

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, August 23, 2016, in the Harriet North room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M.

PRESENT: Commissioners Hendricks, Mullins, Suggs, Biancur, Cohen, ZEO Conniff, Asst City Planner Killeen, Commissioner of Planning and Development Riccio and Corporation Counsel Amendola. Absent were Commissioners Posey and Standish.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Suggs made a motion to approve the meeting minutes of August 17, 2016, as amended, seconded by Commissioner Biancur and passed 3 – 1 Abstain (Mullins).

Public Hearing

1. **149 Orange Avenue.** Application for approval of a Special Permit and Site Plan Review to add two gas pumps, relocate main entrance, and extend the canopy of an existing Gas Station and Convenience Store in the RCPD (Planned Residential Commercial District), pursuant to Table 39.2 and Sections 75, 85, and 92 of the West Haven Zoning Regulations. Applicant: Nadeem Khalid/Owner: Jatt, LLC. File # SP 16-206 and #SR 16-207. (*Continued from July 26, 2016*).
2. **461 Derby Avenue.** Applications for approval of a Special Permit, a Site Plan Review, and Automotive Location to operate an automobile repair shop on property located in an RB (Regional Business) District, pursuant to Table 39.2 and Sections 44, 60, 85 and 92 of the West Haven Zoning Regulations. Applicant: SKF Automotive, Inc.; Owner: Kirsten Gebbia. File # SP 16-209, # SR 16-210, and # CAL 16-211. (*Continued from July 26, 2016*).
3. **85 Prindle Road** – Applications for approval of a Special Permit, a Site Plan Review, Erosion and Sediment Control Plan and Resource Removal, Filling or Grading Plan to regrade approximately 3.8 acres of land to accommodate the expanded storage of trailers for an existing Tractor-Trailer Facility in an LM District, pursuant to Table 39.2, and Sections 73, 74, 75, and 85 of the West Haven Zoning Regulations. Applicant/Owner: The Eagle Leasing Company. File # SP 16-213 and ESCP 16-214.

Jim Rotundo, Godfrey Associates, engineer, is representing the owners tonight. Mr. Killeen also stated a revised storm water plan has been submitted. Mailings

were submitted to staff. Mr. Rotundro explained the site and said access to the site is from Boston Post Rd. The storage trailer site will be extended in a southerly direction. There will be excavation and filling on the east and west sides. No buildings are proposed on this site. On the eastern side, a berm will be constructed to help with run off and landscaping to help buffer on the residential side. Catch basins will be installed along this berm to help flow to these basins. Flows will be reduced at the discharge location. A landscape plan has also been submitted showing the types of plantings.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

Mario Gambardella, trustee, the Peter Latella Trust, is in opposition.

Paul Latella, 79 Annawon Ave., stated Mr. Gambardella is no longer the trustee.

Sheryl Santos, 124 Prindle Rd., aka Francantonio, concerned about the slope.

Marty Pinto, Sussman, Duffy, representing Meadowland and Housing Authority, would like to add a condition that no additional trees be removed and extend berm to direct drainage flow.

4. **761 Campbell Avenue** – Application for approval of a Special Permit to convert second floor office space to an apartment use in an NB (Neighborhood Business) District, pursuant to Table 39.2 and Section 85 of the West Haven Zoning Regulations. Applicant: Vincent Sprague; Property Owner: JVR Properties 12. File # SP 16-215.

Vincent Falcone, is representing the applicant. Mr. Sprague is the GM of anti-aging centers. This application is to move their business directly across the street and be able to live on the second floor of the business. All zoning requirements and parking are complied with. There are five spaces offsite for a total of 42 parking spaces.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application

5. **523, 542, & 546 Ocean Avenue** – Applications for approval of a Special Permit, a Site Plan Review, and a Coastal Site Plan Review to construct additions and alterations to an existing building and modifications to existing parking to support a Religious Service Organization in an R2 Residential District, pursuant to Table 39.1, and Sections 60, 71, 75 and 85 of the West Haven Zoning Regulations. Applicant: Mevlana Camii Mosque/John B. Torello, Agent;

Property Owner: United American Muslim Assoc. of NY, Inc.; File# SP 16-216, SR 16-217, and CSPR 16-218.

