

**APPROVED 5-7-12**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, April 2, 2012 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

**MEMBERS PRESENT:**

Vern E. Carlson, Chairman  
Curtis D. Andrews, Sr., Secretary  
Theresa Ranciato-Viele  
Edward M. Homa, Alternate, sitting for James J. Giulietti  
Richard E. Wilson, Alternate, sitting for Douglas E. Roberts

**MEMBERS ABSENT:**

Douglas E. Roberts, Vice Chairman  
James J. Giulietti

**OTHERS PRESENT:**

Alan A. Fredricksen, Land Use Administrator  
Jonathan Bodwell, Town Engineer  
Jennifer Coppola, Town Counsel  
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 applications #P12-06, 2 Dwight Street, and #P12-05, 73 Defco Park Road, are postponed to the May 7, 2012 meeting.

**EXECUTIVE SESSION:**

Mr. Andrews read the call for the Executive Session.

1. Consider and vote upon authorizing the Town Attorney to execute, on behalf of the Commission, a Motion to Approve Settlement in the matter known as East Brown Associates, et al. v. Town of North Haven.

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

Mr. Andrews moved to enter into Executive Session at 7:07 PM inviting Attorney Jennifer Coppola, Town Counsel, Mr. Alan Fredricksen, Land Use Administrator, and Mr. Jonathan Bodwell, Town Engineer; Mrs. Ranciato-Viele seconded the motion. All were in favor.

Mrs. Ranciato-Viele moved to go out of Executive Session at 8:03 PM; Mr. Homa seconded the motion. All were in favor.

Mrs. Ranciato-Viele moved to approve the settlement in the matter known as the East Brown Associates, et al. v. Town of North Haven and authorize Town Counsel to execute the Motion to Approve Settlement, on behalf of the Commission; Mr. Wilson seconded the motion. The Commission voted as follows:

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

**8-24 REFERRAL:**

2. #P12-13 Application of the Town of North Haven for the construction of a storage shed at Peter’s Rock Park.

Mr. Jonathan Bodwell, Town Engineer, presented the 8-24 Referral for the construction of a storage shed at Peter’s Rock Park.

**PUBLIC HEARINGS:**

3. #P12-06 Resubdivision Application of Frank Ferrucci – FRD Associates, LLC, Applicant, 2 Dwight Street, Associates, LLC, Owner, for 2 (two) lots relative to 2 Dwight Street, (Map 100, Lot 2). Plan Entitled: Resubdivision Plan, 2 Dwight Street, North Haven, Connecticut. Prepared by John Paul Garcia & Assoc. Dated 2/20/12. Scale 1” = 40’. IL-80 Zoning District.

This application is postponed to the May 7, 2012 meeting.

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

4. #P12-09 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 12-21-2010, rev. 03/09/12. Scale 1” = 50’. R-40 Zoning District.

Attorney Bernard Pellegrino, Jr. of the Pellegrino Law Firm and Mr. Chris Gagnon, P.E. of Godfrey Hoffman presented the application for a six lot subdivision to be located at 19 & 51 Patten Road. A similar resubdivision application (#P11-31) was denied by the Commission on February 6, 2012, primarily for reasons involving inadequate sightlines. The proposed new street Roma Drive has now been revised at the Patten Road intersection to increase the sightlines.

Also, the width of Roma Drive has been reduced from 30' to 24'. The balance of the application remains the same as the previous application. A new traffic study was submitted and addresses the adequacy of the sightline revisions. Attorney Pellegrino stated that the Inland Wetlands Commission approved a Permit to Conduct Regulated Activity and a positive Subdivision Referral on March 28, 2012. He then submitted aerial pictures of the site, Exhibits A and B. He asked to waive the sidewalks on the western side of Roma Drive. The Commission asked questions and Attorney Pellegrino responded.

Mr. Mike Dion of VN Engineers answered questions regarding the traffic study.

Mr. Carlson asked for public comment.

Public comment:

1. Carol Gordon, 11 Patten Road, has concerns with drainage and wells being damaged due to blasting. She stated that straightening Patten Road will only encourage drivers to go even faster. She also feels sidewalks installed, on a small portion of Patten Road, will not be beneficial.
2. JoAnn Bertrand, 39 Stonehedge Drive, has concerns with blasting and feels that straightening Patten Road will not resolve safety concerns. She also feels that adding sidewalks will not be helpful and asked who would be responsible for damage done to wells from blasting.
3. Ron Bicknell, 12 Patten Road, has concerns with blasting and feels straightening Patten Road would only encourage speeding.

