

**APPROVED 11-10-14**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, October 6, 2014 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  
Ronald D. Penton, Vice-Chairman  
Curtis D. Andrews, Sr., Secretary  
James J. Giulietti  
Theresa Ranciato-Viele  
Mary Jane Mulligan, Alternate  
Edward M. Homa, Alternate  
Richard E. Wilson, 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 7:07 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 applications #P14-24, 333 State Street, and #P14-26, Half Mile Road, are postponed to the November 10, 2014 meeting.

**PUBLIC HEARINGS:**

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

1. #P14-19 Continuation of the Site Plan Application of TO Design, LLC, Applicant, North Haven Opportunities for Affordable Housing, Inc., Owner, relative to 518 Clintonville Road, (Map 70, Lot 37). Plan Entitled: 518 Clintonville Road, Prepared by TO Design LLC, Dated June 9, 2014. Scale: 1"= 20'. R-40 Zoning District.

Attorney John Parese stated that clergy from area churches would like to speak regarding this project. Pastor Scott Morrow of the North Haven Congregational Church submitted a letter dated October 6, 2014 and spoke in support of NHOAH's work and the proposed project located at 518 Clintonville Road, Exhibit H. Reverend Matt Lincoln of Saint John's Church also submitted a letter dated October 2, 2014 and stated that he fully supports NHOAH and affordable housing, Exhibit I. Father Tim Meehan of Saint Therese Church stated that he lived at Summerdale and is also in support of NHOAH's work.

Attorney John Parese of Parrett, Porto, Parese and Colwell, P.C. representing NHOAH, the applicant, continued presenting the application to permit the construction of eight (8) affordable multi-family dwelling units on this 1.58 acre site located in an R-40 Zoning District. He also addressed comments from the Department of Transportation. Mr. Penton stated that he has concerns with the Department of Transportation wanting to reconfigure the site for a stacking lane and a deceleration lane and not being able to see new plans.

Mr. David Spear, Traffic Engineer, spoke regarding the Police Chief's letter and the D.O.T. comments. He stated that the traffic and sight line issues have been addressed. Mr. Michael Lambert, P.E., of Cole and Son Engineering discussed the proposed drainage plan then the Commission asked questions and Mr. Lambert responded. Mr. James LeBlanc, Architect, and Mr. Spear answered further questions from the Commission regarding the proposed driveway. Attorney Parese stated that he does not believe the proposed driveway is a safety concern.

Attorney Jennifer Coppola, Town Counsel, addressed the Commission to further discuss the 8-30g Regulation. Then Attorney Parese asked the Commission to act on this application tonight.

Mr. Carlson asked for public comment.

Public comment:

1. Marcy Faiman, 501 Clintonville Road, has concerns with rental units being only 250 feet from the driveway.
2. Roland Malboeuf, 468 Clintonville Road, has traffic safety concerns.
3. Walter Mahon, 130 Ezra Street, thinks that the sight line is adequate.
4. Brian Testa, 251 Maple Avenue, asked how the Commission could make a fair judgment with so many questions still unanswered.
6. Joan Mazurek, 154 Cloudland Road, has safety concerns with children riding bicycles and school buses. She feels NHOAH should look at the property located near Saint Barnabas Church instead.
7. Tom White, 67 Summer Lane, spoke of a recent accident in that area and feels this is not a suitable location for this project. He also stated that the property is zoned R-40 and only single family homes should be permitted.
8. Angelo DeFilippo, 10 Sheffield Road, asked if the proposed driveway will be located on a town or state owned road.
9. Brian Testa, 251 Maple Avenue, feels the Commission doesn't have enough information to make a decision.

10. Don Lomax, 47 Sheffield Road, feels that the intersection of Old Clintonville Road is a safety concern.
11. Sharon Eligio, 44 Sheffield Road, asked where the rental income money is going.

Attorney Parese responded to the public comment.

**BREAK:** 8:38 – 8:48 PM

Attorney Parese addressed further comments from the public. Then Mr. Carlson asked Attorney Parese if he would like to keep the Public Hearing open to next month in order to further review the traffic study. Attorney Parese asked that the Public Hearing be closed and did not consent to an extension.

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

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

2. #P14-23 Subdivision Application of John Taylor, Applicant and Owner, for five (5) lots, relative to 44 & 54 Pond Hill Road, (Map 76, Lots 1 & 2) Plan Entitled: Pond Hill Road Subdivision, 44 & 54 Pond Hill Road, North Haven, 1100 Clintonville Road, Wallingford. Prepared by Milone & MacBroom. Dated July 28, 2014. Scale 1" = 40'. R-40 Zoning District.

Mr. Carlson recused himself from this application and Mr. Wilson sat. Mr. Penton served as Acting Chairman for this application.

Mr. Daniel Kroeber P.E. of Milone & MacBroom presented the application to permit the subdivision of two (2) parcels in North Haven, #44 Pond Hill Road and #54 Pond Hill Road, approximately 2.24 and 14.85 acres respectively. A third parcel which is located in Wallingford is also a part of this subdivision.

