

MEETING MINUTES
Planning and Zoning Commission
June 28, 2016

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, June 28, 2016, in the Harriet North room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M

PRESENT: Commissioner Hendricks, Mullins, Cohen, ZEO Conniff, Assistant Planner Killeen and Councilperson liaison Eberie. Commissioner Posey and Corporation Council Amendola arrived at 7:20 PM.

PLEDGE OF ALLEGIANCE

Moment of silence for Councilman Watts

APPROVAL OF MINUTES: Commissioner Hendricks held the approval because there were not enough Commissioners present that were at the June 6 meeting. Once Commissioner Posey joined, the minutes from the June 6 meeting were approved.

Public Hearing

1. 375 Elm Street. Application for approval of a Special Permit to allow for a pet grooming facility (nonboarding) on property located in the NB (Neighborhood Business) District, under Table 39.2 and Sections 85 and 92 of the West Haven Zoning Regulations. Applicant: Arshae Campbell/Debra Moran; Owner: Andrew Lott. File #: SP-16-200 (Continued from May 24, 2016)
For the second time, the applicant was not in attendance at the meeting. Staff indicated they have heard nothing from the applicants. Commissioner Hendricks stated that the applicant has not taken ownership of the property. Therefore, she asked for a motion to deny the application. Commissioner Cohen made a motion to deny the application. Motion was seconded by Commissioner Mullins. No discussion. None opposed. Motion carried on a 3-0 vote.
2. 215 Tuthill Road. Application for approval of a Special Permit for a grocery beer liquor permit in an existing grocery store, located in an NB (Neighborhood Business) District, under Table 39.2 and Sections 45, 85, and 92 of the West Haven Zoning Regulations. Applicant: Jose Tavarez; Owner: My Bazaar, LLC. Darshan Sachdeva. File #SP-16-203

Point of order by Commissioner Mullins that the entire application should be read. Commissioner Hendricks backtracked to 375 Elm Street to read the entire application. Carried the denial motion. Moved forward with 215 Tuthill Road. Commissioner Hendricks asked for the recommendation of Assistant Planner Killeen. Killeen said that a grocery-beer permit is treated the same as a package store. There are already 2 located in a 1,500 foot distances from the applicant, so it would not be possible to approve this request for a Grocery Beer Permit. Both Killeen and Conniff have reached out to the applicant, including physically visiting the location. There has been no response from the applicant. Killeen wants to formally talk to the applicant before an action is taken, if possible. Commissioner Hendricks read the item into the

record. The item was continued until the next meeting on July 12, 2016 at 7 PM in the Harriet North Court Room.

3. Proposed Amendments to the Zoning Regulations. Application for approval of proposed text changes to the City's Zoning Regulations to amend the definition of "Family", Section 2.2, by renaming it "Family/Household" and modifying line b) by deleting the words "with up to an additional four (4) people related to a person in the group." The amended line would read as follows: " b) A group of up to four (4) people who need not be related by blood, marriage, adoption or legally recognized foster relationship." Applicant: City of West Haven Planning and Zoning Commission. File # ZR-16- 199

Commissioner Hendricks opened the public portion.

Michael Esposito 34 Green Hill Road, Orange, CT. Allingtown Fire Department – Speaking on behalf of all City Fire Marshals that they are in favor of changing the regulation.

Beth Smara 4 Hillside Street, West Haven, CT – in favor of changing the regulation.

Barbara Mainer 677 Second Avenue, West Haven, CT – spoke to Commissioner Hendricks about a previous issue with a sober house and overcrowding on her street. Another house on her street is overcrowded after being rented to Section 8 residents. Commissioner Hendricks redirected the resident to her feelings on the changing of the regulation. Commissioner Hendricks suggested the resident stay in contact with Conniff for further solutions to her issue.

Linda Prone 56 East Brown Street, West Haven, CT – in favor of changing the regulation. She said she strongly believes that the City agencies should work together in the future to solidify the change. She is worried that it will be hard to enforce the change.

Ted Brown 56 High View Avenue, West Haven, CT – resident needed clarification on the change. He believed that the regulation would increase the number of unrelated people in a residence. Commissioner Hendricks and Corporation Council Amendola clarified the issue for the resident. Ultimately he opposed the change.

Vivan Lynch 3 Letney Place, West Haven, CT – she is in favor of the change. She agreed with Mr. Brown's confusion on the wording. She suggested adding the words "either/or" to clarify the regulation even further. Agreed with Ms. Prone on the issue of enforcement.

Commissioner Hendricks clarified that the change is just to one line of the regulation. The entire regulation is not shown on the agenda or the notice.

Don Lynch 3 Letney Place, West Haven, CT – agreed with previous residents that the wording is confusing. Had a question about how the regulation would apply to a two family home. Commissioner Hendricks clarified that each apartment could be rented to a max of four unrelated people each.

Lou Esposito 56 Lakeview Avenue, West Haven, CT – in favor of changing the regulation. Resident was concerned that the regulation would impact the amount of rent owners would be allowed to charge. Commissioner Hendricks said that is a separate department.

ZEO Conniff mentioned that Commissioner Riccio found a study from the Office of Legislative Research. West Haven was included in the study. 4 nonrelated people in a household was found to be the average.

Rich Mara 40 Hillside Street, West Haven, CT – very much in favor of the change.

Jane Whelan West Haven, CT – in favor of the change. Resident had a question concerning renting out rooms. She was wondering if she could rent out a room to two people. Commissioner Hendricks said that because her and her husband count as two unrelated people, renting a room out to two more people would be fine, because that would be 4, which is the limit.

Killeen read an email of approval from Keith Flood from the Fire Department.

Commissioner Posey spoke on behalf of the West Shore Fire Chief and Fire Marshal – both approve the change.

Commissioner Mullins motioned to close the public hearing. Seconded by Cohen. No discussion. No opposition. Public portion closed. Commissioner Hendricks read the item into the record. Motion made by Commissioner Posey. Seconded by Mullins. No discussion. No opposition. Motion carried on a 4-0 vote.

Staff Reports

1. Planning Conservation and Development - Review of the Vision Session held on the previous Thursday. Commissioner Hendricks spoke about the exercise and the opinion of residents on City improvement. She said it was great to see people from all different demographics come together. Commissioner Cohen spoke about how most of the small groups had the same issues on their list. Killeen suggested having another workshop. He wants to encourage more participation. Received feedback from the consultant. Conniff suggested getting more young residents involved. Mullins suggested holding a workshop during the academic year to get University of New Haven students involved.

Commissioner Cohen suggested to approve the minutes from the June 6 meeting because Commissioner Posey was now present. Commissioner Mullins asked that the spelling mistake on page 5 be corrected. Motion of approval made by Mullins. Second by Posey. No discussion. No opposition. Minutes were approved 3-0 (Posey, Mullins and Hendricks).

Commissioner Hendricks requested that the Commissioners get more involved to hear directly from the residents. She requested that they assist with public information tables at the Savin Rock Festival.

ADJOURNMENT 7:45 PM

Commissioner Posey made a motion to adjourn. Seconded by Commissioner Mullins.