

**APPROVED 12-7-15**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, November 9, 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, sitting for Theresa Ranciato-Viele  
Richard E. Wilson, Alternate

**MEMBERS ABSENT:**

Theresa Ranciato-Viele  
Edward M. Homa, Alternate

**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 are postponed to the December 7, 2015 meeting.

**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 December 7, 2015 meeting.

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

The Commission elected to hear applications #P15-21S and #P15-21 together.

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.
  
5. #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.

Attorney Bernard Pellegrino, Jr. of the Pellegrino Law Firm presented the application to to permit the construction of a new, 90 unit, Assisted Living Facility. The site consists of two parcels, approximately 11.3 acres in total. The westernmost parcel is 4.4 acres and contains no structures. The easternmost parcel is approximately 6.9 acres and contains the decommissioned Clintonville Manor Convalescent Home. If approved, the existing structure would be deconstructed and replaced with a new two story building. Additional work proposed includes additional parking areas, drainage system improvements and landscaping improvements.

On 2 March 2015, the Commission approved a zone change (#P15-02) for the property to an Elderly Housing Zoning District to accommodate the Assisted Living Facility. The conditions of that approval limited the number of living units to 90 and the building height to two stories. The Inland Wetlands Commission approved a Positive Site Plan Referral at their 22 July 2015 meeting (#I15-11). The Inland Wetlands Commission then affirmed that approval relative to the site plan revisions proposed on the current drawings at their 28 October 2015 meeting.

Mr. Eric Linqvist, P.E. with Langan Engineering described the site plan and drainage system. Mr. Carlson requested buffer plantings in addition to the proposed stockade fence to provide privacy for residential properties. Mr. Giulietti asked if the proposed parking was sufficient and Mr. Penton would like to see established trees about 20' to 30' in height remain to provide extra privacy for neighbors. He also asked to relocate or reduce lighting in the rear of the property to avoid light trespass onto neighboring properties.

Mr. Michael Stein, Architect, stated that there will be 58 parking spaces and approximately 5 percent of the residents will have cars and the staff consists of 22 employees. Also, there is no medical unit being proposed for this site. Food will be provided on site for the residents. He described the proposed layout of the building and the site along with the proposed amenities. Then, he described the architectural design of the building. Mr. Penton stated that he prefers the use of stone on the pavilions and across the front of the building. The Commission asked questions and Attorney Pellegrino responded.

Mr. Carlson asked for public comment.

Public Comment:

1. Elliot Croll, 191 Clintonville Road, lives on the westernmost side of the site and asked about buffer plantings and parking.
2. Sherman Katz, 40 Sherwood Drive, has concerns with noise from the generator impacting neighbors.

Mr. Linquist, Attorney Pellegrino and Mr. Stein addressed the public comment.

There being no further 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.

Ms. Mulligan recused herself from this application and Mr. Wilson sat.

3. #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.
6. #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 continued presenting the applications to permit the change of use of the southerly, approximately 1, 230 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.

In accordance with the Commission's request the applicant submitted revised drawings which show the parking layout, 5' wide sidewalks along all street frontage, pedestrian dedicated 5' wide line striped walkways, and a zoning data table. Attorney Porto requested 12 parking spaces for storage of vehicles but would be fine with 10 spaces. Mr. Giulietti and Mr. Penton suggested curb stops or bollards to avoid vehicles from going onto the sidewalks.

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

#### **SITE PLANS:**

4. #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 December 7, 2015 meeting.

#### **DELIBERATION SESSION:**

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

#### **PUBLIC HEARINGS:**

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.

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

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Mulligan – aye

The application was approved with appropriate conditions.

3. #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 approve the application with the condition of limiting vehicle storage to ten (10) parking spaces; Mr. Andrews seconded the motion. The Commission voted as follows:

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

**SITE PLANS:**

5. #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.

Mr. Penton moved to approve the application with the following conditions; work with town staff to provide a north boundary buffer, clear sidewalks and adjust lighting by the dumpster; Mr. Giuliatti seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giuliatti – aye Mulligan – aye

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

Mr. Giuliatti moved to approve the application with curbs stops or bollards for parking against the sidewalks; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giuliatti – aye Wilson– aye

**OTHER:**

-#P14-05, 17 Stiles Lane, Proposed revisions

Mr. Jason Mazzaro of JRoo’s Restaurant, presented the proposed site plan modifications for application #P14-05, 17 Stiles Lane that was approved on April 7, 2014. The site plan modifications resulted from an angled main entrance on the north easternmost corner of the building. The angled main entrance conflicted with critical structural components of the building. To avoid this conflict the angled main entrance was re-designed to be square. The sidewalk around the building had to be modified to accommodate the building changes and the first parking space directly across from the entrance must to be eliminated in order to maintain the required 24’ wide isle. To compensate for the lost parking space, a new parking space will be added to the middle parking island off the rear of the building increasing that parking row from 12 spaces to 13 spaces. The Commission asked questions and Mr. Mazzaro responded.

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

Carlson – aye Penton – aye Andrews – aye Giuliatti – aye Mulligan – aye

-#P06-25, 828 Thompson Street, Proposed revisions

Mr. Stephen Dietzko, P.E. of Milone & MacBroom presented the request to construct a small flat graded area at the end of the proposed cul-de-sac with a community open space that includes a gazebo along with enhanced landscaping. These improvements are being proposed in lieu of the proposed walking trail. Mr. Penton and Mr. Giulietti would like to see the walking trail remain.

Mr. Penton moved to approve the construction of a gazebo with the condition that the walking trail remain marked, cleared and kept in its natural state with no woodchips; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Mulligan – aye

-Town Plan of Conservation and Development

Mr. Fredricksen, Land Use Administrator, spoke regarding the focus groups. Mr. Giulietti wants to make sure the Commission maintains control over the direction of the Town Plan of Conservation and Development.

**INFORMAL PRESENTATION:** None

**EXTENSIONS:**

-#P14-28S, 10 Stillman Road

Mr. Alan Fredricksen, Land Use Administrator, presented the extension request for application #P14-28S, 10 Stillman Road.

Mr. Penton moved to approve two (2) six (6) month extensions for application #P14-28S, 10 Stillman Road; Ms. Mulligan seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Mulligan – aye

**BONDS:**

-#P14-16, 3 Lincoln Street

Mr. Penton moved to release the entire bond for application #P14-16, 3 Lincoln Street, in the amount of \$5,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Mulligan – aye

-#P14-22, 448 Washington Avenue

Mr. Penton moved to release the entire bond for application #P14-22, 448 Washington Avenue, in the amount of \$2,500.00; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Mulligan – aye

-#P13-39, 200 State Street

Mr. Penton moved to release the entire bond for application #P13-39, 200 State Street, in the amount of \$5,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Mulligan – aye

-#P14-14, 249 State Street

Mr. Penton moved to release the entire bond for application #P14-14, 249 State Street, in the amount of \$5,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Mulligan – aye

**CHANGE OF USE:** None

**CORRESPONDENCE:** -Town of Hamden Legal Notice and Zoning Regulation Amendment  
- City of New Haven Referral  
- Connecticut Federation of Planning & Zoning Agencies, Newsletter

Mr. Fredricksen reviewed the correspondence with the Commission.

**MINUTES:**

October 5, 2015

Mr. Penton moved to approve the October 5, 2015 meeting minutes; Mr. Andrews seconded the motion. The Commission voted as follows:

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

**ADJOURN:**

There being no further business, Mr. Penton moved to adjourn; Mr. Andrews seconded the motion. The meeting was adjourned at 8:35 PM.