

APPROVED 10-4-21
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, September 13, 2021 via Zoom videoconference, 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
Pam Miller, Clerk

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:06 P.M. He introduced the Commissioners and town staff. Mr. Carlson then proceeded to ask the Land Use Administrator, Mr. Fredricksen if there were any changes to the agenda. Mr. Fredricksen asked the Commission to consider the addition of the bond release for 15 Cottontail Lane. Mr. Wilson moved to approve the addition of the bond release to the agenda; Mr. Cummings seconded the motion. The Commission voted as follows: Carlson – aye Wilson – aye Ranciato-Viele – aye Giulietti – aye Cummings – aye.

8-24 REFERRAL:

1. #P21-22 Application of the Town of North Haven for the sale of a 7,987 SF (0.18 acre) parcel located at the end of Mountain Brook Road.

J. Andrew Bevilacqua, Town Engineer presented the 8-24 referral request. Mr. Giulietti asked questions and Mr. Bevilacqua responded.

PUBLIC HEARINGS: None

SITE PLANS:

2. #P21-18 Site Plan Application of 144 Washington Avenue, LLC, Applicant & Owner, relative to 146 Washington Avenue, 5 Monroe Street, & 8 Blakeslee Avenue, (Map 73, Lot 34, Map 73, Lot 35 & Map 73, Lot 32). Plan Entitled: Land Development Plans Issued For Construction, Proposed Development, 146 Washington Ave (Route 5) North Haven, Connecticut. Prepared by: BL Companies. Dated: 07/07/2021, rev. 8/20/2021. Scale: 1"=20'. CB-20/R-12 Zoning Districts.

Attorney Dennis Ceneviva, with the Ceneviva Law Firm, presented the application to modify application #P21-10, approved by the Commission on 3 May 2021. He stated that the proposal is to modify the use of one of the two interior tenant spaces that would be changed from retail to a Jimmy John's Sandwich Shop. Mr. Ceneviva discussed parking calculations and answered questions from the Commission.

Ms. Suz King, Engineer with BL Companies, discussed the delivery of products from suppliers to the tenants.

3. #P21-19 Site Plan Application of John Zyrlis-Agent for Kerstine LLC, Applicant, Kerstine LLC, Owner, relative to 85 Sackett Point Road, (Map 37, Lot 126). Plan Entitled: Inland Wetlands & Planning and Zoning Applications for Warehouse – 2 – Development, 85 Sackett Point Road, North Haven, Connecticut. Prepared by: TPA Design Group. Dated: Revised July 26, 2021. Scale: 1"=20'. IL-80 & IG- 80 Zoning Districts.

Mr. John Zyrlis, Engineer with the TPA Design Group, presented the application to modify Application P19-18, approved by the Commission on 3 June 2019. Modifications include increasing the paved area to the rear of the building and on its east side to allow truck access to the rear overhead doors and truck turning on the east side. He explained changes to the drainage plan and answered questions from the Commission.

4. #P21-20 Site Plan Application of Chick-fil-A, Inc. & Bombino LLC, Applicants, Bombino LLC, Owner, relative to 560 Universal Drive North, (Map 21, Lot 10). Plan Entitled: Proposed Chick-fil-A Drive-Thru Improvements. Prepared by: Bohler. Dated: 08/20/2021. Scale: 1"=20'. IL-80 Zoning District.

Attorney Amy Souchuns, presented the application to modify Site Plan application #P15-20 approved by the Commission on 3 August 2015. She stated that modifications proposed include a canopy to cover the food pickup area, the addition of a cash station canopy/kiosk, and an expansion of the drive-thru lanes.

Mr. Joey Fonseca, with Bohler Engineering, presented the site plan and stated that the proposed changes are for the efficiency of the drive-thru. He discussed the project and the parking plan.

Ms. Sarah Gaudiano, with Chick-Fil-A, explained the schedules of the drive-thru staff.

The Commission asked questions and Ms. Souchuns and Mr. Fonseca responded.

The Commission elected to hear Applications #P21-21A and #P21-21 together.

5. #P21-21 Site Plan Application of Panera, LLC, Applicant, Cinemark USA, Inc., Owner, relative to 600 Universal Drive North, (Map 21, Lot 12). Plan Entitled: Land Development Plans for Proposed Restaurant Development Issued for Site Plan Approval, 600 Universal Drive North, North Haven, Connecticut. Prepared by: BL Companies. Dated: August 9, 2021. Scale: 1"=20'. IL-80 Zoning District.

6. #P21-21A CAM Application of Panera, LLC, Applicant, Cinemark USA, Inc., Owner, relative to 600 Universal Drive North, (Map 21, Lot 12). Plan Entitled: Land Development Plans for Proposed Restaurant Development Issued for Site Plan Approval, 600 Universal Drive North, North Haven, Connecticut. Prepared by: BL Companies. Dated: August 9, 2021. Scale: 1"=20'. IL-80 Zoning District.

