

APPROVED 6-6-16
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, May 2, 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
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 7:03 p.m. Then, Mr. Carlson introduced the Commissioners and town staff and asked Mr. Fredricksen if there were any changes to the agenda. Mr. Fredricksen stated that application #P16-03 has been continued to the June 6, 2016 meeting.

PUBLIC HEARING:

Mr. Andrews read the call for the Public Hearing.

1. #P16-06S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of Yaccarino's Auto Service, LLC, Applicant, LTD Realty Associates, LLC, Owner, relative to 319 Washington Avenue (Map 85, Lot 4). Plan Entitled: Final Asbuilt, Property Located At 319 Washington Avenue, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC. Dated: 8/23/06, rev. 7/10/09. Scale 1" = 20'. IL-30 Zoning District.

Attorney John Parese, representing Yaccarino's Auto Service, LLC, presented the application to permit the granting of a motor vehicle repairer's license for the rear building on this property. No additional construction is being proposed.

Attorney Parese stated that the businesses on this site besides Dunkin Donuts do not produce a lot of traffic. He also stated that the application meets all the criteria of the regulations. Then, he explained the changes made to the site which include a wider driveway, a north bound turn lane, and the relocation of a dumpster. Towing is not being proposed but cars can be towed to this site for repairs. Attorney Parese explained to the Commission that there will be no body work, no heavy repairs and no towing and then he submitted a letter from Janice McDonald in favor of the application as Exhibit A and photographs of the site as Exhibits B, C, D and E. The Commission asked questions and Attorney Parese responded.

Mrs. Ranciato-Viele has traffic safety concerns and feels that this is a congested site especially when large delivery trucks enter the property. She also stated that when the rear building was constructed it was understood that a repairer's license would not be asked for. Mr. Giulietti doesn't feel that the changes made to the property are significant enough for granting a repairer's license. Mr. Carlson suggested consulting with the town attorney regarding adding language to the deed that reflects the license only being valid until Mr. Yaccarino retires. Mr. Penton suggested keeping the Public Hearing open in order to gather further information.

Mr. Carlson asked for public comment:

Public Comment:

1. Sherman Katz, 40 Sherwood Drive, feels Mr. Yaccarino is an upstanding citizen and spoke in favor of the application.
2. Bill Mitchell, 50 Temple Street, does not see any traffic issues on this site. He spoke in favor of the application.
3. Rocco Marando, 19 Drazen Drive South, stated that he did not hear a good enough reason for denying this application and sees no safety issues with accessing the property.
4. Larry Lazaroff, 30 Mowry Street, spoke in favor of the application. He doesn't see the traffic on this site being a major concern. He stated that changes were made to improve the site and that there are now fewer independent repairer businesses in town and he would like to see good businesses stay in town.
5. Ralph Lango, 30 Roberta Road, worked with Lou Yaccarino and is in favor of his application. He stated that he does not see any traffic concerns on this site.
6. Elaine Ianiello, 43 Bassett Road, sister of Mr. Yaccarino, stated that his place is very clean and sees no traffic issues with this site, and supports the application.
7. John McKnight, 31 Bowling Green Drive, business owner in North Haven. He feels that other business locations in town have more challenging sites when it comes to traffic safety concerns. He stated that this business is good for the community and spoke in favor of the application.
8. Marian Pernal, 14 Upper State Street, spoke in favor of application. She has never experienced an issue with traffic congestion and asked to keep honest people in the community. The Declaration of Independence was submitted as Exhibit 1.

9. Brian Larkins, 11 Wilson Avenue, a seven year customer of Mr. Yaccarino stated that he sees no traffic issues on this site. He spoke in favor of the application and asked the Commission to grant Mr. Yaccarino the Certificate of Location. He also stated that Mr. Yaccarino provides a high degree of service and honesty.
10. William O'Hare, 11 Charter Oak Place, is a customer of Mr. Yaccarino's and wants to see this business remain in North Haven.
11. Bob Johnson, 49 Melissa Drive, spoke in favor of the application and urged the Commission to approve it.
12. Ray Davis, 38 Butler Road, a 60 year resident, stated that he sees no traffic issues.
13. Joe Alfano, 110 Standish Avenue, stated that Mr. Yaccarino provides excellent service and sees no traffic concerns on the site. He asked that the application be approved.
14. Vinny Mendillo, 77 Ansonia Drive, feels that the Yaccarino's are good business people who keep their property spotless and he sees no traffic concerns.

