

APPROVED 10-7-13
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, September 9, 2013 at the North Haven High School, 221 Elm Street, in the Auditorium, at 7:00 PM.

MEMBERS PRESENT:

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

MEMBERS ABSENT: None

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 7:30 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 there were none.

SECTION 8-24 REFERRAL:

Mr. Andrews read the call for the 8-24 Referral.

1. #P13-30 Application of the Town of North Haven for the construction of a Press Box at Montowese Field, 6 Culver Lane.

Mr. Alan Fredricksen, Land Use Administrator, presented the application for the construction of a Press Box at Montowese Field, 6 Culver Lane. The Commission asked questions and Mr. Fredricksen responded.

PUBLIC HEARINGS:

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

1. #P13-25 Subdivision Application of Tony D'Agostino, Applicant, Alexander & Jennifer Staple Clark, Owners, for two (2) lots, relative to 3 Ives Street, (Map 82, Lot 38). Plan Entitled: Subdivision Plan of Parcel #38 for Alexander Clark & Jennifer Staple Clark, #3 Ives Street, North Haven, CT. Prepared by Kratzert, Jones & Associates, Inc. Dated March 5, 2013, rev. 6/25/13. R-40 Zoning District.

Mr. Jim Saconchick, P.E. of Kratzert, Jones & Associates, Inc presented the application intended to permit the resubdivision of this 4.28 acre parcel into two (2) single family, residential lots. A waiver of the sidewalks is being requested. The house being constructed is approximately 15,000 square feet. The Commission asked questions and Mr. Saconchick and Mr. Basic, Architect, responded.

Mr. Carlson asked for public comment.

Public comment:

1. Dr. Harold Borstein, 5 Ives Street, asked questions regarding the driveway. He is concerned that the land for the proposed new house encroaches on the existing house's driveway.
2. Fred Ryan, 19 Corey Road, spoke in opposition to the waiver of sidewalks.

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

The Commission elected to hear applications #P13-29S & #P13-29 together.

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

2. #P13-29S Special Permit Application (as authorized by Section 5.1.1.23) of Luigi and Ann Ferraro, Applicants and Owners, relative to 311 Washington Avenue, (Map 80, Lot 9). Plan Entitled: Zoning Location Survey and Change of Use Site Plan for Ferraro's Painting and Restoration, Inc. and Hertz Rent A Car. Prepared by Robert J. Schatzlein, L.S. Dated July 2013. Scale: 1" = 20'. IL-30 Zoning District.
6. #P13-29 Site Plan Application of Luigi and Ann Ferraro, Applicants and Owners, relative to 311 Washington Avenue, (Map 80, Lot 9). Plan Entitled: Zoning Location Survey and Change of Use Site Plan for Ferraro's Painting and Restoration, Inc. and Hertz Rent A Car. Prepared by Robert J. Schatzlein, L.S. Dated July 2013. Scale: 1" = 20'. IL-30 Zoning District.

Mr. Luigi Ferraro, owner, presented the application to permit the change of use of the front 1,051 square feet of space in this existing approximately 3000 square feet building to a car rental facility. A car rental facility once existed on this property and a bond in the amount of \$8,000.00 remains in place. An existing storage container also needs to be approved by the Commission. The Special Permit is required by Section 5.1.1.23 of the regulations.

Mr. Giulietti asked about the required sidewalks for this site and stated that he would like the sidewalks installed within the two year time period. The Commission asked questions and Mr. Ferraro and Mr. Connor Hanlon of Hertz Rental Facility responded.

Mr. Carlson asked for public comment:

Public comment:

1. Joe DeMartino, 10 Papa Lane, stated that he feels the owner has the finances to install the sidewalks.
2. Roseann Torrenti, owns abutting property and asked if any changes would be made to the site.

Mr. Ferraro responded to the public comment. There being no further questions, the Public Hearing was closed.

3. #P13-21 Continuation of the Application of Bernard Pellegrino, Esquire, Applicant, proposed amendment to the North Haven Zoning Regulations, to add Section 5.2.1.61, Recycling Center – Transfer Station. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

Attorney Bernard Pellegrino of the Pellegrino Law Firm continued presenting the application to permit both town owned and operated and privately owned and operated Recycling Centers/Transfer Stations in IG-80 zoning districts by Special Permit only. The current regulations only permit town owned facilities. He explained the modifications that were made to the amendment. The Commission asked questions and Attorney Pellegrino responded.

Mr. Mike McCarthy, 45 Mountain View Terrace, further discussed the recycling process and how it works and what is considered acceptable material. He also addressed concerns from the public such as odor, traffic, pest control and why the Circuit Wise site was chosen. Attorney Pellegrino then described other uses permitted in the IG zone and Mr. McCarthy discussed the benefits this will have to the town. The Commission asked questions and Attorney Pellegrino responded.