Attorney Pellegrino responded to the public comment.

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

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

The Commission elected to hear applications #P12-10S, #P12-10 and #P12-10A together.

5. #P12-10S Special Permit Application (as authorized by Section 3.2.1.10) of LADA, P.C. Land Planners, Applicant, Gaylord Wellness Associates, LLC, relative to 8 Devine Street (Map 51, Lot 6) and Crossroads Medical Associates, LLC, Owner, 158 State Street, (Map 51, Lot 7). Plan Entitled: Medical Office Building, Lot 6: 8 Devine Street, Lot 7: 158 State Street, North Haven, CT 06473. Prepared by LADA, P.C., Dated 01/27/11, rev. 03/08/12. 0-12/CB-40 Zoning Districts.

8. #P12-10 Site Plan Application, P.C. Land Planners, Applicant, Gaylord Wellness Associates, LLC, relative to 8 Devine Street (Map 51, Lot 6) and Crossroads Medical Associates, LLC, Owner, 158 State Street, (Map 51, Lot 7). Plan Entitled: Medical Office Building, Lot 6: 8 Devine Street, Lot 7: 158 State Street, North Haven, CT 06473. Prepared by LADA, P.C., Dated 01/27/11, rev. 03/08/12. 0-12/CB-40 Zoning Districts.
9. #P12-10A CAM Application, P.C. Land Planners, Applicant, Gaylord Wellness Associates, LLC, relative to 8 Devine Street (Map 51, Lot 6) and Crossroads Medical Associates, LLC, Owner, 158 State Street, (Map 51, Lot 7). Plan Entitled: Medical Office Building, Lot 6: 8 Devine Street, Lot 7: 158 State Street, North Haven, CT 06473. Prepared by LADA, P.C., Dated 01/27/11, rev. 03/08/12. 0-12/CB-40 Zoning Districts.

Mr. Philip Doyle of LADA, P.C. Land Planners presented the applications intended to supercede the Site Plan and CAM applications approved by the Commission on April 4, 2011 to include a Veterinary Referral Center occupying all 23,500 square feet of Building #3. An amendment to permit Veterinary Referral Centers in O-12 Zoning Districts was approved by the Commission on March 5, 2012. The Special Permit application is required for the use.

Also, the Inland Wetlands Commission approved a Permit to Conduct Regulated Activity and a Positive Site Plan Referral on March 28, 2012. The Commission asked questions and Mr. Doyle and Mr. Ken Aldridge responded.

Mr. Carlson asked for public comment.

Public comment:

1. Sherman Katz, Sherwood Drive, spoke in favor of the application.
2. Jay Bard, 24 Sherwood Drive, asked for clarification regarding boarding of animals.

Mr. Doyle responded to the public comment.

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

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

6. #P12-11S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1), of Scott Sibbick, Applicant, Varsha Trehan, Owner, relative to 630 Washington Avenue, (Map 101, Lot 92). Plan Entitled: Site Plan for Alpine Plaza, LLC, Existing Conditions Survey. Prepared by Anthony Mello, Jr., Land Surveyor. Dated November 28, 2009, rev. 12/07/09. Scale 1" = 20'. CB-40 Zoning District.

Attorney Gerald E. Farrell presented the application to permit the issuance of a Certificate of Location for a liquor permit for the Steel Horse Saloon. The Commission asked questions and Attorney Farrell and Mr. Scott Sibbick, applicant, responded.

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

**SITE PLANS:**

7. #P12-05 Site Plan Application of Steven Dostie, Owner and Applicant, relative to 73 Defco Park Road, (Map 95, Lot 25). Plan Entitled: Proposed Site Development Plan, 73 Defco Park Road, North Haven, Connecticut. Prepared by John Paul Garcia and Associates, PC., Dated 2-2-12. Scale 1"= 30'. IL-80 Zoning District.

This application is postponed to the May 7, 2012 meeting.