Attorney Parese asked to keep the Public Hearing open until next month.

BREAK: 8:20 – 8:29 PM

SITE PLANS:

2. #P16-03 Site Plan Application of Stephan Sperling, August America, LLC, Applicant, August America, LLC, Owner, relative to 300 Universal Drive North, (Map 21, Lot 9). Plan Entitled: Land of August America, LLC, Universal Drive and Eagle Crossing, Town of North Haven, New Haven County, Connecticut. Prepared by Clarence Blair Associates, Inc. Dated: 5/21/2015. Scale 1" = 50'. IL-80 Zoning District.

This application has been continued to the June 6, 2016 meeting.

3. #P16-09 Site Plan Application of First Fuel of North Haven, LLC, Applicant, 120 Quinnipiac Avenue, LLC, Owner, relative to 120 Quinnipiac Avenue, (Map 11, Lot 47). Plan entitled: Proposed Site Plan, Property Located at 120 Quinnipiac Avenue (CT Route 103) North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC. Dated: March 15, 2016. Scale 1"=20'. IL-30 Zoning District.

Mr. Jim Pretti of Criscuolo Engineering, LLC presented the application to permit the construction of a new, 10,600 square feet, single story building on this approximately .85 acre lot. The building is intended to house the First Fuel Oil Company. The front of the building which is 2,544 square feet is proposed to be office space and 8,056 square feet in the rear is proposed for truck storage and warehouse space. The Commission asked questions and Mr. Pretti responded. Mr. Penton suggested planting four (4) additional 2" caliper sugar maple trees on the south side of the building. The Commission was in agreement with eliminating two (2) parking spaces to allow for the planting of the additional trees.

Mr. Penton also suggested masonry wainscot on a minimum of 50 percent of the front façade of the proposed new building. The Commission asked a few more questions and Mr. Pretti responded.

4. #P16-10 Site Plan Application of Vincenzo Gagliardi, Applicant, John Verna, Owner, relative to 1899 Hartford Turnpike, (Map 94, Lot 23). Plan entitled: Gagliardi's Restaurant, 1899 Hartford Turnpike, North Haven, CT 06473. Prepared by Edificio. Dated: April 6, 2106. Scale 1"=20'. CN-20 Zoning District.

Mr. Vinny Gagliardi, applicant, presented the application to permit the construction of a 10' x 18' outdoor dining terrace intended to seat a maximum of ten (10) diners off the north side of the existing Gagliardi's Restaurant. Some landscaping improvements are also proposed. The Commission asked questions and Mr. Gagliardi responded. The Commission was in agreement with installing a reinforced wall on the west side of the terrace and installing a wrought iron fence on the north and east sides of the terrace. Mr. Penton suggested adding trees on the north and east sides of the dining terrace to serve as a buffer for neighbors living across the street. The Commission asked a few more questions and Mr. Gagliardi responded.

The Commission elected to hear applications #P16-11 and #P16-11A together.

Mr. Giuliatti recused himself from these applications and Mr. Homa sat.

5. #P16-11 Site Plan Application of Price Reit, Inc., Applicant and Owner, relative to 411 Universal Drive North, (Map 21, Lot 4). Plan entitled: Home Depot, 411 Universal Drive North, North Haven, Connecticut. Prepared by VHB. Dated: April 8, 2016, revised 04/26/16. Scale 1" = 40'. IL-80 Zoning District.
6. #P16-11A CAM Application of Price Reit, Inc., Applicant and Owner, relative to 411 Universal Drive North, (Map 21, Lot 4). Plan entitled: Home Depot, 411 Universal Drive North, North Haven, Connecticut. Prepared by VHB. Dated: April 8, 2016, revised 04/26/16. Scale 1" = 40'. IL-80 Zoning District.

Mr. Paul Vitaliano, Project Manager of VHB, presented the application by Home Depot as an attempt to resolve longstanding violations relative to outdoor storage and migrating outdoor displays of merchandise for sale. The CAM application is being made because a portion of the property lies within the coastal boundary. This application is intended to permit a "seasonal outdoor storage area" for the display of merchandise for sale at the Home Depot retail store. It further proposes a permanent "shed display area" in the front of the parking lot, opposite Eagle Crossing. Temporary fencing and pedestrian line striping are also proposed. No enlargement of the building footprint is proposed. The Commission asked questions and Mr. Vitaliano, Kelly Presti, Home Depot Manager, and Mr. Fredricksen responded. The Commission expressed safety concerns with the "shed display area" in its current location and suggested relocating the sheds to the "mulch display area".

