

APPROVED 9-11-23
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, August 7, 2023 at the Mildred A. Wakeley Recreation Center, 7 Linsley Street, in Room #1, at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Paul Weymann, Vice Chairman
Theresa Ranciato-Viele, Secretary
James J. Giulietti
Roderick Williams, Alternate, sitting for Brian Cummings
Mark Parisi, Alternate

MEMBERS ABSENT:

Brian Cummings
John Troiano, Alternate

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
J. Andrew Bevilacqua, Town Engineer
Leslie Carney, Clerk
Sotonye Otunba-Payne, Stenographer

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:00 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 stated that there were none.

PUBLIC HEARINGS:

Mrs. Ranciato-Viele read the call for the first Public Hearing:

The Commission elected to hear Applications #P23-12S and #P23-12 together.

1. #P23-12S Special Permit Application (as authorized by Section 8.10.1) of Small Batch Cellars, LLC, Applicant, 37 Nettleton Avenue, LLC, Owner, relative to 37 Nettleton Avenue, (Map 11, Lot 56). Plan Entitled: Tasting Room Expansion, 37 Nettleton Ave., North Haven, CT. Prepared by: Godfrey Hoffman Hodge, LLC. Dated: 6-8-2023. Scale: 1"=40'. IL-30 Zoning District.

3. #P23-12 Site Plan Application of Small Batch Cellars, LLC, Applicant, 37 Nettleton Avenue, LLC, Owner, relative to 37 Nettleton Avenue, (Map 11, Lot 56). Plan Entitled: Tasting Room Expansion, 37 Nettleton Ave., North Haven, CT. Prepared by: Godfrey Hoffman Hodge, LLC. Dated: 6-8-2023. Scale: 1"=40'. IL-30 Zoning District.

Mr. Marcus Puttock, of Godfrey Hoffman Hodge, presented the application to permit the expansion of this winery and tasting room, including at grade patios and a rooftop patio offering entertainment. It is zoned industrial, but there are residences in the area. Regulations regarding noise ordinances were discussed.

The Commission asked questions and Mr. Puttock responded.

The Commission asked for any public comment:

1. Michael Sanzone-110 Flat Rock Road in Branford, spoke in support.
2. Gary Burcheski-50 Meadow Brook Road in North Haven, spoke in favor.
3. Mary White-67 Summer Lane in North Haven, spoke in opposition regarding concerns about noise and impact on the neighborhood.
4. Michael Gray-22 Nettleton Avenue, stated that the owners have been good neighbors and all is ok for now. He was unsure about the effects of the addition of the outdoor patio and entertainment noise.
5. Lana Ives-369 Mansfield Road, spoke in opposition regarding the increase in noise issues due to the outdoor rooftop patio.

The public hearing was closed.

The Commission elected to hear Applications #P23-15S and #P23-15 together.

2. #P23-15S Special Permit Application of The Slate School, Inc., Applicant & Owner, relative to 5100 Ridge Road, (Map 97, Lot 2). Plan Entitled: Proposed Parking Plan, 5100 Ridge Road, North Haven, Connecticut. Prepared by: SLR International Corporation. Dated: June 5, 2023. Scale: 1"=20'. R-40 Zoning District.
4. #P23-15 Site Plan Application of The Slate School Inc., Applicant & Owner, relative to 5100 Ridge Road, (Map 97, Lot 2). Plan Entitled: Proposed Parking Plan, 5100 Ridge Road, North Haven, Connecticut. Prepared by: SLR International Corporation. Dated: June 5, 2023. Scale: 1"=20. R-40 Zoning District.

Ms. Rana Bates, representing The Slate School presented the application to permit a change of use from a church to an auditorium, with no site modifications. The Commission asked questions and Ms. Bates responded.

The Commission asked for public comment:

1. Attorney Ken Votre from East Haven-representing neighbors at 5060 Ridge & 5200 Ridge Road, spoke in opposition to the applications. The applications are devoid of specificity. No traffic information provided. Concerned about impacts on neighborhood. Could be potentially dangerous to the neighborhood. A traffic study is needed. A full site plan is required for review. He submitted (7) photos, entered as Exhibit 1.
2. Ross Lanius & Mary Lanius-4200 Ridge Road, stated that they are longtime residents. They have traffic concerns. Requested to please continue to the next meeting for further discussion. A Federal Administrative Traffic Report entered as Exhibit 2.
3. Lana Clare Ives-369 Mansfield Road, spoke in opposition to these two applications. Property usage is somewhat vague and not a thorough plan. The property could be donated to the town for open space. She presented a GIS fragment map that was entered as Exhibit 3.
4. Sherman Katz-40 Sherwood Drive, stated that he is a longtime resident and it's up to the town to watch out for the people who live here. He feels strongly to table it or deny it until more detailed and solid information is submitted.
5. Mary White-67 Summer Lane, spoke in opposition to the applications due to inadequate parking & capacity issues. Applicant is currently running a commercial business in a residential zone without permission. Auditions and shows are currently taking place. Impacts to the neighborhood and noise problems. Asked to deny the applications.
6. Sylvia Mitchell-34 Fieldstone Court, stated that she hopes it will be continued due to the applications being unclear and vague.

