

APPROVED 1-5-15
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, December 1, 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
Mary Jane Mulligan, Alternate
Richard E. Wilson, Alternate
Edward M. Homa, 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 7:04 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 he would like to add application #P14-19, 518 Clintonville Road, to the deliberation session.

PUBLIC HEARINGS:

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

1. #P14-31 Application of Bernard Pellegrino, Esquire, Applicant, proposed amendment to the North Haven Zoning Regulations, to add Section 8.8.8, to allow Outdoor Advertising Signs. 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 presented the proposed amendment to add Section 8.8.8 to allow Outdoor Advertising Signs (Billboards) for uses not located on the premises where the sign is located.

The proposed amendment would only permit signs on properties directly abutting Interstate 91. Additional proposed restrictions include not permitting billboards on properties in residential zoning districts. Attorney Pellegrino discussed the benefits that this amendment would have on the town. Then he submitted the following exhibits; photographs of the various types of signs that could be displayed, Exhibit A, a presentation board showing the I91 corridor with eligible sign locations, Exhibit B, a Federal Highway Administration Study, Exhibit C, Tantara Associates Study, Exhibit D, an aerial photograph showing the area proposed for billboards, Exhibit E, and a Traffic and Safety memorandum dated November 22, 2011 from the Massachusetts Department of Transportation, Exhibit F.

Mr. John Tabias, Electrical Engineer, spoke regarding the different lighting effects for billboards and Mr. William Smiley of Watch Fire located in Illinois spoke regarding the various safety studies that had been conducted on billboards. He stated that these studies show that there are no automobile accidents linked to billboards. Mr. Giulietti and Mr. Penton have concerns with illuminating signs affecting surrounding neighborhoods and asked who will enforce the displaying of morally distasteful messages. The Commission asked questions and Attorney Pellegrino, Mr. Tabias and Mr. Dave Gannon of Independent Outdoor, responded.

Mr. Carlson asked for public comment.

Public comment:

1. Lynn Weed, Realtor, Corporate Drive, spoke in favor of the amendment and feels the amber alert option would be an asset.
2. Michael Pomichter, business owner in North Haven, spoke in favor of the amendment.
3. Diane Shiek, Frost Drive, spoke in opposition to the amendment. She is concerned with seeing billboards from her backyard.
4. Mary White, 67 Summer Lane, spoke in opposition to the amendment. She feels the health and safety of North Haven residents would be at risk. She has concerns with light trespass on nearby residential properties and safety concerns with drivers being distracted by digital billboards. She also feels that North Haven's natural landscape will be tarnished and that North Haven having a AAA rating does not need this extra revenue. Then she asked the Commission to deny this application and submitted her presentation Exhibit 1 and a Milwaukee Sign Study, Exhibit 2.
5. Joseph DiMartino, 10 Papa Lane, feels these billboards are excessive in size and residential areas will be impacted. He stated that billboards signs are unattractive and will ruin the natural landscape of North Haven. He asked the Commission to deny this application and feels there is no safety benefit to having these billboards.
6. Joan Mazurek, 154 Cloudland Road, spoke in opposition to the application. She feels North Haven will "look like the Berlin Turnpike" and having signs only 100' from homes is not far enough. She also feels that illuminated signs will affect nearby homes.
7. Elizabeth Bacon, 25 Dogwood Road, stated that these signs will decrease the value of homes and asked the Commission to deny this application.
8. Tom White, 67 Summer Lane, stated that we don't need an amber alert because the State takes care of that. He feels that billboards are not a right fit for North Haven.

9. Steve Porter, Hartford Turnpike, stated that these signs will portray a city image which is not right for this town.
10. Tom Muir, 23 Clark Avenue, spoke in opposition to the application and asked the Commission to deny this application.
11. Joseph Villano, 43 Highland Park Road, stated that he is in the sign business and that these billboards are not for North Haven.

Attorney Pellegrino responded to the public comment and submitted a MassDot Traffic and Safety Study, Exhibit F. Then Mr. Carlson closed the Public Hearing.

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

2. #P14-32S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Mazzaro Properties, LLC, Applicant & Owner, relative to 17 Stiles Lane (Map 51, Lot 25). Plan Entitled: Redevelopment of Existing Warehouse, 17 Stiles Lane, North Haven, Connecticut. Prepared by BL Companies. Dated 03/10/2014. Scale: 1"= 30'. IL-30 Zoning District.

Mr. Christopher Gagnon of BL Companies presented the application intended to permit the issuance of a Certificate of Location for a liquor permit for the relocation of JRoo's Restaurant from 249 State Street to 17 Stiles Lane. The Commission asked questions and Mr. Gagnon responded.

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

BREAK: 9:24 – 9:34 PM

SITE PLANS:

3. #P14-35 Site Plan Application of Sabita Rathi, Applicant & Owner, relative to 14 Peck Street, (Map 67, Lot 17). Plan Entitled: Doctor's Offices, 14 Peck Street, North Haven, Connecticut. Prepared by Arnold D. Gans, Dated 10-5-14. Scale: 1"= 20'. CA-20 Zoning District.