Nick Hakanoglu, and John Torello are representing the owner, and explained the use. They have been in West Haven since 2009. This was traditionally a mosque but has become more of a service oriented organization such as social organizations, religious study, etc. The reason for expanding is to make it conducive to have separate areas for the men and women to conform with their religious beliefs. John Torello, architect, stated there will be no disruption to the neighborhood or the site. The only renovation will be an addition to the back which is well screened by trees and fences. The occupancy of the facility is based on the largest assembly area according to regulations and other uses are accessory to the use. Therefore, all the requirements are based on the largest assembly area. Occupancy for this type of application in other zones has been based on the area of a prayer rug rather than the number of tables/chairs, or standing area. The area used for the prayer rug for parking requirements is much less than required and doesn't apply here. The parking lot will not be enlarged. It currently has 52 spaces. Mr. Killeen stated this application was referred to DEEP and read their comments into the record. Comments were also read into the record from the town engineer, Harbor Management Commission and Building Official. The busiest time is usually Friday mid-day for prayers. Prayers are held every day, five times a day. There are networking and social events held which would have the largest attendance of approximately 55 people. The membership is not expected to grow and there will be overnight stays in the addition.

Three calls were made to speak for and three calls were made to speak in opposition to this application.

Frank D'Aurio, 33 South St., concerned about speeding to gain access to the back lot from South St. and Ocean Ave. He owns property that the mosque uses to gain access to their property. There is no legal right of way. He has just let them use it.

Frank Sappiano, 530 Ocean Ave, submitted photos showing the property owned by Mr. D'Aurio and cars parked adjacent to his property.

Tanya Tammatti, 522 Ocean Ave., recommends a privacy fence and relocation and enclosure of the dumpster.

Roberta DeFonce, 38 Linwood St., is concerned about the addition and what it will be used for. She thinks eight classrooms are too many.

William Kane, chairman, inland and wetland commission, would like to see a permit for the parking since it is located within the wetland boundary.

Peter Kass, 489 Ocean Ave., is concerned about the esthetics of the lot and the development of the new addition.

Michael Debaddie, 526 Ocean Ave., submitted photos of the dumpster.

Joe Belbusti, 32 Linwood St., submitted photos and does not want any more development on Ocean Ave. He submitted a letter from Cambrian Geological dated 8/19/16.

Kelly Lamb, 530 Ocean Ave., is concerned that the addition will attract more members to this area. She doesn't have quality of life in her neighborhood.

Phil Raccio, 574 Ocean Ave., is concerned about the traffic and moving the crosswalk.

Lori Moran, 6 Colonial Pl., is concerned that the congregation will grow and there will be more people.

Lori Amberese, 116 Great Circle Rd is concerned about the noise and the growth of the mosque.

Kathy Gerbati, 465 Ocean Ave., questioned the size of the new addition.

Tom Home, 491 Ocean Ave., questioned the right of way pumping station.

Edith Ritarelli, 14 South St., concerned about something happening once it happens then trying to correct it. It's too late.

Mr. Hakanoglu rebutted by explaining there are inconsistencies in the neighbor's concerns with regards to the noise of children. He reiterated that there will be no expansion in the membership and do not see any increase in members using this mosque. They are trying to be as accommodating as possible.

Talha Akaya, Brooklyn, NY, explained hours of Ramaden and how the new addition will be beneficial to the mosque when it comes to the religious needs. This will not operate as a school or an overnight facility.

Commission suggested to the applicant to get together with the neighbors and have a dialogue. Suggested invitees are the Mayor, Councilpersons, police, and neighbors.

Regular Meeting

1. Deliberation and Action on Public Hearing Items:

- a. **149 Orange Avenue.** Application for Special Permit and Site Plan Review for modifications to an existing Gas Station and Convenience Store in the RCPD. Applicant: Nadeem Khalid/Owner: Jatt, LLC. File # SP 16-206 and #SR 16-207 - **WITHDRAWN**
- b. **461 Derby Avenue.** Applications for approval of a Special Permit, a Site Plan Review, and Automotive Location to operate an automobile repair shop on property located in an RB District. Applicant: SKF Automotive, Inc.; Owner: Kirsten Gebbia. File # SP 16-209, # SR 16-210, and # CAL 16-211. - **WITHDRAWN**
- c. **85 Prindle Road** – Applications for approval of a Special Permit, a Site Plan Review, Erosion and Sediment Control Plan and Resource Removal, Filling or Grading Plan to regrade approximately 3.8 acres of land to allow the expanded storage of trailers for an existing Tractor-Trailer Facility in an LM District. Applicant/Owner: The Eagle Leasing Company. File # SP 16-213 and ESCP 16-214.

Commissioner Biancur made a motion to close the public hearing on File #SP 16-213 and ESCP #16-214, seconded by Commissioner Mullins and passed.

