Clerk.

Attorney Timothy Lee with Fasano, Ippolito, Lee & Florentine, LLC in New Haven, presented this proposed amendment intended to modify these Sections of the regulations that pertain to housing on the west side of Washington Avenue (ILUWMU Developments) by increasing the minimum lot area requirement from 120,000 to 200,000 square feet, increasing the total number of residential dwelling units that can be built in the eligible areas as well as on any one parcel from 150 to 225, and increasing the Affordable Housing requirements from 10% to 20% of all residential dwelling units. Additionally, this proposed amendment is intended to modify Section 4.4.1.38.3 of the regulations that pertains to housing on the east side of Washington Avenue (UWMU Developments) by reducing the total number of residential dwelling units that can be built in the eligible area from 300 to 213. This would include only the 125 units already constructed at 520 Washington Avenue (The Flats) and the 88 units approved but currently unconstructed at 404 Washington Avenue (Fantasia). Mr. Giulietti asked questions regarding parking and Mr. Lee responded.

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: None

DELIBERATION SESSION:

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

PUBLIC HEARINGS:

2. #P19-38 Application of Timothy J. Lee, Applicant, proposed Amendment to the North Haven Zoning Regulations to add Section 5.2.1.63 to permit retail store uses on Sackett Point Road between Route 5 and Universal Drive.

Mr. Giulietti moved to continue the application; Mr. Wilson seconded the motion. The Commission voted as follows:

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

The application was continued to the 3 February 2020 meeting.

3. #P19-39 Application of Timothy J. Lee, Applicant, proposed Amendment to the North Haven Zoning Regulations to amend Sections 5.1.3.16.1, 5.1.3.16.3, 5.1.3.16.13 and 4.4.1.38.3 to modify the requirements that permit ILUWMU and UWMU developments in IL-30 and CB-40 Zoning Districts.

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

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

The application was approved with appropriate conditions.

SITE PLANS: None

OTHER:

- #P17-22, 19 Timothy Drive

Mr. Michael Bennett, Land Surveyor, presented a drawing and explained the request for a waiver of sidewalks at the previously approved subdivision at 19 Timothy Drive. He presented photos of the property as Exhibit A.

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

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

- #P18-37, 224 Quinnipiac Avenue

1. Discussion of the status of the pending litigation in K Brothers, LLC v. Planning and Zoning Commission of Town of North Haven and potential settlement thereof based upon a proposed revised site plan, and possible action relating to same. A copy of the proposed revised site plan is on file at the Land Use Office located in the Town Hall Annex. Public comment will be permitted.
2. Consideration of whether to convene in executive session to discuss the status of pending litigation in K Brothers, LLC v. Planning and Zoning Commission of Town of North Haven and potential settlement thereof based upon a proposed revised site plan, and possible action relating to same. A copy of the proposed revised site plan is on file at the Land Use Office located in the Town Hall Annex.

Jennifer Coppola, Town Counsel, updated the Commission on the history of the application and stated that the applicant wishes to withdraw the request for a drive-thru service window.

Attorney Christopher J. Smith, of Alter & Pearson, LLC, stated that this is a request to approve a settlement which includes revising the site plan and withdrawing of the drive-thru service window.

Mr. James Rotondo, Professional Engineer of Godfrey, Hoffman and Hodge, LLC presented revised drawings and explained the revisions to the original plan. Changes include omitting the drive-thru, the number of curb cuts, extending pavement, and changes to the landscaping plan.

Jennifer Coppola stated that a public hearing notice will be produced and published for the February meeting.

EXTENSIONS:

- #P18-42, 365 Universal Drive

Mr. Fredricksen discussed the request for one (6) six month extension for the application.

Mr. Giulietti moved to approve the extension. Mr. Wilson seconded the motion.

The Commission voted as follows:

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

The extension was approved.

CORRESPONDENCE: None

BONDS:

- #P06-34, 85 Defco Park Road

Mr. J. Andrew Bevilacqua, Town Engineer presented the request for a bond release in the amount of \$20,000.00.

Mrs. Ranciato-Viele moved to release the bond; Mr. Wilson seconded the motion. The Commission voted as follows:

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

The bond release was approved.

CHANGE OF USE: None

MINUTES:

- December 2, 2019

Mrs. Ranciato-Viele moved to approve the December 2, 2019 meeting minutes; Mr. Cummings seconded the motion. The Commission voted as follows:

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

EXECUTIVE SESSION: None

ADJOURN:

There being no further business, Mr. Giulietti moved to adjourn; Mr. Wilson seconded the motion. The meeting was adjourned at 8:36 PM.