

APPROVED 3-5-12
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, February 6, 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. Giulietti
Theresa Ranciato-Viele
Edward M. Homa, Alternate
Richard E. Wilson, 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. Carlson, Chairman, opened the meeting at 7:04 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 there were none.

PUBLIC HEARING:

Mr. Andrews read the call for the first Public Hearing.

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.

Attorney Bernard Pellegrino continued presenting the application to permit the resubdivision of two parcels totaling 13.87 acres into six single family, residential building lots. The traffic report submitted contains modifications to improve sightlines; however, the Police Chief still has concerns. The Fire Chief issued revised comments indicating alternatives to bringing water to the site.

Mr. Mike Dion of VN Engineers spoke regarding the traffic study. The Commission expressed their safety concerns with the sharp curve in the road located near the entrance to the proposed development and the traffic study that was conducted on Patten Road. The Commission asked questions and Mr. Dion and Mr. Chris Gagnon, P.E., of Godfrey Hoffman and Associates responded. Mr. Gagnon also addressed questions regarding blasting and fire hydrants. He stated that wells and sewers are being proposed for this site. Mr. Gagnon then asked for a waiver of the sidewalks on the western side of the development. Mr. Giulietti feels more clarification is needed regarding the location of the sidewalks and the portion of the property the town may acquire.

Mr. Carlson asked for public comment.

Public comment:

1. Mary White, 67 Summer Lane, spoke in favor of the application. She feels signs warning of the sharp curve will be helpful.
2. Alden Mead, 200 Rimmon Road, spoke in opposition to the application. He has concerns with the sightline, lack of sidewalks and blasting. He also questioned the procedure for the Wetland Boundary Amendment and the results from the traffic study. He suggested that a third party be involved.
3. Sarah Aziz, 56 Patten Road, asked what types of homes will be built and how much will they sell for. She has concerns with drainage and asked if traffic issues, from the Police Department, would be addressed.
4. Patrick Bertrand, 39 Stonehedge Drive, has concerns will blasting impacting wells and has safety concerns with the sharp curve in the road near the development's entrance.
5. Theresa Dio, 211 Rimmon Road, has safety concerns with the curve in the road and feels this area is not ideal for development. She also feels signage to warn people of the dangerous curve will not be helpful.
6. Laura Cross, 3 Patten Road, has concerns with blasting. She also has safety concerns regarding the curve in the road.
7. Joanne and Dennis Kennard, 202 Rimmon Road, have sightline and blasting concerns. They are also concerned with the road being raised causing future problems. They feel there are too many concerns and unanswered questions regarding this project.
8. Jane Davis, 216 Rimmon Road, has safety concerns with pedestrians walking in this area especially near the curve in the road.

Attorney Bernard Pellegrino addressed the public comment and further questions from the Commission and then the Public Hearing was closed.

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

The Commission elected to hear applications #P11-33S and #P11-33 together.

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.

6. #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.

Attorney Bernard Pellegrino continued presenting the application to permit the construction of two, new entry porticos, the installation of approximately 5,700 square feet of temporary office trailers, and associated work for Quinnipiac University’s Health Professions Center. Attorney Pellegrino addressed the use of the property and the types of programs being offered at this site. He stated that approximately 500 undergraduate students and approximately 2,000 graduate students will utilize this campus.

Attorney Pellegrino then distributed an updated list of students’ addresses and a letter from Quinnipiac’s Academic Affairs Department dated January 24, 2012. He explained the efforts being made by the University to control behavioral and renting issues of their students. The Commission asked further questions and Attorney Pellegrino and Mr. Joe Rubbertone of Quinnipiac University responded.

Mr. Carlson asked for public comment.

Public comment:

1. Mary White, 67 Summer Lane, asked questions regarding renting to Quinnipiac students. She asked how many students would be on this campus. She suggested a Student Housing Ordinance be written before the town is over run by college students.

There being no further public comment; the Public Hearing was closed.

