

APPROVED 6-2-14
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, May 5, 2014 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Ronald D. Penton, Vice-Chairman
Curtis D. Andrews, Sr., Secretary
James J. Giulietti
Theresa Ranciato-Viele
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
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:00 PM and introduced the Commissioners, alternates and town staff. Then he asked if there were any changes to the agenda. Mr. Alan Fredricksen, Land Use Administrator, stated that there were none.

Mr. Carlson asked the Commission if the item under "Other" could be heard first. All were in favor.

OTHER:

Zoning Enforcement Officer Appointments

Mrs. Lynn Sadosky, Director of Public Works, introduced Ms. Laura Magaraci to the Commission as the new Zoning Enforcement Officer. Mrs. Sadosky stated that Mr. Arthur Hausman will be the back-up to the new Zoning Enforcement Officer. Mr. Giulietti and Mrs. Ranciato-Viele stated that the Commission should have been involved in the hiring process.

Mrs. Ranciato-Viele moved to appoint Laura Magaraci as the Zoning Enforcement Officer for the Town of North Haven; Mr. Andrews seconded the motion. The Commission voted as follows:

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

Mr. Penton moved to appoint Mr. Arthur Hausman as the back-up Zoning Enforcement Officer and decommission Mr. Bodwell; Mr. Andrews seconded the motion. The Commission voted as follows:

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

8-24 REFERRAL:

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

1. #P13-23 Application of the Town of North Haven for the additions to and renovation of the Volunteer Company Firehouses located at 1331 Ridge Road and 366 Washington Avenue.

Mr. Jonathan Bodwell, Town Engineer, presented the application to permit the additions to and renovation of the Volunteer Company Firehouses located at 1331 Ridge Road and 366 Washington Avenue. Sidewalks will be installed at 366 Washington Avenue. The Commission asked questions and Mr. Bodwell and Mr. David Macarelli, Deputy Fire Chief, responded.

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

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

The application was approved with appropriate conditions.

PUBLIC HEARINGS:

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

2. #P14-04 Subdivision Application of Joseph Mineri, Applicant and Richard F. Smith & Robert S. Smith, Trustees, Owners, for three (3) lots, relative to 217 Kings Highway, (Map 93, Lot 38). Plan Entitled: Property Located at Blue Hills Road & Kings Highway, North Haven, Connecticut. Prepared by Criscuolo Engineering LLC, Dated 1/23/2014. Scale 1" = 30'. R-40 Zoning District.

Mr. Bob Criscuolo of Criscuolo Engineering presented the application to permit the subdivision of this 3.766 acre parcel, into three (3) single-family, residential building lots.

The existing house will be demolished. He described the drainage system and stated that the applicant is requesting a waiver of the sidewalks. City water and septic systems are being proposed for this subdivision. The Commission asked questions and Mr. Criscuolo responded.

Mr. Carlson asked for public comment.

Public comment:

1. Joe Nicholas, 10 Blue Hills Road, has drainage concerns and asked about silt fencing.

Mr. Criscuolo 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.

3. #P14-08S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1), of Cinemark, Applicant, EPT Nineteen, Inc., Owner, relative to 550 Universal Drive North, (Map 21, Lot 2). Plan Entitled: Land Development Application, Cinemark USA, 550 Universal Drive North, Map 21, Lot 2, North Haven, Connecticut. Prepared by BL Companies. Dated March 27, 2014. Scale 1" = 50'. IL-80 Zoning District.

Mr. John Schmitz, P.E. of BL Companies presented the application for the Special Permit application for the sale of alcohol as part of the concessions for the proposed movie theater. The Commission asked questions and Mr. Schmitz and Mr. Alan Benjamin of Cinemark, responded.

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

SITE PLANS:

The Commission elected to hear applications #P14-08 & #P14-08A together.

4. #P14-08 Site Plan Application of Cinemark, Applicant, EPT Nineteen, Inc. Owner, relative to 550 Universal Drive North, (Map 21, Lot 2). Plan Entitled: Land Development Application, Cinemark USA, 550 Universal Drive North, North Haven, CT. Prepared by BL Companies. Dated March 27, 2014. Scale: 1" = 50'. IL-80 Zoning District.

5. #P14-08A CAM Application of Cinemark, Applicant, EPT Nineteen, Inc. Owner, relative to 550 Universal Drive North, (Map 21, Lot 2). Plan Entitled: Land Development Application, Cinemark USA, 550 Universal Drive North, North Haven, CT, Prepared by BL Companies. Dated March 27, 2014. Scale: 1"= 50'. IL-80 Zoning District.

Mr. John Schmitz of BL Companies and Mr. Chris Gagnon, P.E. of BL Companies presented the application to permit the construction of a new approximately 60,000 square feet, approximately 2500 seat, 14 theater, multiplex facility. The applicant is proposing to construct the new building to the rear (west side) of the existing 12 theatre building while continuing to operate the existing facility. Upon the completion of the new building, the existing facility would be demolished. The CAM Application is required because the site lies within the coastal boundary. Mr. Schmitz then discussed the drainage system proposed for this site.

Mr. Penton suggested that some handicapped spaces be provided at the northern end of the building. He also asked if the developer would be willing to grant an easement to the town to further develop the walking trail and work with the Town for the placement of a gate. The Commission asked questions and Mr. Schmitz, Mr. Rich Kraus, Mr. Benjamin and Mr. Fredricksen responded.

DELIBERATION SESSION:

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

PUBLIC HEARINGS:

2. #P14-04 Subdivision Application of Joseph Mineri, Applicant and Richard F. Smith & Robert S. Smith, Trustees, Owners, for three (3) lots, relative to 217 Kings Highway.

Mr. Penton moved to approve the application with a waiver of the sidewalk requirement; Mr. Giulietti seconded the motion. The Commission voted as follows:

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

The application was approved with appropriate conditions.

3. #P14-08S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1), of Cinemark, Applicant, EPT Nineteen, Inc., Owner, relative to 550 Universal Drive North.

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

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

The application was approved with appropriate conditions.

SITE PLANS:

4. #P14-08 Site Plan Application of Cinemark, Applicant, EPT Nineteen, Inc. Owner, relative to 550 Universal Drive North.

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

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

The application was approved with appropriate conditions.

5. #P14-08A CAM Application of Cinemark, Applicant, EPT Nineteen, Inc. Owner, relative to 550 Universal Drive North.

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

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

The application was approved with appropriate conditions.

INFORMAL PRESENTATION: None

EXTENSIONS: None

BONDS:

#B92-52, 18 Grasso Avenue

Mrs. Ranciato-Viele moved to release the bond for application #B92-52, 18 Grasso Avenue, in the amount of \$10,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

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

CHANGE OF USE: None

CORRESPONDENCE: - Cease & Desist Orders – (9-total)
- ZEO Report

MINUTES:

April 7, 2014

Mr. Penton moved to approve the April 7, 2014 minutes; Mr. Andrews seconded the motion. The Commission voted as follows:

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

ADJOURN:

There being no further business, Mr. Penton moved to adjourn; Mr. Andrews seconded the motion. The meeting was adjourned at 8:14 PM.