

APPROVED 9-14-15
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, August 3, 2015 at the Mildred A. Wakeley Community and Recreation Center, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Curtis D. Andrews, Sr., Secretary

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 7:01 PM and introduced the Commissioners, alternates and town staff. Then he asked Mr. Alan Fredricksen, Land Use Administrator, if there were any changes to the agenda. Mr. Fredricksen stated that application #P15-16S, 81 Old Broadway West, has been withdrawn by the applicant, and application #P15-16 has been postponed to the October 5, 2015 meeting. Also, applications #P15-18S and #P15-18, 165 Washington Avenue, have been postponed to the September 14, 2015 meeting.

PUBLIC HEARINGS:

1. #P15-16S Continued the Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of Anthony Acri, III, Applicant, Louis Giangola, Owner, relative to 81 Old Broadway West, (Map 66, Lot 16). Plan Entitled: Horseless Carriage Co., 81 Old Broadway Street, North Haven, Connecticut. Prepared by Nafis & Young Engineers, Inc., Dated: May 13, 2014. Scale 1" = 20'. IL-30 Zoning District.

This application has been withdrawn by the applicant.

Mr. Homa, acting Secretary, read the call for the Public Hearing.

2. #P15-17S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of John Acanfora, Applicant, MLPI, LLC, Owner, relative to 369 Washington Avenue, (Map 85, Lot 14). Plan Entitled: Proposed Retail/Restaurant Development, 369 Washington Avenue (U.S. Rte 5), North Haven, Connecticut. Prepared by The Center, LLC, Architects and Engineers. Dated: 05/10/06. Scale 1" = 20'. IL-30 Zoning District.

Mr. John Acanfora presented the application to permit the issuance of a Certificate of Location for a liquor permit for a new restaurant at the above location. A Certificate of Location was previously granted for the restaurant formerly at this location. This proposed restaurant does not require Site Plan Approval, because it does not represent a change of use. The Commission asked questions and Mr. Acanfora responded.

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

3. #P15-18S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of Town Fair Tire Center, Applicant, James and Patricia Clark (Trustees), Owners, relative to 165 Washington Avenue, (Map 73, Lot 20). Plan Entitled: Proposed Town Fair Tire, 165 Washington Avenue, North Haven, Connecticut. Prepared by Godfrey Hoffman Associates, LLC. Dated: July 8, 2015. Scale 1" = 30'. IL-30 Zoning District.

This application has been postponed to the September 14, 2015 meeting.

SITE PLANS:

4. #P15-16 Continued the Site Plan Application of Anthony Acri, III, Applicant, Louis Giangola, Owner, relative to 81 Old Broadway West, (Map 66, Lot 16). Plan Entitled: Horseless Carriage Co., 81 Old Broadway Street, North Haven, Connecticut. Prepared by Nafis & Young Engineers, Inc., Dated: May 13, 2014. Scale 1" = 20'. IL-30 Zoning District.

This application has been continued to the October 5, 2015 meeting.

5. #P15-18 Site Plan Application of Town Fair Tire Center, Applicant, James and Patricia Clark (Trustees), Owners, relative to 165 Washington Avenue, (Map 73, Lot 20). Plan Entitled: Proposed Town Fair Tire, 165 Washington Avenue, North Haven, Connecticut. Prepared by Godfrey Hoffman Associates, LLC. Dated: July 8, 2015. Scale 1" = 30'. IL-30 Zoning District.

This application is postponed to the September 14, 2015 meeting.

6. #P15-19 Site Plan Application of John Zyrlis, Applicant, O.F. Mossberg & Son, Inc., Owner, relative to 85 Sackett Point Road, (Map 37, Lot 126). Plan Entitled: Inland Wetlands and Planning and Zoning Applications for Warehouse Development, 85 Sackett Point Road, North Haven, Connecticut. Prepared by TPA Design Group, Dated: 5/26/15. Scale 1" = 30'. IL-80/IG-80 Zoning Districts.

Mr. John Zyrlis of the TPA Design Group presented the application to permit the construction of a new 10,050 square feet, single story, warehouse building. The Inland Wetlands Commission approved a Positive Site Plan Referral on 22 June 2015 (#I15-09). He submitted a photograph of the site as Exhibit A, then he reviewed the site plan for the proposed project and town staff comments with the Commission. He requested a waiver of the irrigation system. The Commission asked questions and Mr. Zyrlis and Mr. Fredricksen responded.

The Commission elected to hear applications #P15-20 and #P14-20A together.

7. #P15-20 Site Plan Application of Chick-fil-A, Inc., Applicant, EPT Nineteen Inc., Owner, relative to 550 Universal Drive North, (Map 21, Lot 2). Plan Entitled: Site Development Plans for Proposed Chick-fil-A with Drive-Thru. Prepared by Bohler Engineering. Dated 05/22/15. Scale 1" = 20'. IL-80 Zoning District.
8. #P15-20A CAM Application of Chick-fil-A, Inc., Applicant, EPT Nineteen Inc., Owner, relative to 550 Universal Drive North, (Map 21, Lot 2). Plan Entitled: Site Development Plans for Proposed Chick-fil-A with Drive-Thru. Prepared by Bohler Engineering. Dated 05/22/15. Scale 1" = 20'. IL-80 Zoning District.

