

APPROVED 4-8-13
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, March 4, 2013 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in the Gymnasium, at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Curtis D. Andrews, Sr., Secretary
James J. Giulietti
Ronald D. Penton
Mary Jane Mulligan, Alternate
Edward M. Homa, Alternate, sitting for Theresa Ranciato-Viele

MEMBERS ABSENT:

Theresa Ranciato-Viele
Richard E. Wilson, Alternate

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 7:05 p.m. and introduced the Commissioners, alternates and town staff. Then, Mr. Carlson asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that application #P13-06, 3013 Ridge Road and #P13-04, 500 Middletown Avenue are postponed to the April 8, 2013 meeting. He also stated that he would like to add under "Other" Jennifer Coppola, Town Counsel, to discuss some items with the Commission.

Mr. Andrews moved to add Jennifer Coppola, Town Counsel, to the agenda under "Other"; Mr. Homa seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa – aye

Mr. Giulietti moved to postpone application #P13-04, 500 Middletown Avenue, to the April 8, 2013 meeting and to require a Public Hearing; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa - aye

PUBLIC HEARINGS:

Mr. Andrews read the call for the Public Hearing.

1. #P13-03 Application of Bernard Pellegrino, Esquire, Applicant, proposed amendment to the North Haven Zoning Regulations, to add Section 8.15, to allow an Affordable Housing Opportunity Development Zone. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

Attorney Bernard Pellegrino presented the application to add Section 8.15, to allow an Affordable Housing Opportunity Development Zone. The purpose of this amendment is to establish Affordable Housing Opportunity Development (AHOD) zones as overlay zones in R-40 zoning districts for lots sized between ten (10) and twenty five (25) acres and having access from a state highway. Attorney Pellegrino then submitted a 2011 Affordable Housing Appeals list dated July 1, 2012, Exhibit A.

Higher densities, lesser bulk requirements and income restrictions are proposed, but limited to single family detached homes. The South Central Connecticut Regional Planning Commission has determined that while the promotion of affordable housing is encouraged by the Regional Plan of Conservation and Development, this proposed amendment is inconsistent with this plan.

Mr. Penton asked why the Amendment is being proposed in R-40 zoning districts and what is the median income for the town of North Haven. He asked the reason for this development requiring direct access to a state highway and the reason for having a minimum and maximum size for this project. He has concerns with only having two parking spaces per unit and feels banks will be concerned with the 40 year deed restriction. He also has concerns with only being able to sell units to people with the same income restrictions.

Mr. Giulietti asked why the R-40 zone was selected for affordable housing and why only one type of housing is being offered. He has concerns with multi family units on parcels of this size and feels this development is not consistent with the infrastructure because there is no bus route and the development is not close to any grocery stores. He also asked questions regarding the setbacks and if the non-affordable units could become rental units. The Commission asked a few more questions and Attorney Pellegrino responded.

Mr. Carlson asked for public comment.

Public comment:

1. James Bonito, 630 Middletown Avenue, has lived in town since 1958. He is in favor of this project and feels it will support property values.
2. David Fink, Policy Director of Partners for Strong Communities located in Hartford. He is not in favor or in opposition to this project. He feels this development will benefit the younger working population and the elderly. He stated that Wallingford has a similar development that has worked well for their town and its not likely to add to school costs or depreciate surrounding property values.