Ms. Suz King, Engineer with BL Companies, presented the applications to reapprove the construction of a new, single story, Panera Restaurant on this 1.17 acre site, but with a footprint reduction of approximately 560 square feet to 3,812 square feet and with modifications to the drive-thru lanes. She presented the site plan, explained the proposed changes and discussed the parking calculations.

The Commission asked questions and Ms. King responded.

DELIBERATION SESSION:

8-24 REFERRAL:

1. #P21-22 Application of the Town of North Haven for the sale of a 7,987 SF (0.18 acre) parcel located at the end of Mountain Brook Road.

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

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

The application was approved.

PUBLIC HEARINGS:

- #P20-38S Special Permit Application of Timothy J. Lee, Applicant, The Slate School, Inc., Owner, relative to 5100 Ridge Road.

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

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

The application was denied.

SITE PLANS:

- #P20-38 Site Plan Application of Timothy J. Lee, Applicant, The Slate School, Inc., Owner, relative to 5100 Ridge Road.

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

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

The application was denied.

- 2. #P21-18 Site Plan Application of 144 Washington Avenue, LLC, Applicant & Owner, relative to 146 Washington Avenue.

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

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

The application was approved with appropriate conditions.

- 3. #P21-19 Site Plan Application of John Zyrlis-Agent for Kerstine LLC, Applicant, Kerstine LLC, Owner, relative to 85 Sackett Point Road.

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

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

The application was approved with appropriate conditions.

- 4. #P21-20 Site Plan Application of Chick-fil-A, Inc. & Bombino LLC, Applicants, Bombino LLC, Owner, relative to 560 Universal Drive North.

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

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

The application was approved with appropriate conditions.

5. #P21-21 Site Plan Application of Panera, LLC, Applicant, Cinemark USA, Inc., Owner, relative to 600 Universal Drive North.

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

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

The application was approved with appropriate conditions.

6. #P21-21A CAM Application of Panera, LLC, Applicant, Cinemark USA, Inc., Owner, relative to 600 Universal Drive North.

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

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

The application was approved with appropriate conditions.

OTHER:

- 37 Pond Hill Road, Lot Modification

Attorney John Parese, with Parrett, Porto, Parese, and Colwell of Hamden, representing property owners at 37 Pond Hill Road, updated the Commission on the previous approval and asked the Commission to continue the request to the 4 October 2021 meeting.

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

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

The request was continued to the 4 October 2021 meeting.

- 165 Washington Avenue, Tree Assessment

Mr. Fredricksen, Land Use Administrator, stated that since this agenda item is not represented, it should be continued to the 4 October 2021 meeting.

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

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

The request was continued to the 4 October 2021 meeting.

- 60 United Drive, Aces School EV Bus & Charger

Mr. Brendan Sharkey, representing Aces School, presented the request to allow the addition of an electric bus charging station.

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

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

The request was approved.

- Overview of recent legislation concerning zoning matters-Town Counsel

Mrs. Jennifer Coppola, Town Counsel discussed the recent legislation concerning zoning matters with the Commission.

EXTENSIONS: None

CORRESPONDENCE:

- ZEO Report
- Town of North Branford, Adjacent Text Amendment Application

The Correspondence was briefly discussed.

BONDS:

- #P06-25, 828 Thompson Street

Mr. J. Andrew Bevilacqua, Town Engineer presented the request for a bond release.

The bond release was continued to the 4 October 2021 meeting.

- #P01-09, 441-447 Washington Avenue

Mr. J. Andrew Bevilacqua, Town Engineer presented the request for a bond release in the amount of \$25,000.00.

Mr. Giulietti moved to release the bond; Mr. Cummings seconded the motion. The Commission voted as follows:

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

The bond release was approved.

- #P20-19, 15 Cottontail Lane

Mr. J. Andrew Bevilacqua, Town Engineer presented the request for a bond reduction in the amount of \$156,500.

Mr. Giulietti moved to partially 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.

CHANGES OF USE:

- 1899 Hartford Turnpike

Mr. Mark McKinley is requesting approval of the outdoor storage of two vehicles associated with his use.

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

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

The request was continued to the 4 October 2021 meeting.

- 8 Devine Street

Mr. Fredricksen, Land Use Administrator, stated that since this agenda item is not represented, it should be continued to the 4 October 2021 meeting.

Mr. Giulietti moved to continue the change of use; Mr. Cummings seconded the motion. The Commission voted as follows:

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

The change of use was continued to the 4 October 2021 meeting.

MINUTES:

- August 2, 2021

Mr. Cummings moved to approve the August 2, 2021 meeting minutes; Mr. Wilson seconded the motion. The Commission voted as follows:

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

- August 24, 2021

Mr. Cummings moved to approve the August 24, 2021 meeting minutes; Mr. Wilson seconded the motion. The Commission voted as follows:

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

ADJOURN:

There being no further business, Mrs. Ranciato-Viele moved to adjourn; Mr. Wilson seconded the motion. The meeting was adjourned at 11:40 PM.