

APPROVED 2-6-12
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, January 9, 2012 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Douglas E. Roberts, Vice Chairman
Curtis D. Andrews, Sr., Secretary
James J. Giuliatti
Theresa Ranciato-Viele

MEMBERS ABSENT:

Edward M. Homa, Alternate
Richard E. Wilson, Alternate

OTHERS PRESENT:

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

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:01 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Then he asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that applications #1 through #6 will be heard at the February 6, 2012 meeting.

EXECUTIVE SESSION:

1. Discuss the status of the pending litigation and proposed settlement in Spring Road Development, LLC, et al. v. Town of North Haven Planning & Zoning Commission, and possible action relating to same.
2. Consider whether to convene in executive session to discuss the status of pending litigation and proposed settlement in Spring Road Development, LLC, et al. v. Town of North Haven Planning and Zoning Commission.

Attorney Jennifer Coppola of Ciulla & Donofrio suggested that the Commission enter into Executive Session to further discuss a settlement agreement for the above pending litigation.

Mr. Roberts moved to go into Executive Session at 7:05 PM; Mr. Andrews seconded the motion. The Commission invited Attorney Jennifer Coppola, Town Attorney, Mr. Alan Fredricksen, Land Use Administrator, and Mr. Jonathan Bodwell, Town Engineer, into Executive Session. The Commission voted as follows:

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

Mr. Roberts moved to go out of Executive Session at 7:40 PM; Mr. Andrews seconded the motion. The Commission voted as follows:

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

PUBLIC HEARINGS:

1. #P11-31 Continuation of the Resubdivision Application of Bernard Pellegrino, Applicant, Claudio & Emilio Arduini and Lorenzo & Luciano Coletta, Owners, for 6 (six) lots relative to 19 & 51 Patten Road, (Map 56, Lots 20 & 21). Plan Entitled: Property Topographic Survey, Property of Claudio & Emilio Arduini and Lorenzo & Luciano Coletta, 19 & 51 Patten Road – North Haven, Connecticut. Prepared by Godfrey Hoffman Associates, LLC. Dated 12-21-10, rev. 09/14/11. Scale 1” = 50’. R-40 Zoning District.

This application is continued to the February 6, 2012 meeting.

2. #P11-33S Continuation of the Special Permit Application (as authorized by Section 3.1.1.2) of Quinnipiac University, Owner and Applicant, relative to 370 Bassett Road, (Map 91, Lot 22). Plan Entitled: Quinnipiac University, North Haven Campus, North Haven, Connecticut – Health Professions Center. Prepared by Nathan L. Jacobson & Associates, Inc. Dated October 24, 2011. Scale 1” = 30’. LO Zoning District.

This application is continued to the February 6, 2012 meeting.

3. #P11-34S Special Permit Application (as authorized by Section 4.4.1.38) of ARC of Meriden-Wallingford, Inc., Applicant, Lawrence M. Biller, Associates, Owner, relative to 154 State Street (Map 58, Lot 101). Plan Entitled: Site Plan & Coastal Area Management Plan, Proposed Office Building, State Street, North Haven, Connecticut. Prepared by Cascio, Bechir & Associates, Inc., Dated 7/22/85. Scale 1” = 20’. CB-40 Zoning District.

This application is postponed to the February 6, 2012 meeting.

4. #P11-35S Special Permit Location/Certificate of Location (as authorized by Section 8.10.1), of Samuel E. Gardner, Architect, Applicant, Broadway Medical Assoc., Inc., Owner, relative to 2 Broadway, (Map 67, Lot 19). Plan Entitled: Bellini’s Italian Cuizine & Pizza Restaurant, 2 Broadway Plaza, North Haven, CT. Prepared by Gregg Wies & Gardner Architects. Dated July 5, 2011, rev. November 8, 2011. No Scale. CA-20 Zoning District.

This application is postponed to the February 6, 2012 meeting.

SITE PLANS:

5. #P11-33 Continuation of the Site Plan Permit Application of Quinnipiac University, Owner and Applicant, relative to 370 Bassett Road, (Map 91, Lot 22). Plan Entitled: Quinnipiac University, North Haven Campus, North Haven, Connecticut – Health Professions Center. Prepared by Nathan L. Jacobson & Associates, Inc. Dated October 24, 2011. Scale 1" = 30'. LO Zoning District.

This application is continued to the February 6, 2012 meeting.

