

Planning and Zoning Commission
MINUTES
August 17, 2016

The West Haven Planning & Zoning Commission held a Special Meeting on Wednesday, August 17, 2016, in the Council Chambers, 3rd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M.

PRESENT: Commissioners Hendricks, Suggs, Biancur and Posey (7:08 p.m.), Asst. City Planner Killeen, Commissioner of Planning and Development Riccio, and Corporation Counsel Amendola (7:08 p.m.). Also Present: Gary O'Connor, Attorney, Pullman and Comley, LLC

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Biancur made a motion to approve the meeting minutes for July 26, 2016, seconded by Commissioner Suggs and passed unanimously (Hendricks, Suggs, Posey).

Special Meeting

1. Executive Session Re: Pending Litigation (File # ZR 16-190, ZM 16-191; Docket Nos: AAN-CV16-6021175-S and AAN-CV16-6021176-S)

Attorney O'Connor asked the Commission to go into Executive Session so that they could discuss a proposed settlement of these cases.

Motion was made by Commissioner Biancur to go into Executive Session to discuss these proposed settlements, to include all Planning and Zoning Commissioners, staff of the Planning and Development Office, Attorney O'Connor and Attorney Amendola, seconded by Commissioner Suggs at 7:05 PM, and passed unanimously (Hendricks, Suggs, Posey).

The Commission then entered into Executive Session at 7:06 PM.

2. Discussion of and Possible Action on Proposed Settlement of Pending Litigation (File # ZR 16-190, ZM 16-191; Docket Nos: AAN-CV16-6021175-S and AAN-CV16-6021176-S)

The Commissioners, staff and attorney, came out of Executive Session, and Chairperson Hendricks reconvened the Special Meeting at 7:15 PM.

Commissioner Biancur made a motion to accept the proposed settlements of the Pending Litigation related to File #ZR 16-190 and ZM 16-191, on account of the lack of a recording of the zoning meeting due to audio equipment failure on June 6, 2016, as presented by Attorney O'Connor during the Executive Session. Motion was seconded by Commissioner Posey and passed unanimously.

3. Discussion of Proposed Text Amendments for Transit Oriented Development (TOD) District

Mr. Killeen then made a presentation of the proposed regulations to replace the existing Section 35 of the Zoning Regulations, the Transit Oriented Design District (TOD). Commissioners that were present confirmed they had received and reviewed a copy of the proposed regulation. Mr. Killeen discussed that the purpose of this district was to create a pedestrian-oriented mixed-use "village" development around the train station. Developments of this type have occurred within most of the shoreline communities located along the Metro North train line. He explained that, within a TOD District, it is customary to allow mixed uses (residential, retail, service/restaurant and office uses) with higher density residential development and lower parking standards. He asked the Commission to focus tonight primarily on the proposed standards for overall density, building coverage, setbacks and parking requirements.

Commissioners Hendricks, Suggs and Biancur related some of their direct experiences with TOD developments in other communities. Commissioner Riccio explained that the City was interested in seeing the TOD District expanded to help promote the reuse of the former Edgar Stiles School, possibly for residential use.

Commissioner Suggs stated that there needs to be education for the community regarding the purposes of the Zoning Regulations.

Commissioner Biancur reported that he had reviewed the proposed regulation carefully and that he had specific questions on the proposed draft. He also asked for a copy of the Master Plan that was prepared by the City's consultants, led by Robert Orr and Associates.

The Commission then reviewed the proposed regulations, one page at a time.

Commissioners asked for a clarification between the definitions for live-work loft conversions and work-live conversions. They discussed the mix of uses that could be approved, and they recommended there be a definition of "light industrial" uses. They also discussed the need to prevent commercial uses from impacting on the residential quality of the District.

Mr. Killeen explained that the proposed Section 35.6 was important because it was the section that triggered the use of the various housing types contained in this form-based code.

Commissioner Biancur stated that he would like to see the regulations allow primarily 1 Bedroom apartments and studio/ loft apartments and perhaps 2 Bedroom apartments if they were restricted to occupancy by individuals 55 years or older. Chairperson Hendricks suggested that some young couples might like to occupy a unit that has one bedroom and an office space (e.g. bedroom with no closet).

The Commissioners supported the use of a density bonus to encourage retail and service uses on the first floor of mixed-use developments and to promote the creation of open space. They questioned the limit of public space to the hours of 10 am- 5 pm and thought it would be better to mirror the City's standards for the use of local parks (dawn to dusk).

Commissioner Biancur stated that he would like to see a clarification of how the location of bike lanes in this District would be established. He also felt the description under 35.7.1.i should be clarified so that it was clear the line "Fences shall be built of painted metal" was meant to describe ornamental fences and not chain link fences.

Under Section 35.8.3.a, Residential Development, Commissioner Biancur asked that the line "A range of residential dwelling types shall be encouraged", should be expanded to include the following additional line: "Single Bedroom units, studios and units occupied by individuals who are age 55 and over, shall be encouraged."

Chairperson Hendricks asked that the definitions be expanded to include the various dwelling types listed in the form-based code. She suggested that more definitions be added to clarify the proposed regulation, as well. She believed that, working in Microsoft Word, there was a method for developing an index of commonly-used words that might require a definition.

The Commission discussed and agreed with the proposed parking standards. Mr. Killeen explained that these standards were in keeping with the standard practices of other TOD communities in the region. They also agreed with the use of shared parking, however, they wanted to see developments where parking for retail and service uses was located close to the businesses, even if it involved on street parking.

The Commission discussed the approval process for developments within the TOD District, and while they agreed they wanted to have zoning reviews/approvals be as user-friendly as possible, they felt it might be better to have the more complex uses be subject to a Special Permit approval rather than Site Plan approval. That would enable the Commission to look more closely at how a proposed use would function and add conditions as necessary.

Commissioner Biancur asked about the meaning of Section 35.10.1.j under “Urban Design Standards and Guidelines” which recommends that “mechanical and utility equipment and trash storage shall be located in alleys where possible”. After some discussion, the Commission agreed they would like to add the words “behind buildings”, “out of public view”, or similar language.

Under Section 35.11.3, Street Furnishings, the Commission asked that there be some reference to the need for a Security Plan in which the applicant would demonstrate how they would handle onsite security for buildings in the TOD.

Commissioner Biancur also asked that the regulations include a requirement that TOD developments be serviced by underground utilities.

Chairperson Hendricks asked that staff prepare a summary of the items raised by the Commission during this meeting and come back to the Commission with some suggested revisions. At that point, she envisioned the Commission holding one more special meeting before scheduling the proposed regulation for a public hearing.

Commissioners asked for copies of the Master Plan and project reports. Staff agreed to check on the form in which they could obtain these reports.

There being no further business, the Special Meeting was adjourned at 8:55 PM.