

**APPROVED 1-6-14**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, December 2, 2013 at the North Haven Memorial Library, 17 Elm Street, in the Community at 7:00 PM.

**MEMBERS PRESENT:**

Vern E. Carlson, Chairman  
James J. Giulietti  
Theresa Ranciato-Viele  
Richard E. Wilson, Alternate, sitting for Ronald D. Penton  
Mary Jane Mulligan, Alternate, sitting for Curtis D. Andrews

**MEMBERS ABSENT:**

Curtis D. Andrews, Sr., Secretary  
Ronald D. Penton  
Edward M. Homa, 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 7:27 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 #P13-31, 43 Marlen Drive, has been postponed to the January 6, 2014 meeting.

**PUBLIC HEARINGS:**

1. #P13-31      Resubdivision Application of ASM Prospect, LLC, Applicant and Owner, for two (2) lots, relative to 43 Marlen Drive, (Map 58, Lot 17). Plan Entitled: Resubdivision of Lot 17, for Mass Development Corp., 43 Marlen Drive, North Haven, Connecticut. Prepared by Brown & Associates Surveying Services, LLC. Dated March 27, 2013. Scale 1" = 20'. R-20 Zoning District.

This application has been postponed to the January 6, 2014 meeting.

Ms. Mulligan read the call for the first Public Hearing.

2. #P13-38 Application of Mario F. Coppola, Esq., Applicant, proposed amendment to the North Haven Zoning Regulations, to amend text of Section 5.1.1.32, to permit Indoor gymnastics training facilities with locker and lounge facilities in Light Industrial, IL, Zoning Districts. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

Attorney Mario Coppola, applicant, presented the Amendment application to permit indoor gymnastics training facilities with locker and lounge facilities in IL Zoning Districts. He submitted a handout of a portion of the Town's Plan of Conservation & Development, Exhibit A, and letters from people in favor of the Amendment, Exhibits B, C, D & E. The Commission asked questions and Mr. Coppola responded. Mr. Thomas Alberti, 45 Sherman Lane, Hamden and owner of New Era Gymnastics is looking to expand his business and is currently looking at an approximately 29,000 square feet building located at 333 State Street.

Mr. Carlson asked for public comment.

There being no opposition, the Public Hearing was closed.

Mrs. Mulligan read the call for the second Public Hearing.

The Commission elected to hear applications #P13-41S & #P13-41 together.

3. #P13-41S Special Permit Application (as authorized by Section 8.10.1) of Regina Saldanna, Applicant, Golden Seasons, Ltd, Owner, relative to 585 Washington Avenue, (Map 95, Lot 37). Plan Entitled: New Package Store, 585 Washington Avenue, North Haven, Connecticut. Prepared by Steinberg Associates. Dated 10/28/13. Scale 1" = 20'. IL-30 Zoning District.
10. #P13-41 Site Plan Application of Regina Saldanha, Applicant, Golden Season's Ltd, Owner, relative to 585 Washington Ave. (Map 95, Lot 37). Plan Entitled: New Package Store, 585 Washington Ave, North Haven, Connecticut. Prepared by Steinberg Associates. Dated 10/28/13. Scale: 1" = 20'. IL-30 Zoning District.

Attorney Bernard Pellegrino of the Pellegrino Law Firm presented the applications to permit the issuance of a Certificate of Location for the relocation of the liquor store formerly located at 402 Clintonville Road to 585 Washington Avenue, as well as the change of use of this existing 9,840 square feet building to all retail to accommodate the store. The Commission asked questions and Attorney Pellegrino and Mr. Barry Steinberg of Steinberg Associates responded.

Mr. Carlson asked for public comment:

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

Ms. Mulligan read the call for the third Public Hearing.

The Commission elected to hear applications #P13-42S & #P13-42 together.

4. #P13-42S Special Permit Application (as authorized by Section 4.4.1.38) of ARC of Greater New Haven, Inc. Applicant, Liuzzi Associates, LLC, Owner, relative to 528 Washington Avenue, (Map 95, Lot 4). Plan Entitled: As-Built Plot Plan, 528 Washington Avenue, North Haven, CT. Prepared by John Paul Garcia & Assoc., P.C., Dated 12/5/01, rev. 01/23/02. Scale 1" = 30'. CB-40 Zoning District.
  
