

APPROVED 8/2/10
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, July 12, 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 and asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that application #P10-05 & #P10-05A, 441 Sackett Point Road, are postponed to the August 2, 2010 meeting.

AGENDA

PUBLIC HEARINGS:

Mr. Cummings read the call for the first Public Hearing:

The Commission elected to hear applications P10-06S, P10-06 & P10-06A together.

1. #P10-06S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of 110 Republic Drive Associates, LLC, Owner and Applicant, relative to 100-120 Republic Drive, (Map 35, Lot 12). Plan Entitled: Site Development Plan – Improvement Location Survey, Property of 110 Republic Drive Associates, LLC, Prepared by Godfrey-Hoffman Associates, LLC, Dated 4/8/10. Scale 1” = 40’. IG-80 Zoning District.

5. #P10-06 Site Plan Application of 110 Republic Drive Associates, LLC, Owner and Applicant, relative to 100-120 Republic Drive, (Map 35, Lot 12). Plan Entitled: Site Development Plan – Improvement Location Survey, Property of 110 Republic Drive Associates, LLC, Prepared by Godfrey-Hoffman Associates, LLC, Dated 4/8/10. Scale 1” = 40’. IG-80 Zoning District.
6. #P10-06A CAM Application of 110 Republic Drive Associates, LLC, Owner and Applicant, relative to 100-120 Republic Drive, (Map 35, Lot 12). Plan Entitled: Site Development Plan – Improvement Location Survey, Property of 110 Republic Drive Associates, LLC, Prepared by Godfrey-Hoffman Associates, LLC, Dated 4/8/10. Scale 1” = 40’. IG-80 Zoning District.

Attorney James Perito presented the application to permit the change of use of 7,285 square feet of warehouse space to assembly of pre-manufactured cars. The Special Permit application is necessary for an Automotive Dealers License to sell these cars. The CAM application is in accordance with Section 10.2 of the regulations. A positive Site Plan Referral was granted by the Inland Wetlands Commission on April 28, 2010.

Attorney Perito reviewed the town’s comments with the Commission. The Commission asked questions and Attorney Perito and Mr. Jay Lenke, owner of Vintage Sports, responded. Mr. Fredricksen, Land Use Administrator asked about outdoor storage. Attorney Perito stated he would delineate storage on the site plan and also show where dumpster pads would be located. Mr. Rich Cuomo, building owner, also responded to the Commission’s questions.

Mr. Giulietti asked for public comment.

There being no public comment, the Public Hearing was closed.

Mr. Cummings read the call for the second Public Hearing.

Mr. Giulietti recused himself and Mr. Homa sat for this application.

2. #P10-11S Special Permit Application/Certificate of Location (as authorized by Section 8.10.4.1) of Dalton Velez, Owner and Applicant, relative to 28-30 Broadway, (Map 66, Lot 99). Plan Entitled: Ludal’s, 28 Broadway, North Haven, CT. Dated 6-2-10. CA-20 Zoning District.

Mr. Ray Ragaini, Connecticut Liquor Permit Consultant, presented the application to permit the expansion of Ludal's Restaurant into the space currently occupied by Scotty's Restaurant. The application requires expanding the liquor permit. There is no site work being proposed. The Commission asked questions and Mr. Ragaini responded.

Mrs. Ranciato-Viele asked for public comment.

There being no public comment, the Public Hearing was closed.

SITE PLANS:

3. #P10-05 Site Plan Application of William H. Rich, Owner and Applicant, relative to 441 Sackett Point Road (Map 35, Lot 21). Plan Entitled: Proposed Praxair Acetylene Tanker Deluge System, Prepared by DTC, Dated 4/7/10. Scale 1" = 80'. IG-80 Zoning District.

This application is postponed to the August 2, 2010 meeting.

4. #P10-05A CAM Application of William H. Rich, Owner and Applicant, relative to 441 Sackett Point Road (Map 35, Lot 21). Plan Entitled: Proposed Praxair Acetylene Tanker Deluge System, Prepared by DTC, Dated 4/7/10. Scale 1" = 80'. IG-80 Zoning District.

This application is postponed to the August 2, 2010 meeting.

The Commission elected to hear applications P10-10 & P10-10A together.

7. #P10-10 Site Plan Application of Locust Realty Associates, LLC, Owner and Applicant, relative to 48 Giles Avenue, (Map 28, Lot 13). Plan Entitled: Land Development Plans for North Haven Planning and Zoning Commission/Coastal Area Management Submission, Prepared by BL Companies, dated May 24, 2010. Scale 1" = 40. IG-80 Zoning District.
8. #P10-10A CAM Application of Locust Realty Associates, LLC, Owner and Applicant, relative to 48 Giles Avenue, (Map 28, Lot 13). Plan Entitled: Land Development Plans for North Haven Planning and Zoning Commission/Coastal Area Management Submission, Prepared by BL Companies, dated May 24, 2010. Scale 1" = 40. IG-80 Zoning District.

Attorney Michael Brandi with Cohen & Acampora presented the application to permit the construction of a new 16,000 square feet, single story, trucking terminal. Front and rear yard variances for this property were approved by the Zoning Board of Appeals. Mr. Stan Novak, Engineer with BL Companies, described the site and the proposed landscaping, drainage and erosion plans. The Commission asked questions and Attorney Brandi, Attorney Acampora and Mr. Novak responded.