10. #P12-12 Site Plan Application of Michael Imperati, Owner and Applicant, relative to 44 Montowese Avenue, (Map 16, Lot 50). Plan Entitled: Proposed Office Building, Product Display and Personal Service Shop, 44 Montowese Avenue, North Haven, Connecticut. Prepared by Mark J. Papa, L.A., LLC. Dated 3-9-12. IL-30 Zoning District.

Mr. Mark Papa, Landscaping Architect of 30 Devine Street, North Haven, presented the application to permit the change of use of approximately 400 square feet of space from office to basic neighborhood service, a hair salon. This application is also intended to modify the previous Site Plan approved by the Commission on February 10, 2005. The Commission asked questions and Mr. Papa and Mr. Imperati, owner and applicant, responded.

**OTHER:**

Aquifer Protection Area Map Revisions

Mr. Alan Fredricksen, Land Use Administrator, discussed the Aquifer Protection Area Map revisions with the Commission.

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

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

**CEASE & DESIST ORDERS:** None

**DELIBERATION SESSION:**

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

**8-24 REFERRAL:**

2. #P12-13 Application of the Town of North Haven for the construction of a storage shed at Peter's Rock Park.

Mr. Andrews moved to approve the construction of a storage shed at Peter's Rock Park; Mr. Homa seconded the motion. The Commission voted as follows:

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

**PUBLIC HEARINGS:**

4. #P12-09 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 approve the application with required sidewalks; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – nay Homa – aye Wilson – aye

The application was approved with conditions.

5. #P12-10S Special Permit Application (as authorized by Section 3.2.1.10) of LADA, P.C. Land Planners, Applicant, Gaylord Wellness Associates, LLC, relative to 8 Devine Street (Map 51, Lot 6) and Crossroads Medical Associates, LLC, Owner, 158 State Street.

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

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

The application was approved with conditions.

6. #P12-11S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1), of Scott Sibbick, Applicant, Varsha Trehan, Owner, relative to 630 Washington Avenue.

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

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

The application was approved with conditions.

8. #P12-10 Site Plan Application, P.C. Land Planners, Applicant, Gaylord Wellness Associates, LLC, relative to 8 Devine Street (Map 51, Lot 6) and Crossroads Medical Associates, LLC, Owner, 158 State Street.

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

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

The application was approved with conditions.

9. #P12-10A CAM Application, P.C. Land Planners, Applicant, Gaylord Wellness Associates, LLC, relative to 8 Devine Street (Map 51, Lot 6) and Crossroads Medical Associates, LLC, Owner, 158 State Street.

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

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

The application was approved with conditions.

10. #P12-12 Site Plan Application of Michael Imperati, Owner and Applicant, relative to 44 Montowese Avenue.

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

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

Mrs. Ranciato-Viele moved to release the remaining balance of the bond for application #P05-46, 44 Montowese Avenue, in the amount of \$5,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

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

**INFORMAL PRESENTATION:** None

**EXTENSIONS:** None

**BOND RELEASES & REDUCTIONS:**

#B2000-38R, 200T Elm Street, North Haven Tech Park

Mr. Andrews moved to release the entire bond for application #B2000-38R, 200T Elm Street, in the amount of \$250,000.00; Mr. Wilson seconded the motion. The Commission voted as follows:

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

**CHANGE OF USE:**

55 State Street

Mr. Anthony DeCristoforo presented the Change of Use from retail to a jewelry store.

Mrs. Ranciato-Viele moved to approve the Change of Use from retail to a jewelry store contingent upon the Police Department granting the license. Mr. Homa seconded the motion. The Commission voted as follows:

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

360 Universal Drive

Mr. David Seymour, representing Universal Drive, LLC, presented the Change of Use from retail to a service, Ideal Image.

Mr. Andrews moved to approve the Change of Use from retail to service; Mr. Homa seconded the motion. The Commission voted as follows:

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

**CORRESPONDENCE:** - DEEP Letter Dated March 22, 2012, Todd Drive and Todd Drive South Drainage Improvements  
- ZEO Report

Mr. Fredricksen reviewed the correspondence with the Commission.

**MINUTES:**

March 5, 2012

Mrs. Ranciato-Viele moved to approve the minutes of the March 5, 2012 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

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

**ADJOURN:**

There being no further business, Mr. Homa moved to adjourn; Mrs. Ranciato-Viele seconded the motion. The meeting was adjourned at 10:07 PM.