Commissioner Mullins made a motion to approved File #SP 16-213 and ESCP #16-214 with the conditions the drainage easement on the adjacent property to the satisfaction of the town engineer and the property owner and no additional trees be removed, seconded by Commissioner Biancur and passed unanimously

- d. **761 Campbell Avenue** – Application for approval of a Special Permit to convert second floor office space to an apartment use in an NB

District. Applicant: Vincent Sprague; Property Owner: JVR Properties
12. File # SP 16-215.

Commissioner Biancur made a motion to close the public hearing on
File #SP 16-215, seconded by Commissioner Suggs and passed.

Commissioner Biancur made a motion to approve File #SP 16-215,
seconded by Commissioner Mullins and passed unanimously.

- e. **523, 542, & 546 Ocean Avenue** – Applications for approval of a Special Permit, a Site Plan Review, and a Coastal Site Plan Review to construct additions and alterations to an existing building and modifications to existing parking to support a Religious Service Organization in an R2 Residential District. Applicant: Mevlana Camii Mosque/John B. Torello, Agent; Property Owner: United American Muslim Assoc. of NY, Inc. File# SP 16-216, SR 16-217, and CSPR 16-218.

Commissioner Mullins made a motion to close the public hearing on
File #SP 16-216, SR #16-217 and CSPR #16-218, seconded by
Commissioner Suggs and passed.

Commissioner Mullins made a motion to approve File #SP 16-216, SR
#16-217 and CSPR #16-218 with the following conditions:

Entrance only be through Ocean Avenue and install a stop guard to
prevent traffic from going in or out, such as fence, rocks, guardrail or
chain.

All parking in parking lot across street for the Imam, any guest speakers
overnight and the driveway may be used for drop off and pick up only.

Permit process for parking lot pending approval by Corporation
Counsel

Landscape plan showing suggested buffering from neighbors and
parking lot to be submitted to the Commission for approval which also
shows location and screening for dumpster.

Not to be used as a school or daycare

Review in one year from Certificate of Occupancy.

Seconded by Commissioner Suggs and passed 5 – 0.

RECESS: 9:59 P.M.

2. **589 Boston Post Road (AKA 589 Orange Avenue)** – Application for approval of a Site Plan modification to allow a 20,000 sq. ft. steel frame storage building in the RB (Regional Business) District, pursuant to Tables 20.1 and 39.2 and Sections 22.2, 60, and 75 of the West Haven Zoning Regulations. Applicant/Owner: Michelle & Efram Eckhaus/Ana & Steven C. White. File # SR 16-220.

Max Ruggiero, Anthony Giordano Co., stated this is a re-approval. The certificate was never filed so it is a formality. The building location has changed from the side yard of 70 to 105 ft.

Commissioner Biancur made a motion to approve File #SR 16-220, seconded by Commissioner Mullins and passed.

3. **West Spring Street Culvert Replacement.** The City of West Haven Bureau of Engineering seeks approval of a Section 8-24 Review to replace an existing culvert on the Cove River under West Spring Street.

Mr. Killeen stated a packet was sent to the commission from the town engineer. This has gone before the inland wetland commission and been approved. The existing culvert will be replaced during fall 2016 or spring 2017. Commissioner Mullins made a motion to approve this culvert replacement, seconded by Commissioner Biancur and passed.

4. **Discussion of Proposed Land Use Study During Proposed Moratorium, File # ZR 16-219**

Mr. Killeen stated this does not need to be finalized tonight. He has provided a suggested outline for the committee. To be discussed at the next meeting.

5. **Reconsideration of Robinson and Cole request re: notification of property owners under Section 86.16 –File # ZR 16-212**

Mr. Killeen stated the commission instructed the applicant to send out mailings to all adjacent property owners. It would cost approximately \$520 for the GIS consultant and not sure of the accuracy or the cost. Robinson and Cole has provided a sample of a 5” x 4” advertisement to be placed in the New Haven Register on August 30, 2016 and the voice on Sept 8, 2016. The normal legal notice would also be done. Posting signs would not be practical.

Commissioner Biancur made a motion to accept the proposal for the New Haven Register ad for August 30, 2016 and an advertisement in the Voice for September 8, 2016, seconded by Commissioner Mullins and passed.

6. Staff Reports

1. Update to City Plan of Conservation and Development

Meeting will be on Thursday.

2. Discussion of Proposed Transit Oriented Development (TOD) Regulation Amendments

Additional text has been added and a new drop box to be added.

ADJOURNMENT: 10:32 P.M.

Commissioner Mullins made a motion to adjourn, seconded by Commissioner Suggs and passed.