Mr. Arnold Gans, Architect, presented the application to permit the addition of a handicapped ramp to the rear of this existing office building. The Commission asked questions and Mr. Gans responded.

4. #P14-36 Site Plan Application of Phil Brudz, Applicant, Mike Imperati, Owner, Relative to 44 Montowese Avenue, (Map 16, Lot 50). Plan Entitled: Map 16/ Lot 50, 44 Montowese Avenue, North Haven, Connecticut. Prepared by Nafis & Young Engineers, Inc., Dated September 18, 2014. Scale: 1" = 10'. IL-30 Zoning District.

Attorney Joe Porto presented the application to permit the change of use of this property from office/basic neighborhood services to a garden supply/retail use. An 11' x 39' greenhouse is proposed to be attached to the rear of the existing building on the site. A 20' x 40' detached greenhouse is proposed to the rear of the property. Five new parking spaces are proposed as is outdoor storage for landscaping materials. The Zoning Board of Appeals approved a front yard variance of 11.1' at their October 16, 2014 meeting. The Commission asked questions and Attorney Porto and Mr. Phil Brudz, applicant, responded. Mr. Carlson and Mr. Giulietti have concerns with this type of business being conducted on a smaller site. They also have traffic safety concerns.

5. #P14-37 Site Plan Application of Timothy J. Lee, Applicant, Nicolias LLC, Owner, relative to 99 Stoddard Avenue, (Map 59, Lot 28). Plan Entitled: Proposed Nicolock Rail Spur, 99 Stoddard Avenue, North Haven, Connecticut. Prepared by Milone & MacBroom. Dated: November 6, 2014. Scale: 1" = 50'. IL-80 Zoning District.

Attorney Timothy Lee of Fasano, Ippolito and Lee presented the application to permit the construction of a rail spur along the western and northern edges of this approximately 16 acre property. Mr. John Gilmore, P.E. of Milone and MacBroom located in Cheshire, Connecticut described the site and the operations of the proposed rail line. Then he discussed the improvements proposed to the drainage system and responded to the Town Engineer's comments. The Commission asked questions and Mr. Gilmore responded.

CHANGE OF USE: None

DELIBERATION SESSION:

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

PUBLIC HEARINGS:

1. #P14-31 Application of Bernard Pellegrino, Esquire, Applicant, proposed amendment to the North Haven Zoning Regulations, to add Section 8.8.8, to allow Outdoor Advertising Signs.

Mr. Giulietti moved to deny 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 denied.

2. #P14-32 Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Mazzaro Properties, LLC, Applicant & Owner, relative to 17 Stiles Lane.

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.

SITE PLANS:

4. #P14-35 Site Plan Application of Sabita Rathi, Applicant & Owner, relative to 14 Peck Street.

Mr. Andrews moved to approve the application with the sidewalk requirement; 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.

5. #P14-36 Site Plan Application of Phil Brudz, Applicant, Mike Imperati, Owner, Relative to 44 Montowese Avenue.

Mr. Giulietti moved to approve the application with outdoor storage for a loading machine; 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.

6. #P14-37 Site Plan Application of Timothy J. Lee, 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 Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

7. #P14-19 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.

Mr. Penton moved to deny the application due to the applicant's traffic study showing 1,800 cars per day traveling in excess of the speed limit; Mr. Andrews seconded the motion. The Commission voted as follows:

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

The application was denied.

OTHER:

-400 North Frontage Road, Valley Sand & Gavel

Mr. Fredricksen, Land use Administrator, stated that Valley Sandy & Gravel is requesting to install a standby generator near an existing trailer on their site.

Mrs. Ranciato-Viele moved to approve the installation of a generator; Mr. Penton seconded the motion. The Commission voted as follows:

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

-37 Pond Hill Road

The applicants were not present.

-550 Universal Drive

Mr. Giulietti recused himself from this item and Mr. Homa sat.

Mr. Christopher Gagnon of BL Companies explained the site plan modification for the relocation of a dumpster and a dumpster enclosure then he answered questions from the Commission.

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

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

INFORMAL PRESENTATION: None

EXTENSIONS: None

BONDS:

-#P09-38, 99 & 101 Elm Street

Mr. Penton moved to release the bond for application #P09-38, 99 & 101 Elm Street, in the amount of \$7,600.00; Mr. Andrews seconded the motion. The Commission voted as follows:

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

- #P11-22, 1405 & 1415 Hartford Turnpike

Mr. Penton moved to release the remaining bond amount for application #P11-22, 1405 & 1415 Hartford Turnpike, in the amount of \$100,000.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

CORRESPONDENCE: - SCCRPC Referral – City of New Haven Mill River Planning Study
- SCCRPC Referral – Town of Hamden Proposed Amendment

Mr. Fredricksen reviewed the correspondence with the Commission.

MINUTES:

November 10, 2014

Mrs. Ranciato-Viele moved to approve the November 10, 2014 minutes; Mr. Penton seconded the motion. The Commission voted as follows:

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

ADJOURN:

There being no further business, Mr. Giulietti moved to adjourn; Mrs. Ranciato-Viele seconded the motion. The meeting was adjourned at 10:50 PM.