The sheds will be displayed in this area from March 1 to August 31 yearly, and for the remaining six months of the year the sheds will be relocated near the front of the store building. Mr. Penton suggested waiving the sidewalk requirement due to safety concerns.

BREAK: 9:53 – 9:58 PM

DELIBERATION SESSION:

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

PUBLIC HEARING:

1. #P16-06S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of Yaccarino's Auto Service, LLC, Applicant, LTD Realty Associates, LLC, Owner, relative to 319 Washington Avenue.

Mr. Andrews moved to continue the application to the June 6, 2016 meeting; Mr. Penton seconded the motion. The Commission voted as follows:

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

SITE PLANS:

3. #P16-09 Site Plan Application of First Fuel of North Haven, LLC, Applicant, 120 Quinipiac Avenue, LLC, Owner, relative to 120 Quinipiac Avenue.

Mr. Penton moved to approve the application with four (4) additional 2" caliper sugar maple trees installed on the south side of the building allowing for the elimination of two (2) parking spaces. Also, a minimum of 50 percent of the front facade of the proposed new building must be constructed of masonry wainscot; 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.

4. #P16-10 Site Plan Application of Vincenzo Gagliardi, Applicant, John Verna, Owner, relative to 1899 Hartford Turnpike.

Mr. Penton moved to approve the application with the construction of a reinforced masonry wall on the west side of the dining terrace and the installation of a safety fence and landscaping on the north and east sides of the patio to provide privacy for neighbors. Also, a waiver of the sidewalk requirement was granted; 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. #P16-11 Site Plan Application of Price Reit, Inc., Applicant and Owner, relative to 411 Universal Drive North.

Mrs. Ranciato-Viele moved to approve the application with the condition of relocating the sheds to the “mulch display area”, from March 1 to August 31, and for the remaining six months of the year, the sheds will be located against the front of the store building. Also, a waiver of the sidewalk requirement was granted; Mr. Penton seconded the motion. The Commission voted as follows:

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

The application was approved with appropriate conditions.

6. #P16-11A CAM Application of Price Reit, Inc., Applicant and Owner, relative to 411 Universal Drive North.

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

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

The application was approved with appropriate conditions.

OTHER:

- 297 State Street, Pack Rat

Mr. Samuel Sargent, Architect, representing Mountain Development Corp. explained the request for outdoor storage for the business, Pack Rat, located at 297 State Street. They are proposing to store 56 pods at the north boundary of the site and 15 pods in the lower portion of the loading dock area. The Commission asked questions and Mr. Sargent responded.

Mr. Penton moved to approve the request for outdoor storage of pods; Mr. Giulietti seconded the motion. The Commission voted as follows:

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

EXTENSIONS: None

BONDS:

- #P14-08, 550 Universal Drive North, Cinemark

Mr. Penton asked Mr. Bodwell to inquire about the condition of an easement for a walking trail before the bond is reduced.

Mr. Giulietti moved to continue this item to the June 6, 2016 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

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

CHANGE OF USE:

-565 Washington Avenue

Mr. William F. Wadsworth, owner, presented the change of use from retail to a massage therapy business. The Commission asked questions and Mr. Wadsworth and Lisa Bova, Real Estate Agent, responded.

Mrs. Ranciato-Viele moved to approve the change of use from retail to a massage therapy business; Mr. Andrews seconded the motion. The Commission voted as follows:

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

CORRESPONDENCE: - CT Federation of Planning & Zoning Agencies, Spring 2016
- Town of North Branford, Referral
- Town Engineer’s Capitol Projects clarification

Mr. Fredricksen and Mr. Bodwell reviewed the correspondence with the Commission.

MINUTES:

- April 4, 2016

Mrs. Ranciato-Viele moved to approve the April 4, 2016 meeting minutes; Mr. Penton seconded the motion. The Commission voted as follows:

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

- April 11, 2016 (POCD)

Mrs. Ranciato-Viele moved to approve the April 11, 2016 meeting minutes; Mr. Penton 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 10:22 PM.