

APPROVED 11-9-15
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, October 5, 2015 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
Mary Jane Mulligan, Alternate
Edward M. Homa, Alternate
Richard E. Wilson, Alternate, sitting for Theresa Ranciato-Viele

MEMBERS ABSENT:

Theresa Ranciato-Viele

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. Mr. Fredricksen, Land Use Administrator, stated that applications #P15-18S and #P15-18, 165 Washington Avenue and applications #P15-21S and #P15-21, 193 and 201 Clintonville Road, are postponed to the November 9, 2015 meeting. Also, application #P15-16, 81 Old Broadway West, has been withdrawn by the applicant.

PUBLIC HEARINGS:

1. #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 November 9, 2015 meeting.

2. #P15-21S Special Permit Application (as authorized by Section 2.4.1.2) of Maplewood Senior Living, LLC, Applicant, Clintonville Manor Realty and Simonetti Development, LLC, Owners, relative to 193 and 201 Clintonville Road, (Map 68, Lots 179 & 126). Plan Entitled: Maplewood Senior Living Center, 201 Clintonville Road, North Haven, Connecticut. Prepared by Langan Engineering & Environmental Services. Dated 07/22/15. Scale 1" = 40'. EH Zoning District.

This application has been postponed to the November 9, 2015 meeting.

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

3. #P15-23 Subdivision Application of Cinemark, Applicant, EPT Nineteen, Inc., Owner, for three (3) lots, relative to 550 Universal Drive North, (Map 21, Lot 2). Plan Entitled: Subdivision Plan. Prepared by BL Companies. Dated 08/07/2015. Scale 1" = 60'. IL-80 Zoning District.

Mr. John Schmitz of BL Companies presented the application to permit the subdivision of this 25.81 acre parcel into three lots. Lot 1 is proposed to be 16.36 acres and to contain the recently constructed Cinemark multiplex theatre facility. Lot 2 is proposed to be 8.15 acres and to contain the three "conceptually" approved "pad" buildings. Lot 3 is proposed to be 1.30 acres and to contain the previously approved, but as yet unbuilt, Chick-fil-A restaurant. No changes are proposed from the most recently approved plan, application #P15-20, that the Commission approved on 3 August 2015 for the construction of the Chick-fil-A restaurant, other than the lot lines for the proposed subdivision.

Mr. Penton asked if parcel two had enough parking spaces. Mr. Fredricksen stated that there will be easements for providing extra parking. The Commission asked a few more questions and Mr. Schmitz responded.

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

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

The Commission elected to hear applications #P15-24S and #P15-24 together.

4. #P15-24S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of Emilio Giano, Applicant, Gloria Giano, Owner, relative to 95 State Street, (Map 59, Lot 41). Plan Entitled: A-2 Property Map, Superior Autobody, Inc., 95 State Street, North Haven - Connecticut. Prepared by Westcott and Mapes, Inc. Dated 8-21-97. Scale 1" = 10'. IL-30 Zoning District.

8. #P15-24 Site Plan Application of Emilio Giano, Applicant, Gloria Giano, Owner, Relative to 95 State Street, (Map 59, Lot 41). Plan Entitled: A-2 Property Map, Superior Autobody, Inc., 95 State Street, North Haven - Connecticut. Prepared by Westcott and Mapes, Inc. Dated: 8-21-97. Scale 1" = 10'. IL-30 Zoning District.

Attorney Joseph Porto of Parrett, Porto, Parese and Colwell presented the applications to permit the change of use of the southerly, approximately 1230 square feet, two story structure from a business office to an automotive repair use. Currently Superior Auto Body holds a Certificate of Location to perform auto body repairs on the balance of the site, including the approximately 2,120 square feet, single story, northerly building on the site. The Special Permit application is required for the expansion of the automotive use. Originally the southerly building was constructed for and used for automotive repair.

No sitework is proposed. No expansion of the current building footprints is proposed. Only the work necessary for the conversion of the existing interior space to accommodate the auto body repair use is being proposed. Attorney Porto submitted photographs of the site as Exhibits A and B. He asked to waive the sidewalks and stated that the hardship is losing a landscaped island or losing parking spaces if the sidewalk is installed further back from the street. Then, Mr. Giulietti asked about the outside storage of vehicles. Attorney Porto stated that some vehicles can be stored inside but he would like to increase the number of cars that could be stored outside. The Commission suggested continuing these applications to next month's meeting in order for the applicant to submit a site plan depicting the proposed parking plan and sidewalk layout.

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

SITE PLANS:

5. #P15-16 Continuation of 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 withdrawn by the applicant.