11. #P13-42 Site Plan Application of ARC of Greater New Haven, Inc., Applicant, Liuzzi Associates, LLC, Owner, relative to 528 Washington Ave. (Map 95, Lot 37). Plan Entitled: As-Built Plot Plan, 528 Washington Ave, North Haven, Ct. Prepared by John Paul Garcia & Assoc. P.C. Dated 01/23/02. Scale: 1" =30'. CB-40 Zoning District.

Attorney Nicholas Mingione of Fasano, Ippolito & Lee, LLC presented the applications to permit the change of use of 5,000 square feet of the existing 10,000 square feet rear building from office to an Adult Rehabilitative Center in accordance with Section 4.4.1.38 of the regulations. The approval of a Special Permit is required for the expansion of this existing use. The existing coolers on the south side of the front building were approved separately by the Commission. The required sidewalk has now been installed. Bonds in the amount of \$8,000 and \$2,500 remain in place for the work of these previous two applications. The Commission asked questions and Attorney Mingione responded.

Mr. Dominic Liuzzi and his cousin Mr. Dominic Liuzzi, owners of 528 Washington Avenue, also responded to questions from the Commission. The Commission requested that the owner show all dumpsters on pads with enclosures along with fencing and new landscaping on a site plan. There will be no increase in vans at this site.

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

#### **SITE PLANS:**

5. #P13-36 Site Plan Application of Suite Development, LLC, Applicant and Owner, Relative to 530 Washington Avenue, (Map 95, Lot 3). Plan Entitled: Site Development Plan, Proposed Dunkin' Donuts, 530 Washington Ave, North Haven, Connecticut. Prepared by Godfrey Hoffman Associates, LLC. Dated 09-25-2013. Scale: 1" = 20'. CB-40 Zoning District.

Mr. Jason Teitelbaum of Godfrey Hoffman presented the application to permit the change of use of 1,681 square feet of this 4,349 square feet existing building from retail to an office use. Additional parking is proposed at the rear of the site. Required sidewalks were recently installed. The Commission may want to consider a reduction of the aisle width in the rear parking area to reduce impervious pavement. The Commission asked questions and Mr. Teitelbaum responded.

6. #P13-37 Site Plan Application of Joseph Coci, III, Applicant, MCP Mountain 297 State Street LLC, Owner, relative to 297 State Street, (Map 43, Lot 41). Plan Entitled: Building #3 Improvements, 297 State Street, North Haven, CT. Prepared by Lazarus & Sargeant, LTD. Dated 10-13. Scale: 1" = 60'. IL-30 Zoning District.

Mr. Samuel Sargeant, Architect, presented the application to permit the change of use of approximately 76,000 square feet of this approximately 375,000 square feet existing building from manufacturing to warehouse/storage use. No site work is being proposed. The applicant is requesting approval of two small areas on the north side of the property for outdoor storage. The Commission asked questions and Mr. Sargeant responded.

The Commission elected to hear applications #P13-39 & #P13-39A together.

7. #P13-39 Site Plan Application of Barry I. Steinberg, Applicant, GJ Zurolo Real Estate, LLC, Owner, relative to 200 State Street, (Map 51, Lot 4 ). Plan Entitled: Change Of Use To New Doctor's Offices, 200 State Street, North Haven, Connecticut. Prepared by Steinberg Associates. Dated 10/28/13, rev. 11/15/13. Scale: 1" = 20'. CB-40 Zoning District.

8. #P13-39A CAM Application of Barry I, Steinberg, Applicant, GJ Zurolo Real Estate, LLC, Owner, relative to 200 State Street, (Map 51, Lot 4). Plan Entitled: Change Of Use To New Doctor's Offices, 200 State Street, North Haven, Connecticut. Prepared by Steinberg Associates. Dated 10/28/13, rev. 11/15/13. Scale: 1" = 20'. CB-40 Zoning District.

Mr. Barry Steinberg, Steinberg Associates presented the applications to permit the change of use of this existing 1,075 square feet building from a single family residence to a doctor's office use. Sidewalks and an irrigation system are being proposed. The CAM Application is required because the property lies within the Coastal Boundary. The Commission asked questions and Mr. Steinberg responded. Mr. Steinberg submitted pictures of the property, Exhibit A.

