

**APPROVED 2-1-16**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, January 4, 2016 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  
Richard E. Wilson, Alternate

**MEMBERS ABSENT:**

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 7:01 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Then, he asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that he would like to remove 2 Dwight Street under Extensions and add Quinnipiac Housing List under Correspondence.

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

The Commission elected to hear applications #P15-30S and #P15-30 together.

1. #P15-30S 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: November 18, 2015. Scale 1" = 30'. IL-30 Zoning District.

## **SITE PLAN:**

3. #P15-30 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: November 18, 2015. Scale 1" = 30'. IL-30 Zoning District.

Attorney Bernard Pellegrino, Jr. of the Pellegrino Law Firm presented the applications to permit the redevelopment of this 1.11 acre property as a new retail facility for Town Fair Tire. If approved, the existing structure on the property, which formerly housed the Rustic Oak restaurant, would be deconstructed and replaced with a new, single story, 7,237 square feet building. The Special Permit application is required by Section 8.11.1 of the regulations for a limited repairer's license, which is required for certain work performed in the installation of tires.

On December 17, 2015 the Zoning Board of Appeals approved a variance to permit the granting of a Certificate of Location for automotive services within 462 feet of a park, where 500 feet is required. The Board limited the variance to the retail sale of tires and accessory uses to changing tires, wheel balancing and wheel alignments.

Mr. Dan Rabino, Director of Strategic Operations of Town Fair Tire discussed the history of Tire Fair Tire and the daily operations of the business. He explained that they need to modernize and further develop the business and do not have the ability to do so at their current location. He stated that they plan to retain eight of the twelve large oak trees on the property. The proposed building will be located closer to I-91 and the work bays will be located in the rear of the building. Also, used tires will be stored in an enclosed tire cage. The Commission asked questions and Mr. Rabino and Attorney Pellegrino responded. Then, Attorney Pellegrino submitted a traffic report as Exhibit A.

Mr. Jim Rotondo of Godfrey Hoffman Associates, LLC presented the site plan. He described the site and the proposed building. The Commission asked a few questions and Mr. Rabino and Mr. Rotondo responded. Then, Mr. Rotondo discussed parking, sidewalks and drainage proposed for this site. Attorney Pellegrino submitted an approval letter for a Certificate of Location dated February 29, 1984 as Exhibit B. The Commission asked questions and Attorney Pellegrino responded.

Mr. Neil Mellen, owner and President of Town Fair Tire, stated that the business will not be open evenings or on Sundays and only tire repair/replacement and wheel alignments will be performed on vehicles. The Commission asked questions and Mr. Mellen and Attorney Pellegrino and Mr. Rotondo responded.

Mr. Carlson asked for public comment.

Public Comment:

1. Mary White, 67 Summer Lane, asked about the visibility of the dumpster pad enclosure and the tire cage, and the presence of ferrell cats living on the property. She suggested a condition stating that the Limited Repairer's License is limited to wheel alignments only.
2. Sherman Katz, 40 Sherwood Drive, spoke in favor of the application. He feels that this is the best use for this property.
3. Tom White, 67 Summer Lane, spoke in favor of the application.
4. Richard Lopresti, 175 Sentinel Hill Road, has concerns with this businesses being placed between two restaurants and asked why other locations further up Washington Avenue weren't considered.

Mr. Jim Rotondo and Mr. Rabino responded to the public comment.

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

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

2. #P15-31 Resubdivision Application of Anthony & Giuseppina Peluso, Applicants and Owners, for two (2) lots, relative to 23 Carolyn Court, (Map 13, Lot 80). Plan Entitled: Property Located At #23 Carolyn Court, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC. Dated: 1/08/2014, rev. 11/12/15. Scale 1"= 50'. R-40 Zoning District.

Attorney Richard Fennelly and Attorney John Acampora of Cohen and Acampora presented the application to permit the subdivision of this approximately 1.997 acre parcel into two (2) residential building lots. Currently, the parcel is a single, undeveloped residential building lot. The size of Lot 1 is 43,483 square feet and Lot 2 is 43,486 square feet which would front on a paper street, Rock Lane. Then, he submitted a list of accepted roads in North Haven as Exhibit A. The Commission has some concerns with a property fronting on an undeveloped road. The Commission asked questions and Attorney Fennelly, Attorney Acampora and Mr. Fredricksen, Land Use Administrator, responded.

Mr. Carlson asked for public comment.

Public Comment:

1. Nathan Marks, 180 Cloudland Road, lives adjacent to Rock Lane. He questions the meaning of an accepted road and has safety concerns. He feels this project doesn't conform to the subdivision regulations and if this is approved it will set a precedent.
2. Bob Mazurek, 154 Cloudland Road, submitted a letter dated January 4, 2016 as Exhibit 1. He feels vehicles excessive in weight will crush underground pipes.
3. Thomas Turski, 27 Carolyn Court, lives in this neighborhood and was told at the time he purchased his home that this lot would not be subdivided. He has concerns with a shared driveway.

4. Joan Mazurek, 154 Cloudland Road, submitted a packet dated January 4, 2016 as Exhibit 2. She stated that all the lots in this subdivision are an acre and what is being proposed is under an acre. Then, she read information from the packet submitted as Exhibit 2.

Attorney Acampora responded to the public comment and a few more questions from the Commission. There being no further questions, the Public Hearing was closed.

**DELIBERATION SESSION:**

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

**PUBLIC HEARINGS:**

1. #P15-30S 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.

Mr. Giulietti moved to approve the application for the retail sale of tires and accessory uses of changing tires, wheel balancing, and wheel alignments only; Mr. Andrews 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.

2. #P15-31 Resubdivision Application of Anthony & Giuseppina Peluso, Applicants and Owners, for two (2) lots, relative to 23 Carolyn Court.

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.

**SITE PLAN:**

3. #P15-30 Site Plan Application of Town Fair Tire Center, Applicant, James and Patricia Clark (Trustees), Owners, relative to 165 Washington Avenue.

Mrs. Ranciato-Viele 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.

**OTHER:**

Town Plan of Conservation and Development

Mr. Fredricksen stated that a meeting has been scheduled for January 25, 2016 at 7:00 PM.

**EXTENSIONS:**

#P15-04, 2 Dwight Street - Postponed

**BONDS:**

#P15-06, 177 Mill Road

Mr. Penton moved to release the entire bond for application #P15-06, 177 Mill Road, in the amount of \$6,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

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

**CHANGE OF USE:**

88 Leonardo Drive

Mr. Kurt Garceau, applicant, presented the change of use from a warehouse to a personal training facility. He stated that he is looking for a larger space.

Mr. Penton moved to approve the change of use from a warehouse to a personal training facility; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

**BREAK:** 8:53 – 9:01 PM

**CORRESPONDENCE:** - New Haven City Plan Department, Amendment  
- Quinnipiac Student Housing List

Attorney Pellegrino and Sal Filardi, Vice President of Facilities, addressed Quinnipiac Student Housing with the Commission.

**MINUTES:**

December 7, 2015

Mr. Penton moved to approve the December 7, 2015 meeting minutes; Mr. Giulietti 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 9:31 PM.