

MINUTES
PLANNING AND ZONING COMMISSION
January 23, 2018

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, January 23, 2018, in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M.

PRESENT: Commissioners Hendricks, Biancur, Suggs, Mullins, and alternate Commissioner Milano, ZEO Conniff, Assistant City Planner Killeen and Corporation Counsel Tiernan. Absent was alternate Commissioner Hurley.

Chairman Hendricks appointed alternate Milano to sit on all applications for this meeting.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Biancur made a motion to approve the meeting minutes of January 9, 2018, seconded by Commissioner Suggs and passed.

Commissioner Hendricks announced Item #4, File #ZR 17-082 will be continued at the request of the applicant to the next hearing and will not be heard tonight. She announced that the next hearing would be held on Tuesday, February 13, 2018 at 7:00 PM in the Harriet North Room.

Public Hearing

(Continued from January 09, 2018 Hearing):

1. **Proposed Amendments to the Zoning Regulations.** Application for approval of multiple text changes to the City's Zoning Regulations: 1) To include public access walkways as part of the Open Space calculation within comprehensive development (or redevelopment) plans (amendments to Section 2.2 Definitions) ; 2) To eliminate the restriction on the use of at grade parking lots within the WD (Waterfront Design) District,(Section 36.2 Description and Intent of WD District); 3) To modify Area and Bulk Requirements in the WD District (Table 36.1) to: reduce Maximum Building Coverage from 40% to 35%; increase Maximum Impervious Surface Coverage from 20% to 60%; increase Maximum Lot Coverage from 60% to 80%; and reduce Minimum Open Space from 40% to 30%; and 4) to amend Parking Standards (Table 62.1) to require one parking space per 250 sq ft. for a Regional Shopping Center use in place of the current requirement of one parking space per 200 sq. ft, pursuant to Section 86 of the West Haven Zoning Regulations. Applicant: The Haven Group, LLC. File # ZR 17-076.

Attorney McKeon presented the application about the proposed text amendments. He stated the record reflects all necessary referrals, ads and legal notices were completed and documentation was submitted to the record. Attorney McKeon submitted a revised proposed draft resolution to the commission members for their review. There are four proposed text changes: public access walkways to be included in the open space calculation; eliminate restriction on use of at grade parking lots within the WD district;

modify area and bulk requirements in the WD district to the stated percentages in the proposed resolution; and to modify current parking requirements for Regional Shopping Centers from 1 space per 200 sq. ft. to 1 space to 250 sq. ft. Attorney McKeon stated the proposed resolution outlines the findings for approval which this commission needs to include on the record. Factors to be considered are changes within the city and patterns of construction and land use. James Fuda, senior project manager and engineer, stated the zoning regulations that were adopted in 2006 were too restrictive for a waterfront development and did not encompass good urban design such as walkways. He explained how walkways should be included in the open space, which also affects the bulk coverage calculations. Mr. Fuda distributed a graph showing the existing regulations involving building, impervious and lot coverages and open space. The second graph shows these same coverages under the proposed regulations. Mr. Fuda referred to the Milone and MacBroom report dated November 10, 2016 that provides an independent assessment of the proposal that reinforces this request and will help promote economic development. Mr. Fuda addressed comments received from the Harbor Management Commission, CT DEEP, Assistant City Planner Killeen and the South Central Regional Planning Commission. Attorney McKeon stated the resolution finds that all necessary referrals and notices have been conducted and that the proposal is consistent with the Plan of Conservation and Development and the goals of the city.

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

Pat Bollettieri, 215 West Walk, is not in favor of the text change regarding open space. It gives an unfair advantage to The Haven Group. She is opposed to the language “comprehensive or redevelopment” plan which only pertains to The Haven.

William Kane, chairman Inland Wetland Agency, reiterated with respect to impervious surface that the regulation changes don’t circumvent the wetland requirements for the city.

William Coletta, 14 Elmhurst Terrace, in favor.

Deborah Johnson, 246 Peck Ave., is concerned about open space.

Mr. Killeen stated he received a letter from Marcy Hotchkiss, 53 Kelsey Ave., who is in favor of these changes.

Mr. Fuda explained the storm water management standards as it relates to different types of soils and water quality and explained that it was possible to meet all stormwater requirements of the MS4 Permit, even with the revised bulk standards. He explained that this was true for the entire WD District, not just the Haven property. Attorney McKeon explained the open space text changes does pertain city wide.

Commissioner Mullins made a motion to close the public hearing on File #ZR 17-076, seconded by Commissioner Biancur and passed.

2. **Proposed Changes to Zoning Map for Properties Located at 30 Main Street, 32 Main Street, 38 Main Street, 40 Main Street, 48 Main Street, 32 Bayview Place, 20 Bayview Place, and the Southeast Corner of Main Street and Bayview Place.** Application for approval of Changes to the Zoning Map for multiple properties currently located in the R-3, R-4 (Residential), OS (Open Space) and WD (Waterfront Design) Districts to the WD (Waterfront Design) District, pursuant to Section 86 of the West Haven Zoning Regulations. Applicant: The Haven Group, LLC. File # ZM 17-077.

Attorney McKeon asked that the entire record from File #ZR 17-076 be made a part of the record for this application. All referrals, notices and Milone and MacBroom report to be included. This application required the mailing of notices to property owners and to submit an affidavit of that mailing was submitted as Exhibit 1 and photos of the required signs (Exhibit 2). All the properties listed above are owned by The Haven or the City of West Haven. This proposal is entirely consistent with the city's Plan of Conservation and Development. Mr. Fuda explained there are eight properties that are part of this application.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application. There was no one present who spoke in favor or in opposition to this application.