9. #P13-40 Site Plan Application of BJ's Wholesale Club, Inc., Applicant and Owner, relative to 555 Universal Drive, (Map 21, Lot 3 ). Plan Entitled: Overall Site Plan 555 Universal Drive, North Haven, Connecticut. Prepared by Jacques Whitford Company, Inc. Dated December, 2001. Scale: 1" = 60'. IL-80 Zoning District.

Mr. Giuliatti recused himself from this application.

Mr. Jim Vitter of Kimley Horn & Associates presented the application to permit the installation of two (2) 1,000 gallon propane tanks on the west side of the existing B.J.'s retail store. The tanks will be used for the retail sale of propane. The Commission asked questions and Mr. Vitter responded.

**OTHER:**

3 Horseshoe Hill Road

Mr. Ron Walters and Mr. Mike Tassie of the Regional Water Authority explained the request for a generator at this site.

Mrs. Ranciato-Viele moved to approve the installation of an emergency generator and 500 gallon above ground propane tank at 3 Horseshoe Hill Road; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

**CHANGE OF USE:** None

**DELIBERATION SESSION:**

Mr. Giulietti moved to go into deliberations; Mr. Wilson seconded the motion. All were in favor.

**PUBLIC HEARINGS:**

2. #P13-38 Application of Mario F. Coppola, Esq., Applicant, proposed amendment to the North Haven Zoning Regulations, to amend text of Section 5.1.1.32, to permit Indoor gymnastics training facilities with locker and lounge facilities in Light Industrial, IL, Zoning Districts.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

The application was approved with appropriate conditions.

3. #P13-41S Special Permit Application (as authorized by Section 8.10.1) of Regina Saldanna, Applicant, Golden Seasons, Ltd, Owner, relative to 585 Washington Avenue.

Ms. Mulligan moved to approve the application; Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

The application was approved with appropriate conditions.

4. #P13-42S Special Permit Application (as authorized by Section 4.4.1.38) of ARC

of Greater New Haven, Inc. Applicant, Liuzzi Associates, LLC, Owner, relative to 528 Washington Avenue.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

The application was approved with appropriate conditions.

**SITE PLAN:**

5. #P13-36 Site Plan Application of Suite Development, LLC, Applicant and Owner, Relative to 530 Washington Avenue.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan – aye

The application was approved with appropriate conditions.

6. #P13-37 Site Plan Application of Joseph Coci, III, Applicant, MCP Mountain 297 State Street LLC, Owner, relative to 297 State Street.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

The application was approved with appropriate conditions.

7. #P13-39 Site Plan Application of Barry I. Steinberg, Applicant, GJ Zurolo Real Estate, LLC, Owner, relative to 200 State Street.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

The application was approved with appropriate conditions.

8. #P13-39A CAM Application of Barry I. Steinberg, Applicant, GJ Zurolo Real Estate, LLC, Owner, relative to 200 State Street.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan – aye

The application was approved with appropriate conditions.

9. #P13-40 Site Plan Application of BJ's Wholesale Club, Inc., Applicant and Owner, relative to 555 Universal Drive.

Ms. Mulligan moved to approve the application with a waiver of the sidewalk requirement; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Ranciato-Viele – aye Wilson – aye Mulligan – aye

The application was approved with appropriate conditions.

10. #P13-41 Site Plan Application of Regina Saldanha, Applicant, Golden Season's Ltd, Owner, relative to 585 Washington Avenue.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

The application was approved with appropriate conditions.

11. #P13-42 Site Plan Application of ARC of Greater New Haven, Inc., Applicant, Liuzzi Associates, LLC, Owner, relative to 528 Washington Avenue.

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

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan - aye

The application was approved with appropriate conditions.

**INFORMAL PRESENTATION:** None

**EXTENSIONS:** None

**BONDS:**

#P12-17, 12 Montowese Avenue

Mr. Giulietti moved to release the entire bond for application #P12-17, 12 Montowese Avenue, in the amount of \$60,000.00; Ms. Mulligan seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan – aye

- CORRESPONDENCE:** - Cease & Desist Orders – (3 total)  
- South Central Connecticut Regional Planning Commission  
Letters  
- 7 Fairy Glen Drive, Letter  
- ZEO Report

**MINUTES:**

November 12, 2013

Mrs. Ranciato-Viele moved to approve the November 12, 2013 minutes; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye Mulligan – aye

**ADJOURN:**

There being no further business, Mrs. Ranciato-Viele moved to adjourn; Ms. Mulligan seconded the motion. The meeting was adjourned at 8:41 PM.