

**APPROVED 10-3-11**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Thursday, September 8, 2011 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  
Curtis Andrews, Sr., Alternate  
Edward M. Homa, Alternate

**MEMBERS ABSENT:**

Richard E. Wilson, Alternate

**OTHERS PRESENT:**

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

**AGENDA:**

Mr. Giulietti, Chairman, opened the meeting at 7:10 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Then he explained the procedure for the Public Hearing.

**PUBLIC HEARING:**

Mr. Cummings read into the record the following items:

1. Discussion of the status of the pending litigation and proposed Motion to Approve Settlement in CMB Capital Appreciation LLC v. Town of North Haven Planning and Zoning Commission, and possible action relating to same. A copy of the proposed Motion To Approve Settlement is on file at the Town Clerk's Office.
2. Consideration of whether to convene in executive session to discuss the status of pending litigation and proposed Motion to Approve Settlement in CMB Capital Appreciation LLC v. Town of North Haven Planning and Zoning Commission. A copy of the proposed Motion To Approve Settlement is on file at the Town Clerk's Office.

Mr. Giulietti gave a brief history of the CMB Capital Appreciation, LLC matter and of the proposed settlement agreement. Then he asked for public comment.

Public comment:

1. Mary White, 67 Summer Lane, stated that she would be in favor of detached, single family, first story living (1,400 square feet) homes geared towards retirees, seniors and empty nesters. She explained that there is a need for elderly housing in North Haven and feels the development should have a resort feeling with reasonable pricing and quality amenities. She thanked the Commission for all their hard work and time regarding this matter.
2. Dita Vareta, 13 North East Drive, East Haven, has concerns with increased traffic, drainage and blasting. She would like to see a blasting plan and have a Blasting Effects Study available to the public. She would also like inspections done before and after blasting. She stated that the neighbors should be informed before blasting occurs.
3. Paulette Licht, 212 Half Mile Road, East Haven, read a letter from Diantha Thorpe, a resident of North Haven, explaining Ms. Thorpe's concerns with the project and the impact it will have on this area of town. Ms. Licht asked about blasting, utilities, repairing of Half Mile Road and if Benedict Road would be an emergency access road only. She feels a single family, cluster development would be more appealing.
4. Frank Maher, 25 Warner Road, asked about the Benedict Road access and if East Haven is a party to this settlement.
5. Helen Less, 83 Half Mile Road, has concerns with blasting and the hazardous condition of Half Mile Road. She asked for a project completion date and if Benhaven was going to give the developer more land. She also has concerns with increased acreage leading to future development.
6. Paul Rueger, 33 Warner Road, has safety concerns with blasting and would like the project to include public water.
7. Joseph Demartino, 10 Papa Lane, has concerns with construction traffic and suggested using Middletown Avenue and Quinnipiac Avenue for access to the site.
8. Charles DeMartino, 27 Benedict Drive, spoke in favor of the proposed settlement.
9. Mike Cristoforo, 23 Morning Mist Drive, spoke in favor of the proposed settlement.
10. Fred DelVecchio, 176 Townsend Terrace, New Haven, spoke in favor of elderly housing.
11. Michael Lonardo, 254 Half Mile Road, East Haven, has concerns with drainage and the lack of storm sewers on Half Mile Road.
12. Dan Ham, 17 Monroe Street, spoke in favor of the proposed settlement.
13. Chris Pastore, 133 Half Mile Road, spoke in favor of the proposed settlement.
14. Bill Carbone, 11 Hamilton Court, spoke regarding affordable housing and the number of units.

Attorney Neil Marcus responded to the public comment.

Attorney Jennifer Coppola suggested that the Commission enter into Executive Session to further discuss this matter.

Mrs. Ranciato-Viele moved to go into Executive Session at 8:25 PM; Mr. Cummings seconded the motion. The Commission invited Attorney Jennifer Coppola, Town Attorney, Mr. Jonathan Bodwell, Town Engineer, and Mr. Alan Fredricksen, Land Use Administrator, into Executive Session. The Commission voted as follows:

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

Mr. Carlson moved to go out of Executive Session at 8:40 PM; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

**DELIBERATION SESSION:**

**PUBLIC HEARING:**

Mrs. Ranciato-Viele moved to approve the proposed settlement agreement and to authorize Attorney Jennifer Coppola and Mr. James Giulietti, Planning & Zoning Chairman, to execute the settlement agreement; Mr. Cummings seconded the motion. The Commission voted as follows:

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

**ADJOURN:**

There being no further business, Mr. Carlson moved to adjourn; Mr. Roberts seconded the motion. The meeting was adjourned at 8:41 PM.