This application, if approved, would result in six (6) residential building lots, two (2) of which contain existing single family residences (Lots 2 and 6). Lot 1 will lie roughly 90% in Wallingford and will be a new residential building lot. Lots 3, 4, & 5 are proposed as new residential building lots in North Haven. Lot 6, which contains Mr. Taylor's residence, is proposed with an approximately 25' x 300' access strip to the approximately 10 acre land area farthest east on the combined properties which contains an existing pond and a small dam. The Inland Wetlands Commission approved a Positive Subdivision Referral at their 17 September 2014 meeting (#I14-12).

Mr. Kroeber discussed the proposed utilities and stated that the lots located in North Haven will have sewers. Then he reviewed staff comments and asked to waive the sidewalk requirement. Mr. Giulietti asked about drainage and if it will impact neighbors and Mrs. Ranciato-Viele asked about the installation of wells. The Commission asked a few more questions and Mr. Kroeber responded.

Attorney Jennifer Coppola addressed the Commission regarding making a condition that the applicant bring water to the site. Mr. John Taylor, owner, spoke regarding the pond and wells on the site.

Mr. Penton asked for public comment. There was no public comment.

Mr. Penton asked to keep the Public Hearing open to next month's meeting. Mrs. Ranciato-Viele moved to keep the Public Hearing open to the November 10, 2014 meeting; Mr. Andrews seconded the motion. All were in favor.

3. #P14-24 Resubdivision Application of Berchem Moses & Devlin, PC., Applicant, Hawthorne Realty LLC, Owner, for two (2) lots, relative to 333 State Street, (Map 35, Lot 1). Plan Entitled: Resubdivision Plan, Mersick Industrial Park, 333 State Street North Haven, CT. Prepared by Godfrey Hoffman Associates, Dated 5-28-14. Scale 1" = 60'. IL-30 Zoning District.

This application has been postponed to the November 10, 2014 meeting.

4. #P14-26 Site Plan Application of CWRE Management, LLC, Applicant, CMB Capital Appreciation LLC, Owner, relative to Half Mile Road, (Map 24, Lot 24 and Map 31, Lots 35, 36 & 45)) Plan Entitled: Indian Ridge, Proposed Residential Development, Half Mile Road & Benedict Drive, North Haven, Connecticut. Prepared by Milone & MacBroom, Dated August 18, 2014. Scale 1" = 40'. R-40 Zoning District.

This application has been postponed to the November 10, 2014 meeting.

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

The Commission elected to hear applications #P14-28S & #P14-28 together.

5. #P14-28S Special Permit Application (as authorized by Section 8.11) of James E. Feehan, Applicant, Feehan, LLC, Owner, relative to 10 Stillman Road, (Map 66, Lot 94). Plan Entitled: New England Fire Equipment & Apparatus Building Addition Project, 10 Stillman Road, North Haven, CT. Prepared by John Ruffalo Architects, P.C., Dated October 6, 2014. Scale: 1"= 40', IL-80 Zoning District.
6. #P14-28 Site Plan Application of James E. Feehan, Applicant, Feehan, LLC, Owner, relative to 10 Stillman Road, (Map 66, Lot 94). Plan Entitled: New England Fire Equipment & Apparatus Building Addition Project, 10 Stillman Road, North Haven, CT. Prepared by John Ruffalo Architects, P.C., Dated October 6, 2014. Scale: 1"= 40', IL-80 Zoning District.

Attorney John Florek and Mr. James Feehan, owner, presented the applications intended to permit an approximately 90' x 170' building addition to the southeast side of this existing structure. The use intended to be expanded is the repairing and maintaining of fire apparatus vehicles and ambulances. Some associated sitework is also proposed off the southeast side of the proposed addition, including an approximately 80' x 170' concrete "housekeeping" slab. The Special Permit is required to expand the existing Certificate of Location for a Motor Vehicle Dealers license for the expansion of the building.

Mr. John Ruffalo, Architect, described the existing building, the proposed addition and the current conditions at the site. The Commission asked questions and Mr. Ruffalo and Mr. Feehan responded. Then Attorney Florek asked for a waiver of the sidewalk requirement.

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

#### **SITE PLANS:**

The Commission elected to hear applications #P14-29 & #P14-29A together.

7. #P14-29 Site Plan Application of Phane Realty, LLC, Applicant & Owner, relative to 455 Sackett Point Road, (Map 35, Lot 23). Plan Entitled: Proposed Site Plan, Land N/F Phane Realty, LLC, 455 Sackett Point Road, Also Fronting on State Street (US Route 5) North Haven, Connecticut. Prepared by Winterbourne Land Services. Dated September 5, 2014. Scale: 1" = 40'. IL-30 Zoning District.
8. #P14-29A CAM Application of Phane Realty, LLC, Applicant & Owner, relative to 455 Sackett Point (Map 35, Lot 23). Plan Entitled: Proposed Site Plan, Land N/F Phane Realty, LLC, 455 Sackett Point Road, Also Fronting on State Street (US Route 5) North Haven, Connecticut, Prepared by Winterbourne Land Services. Dated September 5, 2014. Scale: 1" = 40'. IL-30 Zoning District.