Mr. Giulietti asked if food waste and construction debris would be processed on this site. Attorney Pellegrino stated that food is not included in this process and construction debris would be removed from the site. Mrs. Ranciato-Viele also has concerns with construction debris being deposited on this site and food composting. She also asked questions regarding municipal solid waste. Mr. McCarthy further responded to the Commission's questions.

Mr. Penton asked if construction waste taken would be residential or commercial and how would it be separated. Mr. Penton also asked questions regarding the misting system that is being proposed. He asked Attorney Jennifer Coppola to address what recourse would be taken if there was non-compliance of the regulations and how the town would handle inspections. Mr. Andrew Bozzuto owner of John's Refuse, also answered questions from the Commission.

BREAK: 9:14 - 9:31 PM

Mrs. Lynn Sadosky, Director of Public Works, addressed the Commission regarding the environmental grant for this site and how this amendment would benefit the town. She then addressed questions from the Commission.

Mr. Carlson asked for public comment.

Public comment:

1. Sherman Katz, 40 Sherwood Drive, has concerns with 50 trucks per day traveling to this site on Sackett Point Road, and asked if the power supply were to fail, where would this material be stored? He stated that he is not in favor of a Brownfield program for this area.
2. John Heeron, 47 Debra Lane, spoke in favor of the recycling center.
3. Guy Barnhart, 1057 Hartford Turnpike, has traffic and noise concerns and asked where all this material from 50 trucks per day is going to go and by what method?
4. Pasquale Castaldo, 7 Sugar Hill Road, has concerns with construction material being brought into an already contaminated site and feels the town doesn't need another dump.
5. Richard Lopresti, 175 Sentinel Hill Road, Chairman of the Economic Development Commission asked that the Commission act on the amendment as it was proposed, not the project. He stated that it will build tax revenue and add jobs so he is in favor of this amendment.
6. Mary White, 67 Summer Lane, spoke in opposition to the application. She feels the Commission will have no control if this amendment is approved. She stated that the public was not informed of a permit that would allow food waste composting at this site. She has concerns with other transfer stations coming to town and obtaining permits for food composting. She also has concerns with excessive truck traffic, pest control, and odors from feed waste. She feels that the IG zones are too close to residential properties; therefore, this proposal is not a good fit for the town. She feels the recycling of materials will be excessive and expressed her concerns with having a compressed natural gas fueling station at this site.

She feels this proposal would be more appropriate in a larger town and asked what would happen to the grant if this amendment doesn't get approved. She submitted her presentation, Exhibit 3.

7. Joe DeMartino, 10 Papa Lane, has concerns with food waste composting and being able to expand. He asked if the town is getting a rebate for recycling so many tons of material. He submitted an article regarding the Milford Recycling Facility, Exhibit 4, and then asked the Planning & Zoning Commission to deny this application.
8. Joan Mazurek, 154 Cloudland Road, spoke in opposition to the application. She feels this proposal has a lot more to it than just a recycling center. She asked where the other recycling centers are going to be located if they come to town? She submitted parts of a narrative presented to the town with Global Environmental Services application for grants and approval for the development of a recycle center, Exhibit 5. She also asked if businesses on Universal Drive were consulted regarding this project? She also has concerns with truck traffic and odors. She read a letter from Ann Roucco of 23 Ansonia Drive, in opposition to the application, Exhibit 6.
9. Tim French, 80 Frost Drive, has concerns with increased traffic and having another recycling center proposed in his area. He asked why we would want other town's trash and how would they guarantee that the site could handle 50 trucks of trash per day? He also has concerns with construction material being brought into town. He feels North Haven will become a toxic waste site if this is approved.
10. Joe Forte, 36 Cedar Avenue, has concerns with rodents and odor. He feels toxic material will be taken from dumpsters to the center and that 50 trucks per day will not be enough to carry 250 tons of trash to the site every day. He also has concerns with the location of the site and where in town the trucks will have to travel. He also asked questions pertaining to a natural gas fuel station and asked if Sackett Point Road would be an appropriate location for this fuel station.
11. Fred Ryan, 19 Corey Road, asked the Commission to form a subcommittee and visit other transfer station sites to determine if this is what we want in our town.
12. Mike Pappas, 1214 Hartford Turnpike, feels the recycle center is too close to residential areas and has concerns with odor. He feels that if this amendment is approved, the State will do what's in their best interest instead of what is best for the town.
13. Rico Gatillia, 3 School Lane, has truck traffic concerns. He feels 50 trucks per day is excessive and asked how many trucks will be needed to haul away material? He also has concerns with hazardous materials being brought to the site.
14. Julia Pohoda, 25 Sackett Point Road, has concerns with traffic, odor and rodents. She asked the Commission to deny this application.
15. Bob Mazurek, 154 Cloudland Road, spoke regarding the health, safety and welfare of the community. He feels this proposal is not appropriate for the town and has concerns with excessive traffic. He submitted Article I of the General Regulations, Exhibit 7.
16. Kathryn Witteman, 120 Sackett Point Road, spoke in opposition to the application. She asked if there was an accident at this facility, could the Fire Department handle it?