3. Bill Ryan owns a family business in North Haven. He spoke in favor of the application. He feels that the developer is acting in good faith. He also feels the Town needs affordable housing, however, it needs to be proposed in the appropriate location.
4. Mary White, 67 Summer Lane, 24 year resident. She spoke in opposition to the application. She feels that the town does not need this Amendment and she doesn't want builders to be discouraged from building in our town because they can't afford to include the affordability component to their project. She feels that there is a greater need for senior housing and is concerned with other R-40 properties in town that could become available for affordable housing. She stated that the State Affordable Housing Requirement may be reduced from 10% to 5%. She also has concerns with over developing R-40 and RA-40 zones. She stated that affordable housing development applications will require site plan approval only and this will take away the public's right to speak. She also stated that this Amendment is contrary to the Town Plan of Conservation and Development and asked the Commission to deny this application. Then, she submitted her presentation, Exhibit 1.
5. John Heeran, 47 Debra Lane, spoke in opposition to the application. He feels the land could be used as a recreation area for children.
6. Leonda Fermo, 62 Juniper Drive, spoke in opposition to the application.
7. Bob Johnson, 839 Middletown Avenue, spoke in opposition to the application. He feels it's not in the best interest of the town and questions the lack of affordable housing in North Haven. He feels density, in the wrong location, leads to traffic problems and a strain on the sewer system. He asked that this application be denied along with the cluster housing development being proposed at 500 Middletown Avenue.
8. Ann Roucco, 23 Ansonia Drive, feels North Haven does not need a regulation for affordable housing and all R-40 zoning districts will be affected by this regulation.
9. Marge Quinn, 1 Deer Run Lane, stated that she is in agreement with Mary White's comments.
10. Marcy Faiman, 501 Clintonville Road, spoke in favor of Mary White's comments. She has safety concerns for people who live in these developments. She feels these developments should be decided on a lot by lot or development by development basis. She asked if the Amendment would be adopted as written or could it be modified by the Commission. She also asked that the Commission vote no on this application.
11. Dan Dudek, 1 Great Meadow Drive, has concerns with increased traffic and overcrowding of the school system.
12. Joe Cirillo, 2 Great Meadow Drive, feels that there are too many houses being proposed for this parcel. He also has traffic concerns and stated that he is in opposition to this application.
13. Tom White, 67 Summer Lane, spoke in opposition to the application. He has traffic concerns and feels this type of development is not appropriate for this area.
14. Joan Mazurek, 154 Cloudland Road, asked what these affordable homes will be selling for and the cost of the condo fees? She feels this development would not be a healthy environment for North Haven. She also feels that it is a "quick get rich" scheme for the developer and it's not fair to town residents.

15. Sandy Stetson, 542 Middletown Avenue, abuts Lexington Gardens and asked why the Daddio's site on upper Washington Avenue wasn't considered for affordable housing.
16. Marilyn Hartman, 5 Peters Court, has concerns with access in and out of this development. She asked the Commission to be careful of what they are allowing in North Haven and to see what the residents really need.
17. Brian Testa, 251 Maple Avenue, asked if the Commission could ask for sidewalks and a bus stop.
18. Pasquale Perrotti, 451 Middletown Avenue, asked where a school bus stop would be located. He stated that he is in opposition to the application and in favor of Mary White's comments.
19. Diantha Thorpe, 44 North Hill Road, spoke in opposition to the application.

Attorney Pellegrino addressed the public comment.

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

BREAK: 9:05 PM – 9:17 PM

Mr. Giulietti moved to table deliberations for application #P13-03 to the April 8, 2013 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa - aye

2. #P13-06 Special Permit Application (as authorized by Section 8.10.1), of Nicholas J. Coppola, Owner and Applicant, relative to 3013 Ridge Road, (Map 87, Lot 52). Plan Entitled: Untitled As-Built Survey Fragment. Scale: Graphic. R-40 Zoning District.

This application has been postponed to the April 8, 2013 meeting.

SITE PLANS:

3. #P13-04 Site Plan Application of Lexington Properties, LLC, Owner and Applicant, relative to 500 Middletown Avenue, (Map 23, Lot 72). Plan Entitled: Lexington Gardens, 500 Middletown Avenue, North Haven, Connecticut. Prepared by Milone & MacBroom. Dated January 7, 2013. Scale 1" = 40'. R-40 Zoning District.

This application has been postponed to the April 8, 2013 meeting.