DELIBERATION SESSION:

Mr. Roberts moved to go into deliberations; Mr. Cummings seconded the motion. All were in favor.

1. #P10-06S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of 110 Republic 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

The application was approved with appropriate conditions.

2. #P10-11S Special Permit Application/Certificate of Location (as authorized by Section 8.10.4.1) of Dalton Velez, Owner and Applicant, relative to 28-30 Broadway.

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

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

The application was approved.

5. #P10-06 Site Plan Application of 110 Republic Drive Associates, LLC, Owner and Applicant, relative to 100-120 Republic Drive.

Mr. Roberts moved to approve the application and waive the sidewalks. 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 appropriate conditions.

6. #P10-06A CAM Application of 110 Republic Drive Associates, LLC, Owner and Applicant, relative to 100-120 Republic 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

The application was approved.

7. #P10-10 Site Plan Application of Locust Realty Associates, LLC, Owner and Applicant, relative to 48 Giles Avenue.

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

The application was approved with appropriate conditions.

8. #P10-10A CAM Application of Locust Realty Associates, LLC, Owner and Applicant, relative to 48 Giles Avenue.

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

The application was approved.

OTHER:

272 Maple Avenue, Dumpster enclosure

Mr. Babu Moore stated that he would like to enclose a rear dumpster on his site with 6' high concrete blocks.

Mr. Cummings moved to approve the proposed 6' dumpster enclosure at 272 Maple Avenue; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

The proposal was approved.

320 Middletown Avenue, Pond View Estates, Sidewalk waiver

Mr. Rick Vizziello of Woodmere Developers, LLC spoke regarding a \$50,000.00 bond he would like released to further install the sidewalks. Mr. John Nerkowski of the Pond View Estates Association is requesting a sidewalk waiver on the southerly entrance along the guardrail.

Mr. Carlson moved to waive the sidewalks on the southerly entrance along Middletown Avenue only; Mr. Roberts seconded the motion. The Commission voted as follows:

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

The partial waiver was granted.

528 Washington Avenue, Proposed cooler

Mr. Antonio Occhibove, owner of Antonio's Pizza is requesting a temporary outdoor cooler with 10' arborvitaes and a fence to serve as a buffer.

Mr. Roberts moved to approve the proposed cooler with the condition it be added to the original site plan; Mr. Cummings seconded the motion. The Commission voted as follows:

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

The proposal was approved.

BREAK: 8:45 – 8:55 PM

EXTENSIONS: None

BOND RELEASES & REDUCTIONS:

#P05-58, 190 Montowese Avenue

Mr. Carlson moved to deny the reduction of the bond for application #P05-58, 190 Montowese Avenue; Mrs. Ranciatio-Viele seconded the motion. The Commission voted as follows:

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

#P05-85, 20, 23, 27, 30, 35, 36 & 40 Del Avenue

Mr. Carlson moved to deny the reduction of bond for application #P05-85, 20, 23, 27, 30, 35, 36 & 40 Del Avenue; Mr. Cummings seconded the motion. The Commission voted as follows:

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

#P07-24, 40 Half Mile Road

Mr. Cummings moved to reduce the bond for application #P07-24, 40 Half Mile Road, from \$150,000.00 to \$5,000.00; Mr. Roberts seconded the motion. The Commission voted as follows:

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

#P91-66, Universal Drive

Mrs. Ranciato-Viele moved to release the entire bond for application #P91-66, Universal Drive, in the amount of \$5,000.00; Mr. Roberts seconded the motion. The Commission voted as follows:

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

#P04-42, 326 R. Bassett Road

Mr. Cummings moved to release the entire bond for application #P04-42, 326 R. Bassett Road, in the amount of \$2,500.00; Mrs. Rancio-Viele seconded the motion. The Commission voted as follows:

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

#P88-58, Cloudland Road – Mark’s Farm

Mrs. Rancio-Viele moved to release the entire bond for application #P88-58, Cloudland Road, in the amount of \$10,000.00; Mr. Carlson seconded the motion. The Commission voted as follows:

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

#P06-49B, 55 Mill Road

Mrs. Rancio-Viele moved to release the entire bond for application #P06-49B, 55 Mill Road, in the amount of \$50,000.00; Mr. Cummings seconded the motion. The Commission voted as follows:

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

CHANGE OF USE: None

CORRESPONDENCE: -2011 Meeting Dates

-QVHD letter, 68 Coventry Circle

-DEP, State Parks and Public Outreach Division

Mr. Fredricksen reviewed the correspondence with the Commission.

Mr. Roberts moved to approve the 2011 Meeting Dates; Mrs. Rancio-Viele seconded the motion. All were in favor.

MINUTES:

June 7, 2010

Mr. Roberts moved to approve the minutes of the June 7, 2010 meeting; Mr. Cummings seconded the motion. The Commission voted as follows:

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

ADJOURN:

There being no further business, Mr. Roberts moved to adjourn; Mrs. Rancio-Viele seconded the motion. The meeting was adjourned at 9:58 PM.