Alan Fredricksen, Land Use Administrator, introduced an email letter that was received at 4:19 p.m. today from Albert Perrino of 5051 Ridge Road. It was entered as Exhibit 4.

7. Tom White-67 Summer Lane, stated that he feels like it should be denied and agrees with other residents. The proposed use doesn't belong in a residential neighborhood. Safety hazard.
8. Attorney John Parese of Porto, Parese and Colwell, referred to a letter from Gary deSimeone. It was confirmed that it was copied and included in the Commission member packets.
9. Calvin DeMarsiles-311 Hogan Road in Hamden, requested that a Cease & Desist order be issued against the property. Lives behind the property and he feels like the hours of operation could be quite long with potential parking and noise issues.

Alan Fredricksen addressed the Commission regarding the Cease & Desist request. He stated that it would be referred to the Zoning Enforcement Officer for a possible Notice of Violation.

Ms. Bates responded to the public and commission comments regarding the need for a more detailed site plan including a traffic study to be submitted in advance to allow time for it to be reviewed by the Commission and by the public.

There being no further public comment, the public hearing was continued to the 11 September 2023 meeting, to allow the applicant to respond to the Commission and also public concerns.

Ms. Bates granted the Commission an extension to act on the applications until the next meeting.

BREAK: 9:06 p.m. to 9:16 p.m.

DELIBERATION SESSION:

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

PUBLIC HEARINGS:

1. #P23-12S Special Permit Application (as authorized by Section 8.10.1) of Small Batch Cellars, LLC, Applicant, 37 Nettleton Avenue, LLC, Owner.

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

Carlson – aye Weymann – aye Ranciato-Viele – aye Giulietti – aye Williams – aye

The application was approved with appropriate conditions.

2. #P23-15S Special Permit Application of The Slate School, Inc., Applicant & Owner, relative to 5100 Ridge Road.

Mr. Giulietti moved to continue the application to the 11 September 2023 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Weymann – aye Ranciato-Viele – aye Giulietti – aye Williams – aye

SITE PLANS:

3. #P23-12 Site Plan Application of Small Batch Cellars, LLC, Applicant, 37 Nettleton Avenue, LLC, Owner, relative to 37 Nettleton Avenue.

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

Carlson – aye Weymann – aye Ranciato-Viele – aye Giulietti – aye Williams – aye

The application was approved with appropriate conditions.

4. #P23-15 Site Plan Application of The Slate School Inc., Applicant & Owner, relative to 5100 Ridge Road.

Mr. Giulietti moved to continue the application to the 11 September 2023 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Weymann – aye Ranciato-Viele – aye Giulietti – aye Williams – aye

OTHER:

- 290 Washington Avenue

Ms. Jeanne Lewis, of the North Haven Fair Association, presented the request to relocate two small structures due to safety reasons.

The Commission asked questions and Ms. Lewis responded.

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

Carlson – aye Weymann – aye Ranciato-Viele – aye Giulietti – aye Williams – aye

The request was approved.

EXTENSIONS: 92 State Street

Mr. Giulietti made a motion to approve the application; Mr. Williams seconded the motion. The Commission voted as follows:

Carlson – aye Weymann – aye Ranciato-Viele – aye Giulietti – aye Williams – aye

The request was approved.

CORRESPONDENCE:

- Town of Hamden application at 2980 State Street.
- Bloom Energy notification letter dated July 26, 2023-Medtronics

The Correspondence was briefly discussed.

BONDS: None

CHANGES OF USE:

1. 117 Washington Avenue

Ms. Sharon Kohary made the request for a change of use from restaurant to retail (florist).

Mrs. Ranciato-Viele made a motion to approve the request; Mr. Weymann seconded the motion. The Commission voted as follows:

Carlson – aye Weymann – aye Ranciato-Viele – aye Giuliatti – aye Williams – aye

The change of use was approved.

2. 344 Washington Avenue

Ms. Huda Khalid made the request for a change of use from a bakery to a restaurant.

Mr. Williams made a motion to approve the request; Mrs. Ranciato-Viele seconded the motion.

The Commission voted as follows:

Carlson – aye Weymann – aye Ranciato-Viele – aye Giuliatti – aye Williams – aye

The change of use was approved.

MINUTES:

- 10 July 2023

Ms. Ranciato-Viele moved to approve the July 10, 2023 meeting minutes; Mr. Giuliatti seconded the motion. The Commission voted as follows:

Carlson – aye Weymann – aye Ranciato-Viele – aye Giuliatti – aye Williams – aye

ADJOURN:

There being no further business, Mr. Giuliatti moved to adjourn; Mrs. Ranciato-Viele seconded the motion. The meeting was adjourned at 9:38 PM.