6. #P15-21 Site Plan Application of Maplewood Senior Living, LLC, Applicant, Clintonville Manor Realty and Simonetti Development, LLC, Owners, relative to 193 and 201 Clintonville Road, (Map 68, Lots 179 & 126). Plan Entitled: Maplewood Senior Living Center, 201 Clintonville Road, North Haven, Connecticut. Prepared by Langan Engineering & Environmental Services. Dated 07/22/15. Scale 1" = 40'. EH Zoning District.

This application has been postponed to the November 9, 2015 meeting.

7. #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 has been postponed to the November 9, 2015 meeting.

DELIBERATION SESSION:

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

PUBLIC HEARINGS:

3. #P15-23 Subdivision Application of Cinemark, Applicant, EPT Nineteen, Inc., Owner, for three (3) lots, 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 Wilson - aye

The application was approved with appropriate conditions.

4. #P15-24S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of Emilio Giano, Applicant, Gloria Giano, Owner, relative to 95 State Street.

Mr. Giulietti moved to continue the application to the November 9, 2015 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

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

SITE PLAN:

8. #P15-24 Site Plan Application of Emilio Giano, Applicant, Gloria Giano, Owner, Relative to 95 State Street.

Mr. Giulietti moved to continue the application to the November 9, 2015 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

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

OTHER:

-43 Broadway

Mr. Alan Fredricksen, Land Use Administrator, presented the request to construct a roof over an existing handicapped ramp located at 43 Broadway. The Commission asked questions and Mr. Fredricksen responded.

Mr. Giulietti moved to approve the construction of a roof over an existing handicapped ramp; Mr. Andrews seconded the motion. The Commission voted as follows:

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

-59 Middletown Avenue

Mr. Raj Baherti, owner, presented the request to install a stand-by generator in the left rear corner of the Krauszer’s Food Store located at 59 Middletown Avenue.

Mr. Penton moved to approve the installation of a stand-by generator located at Krauszer’s Food Store; Mr. Andrews seconded the motion. The Commission voted as follows:

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

-Town Plan of Conservation and Development

Mr. Fredricksen discussed this item with the Commission regarding focus groups.

INFORMAL PRESENTATION: None

EXTENSIONS:

Mr. Fredricksen, Land Use Administrator, presented the extension requests.

-#P07-08, 37 Pond Hill Road

Mr. Giulietti moved to approve a five (5) year extension for application #P07-08, 37 Pond Hill Road; Mr. Penton seconded the motion. The Commission voted as follows:

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

-#P15-15, 7 Grasso Avenue

Mr. Andrews moved to approve two (2) ninety day extensions for application #P15-15, 7 Grasso Avenue; Mr. Wilson seconded the motion. The Commission voted as follows:

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

-#P15-06, 177 Mill Road

Mr. Giulietti moved to approve one (1) ninety (90) day extension for application #P15-06, 177 Mill Road; Mr. Andrews seconded the motion. The Commission voted as follows:

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

BONDS:

-#P13-26, 342 State Street

Mr. Penton moved to table this item to the November 9, 2015 meeting in order for the Commission to review specifications on artificial turf fields that had been installed at this site instead of grass; Mr. Andrews seconded the motion. The Commission voted as follows:

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

-#P15-15, 7 Grasso Avenue

Mr. Penton moved to reduce the bond requirement amount from \$15,000.00 to \$5,000.00 for application #P15-15, 7 Grasso Avenue; Mr. Andrews seconded the motion. The Commission voted as follows:

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

CHANGE OF USE:

-150 Washington Avenue

Mr. Aaron Wilson, applicant, presented the change of use from a psychic business to a martial arts studio.

Mr. Penton moved to approve the change of use from a psychic business to a martial arts studio; Mr. Wilson seconded the motion. The Commission voted as follows:

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

-87 State Street

Catherine Dubail, applicant, presented the change of use from a service to retail, an Antique Mall. Then, she submitted drawings of the interior layout of the building and answered questions from the Commission.

Mr. Penton moved to approve the change of use from a service to retail, an Antique Mall; Mr. Giulietti seconded the motion. The Commission voted as follows:

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

-55 State Street

Mrs. Victoria DeCristofaro, applicant, presented the change of use from retail to a food preparation kitchen. The Commission asked questions and Mrs. DeCristofaro responded.

Mr. Penton moved to approve the change of use from retail to a food preparation kitchen; Mr. Andrews seconded the motion. The Commission voted as follows:

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

CORRESPONDENCE: 162 State Street – Affordability Housing Plan

Mr. Fredricksen reviewed the correspondence with the Commission.

MINUTES:

September 14, 2015

Mr. Penton moved to approve the September 14, 2015 meeting minutes; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Mulligan - aye Homa - aye

ADJOURN:

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