6. #P11-34 Site Plan Application of ARC of Meriden-Wallingford, Inc., Applicant, Lawrence M. Biller, Associates, Owner, relative To 154 State Street (Map 58, Lot 101). Plan Entitled: Proposed Office Building, State Street, North Haven, Connecticut. Prepared by Cascio, Bechir & Associates, Inc., Dated 7/22/85. Scale 1" = 20'. CB-40 Zoning District.

This application is postponed to the February 6, 2012 meeting.

7. #P11-36 Site Plan Application of LN56 Associates, LLC, Owner and Applicant, relative to 39 State Street, (Map 66, Lot 27). Plan Entitled: Property Located at #39 State Street, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC. Dated 9/17/2011, rev. 12/5/11. Scale 1" = 20'. IL-30 Zoning District.

Mr. Giulietti recused himself from this application.

Mr. Bob Criscuolo of Criscuolo Engineering presented the application to permit the construction of an approximately 643 square feet addition to the south side of this existing structure which was constructed in 1758. The addition is proposed to enlarge the florist use, not the existing non-conforming residence above. The Zoning Board of Appeals granted a front yard variance, driveway width variance, a driveway turning radius variance, and approval to enlarge this existing non-conforming structure on an existing non-conforming lot. Also, a Permit to Conduct Regulated Activity and a Positive Site Plan Referral was granted by the Inland Wetlands Commission. The Commission asked questions and Mr. Criscuolo responded.

8. #P11-337 Site Plan Application of Criscuolo Engineering, P.E., L.S., Sovran Acquisition, L.P., Owner and Applicant, relative to 30 Stillman Road, (Map 66, Lot 93). Plan Entitled: Property Located at #30 Stillman Road, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC. Dated 8/19/11, rev. 12/5/11. Scale 1" = 60'. IL-80 Zoning District.

Mr. Bob Criscuolo of Criscuolo Engineering presented the application to permit the construction of a new 75' x 200' two-story self-storage building in the relative center of this existing facility. A Permit to Conduct Regulated Activity and a Positive Site Plan Referral was granted by the Inland Wetlands Commission on November 30, 2011. The Commission asked questions and Mr. Criscuolo and Mr. Pasternak, Construction Manager for Sovran Acquisition, L.P., responded.

The Commission elected to hear applications #P11-38 and #P11-38A together.

9. #P11-38 Site Plan Application of Wilbert Vault, Ray Popsie, Applicant, Branco, Inc., Owner, relative to 222 Universal Drive, (Map 6, Lot 2). Plan Entitled: Property Map, Land Now or Formerly Branco, Inc., 222 Universal Drive, North Haven, Connecticut, Prepared by Decarlo & Doll, Inc. Dated June 21, 1996. Scale 1" = 40'. IG-80 Zoning District.
10. #P11-38A CAM Application of Wilbert Vault, Ray Popsie, Applicant, Branco, Inc., Owner, relative to 222 Universal Drive, (Map 6, Lot 2). Plan Entitled: Property Map, Land Now or Formerly Branco, Inc., 222 Universal Drive, North Haven, Connecticut, Prepared by Decarlo & Doll, Inc. Dated June 21, 1996. Scale 1" = 40'. IG-80 Zoning District.

Mr. Chris Gagnon, P.E. of Godfrey-Hoffman presented the application to permit the use of an area approximately 22' x 150' on the northern portion of the rear of this existing building for outdoor storage and the line-stripping of 3 additional parking stalls. The Commission asked questions and Mr. Gagnon responded.

11. #P11-39 Site Plan Application of North Haven Fair Association, Owner and Applicant, relative to 290 Washington Avenue, (Map 80, Lot 13). Plan Entitled: Properties Located At Washington Avenue & Fairlawn Drive – Prepared for North Haven Fairgrounds Association: Sheets 1 of 6 Through 5 of 5, Prepared by Criscuolo Engineering, LLC. Dated 11/14/11, rev. 12/7/11. Scale 1" = 100'. R-12/CB-40 Zoning Districts.

Mr. Bob Criscuolo of Criscuolo Engineering presented the application to permit the reconstruction of two approximately 36' x 96' exhibition buildings, Building #4 and Building #9, in approximately their former locations, and the reconstruction of Building #10, formerly approximately 36' x 132' and currently reconstructed 36' x 140'. The applicant is also requesting a waiver of the required sidewalks. The Commission asked questions and Mr. Criscuolo responded.

12. #P11-40 Site Plan Application of Colvest/North Haven, LLC, Owner and Applicant, relative to 162-176 Washington Avenue, (Map 73, Lot 25). Plan Entitled: Site plan, Proposed Drive-thru Window, Prepared by MBA Engineering, Inc. Dated December 8, 2011. Scale 1" = 20'. CB-40 Zoning District.