Mr. Andrews read the call for the third Public Hearing.

The Commission elected to hear applications #P11-34S and #P11-34 together.

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.
7. #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.

Mr. Dennis Ceneviva, representing ARC, presented the application to permit the change of use of 2,880 square feet of the upper level of this approximately 25,000 square feet building from office to Adult Rehabilitative Center. There will be approximately 22 clients and 12 staff members. No exterior work is being proposed at this time. The Commission asked questions and Mr. Ceneviva responded. Attorney Timothy Lee, representing, David Biller, owner of the property, addressed site issues and asked to waive the sidewalk requirement.

Mr. Carlson asked for public comment:

Public comment:

1. Anthony Lota, 130 State Street, asked if this will be a non-living facility and, if there are plans for picnic tables, would a fence be provided for privacy. He has concerns with parking and parties causing late night noise. He also asked about medication being prescribed at this facility and if an eatery is being proposed. He stated that people do walk on State Street so sidewalks would be helpful.
2. Sherman Katz, 40 Sherwood Drive, submitted photographs of the property depicting the connex container and pavers. He would like to see this site cleaned up. He asked about the hours of operation and has concerns with parties being held at this facility. He suggested that when new businesses or developers come to town they speak with neighbors first to address their concerns.

Mr. David Biller and Mr. Dennis Ceneviva addressed the public comment.

There being no further public comment; the Public Hearing was closed.

Mr. Andrews read the call for the fourth Public Hearing.

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.

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

Mr. Samuel Gardner, Architect, presented the application to permit the expansion of the liquor permit for Bellini's Restaurant into the adjacent space to the north that was previously occupied by a hair salon.

Mr. Carlson asked for public comment. There being no public comment; the Public Hearing was closed.

Mr. Andrews read the call for the last Public Hearing.

5. #P12-02 Subdivision Application of William Leonardo, Applicant, Leonardo Industrial Properties, L.P., Owner, for 2 (two) lots, relative to 88 Leonardo Drive, (Map 52, Lot 2). Plan Entitled: Resubdivision Map, Leonardo Industrial Properties Limited Partnership, 88 Leonardo Drive, North Haven, Connecticut. Prepared by Lindquist Surveying LLC. Dated December 20, 2011. IL-80 Zoning District.

Attorney Susan Epstein of the Shapiro and Epstein Law Firm presented the application to permit the resubdivision of this 23.8 acre parcel, into two lots of 20.4 acres and 3.4 acres. The Inland Wetlands Commission approved a positive Resubdivision Referral on January 25, 2012. The applicant is asking for a waiver of the sidewalk requirement. The Commission asked questions and Attorney Epstein and Mr. William Leonardo, owner, responded.

Mr. Carlson asked for public comment. There being no public comment; the Public Hearing was closed.

SITE PLANS:

8. #P12-01 Site Plan Application of Gas Development North Haven, LLC, Applicant, Ryley Properties, LLC, Owner, relative to 38 Broadway, (Map 66. Lot 96). Plan Entitled: Proposed Fueling Facility, 38 Broadway, Town of North Haven, CT. Prepared by Langen Engineering & Environmental Services, Dated 12/08/11. Scale 1" = 20'. CA-20 Zoning District.

Attorney Bernard Pellegrino presented the application to permit the redevelopment of this .59 acre site for the use of gaseoline sales only. The existing structure will be demolished and the Auto Repairer's License would be eliminated.

An approximately 120 square feet service kiosk is being proposed along with four double sided hose dispensers and an approximately 20' x 110' canopy.

Mr. Tim Onderko of Langen Engineering & Environmental Services described the site and the proposed project including the landscaping plan. The Commission asked questions and Mr. Onderko and Attorney Pellegrino responded.

OTHER:

#P11-22, 1405 & 1415 Hartford Turnpike

Mrs. Ann Marie Marreiros and Mr. Kevin Coleman of 26 Greenhill Road spoke regarding the relocation of a required 10' buffer on property recently acquired.