Ms. Rosalind Page of Winterbourne Land Services, 604 Center Street, Wallingford, CT and Mr. George Kotter presented the application to permit the construction of five (5) relatively small additions to this existing approximately 154,100 square feet building. The total area of the additions proposed is 11,441 square feet. The majority of the building is single story but it contains some mezzanine office space.

The use of the building is manufacturing and the additions are designed to accommodate certain specific equipment changes necessary for their processes. The Zoning Board of Appeals approved front yard setback, side yard setback, and lot coverage variances as well as an approval to enlarge this non-conforming structure at their 21 August 2014 meeting. Ms. Page reviewed staff comments and answered questions from the Commission.

9. #P14-30 Application of Metro PCS, Applicant, South Central Connecticut Regional Water Authority, Owner, relative to 3 Horseshoe Hill Road, (Map 8, Lot 66). Plan Entitled: CTNH515A, North Haven Water Tank, 3 Horseshoe Hill Road, North Haven, CT. Prepared by Atlantis Group, Dated 8/27/14. Scale: 1" = 10'. R-40 Zoning District.

Mrs. Ranciato-Viele recused herself from this application and Mr. Wilson sat.

In the absence of the applicant, Mr. Fredricksen, Land Use Administrator, presented the application in accordance with Section 8.2.5.2 (2) (a) of the regulations, intended to permit the installation of three (3) new antennas on top of the existing water tank on this property. The antennas are proposed to extend approximately eight feet above the top of this existing 40' high tank. The plan also proposes a 6' x 8' equipment area on the southeast side of the tank. The Commission asked a few questions and Mr. Fredricksen responded.

**CHANGE OF USE:**

-7 Corporate Drive

Mr. Tim Spratlin presented the change of use from an alarm company to a furniture manufacturing business.

Mr. Penton moved to approve the change of use from an alarm company to a furniture manufacturing business; Mr. Andrews seconded the motion. The Commission voted as follows:

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

-132 Universal Drive

Mr. Pat Maionie presented the change of use from retail to a service.

Mr. Penton moved to approve the change of use from retail to a service, Panera Bread Delivery Hub; Mr. Andrews seconded the motion. The Commission voted as follows:

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

**DELIBERATION SESSION:**

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

**PUBLIC HEARINGS:**

1. #P14-19 Site Plan Application of TO Design, LLC, Applicant, North Haven Opportunities for Affordable Housing, Inc., Owner, relative to 518 Clintonville Road.

Mrs. Ranciato-Viele moved to close the Public Hearing and continue deliberations to the November 10, 2014 meeting; Mr. Giulietti seconded the motion. The Commission voted as follows:

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

5. #P14-28S Special Permit Application (as authorized by Section 8.11) of James E. Feehan, Applicant, Feehan, LLC, Owner, relative to 10 Stillman Road.

Mr. Andrews moved to approve the application; 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.

**SITE PLANS:**

6. #P14-28 Site Plan Application of James E. Feehan, Applicant, Feehan, LLC, Owner, relative to 10 Stillman Road.

Mrs. Ranciato-Viele moved to approve the application with a waiver of the sidewalk requirement; 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.

7. #P14-29 Site Plan Application of Phane Realty, LLC, Applicant & Owner, relative to 455 Sackett Point Road.

Mr. Giulietti 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.

8. #P14-29A CAM Application of Phane Realty, LLC, Applicant & Owner, relative to 455 Sackett Point.

Mr. Andrews 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.

9. #P14-30 Application of Metro PCS, Applicant, South Central Connecticut Regional Water Authority, Owner, relative to 3 Horseshoe Hill Road.

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

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Wilson – aye

The application was approved with appropriate conditions.

**OTHER:**

-37 Pond Hill Road

Matthew and Elizabeth Prete, owners, explained their request for a waiver of public water and stated that their neighbors also do not want public water. Attorney Jennifer Coppola addressed the Commission regarding this matter. She stated that the Commission could require an application submission if they were to consider waiving the public water requirement.

Mr. Penton moved to continue this item to the November 10, 2014 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

-160-164 State Street

Mr. John Orsini, owner, and Mr. Steve McLarty explained the site plan modification for the relocation of a carport from the south side of the site to the north side of the site.

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

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

**INFORMAL PRESENTATION:** None

**EXTENSIONS:** None

**BONDS:**

-#P06-07, 52 Washington Avenue

Mr. Penton moved to release the bond for application #P06-07, 52 Washington Avenue, in the amount of \$55,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

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

-#B99-6, 311 Washington Avenue

Mr. Giulietti moved to release the bond for application #B99-6, 311 Washington Avenue, in the amount of \$8,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

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

**CORRESPONDENCE:** None

**MINUTES:**

September 8, 2014

Mr. Giulietti moved to approve the September 8, 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. Andrews moved to adjourn; Mr. Penton seconded the motion. The meeting was adjourned at 10:28 PM.