

APPROVED 2-1-10
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, January 4, 2010 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

James J. Giulietti, Chairman
Theresa Ranciato-Viele, Vice Chairman
Brian R. Cummings, Secretary
Douglas E. Roberts
Vern E. Carlson
Edward M. Homa, Alternate
Richard E. Wilson, Alternate
Curtis Andrews, Sr., Alternate

MEMBERS ABSENT: None

OTHERS PRESENT:

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

AGENDA:

Mr. Giulietti, Chairman, opened the meeting at 7:00 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Mr. Giulietti then explained the procedure for the public hearing and asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that application #P09-37, 352 State Street is postponed to the February 1, 2010 meeting, and the applicant granted the Commission a 65 day extension for the application to be heard.

PUBLIC HEARINGS:

The Commission elected to hear applications #P10-01S, #P10-01 & #P10-01A together.

1. #P10-01S Special Permit Application (as authorized by Sections 5.2.1.53 & 5.2.1.55) of Simms Metal Management, LLC, Owner and Applicant, relative to 234 Universal Drive, (Map 6, Route 1). Plan Entitled: Metal Management Northeast, Inc., Metal Concentration Building, 234 Universal Drive, North Haven, Connecticut, 06473. Prepared by Salient Architects, Dated December 8, 2009. Scale 1" = 60'. IG-80 Zoning District.

3. #P10-01 Site Plan Application of Simms Metal Management, LLC, Owner and Applicant, relative to 234 Universal Drive, (Map 6, Route 1). Plan Entitled: Metal Management Northeast, Inc., Metal Concentration Building, 234 Universal Drive, North Haven, Connecticut, 06473. Prepared by Salient Architects, Dated December 8, 2009. Scale 1" = 60'. IG-80 Zoning District.
4. #P10-01A CAM Application of Simms Metal Management, LLC, Owner and Applicant, relative to 234 Universal Drive, (Map 6, Route 1). Plan Entitled: Metal Management Northeast, Inc., Metal Concentration Building, 234 Universal Drive, North Haven, Connecticut, 06473. Prepared by Salient Architects, Dated December 8, 2009. Scale 1" = 60'. IG-80 Zoning District.

Attorney Marjorie Shansky presented the application to permit the construction of a new 7,500 square feet metal concentration building located in the middle of the site. The site falls within the CAM Boundary, requiring the need for the CAM application.

Mr. Barry Hammons, surveyor and engineer, further described the site and location of the proposed building. Mr. Peter Hauerstein, architect, described the proposed 75' x 100' x 50' high building. Mr. Brian Sackett, Simms Project Director, described the new building as a metal separator and explained how the metal separating process works. The Commission asked a few questions and Mr. Sackett responded.

There being no further questions, nor any public comment, the Public Hearing was closed.

SITE PLANS:

2. #P09-37 Site Plan Application of L&M Realty, LLC, Owner and Applicant, relative to 352 State Street (Map 34, Lot 103). Plan Entitled: As Built Gal-Mar Academy, 352 Sate Street, North Haven, Connecticut, Prepared by Winterbourne Land Services. Dated December 7, 1994, rev. 8/11/09. Scale 1" = 30'. CB-40/R-20 Zoning Districts.

This application has been postponed to the February 1, 2010 meeting, at the request of the applicant.

DELIBERATION SESSION:

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

PUBLIC HEARINGS:

1. #P10-01 Special Permit Application (as authorized by Sections 5.2.1.53 & 5.2.1.55) of Simms Metal Management, LLC, Owner and Applicant, relative to 234 Universal Drive.

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

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

SITE PLANS:

3. #P10-01 Site Plan Application of Simms Metal Management, LLC, Owner and Applicant, relative to 234 Universal Drive.

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

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

The application was approved with the appropriate conditions.

4. #P10-01A CAM Application of Simms Metal Management, LLC, Owner and Applicant, relative to 234 Universal Drive.

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

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

OTHER: None

INFORMAL PRESENTATION: None

EXTENSIONS: None

BOND RELEASES & REDUCTIONS:

#P05-22, 511 Quinnipiac Avenue

Mr. Carlson moved to release the entire bond for application #P05-22, 511 Quinnipiac Avenue, in the amount of \$5,000.00; Mr. Cummings seconded the motion. The Commission voted as follows:

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

#P95-12, 5 St. John Street

Mr. Carlson moved to release the entire bond for application #P95-12, St. John Street, in the amount of \$2,500.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

#P06-61, 11 Peck Street

Mr. Cummings moved to release the entire bond for application #P06-61, 11 Peck Street, in the amount of \$25,000.00; Mr. Carlson seconded the motion. The Commission voted as follows:

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

#P08-45, 36 Nettleton Avenue

Mrs. Ranciato-Viele moved to release the entire bond for application #P08-45, 36 Nettleton Avenue, in the amount of \$7,500.00; Mr. Roberts seconded the motion. The Commission voted as follows:

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

#P03-48, 295 Mill Road

Mr. Carlson moved to release the entire bond for application #P03-48, 295 Mill Road, in the amount of \$150,000.00; Mr. Cummings seconded the motion. The Commission voted as follows:

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

#P08-37, 117 Washington Avenue

Mr. Carlson moved to waive the as-built requirement and release the entire bond in the amount of \$8,000.00 for application #P08-37, 117 Washington Avenue; Mr. Roberts seconded the motion. The Commission voted as follows:

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

CHANGE OF USE:

41 Middletown Avenue – The application for the Change of Use was withdrawn by the applicant.

- CORRESPONDENCE:**
- CT DEP Notice of Tentative Determination
 - CT Federation of Planning & Zoning Agencies
 - Outdoor Wood Furnaces Press Release from CT Attorney General

Mr. Fredricksen reviewed the correspondence with the Commission. First Selectman, Michael Freda, further discussed the Outdoor Wood Furnace issue with the Commission.

MINUTES:

December 7, 2009

Mr. Carlson moved to approve the minutes of the December 7, 2009 meeting; Mr. Roberts seconded the motion. The Commission voted as follows:

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

Mr. Cummings addressed his issue with the lack of snow removal, from sidewalks in the center of town, creating safety concerns. Mr. Fredricksen, Land Use Administrator, stated this is an ordinance which is a police matter.

ADJOURN:

There being no further business, Mr. Roberts moved to adjourn; Mrs. Ranciato-Viele seconded the motion. The meeting was adjourned at 7:55 PM.