4. #P13-05 Site Plan Application of John Cruet, Jr., Applicant, Broadway Medical Associates, LLC, Owner, relative to 2 Broadway, (Map 67, Lot 19). Plan Entitled: Broadway Square, 2 Broadway, North Haven, CT. Proposed Office Bldg. Off Peck St., Broadway Medical Associates, LLC. Prepared by John Cruet, Jr., A.I.A. Architect. Dated 2-8-13. Scale 1" = 20'. CA-20 Zoning District.

Mr. John Cruet, Architect, presented the application to modify application #P11-27, approved by the Commission on September 12, 2011. The modifications involve a reconfiguration of the parking lots on the west side of the property, and the relocation of the dumpsters with enclosures. He is also proposing a Change of Use on this site from a restaurant to an office. The Commission asked questions and Mr. Cruet responded.

5. #P13-07 Site Plan Application of Haynes Materials, Inc., Applicant, Nicolias, LLC, Owner, relative to 99 Stoddard Avenue, (Map 59, Lots 24 & 28). Plan Entitled; Site Plan, Proposed Reclamation/Washout System, 99 Stoddard Avenue, North Haven, Connecticut. Prepared by Milone & MacBroom. Dated February 6, 2013. Scale 1" = 60'. IL-80 Zoning District.

Mr. Tom Daly of Milone & MacBroom and Patrick Haynes of Haynes Materials, Inc., presented the application to permit the construction of five material bays and a concrete reclamation/washout system to improve the existing concrete plant on the property for a new operator. Mr. Daly then submitted a plan of the location of the material bays, Exhibit A. The Commission asked questions and Mr. Daly responded.

DELIBERATION SESSION:

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

SITE PLANS:

4. #P13-05 Site Plan Application of John Cruet, Jr., Applicant, Broadway Medical Associates, LLC, Owner, relative to 2 Broadway.

Mr. Penton moved to approve the application and revise the bond amount from \$90,000.00 to \$50,000.00; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa - aye

The application was approved with appropriate conditions.

5. #P13-07 Site Plan Application of Haynes Materials, Inc., Applicant, Nicolias, LLC, Owner, relative to 99 Stoddard Avenue.

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

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa - aye

The application was approved with appropriate conditions.

CEASE & DESIST ORDERS:

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

-55 Coventry Circle – Outdoor storage of unsightly materials. A Cease & Desist was sent on February 6, 2013.

INFORMAL PRESENTATION: None

EXTENSIONS:

#P12-09, 19 & 51 Patten Road

Mr. Giulietti moved to approve a second ninety (90) day extension for application #P12-09, 19 & 51 Patten Road; Mr. Homa seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa – aye

#P12-18, 301 Kings Highway

Mr. Giulietti moved to approve a second ninety (90) day extension for application #P12-18, 301 Kings Highway; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa - aye

BONDS RELEASES & REDUCTIONS:

#B93-34, 291-297 State Street

Mr. Giulietti moved to table this item to the April 8, 2013 meeting; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa – aye

CHANGE OF USE:

114 Washington Avenue

Mr. Steven Longobardi, owner, presented the Change of Use application from a tanning salon to an office use. The Commission asked a few questions and Mr. Longobardi responded.

Mr. Penton moved to approve the Change of Use from a tanning salon to an office use; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Penton – aye Homa – aye

OTHER:

Jennifer Coppola, Town Counsel

Jennifer Coppola, Town Counsel, updated the Commission on current projects she is working on that pertain to the regulations. She also stated that she is working on a proposal for a multi-use development for the west side of upper Washington Avenue.

CORRESPONDENCE: - ZEO Report

MINUTES:

February 4, 2013

Mr. Penton moved to approve the minutes of the February 4, 2013 meeting; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Penton – aye Homa – aye Mulligan – aye

ADJOURN:

There being no further business, Mr. Andrews moved to adjourn; Mr. Penton seconded the motion. The meeting was adjourned at 10:04 PM.