17. Elizabeth Bacon, 23 Dogwood Road, has concerns with outside storage and asked that this amendment be tighten up before it is approved.

18. Frank Klos of Sackett Point Road has concerns with odor from trucks.

Attorney Pellegrino asked to continue the public hearing to next month so he can appropriately answer questions from the public.

Mr. Penton moved to continue the Public Hearing to the October 7, 2013 meeting; Mr. Andrews seconded motion. The Commission voted as follows:

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

BREAK: 11:30 – 11:45 PM

Mr. Giulietti moved to hear application #P13-28 before application #P13-24; Mrs. Ranciato-Viele seconded the motion. All were in favor.

SITE PLANS:

5. #P13-28 Site Plan Application of Joseph D’Amico, Applicant, 346 State Street, LLC, Owner, relative to 338 & 346 State Street, (Map 34, Lot 105). Plan entitled: Infantry Fitness, LLC Site Plan, 338 State Street, North Haven, Connecticut 06473. Prepared by Denis R. Ouimette, Architect. Dated 8/2/13. Scale: 1” = 20’. CB-40 Zoning District.

Mr. Joe D’Amico, applicant, and Mr. Denis Ouimette, Architect, presented the application to permit the change of use of the rear, 3,173 square feet building from office/storage to a fitness center. Additional parking and landscaping are being proposed. Mr. Giulietti has concerns with only 16 parking spaces for this site. The Commission asked questions and Mr. D’Amico, Mr. Ouimette and Mr. Fredricksen responded.

4. #P13-24 Continuation of the Site Plan Application of Raymond J. Akoury, dba Commercial Design Builders, LLC, Applicant, CT Autoquest & James Shea & Nicholas Merola, Owners, relative to 238 Quinnipiac Avenue and 63 Montowese Avenue, (Map 17, Lots 3 & 4). Plan Entitled: Proposed Site Plan, 238 Quinnipiac Avenue & 63 Montowese Avenue, North Haven, Connecticut. Prepared by John Paul Garcia and Associates, P.C. Dated 6-6-13. Scale: 1” = 20’. IL-30 Zoning District.

Mr. John Paul Garcia asked to continue this application to the October 7, 2013 meeting.

Mrs. Ranciato-Viele moved to continue this application to the October 7, 2013 meeting; Mr. Penton seonded the motion. The Commission voted as follows:

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

OTHER: None

CHANGE OF USE:

- 222 Universal Drive

Mr. David Kos presented the Change of Use from warehouse/office to an athletic training facility.

Mr. Penton moved to approve the change of use from warehouse/office to an athletic training facility; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

- 510 Washington Avenue

Dr. Simon presented the Change of Use from service to medical office.

Mrs. Ranciato-Viele moved to approve the change of use from service to medical office; Mr. Andrews seconded the motion. The Commission voted as follows:

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

- 380 Washington Avenue

Mr. Russell Kieslich, applicant, presented the Change of Use from a restaurant to an office use.

Mr. Giulietti moved to approve the change of use from a restaurant to an office use; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

DELIBERATION SESSION:

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

SECTION 8-24 REFERRAL:

1. #P13-30 Application of the Town of North Haven for the construction Press Box at Montowese Field, 6 Culver Lane.

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

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

The application was approved.

PUBLIC HEARINGS:

1. #P13-25 Subdivision Application of Tony D’Agostino, Applicant, Alexander & Jennifer Staple Clark, Owners, for two (2) lots, relative to 3 Ives Street.

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

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

The application was approved with appropriate conditions.

2. #P13-29S Special Permit Application (as authorized by Section 5.1.1.23) of Luigi and Ann Ferraro, Applicants and Owners, relative to 311 Washington Avenue.

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

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

The application was approved with appropriate conditions.

SITE PLANS:

5. #P13-28 Site Plan Application of Joseph D’Amico, Applicant, 346 State Street, LLC, Owner, relative to 338 & 346 State Street.

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

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

The application was approved with appropriate conditions.

6. #P13-29 Site Plan Application of Luigi and Ann Ferraro, Applicants and Owners, relative to 311 Washington Avenue.

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

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

The application was approved with appropriate conditions.

INFORMAL PRESENTATION: None

EXTENSIONS:

#P12-09, 19 & 51 Patten Road

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

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

BONDS:

#P12-14, 30 Washington Avenue

Mr. Penton moved to release the entire bond for application #P12-14, 30 Washington Avenue, in the amount of \$5,800.00; Mr. Giulietti seconded the motion. The Commission voted as follows:

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

CORRESPONDENCE: - Cease & Desist Orders – (15 total)
- ZEO Report

MINUTES:

August 5, 2013

Mr. Andrews moved to approve the August 5, 2013 minutes; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

ADJOURN:

There being no further business, Mrs. Ranciato-Viele moved to adjourn; Mr. Giulietti seconded the motion. The meeting was adjourned at 12:15 AM.