

**APPROVED 1-5-09**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, December 1, 2008 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

**MEMBERS PRESENT:**

James J. Giulietti, Vice Chairman  
Douglas E. Roberts, Secretary  
Vern E. Carlson  
Brian Cummings  
William D. O'Hare, Alternate  
John H. Vanacore, Alternate, sitting for Mr. Carlson on #P08-64S.  
Antoinetta A. Carmody, Alternate, sitting for Mr. Palumbo.

**MEMBERS ABSENT:**

Dominic M. Palumbo, Chairman

**OTHERS PRESENT:**

Alan A. Fredricksen, Land Use Administrator  
Jonathan Bodwell, Town Engineer  
Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Giulietti, Vice Chairman, called the meeting to order at 7:05 PM. He introduced the Commissioners, alternates, town staff and the clerk. Mr. Giulietti explained the procedures for the public hearing and asked Mr. Fredricksen, Land Use Administrator, if there were any changes to the agenda. Mr. Fredricksen stated that application #P08-69, 148R Washington Avenue, is postponed to the January 5, 2009 meeting.

**PUBLIC HEARING:**

Mr. Roberts read the call for the first public hearing.

Mr. Carlson recused himself and Mr. O'Hare sat for this application.

1. #P08-64S Special Permit Application/Certification of Location (as authorized by Sections 8.11.1) of Mike's Automotive Service, LLC, Applicant, and John Coassin, Owner, relative to 65 Quinnipiac Avenue, (Map 6, Lot 20). Plan Entitled: Plan Showing Property at 65 Quinnipiac Avenue, North Haven, Connecticut. Dated May 2001. Scale 1" = 30'. CB-20 Zoning District.

Attorney John Lambert presented the application to permit a Used Car Dealer's license for this 1.2 acre property. He stated that this is a permitted use for this area. He also stated that this site, in the past, has had this permitted use. The Zoning Board of Appeals Commission approved a Certificate of Location for a Used Car Dealer's license for this existing non-conforming site on September 16, 1999 and waived the public hearing for approvals of licenses on April 12, 1990, July 11, 1985 and September 13, 1984.

There are already three businesses on this site so Mr. Giuliatti is concerned with increased congestion from having used cars stored on this property. Mr. Monaco said that cars will not be stored only repaired. Mr. Giuliatti asked about towing and the storage of destroyed vehicles. Attorney Lambert stated that being able to tow is part of the repairer's license.

Mr. Monaco stated that in the future he may sign up to be on a towing list. Hours of operation will be Monday through Friday from 8:00 a.m. to 5:00 p.m. and Saturday, 8:00 a.m. to 12:00 noon.

Mr. Giuliatti asked for public comment.

Public comment:

- 1) Bob Weber, 11 St. John Street, spoke in favor of the application.
- 2) Michael Pomichter, 11 St. John Street, spoke in favor of the application.

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

Mr. Roberts read the call for the next public hearing.

2. #P08-67S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Cui Bin Dong, Applicant, Luciani Realty, Owner, relative to 117 Washington Avenue, (Map 73, Lot 9). Plan Entitled: Site Layout Plan. Prepared by TKG East Ltd, Dated June 20, 2008, rev. Aug. 4, 2008. Scale 1" = 40'. IL-30 Zoning District.

Ms. Cui Bin Dong, applicant, presented the application to permit a Certificate of Location for a liquor permit for the Jade City Restaurant. The restaurant will serve beer and wine only to seated patrons. The Zoning Board of Appeals granted a variance for a liquor permit, within zero feet of a school, on October 16, 2008.

Mr. Giuliatti asked for public comment.

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

3. #P08-68S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of New England Truck Master, Inc., Applicant, Bernhard Road Realty, LLC, Owner, relative to 16 Bernhard Road, (Map 3, Lot 3). Plan Entitled: Site Plan & CAM Plan, 16 Bernhard Road, North Haven, Connecticut. Prepared by Cascio Bechir Engineers, Dated January 19, 1995, Rev. 5/20/95. Scale 1" = 20'. IL-30 Zoning District.

Attorney Brian Lema presented the application to permit a Motor Vehicle Dealer's license for this property. The applicant will assemble and sell tow trucks only. Approximately 4 to 5 trucks will be on site at one time. Penske trucks only will be stored on this site to rent. The Zoning Board of Appeals approved a variance on October, 16, 2008 permitting a Certificate of Location for a Motor Vehicle Dealers license on a 66,986 square feet lot where 100,000 square feet is required. Some aesthetic improvements have been made to this site. Mr. Giulietti wants to make sure that no new or used motor vehicles will be stored or sold on this site. Mr. Chris Lambaise, owner, answered questions from the Commission.

Mr. Giulietti asked for public comment.

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

Mr. Carlson moved to close the public hearing session; Mr. Roberts seconded the motion. All were in favor.

#### **SITE PLANS:**

4. #P08-61 Site Plan Application of LTD Realty Associates, LLC, Owner and Applicant, relative to 319 Washington Avenue, (Map 85, Lot 4). Plan Entitled: Application of Louis Yaccarino, Jr., For Certificate of Approval For A Limited Repairer's License, Dated 2/8/08, rev. 7/31/08. Scale 1" = 20'. IL-30 Zoning District.

This application was presented last month and is ready for deliberation.