Mr. Peter La Pointe of the Colvest Group submitted responses to comments from Town staff and presented the application to permit the removal of an approximately 20' wide by 90' long portion of this existing retail structure to accommodate the addition of a drive-thru service window for the existing Starbucks Coffee Shop. The Commission and Mr. Fredricksen, Land Use Administrator, asked questions and Mr. La Pointe and Mr. Bart Bovee, P.E. responded.

OTHER:

1. Mary White, 67 Summer Lane, submitted information regarding the Summerwind Development.

Bee Regulation

Public Comment:

1. Ann Ruocco, 23 Ansonia Drive, feels the town needs a stronger regulation for bees and asked how will the town make sure they pay taxes.
2. Rico Gattilia, 3 School Lane, is opposed to changing the Bee Regulation.

Mr. Giulietti moved to not modify the Bee Regulation at this time; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

432 Washington Avenue – Modifications

Mr. Richard Borer, President of Easter Seals, and Mr. Joe Galasso presented the site plan modifications for; an entry portico, additional lighting, a small shed, a gazebo and a landscaped fence around a heating and cooling unit.

Mr. Giulietti moved to approve the site plan modifications; Mr. Andrews seconded the motion. The Commission voted as follows:

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

BREAK: 8:50 – 9:00 PM

CEASE & DESIST ORDERS:

Mr. Alan Fredricksen, Land Use Administrator, outlined current zoning violations with the Commission.

480 Valley Service Road – violation of the Site Plan Approval Requirement

Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on January 3, 2012.

DELIBERATION SESSION:

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

PUBLIC HEARINGS:

7. #P11-36 Site Plan Application of LN56 Associates, LLC, Owner and Applicant, relative to 39 State Street.

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

Carlson – aye Roberts – aye Andrews – aye Ranciato-Viele – aye

The application was approved with conditions.

8. #P11-37 Site Plan Application of Criscuolo Engineering, P.E., L.S., Sovran Acquisition, L.P., Owner and Applicant, relative to 30 Stillman Road.

Mrs. Ranciato-Viele moved to approve the application and waive the required sidewalks; Mr. Andrews seconded the motion. The Commission voted as follows:

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

The application was approved with conditions.

9. #P11-38 Site Plan Application of Wilbert Vault, Ray Popsie, Applicant, Branco, Inc., Owner, relative to 222 Universal Drive.

Mr. Roberts moved to approve the application and waive the required sidewalks; Mr. Andrews seconded the motion. The Commission voted as follows:

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

The application was approved with conditions.

10. #P11-38A CAM Application of Wilbert Vault, Ray Popsie, Applicant, Branco, Inc., Owner, relative to 222 Universal Drive.

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

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

The application was approved.

11. #P11-39 Site Plan Application of North Haven Fair Association, Owner and Applicant, relative to 290 Washington Avenue.

Mr. Roberts moved to approve the application with the installation of sidewalks from 310 Washington Avenue south to the gas station located at 276 Washington Avenue; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

The application was approved with conditions.

12. #P11-40 Site Plan Application of Colvest/North Haven, LLC, Owner and Applicant, relative to 162-176 Washington Avenue.

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

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

The application was denied.

The Commission stated the following reasons for the denial:

1. The Commission received written comments from the Police Department recommending the denial of this application for multiple reasons and from the Fire Department and the Town Engineer expressing public safety concerns.
2. The proposed plan will worsen traffic flow problems at this property.
3. This is an inappropriate change to this site plan.
4. The Commission feels this project poses public health and safety concerns.

INFORMAL PRESENTATION: None

EXTENSIONS: None

BOND RELEASES & REDUCTIONS: None

CHANGE OF USE: None

CORRESPONDENCE: Connecticut Federation of Planning and Zoning Agencies, Quarterly Newsletter, Fall 2011

Mr. Roberts moved to appoint Mr. Giulietti as a member of the Regional Planning Council; Mrs. Ranciato-Viele seconded the motion. All were in favor.

Mr. Giulietti moved to appoint Mr. Andrews as an alternate member of the Regional Planning Council; Mrs. Ranciato-Viele seconded the motion. All were in favor.

MINUTES:

December 5, 2011

Mr. Giulietti moved to approve the minutes of the December 5, 2011 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

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

ADJOURN:

There being no further business, Mr. Andrews moved to adjourn; Mr. Roberts seconded the motion. The meeting was adjourned at 9:35 PM.