Mrs. Ranciato-Viele moved to approve the relocation of the required 10' buffer; Mr. Roberts seconded the motion. The Commission voted as follows.

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

BREAK: 10:15 – 10:25 PM

CEASE & DESIST ORDERS:

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

500 Middletown Avenue – failing to obtain Planning & Zoning Approval. A Cease & Desist Order was sent on January 20, 2012.

59 Bailey Road – commercial use in a residential zone. A Cease & Desist Order was sent on January 25, 2012.

1199 Mount Carmel Avenue – renting violation. A Cease & Desist Order was sent on January 25, 2012.

1 Kent Drive – renting violation. A Cease & Desist Order was sent on January 25, 2012.

151 Blue Hills Road – erosion control damage. A Cease & Desist Order was sent on January 30, 2012.

141 Blue Hills Road – erosion control damage. A Cease & Desist Order was sent on January 30, 2012.

DELIBERATION SESSION:

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

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.

Mrs. Ranciato-Viele moved to deny the application; Mr. Giulietti 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 offered the following reasons for the denial:

1. The Commission has sightline concerns with the entrance of the development and the Police Chief considers the sightline to the east to be inadequate.
2. The Commission needs clarification regarding a portion of property the town may acquire and the location of sidewalks.

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.

Mr. Roberts moved to approve the application with the condition that the University’s use be limited to all graduate programs and undergraduates in the Nursing, Health Sciences, Doctor of Physical Therapy and Master of Occupational Therapy programs. No additional programs involving undergraduate students shall be permitted without the approval of the Planning & Zoning Commission; 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.

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.

Mr. Roberts moved to approve the application; 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.

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.

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

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

The application was approved.

5. #P12-02 Subdivision Application of William Leonardo, Applicant, Leonardo Industrial Properties, L.P., Owner, for 2 (two) lots, relative to 88 Leonardo Drive.

Mr. Andrews moved to approve the application and waive the required sidewalks and street trees; 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.

6. #P11-33 Continuation of the Site Plan Permit Application of Quinnipiac University, Owner and Applicant, relative to 370 Bassett Road.

Mrs. Ranciato-Viele moved to approve the application; Mr. Giulietti 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.

7. #P11-34 Site Plan Application of ARC of Meriden-Wallingford, Inc., Applicant, Lawrence M. Biller, Associates, Owner, relative to 154 State Street.

Mr. Roberts moved to approve the application with a waiver of 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.

8. #P12-01 Site Plan Application of Gas Development North Haven, LLC, Applicant, Ryley Properties, LLC, Owner, relative to 38 Broadway.

Mr. Andrews moved to approve the application with required sidewalks and an irrigation system; 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 with conditions.

INFORMAL PRESENTATION: None

EXTENSIONS: None

BOND RELEASES & REDUCTIONS:

#B93-6, 555 Universal Drive

Mr. Roberts moved to release the entire bond for application #B93-6, 555 Universal Drive, in the amount of \$50,000.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

#B2002-18, 555 Universal Drive

Mr. Roberts moved to release the remaining balance of the bond for application #B2002-18, 555 Universal Drive, in the amount of \$50,000.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

#P03-85, 555 Universal Drive

Mr. Roberts moved to release the entire bond for application #P03-85, 555 Universal Drive, in the amount of \$15,000.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

CHANGE OF USE: None

CORRESPONDENCE: - DEEP Letter
- Letter dated February 2, 2012, Proposed Student Housing Ordinance
- Hamden Zoning Notification
- New Haven Zoning Notification
- Town of Hamden Student Housing Permits
- ZEO Report

Mr. Fredricksen reviewed the correspondence with the Commission. Mrs. Ranciato-Viele requested the scheduling of a public forum to discuss a proposed ordinance for student housing.

MINUTES:

January 9, 2012

Mr. Roberts moved to approve the minutes of the January 9, 2012 meeting; Mrs. Ranciato-Viele 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 10:45 PM.