Attorney Amy Souchuns presented the application for a Site Plan Referral to permit the construction of a new 4,975 square feet Chick-fil-A restaurant with outdoor seating. The CAM Application is required because the site lies within the coastal boundary. On 5 May 2014, the Commission approved a Site Plan Application for Cinemark's redevelopment of this entire site (#P14-08). This plan is identical to that previously approved plan except that it refines the proposed building and parking area in the vicinity of the proposed restaurant. The footprint of this proposed Chick-fil-A restaurant is approximately 1,000 square feet less than the 6,000 square feet building approved conceptually as a part of #P14-08.

The Inland Wetlands Commission approved a Positive Site Plan Referral on 22 July 2015 (#I15-10). The applicant is seeking confirmation from the Office of State Traffic Administration (OSTA) that no modification to their standing certificate is required for this proposed work. Approval will be necessary prior to the issuance of building permits. The plans depict double order boards and two queuing lanes. A by-pass lane has been provided for the length of the queuing beyond the order boards.

Mr. Scott Goodsend of Chick-fil-A stated that the hours of operation will be Monday through Saturday from 6:30 a.m. to 10:00 p.m. and closed on Sundays. Mr. Tony Donato, P.E. of Bohler Engineering answered questions from the Commission. Then, Mr. Penton suggested a designated entry way to the restaurant and a pedestrian walkway. He also suggested extra lighting at the drive-thru and to rotate light away from Universal Drive.

DELIBERATION SESSION:

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

PUBLIC HEARING:

2. #P15-17S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of John Acanfora, Applicant, MLPI, LLC, Owner, relative to 369 Washington Avenue.

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

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

SITE PLANS:

6. #P15-19 Site Plan Application of John Zyrllis, Applicant, O.F. Mossberg & Son, Inc., Owner, relative to 85 Sackett Point Road.

Mr. Giulietti moved to approve the application with a waiver of the irrigation system and no outside storage of vehicles. Also, sidewalks on Sackett Point Road are waived until an application is submitted for that parcel. Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

7. #P15-20 Site Plan Application of Chick-fil-A, Inc., Applicant, EPT Nineteen Inc., Owner, relative to 550 Universal Drive North.

Mr. Penton 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. #P15-20A CAM Application of Chick-fil-A, Inc., Applicant, EPT Nineteen Inc., Owner, relative to 550 Universal Drive North.

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

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

The application was approved with appropriate conditions.

OTHER:

-2016 Planning & Zoning Commission Meeting Dates

Mr. Giulietti moved to approve the 2016 Planning & Zoning Commission Meeting Dates; Mr. Homa seconded the motion. The Commission voted as follows:

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

-520 Washington Avenue - Planting Plan Revisions

Mr. Fredricksen discussed the modifications regarding the Planting Plan for 520 Washington Avenue with the Commission.

Mr. Giulietti moved to approve the authorization of town staff to approve the Planting Plan revisions for 520 Washington Avenue; Mr. Homa seconded the motion. The Commission voted as follows:

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

INFORMAL PRESENTATION: None

EXTENSIONS: None

BONDS:

#P13-29, 311 Washington Avenue

Mr. Penton moved to release the entire bond for application #P13-29, 311 Washington Avenue, in the amount of \$2,500.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

#P14-06, 476 Washington Avenue

Mr. Giulietti moved to release the entire bond for application #P14-06, 476 Washington Avenue, in the amount of \$2,500.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

#P14-40, 476 Washington Avenue

Mr. Giulietti moved to release a portion of the bond for application #P14-40, 476 Washington Avenue, in the amount of \$22,500.00; Mr. Homa seconded the motion. The Commission voted as follows:

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

352 State Street – APT Foundation

Mr. Penton moved to release the entire bond for 352 State Street in the amount of \$55,000.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

CHANGE OF USE:

444 Washington Avenue

Mr. Maxwell Mitchell, applicant, presented the change of use from a hair salon to a chiropractic office.

Mrs. Ranciato-Viele moved to approve the change of use from a hair salon to a chiropractic office; Mr. Homa seconded the motion. The Commission voted as follows:

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

150 Washington Avenue

This item has been postponed to the September 14, 2015 meeting.

CORRESPONDENCE: -CT Federation of Planning & Zoning Agencies, Newsletter
-369 Washington Avenue, QVHD

Mr. Fredricksen reviewed the correspondence with the Commission.

MINUTES:

July 6, 2015

Mrs. Ranciato-Viele moved to approve the July 6, 2015 meeting minutes; Mr. Penton seconded the motion. The Commission voted as follows:

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

Mr. Giulietti asked to be informed about the status of appeals of Planning & Zoning applications.

ADJOURN:

There being no further business, Mr. Giulietti moved to adjourn; Mr. Homa seconded the motion. The meeting was adjourned at 8:12 PM.