5. #P08-65 Site Plan Application of the Wright Stuff, LLC, Owner and Applicant, relative to 280 State Street, (Map 43, Lot 11). Plan Entitled: As-Built Site Plan for Wright Stuff, LLC, #280 State Street, North Haven, Connecticut. Prepared by Orsine Associates, LLC, Dated 07/01/08. Scale 1" = 20'. CB-40 Zoning District.

Mr. Gus Marchetti presented the application. Mr. Fredricksen, Land Use Administrator, clarified the modifications to be made to application #P03-39 that pertain to certain as-built modifications to the earlier site plan, that include a new entry portico, on the north side of building #280, an enclosed dumpster and the reconfiguration of parking spaces along Homewood Avenue. On November 15, 2007, the Zoning Board of Appeals Commission approved a variance for the portico (#08-17). The Commission asked a few more questions then the matter was closed.

6. #P08-69 Site Plan Application of Sylvia Dell'Oro, Owner and Applicant, relative to 148R Washington Avenue, (Map 73, Lot 34). Plan Entitled: Site Development Plan, For Change of Use Application, Dell'Oro Plaza, 144-148 Washington Avenue, North Haven, Connecticut 06473. Prepared by John Paul Garcia and Associates, Dated 9/2/08. Scale 1" = 20'. CB-20

Zoning District.

This application is postponed to the January 5, 2009 meeting.

**BREAK:** 8:23 – 8:30 PM

**DELIBERATION SESSION:**

1. #P08-64S Special Permit Application/Certification of Location (as authorized by Sections 8.11.1) of Mike's Automotive Service, LLC, Applicant, and John Coassin, Owner, relative to 65 Quinipiac Avenue.

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

Giulietti - aye Roberts - aye Cummings – aye Carmody – aye Vanacore – aye

The Commission gave the following reasons for denial:

1. This location is not suitable for this use.
2. The Commission is concerned with broken down vehicles being towed onto and stored on the site.
2. #P08-67S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Cui Bin Dong, Applicant, Luciani Realty, Owner, relative to 117 Washington Avenue.

Mr. Carlson moved to approve the application; Mrs. Carmody seconded the motion. The Commission voted as follows:

Giulietti - aye Roberts - aye Carlson– aye Cummings – aye Carmody – aye

3. #P08-68S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of New England Truck Master, Inc., Applicant, Bernhard Road Realty, LLC, Owner, relative to 16 Bernard Road.

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

Giulietti - aye Roberts - aye Carlson– aye Cummings – aye Carmody – aye

The Commission stated the following:

1. No new or used motor vehicles are to be stored, sold, or offered for sale on this site except for tow trucks and/or recovery vehicles related to the applicant's business.

4. #P08-61 Site Plan Application of LTD Realty Associates, LLC, Owner and Applicant, relative to 319 Washington Avenue.

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

Giulietti - aye Roberts - aye Carlson– aye Cummings – aye

The application was approved with conditions.

5. #P08-65 Site Plan Application of the Wright Stuff, LLC, Owner and Applicant, relative to 280 State Street.

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

Giulietti - aye Roberts - aye Carlson– aye Cummings – aye Carmody – aye

The application was approved with conditions.

**INFORMAL PRESENTATION:**

**OTHER:** None

**EXTENSIONS:**

#P08-12, 85 Defco Park Road

Mr. Roberts moved to approve two (2) six (6) month extensions; Mr. Carlson seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye Carmody - aye

#P07-14 & P07-14A, 125 - 133 Washington Avenue

Mr. Fredricksen stated that this application has no more extensions to be granted.

**BOND RELEASES & REDUCTIONS:**

#B2001-21, P2001-13

Mr. Carlson moved to release the bond for application #P2001-13, 1 Lincoln Street, in the amount of \$4,000.00; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye Carmody – aye

#B03-7, P02-41 & P02-41A

Mr. Carlson moved to release the bond for application #P02-41 & P02-41A, 41 Stiles Lane, in the amount of \$2,500.00; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye Carmody – aye

#P08-01 & P08-01A, 198 State Street

Mr. Carlson moved to release the bond for application #P08-01 & P08-01A, 198 State Street, in the amount of \$7,500.00; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye Carmody - aye

#P04-19, 319 Washington Avenue

Mr. Carlson moved to release the bond for application #P04-19, 319 Washington Avenue, in the amount of \$2,500.00; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye Carmody – aye

#### **CHANGE OF USE:**

117 Washington Avenue, Pizza Restaurant Expansion

Mr. Luciani, owner of 117 Washington Avenue, explained the expansion of the pizza restaurant to the Commission.

Mr. Carlson moved to approve the Change of Use for 117 Washington Avenue from retail to a restaurant; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye Carmody - aye

117 Washington Avenue, Physical Therapy

Dr. Loricco wants to relocate his physical therapy and chiropractic center to this site. Mr. Luciani, owner of 117 Washington Avenue, answered questions from the Commission.

Mr. Carlson moved to approve the Change of Use for 117 Washington Avenue from retail to a physical therapy center; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye Carmody - aye

**CORRESPONDENCE:** - Municipal Management Bulletin, November 7, 2008  
- FEMA letter dated November 14, 2008

**MINUTES:**

November 10, 2008

Mr. Carlson moved to approve the minutes of November 10, 2008; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

**ADJOURN:**

There being no further business, Mr. Carlson moved to adjourn; Mrs. Carmody seconded the motion. The meeting was adjourned at 9:03 PM.