Commissioner Biancur made a motion to close the public hearing on File #ZM 17-077, seconded by Commissioner Milano and passed.

(New Applications):

3. **600 Derby Avenue, 85 Plainfield Avenue, 340 Fresh Meadow Road, 320 Fresh Meadow Road, 300 Fresh Meadow Road, and 280 Fresh Meadow Road.** Applications for approval of Special Permits and Site Plan Review to construct a 142,000 square foot Medical Regional Operations Center with associated site improvements in an Industrial Planned Development (IPD) District, pursuant to Table 39.2 and Sections 75 and 85 of the West Haven Zoning Regulations. Applicant/Owner: Yale-New Haven Health Services Corporation. File # SP 17-080 and SR 17-081

Attorney Susan Hays, Updike, Kelly and Spellacy stated this application is for a regional medical operations facility with 120 parking spaces and 19 loading docks. Attorney Hays introduced Steve Carbery, VP of YNHH; Dan Granniss, architect; Chuck Croce, engineer with Tighe and Bond; and Craig Yanis, traffic engineer. Mr. Carbery described what this regional operations center function will be. This facility will allow YNHH to buy supplies directly and distribute them to their other facilities. This will enable YNHH to control their costs and centralize their supplies. This site was chosen due to its location to New Haven, the various highways, and other Yale facilities in the region. Consideration was given to placing the location of loading docks and generators so they would not affect the residential area. There will be approximately 102 employees on site, with 30 to 40 new jobs. Daniel Granniss stated approval has been given by the Inland Wetland Commission, and the development is supported by the Regional Water Authority. This property was previously approved for approximately one million square

feet but that approval is now null and void. Thirty nine acres will be preserved as open space. The 43.7 acres of wetlands will not be impacted. The existing parking lot will remain and be repaved, and the existing driveway will remain. The existing house will be demolished, the property will be surveilled and obstacles will be placed to prevent RTV's from utilizing the property. Landscaping and the types of trees to be used on the site were described. Paul Baldere, design architect, described the building façade materials and footprint. Chuck Croce addressed the engineering of this project by describing the locations of tributaries of the Cove River and explaining the flow of runoff on the property. The existing parking lot has two catch basins that will be maintained. There is an existing sanitary sewer on site which will be utilized. Site drainage and stormwater management, soil erosion and site utility plans were shown to the commission. Craig Yanis presented the traffic operations study that was conducted and explained the traffic generation summary. The photometric plan is being revised as requested by staff and will be made as a condition for approval. If approvals are given, construction will begin late spring with a completion for 2019. Commissioner Hendricks would like to know the number of trucks that would be stored on site. Mr. Killeen read into the record correspondence from Brian Jones, State Archaeologist, requesting an archaeological survey before construction. John Black, engineer for Tighe and Bond, stated the letter was just received this afternoon. Acorn, the previous developer, did some research in 2001. Attorney Hays stated they will comply with the state statute if any burial grounds are discovered.

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

Gerald York, 89 Yates St. is concerned about the 176 truck trips a day, 24 hours a day. He asks for conditions limiting hours such as no nights, weekends or holiday trips.

Mike Richie, 50 and 54 Maltby Ave, is concerned about the value of his property. He is also concerned about the catch basin draining toward his property and the lights in the parking lot.

Margaret Krezimski, 1 Robart St. is concerned about the truck traffic and the routes they would take through West Haven.

Ruth Torres, 44 Oak St., resident and chair of Native American Heritage Advisory Council, supports the recommendation from Brian Jones regarding an archaeological survey and asks that this be imposed as a condition of approval.

Jay McMahon, 8 Yates St. concerned about truck traffic.

Leslie Roche Lopes, 85 Yates St., concerned about the truck traffic and asks that there be conditions.

Attorney Hays stated it is 176 trips a day, which is actually 88 trucks per day since the traffic study counts trips in and trips out as two separate trips. No traffic analysis was

done for the weekends because truck traffic will be less. Mr. Carbery stated most of Yale trucks are short body, but Yale can't dictate the size of trucks that will deliver to the facility. Mr. Yanis reviewed the anticipated truck traffic during the day and during the evening hours, explaining there would not be many trucks expected during the evening hours. Mr. Croce explained that peak drainage flow has been reduced south of the property. Commissioner Suggs asks that Yale instruct the drivers of their trucks to drive the routes outlined to avoid residential neighborhoods. Mr. Granniss stated noise ordinances will be complied with, and the building has been positioned so it minimizes the affect on the residents. They have taken the residential area into consideration. This application meets all the requirements of the Plan of Conservation and Development. Mr. Granniss also explained why this particular site on the property was selected for building placement. The existing driveway onto Maltby will remain and be used for emergency purposes only.

Commissioner Mullins made a motion to close the public hearing on File #SP 17-080 and #SR 17-081, seconded by Commissioner Milano and passed.

4. **Proposed Amendments to the Zoning Regulations.** Application for approval of text changes to the City's Zoning Regulations to amend Table 39.2 to add Multi-Family Dwellings as a Special Permit Use in the Neighborhood Business (NB) and Residential Planned Development (RPD) Districts, pursuant to Section 86 of the West Haven Zoning Regulations. Applicant: Ken Nizolek. File # ZR 17-082.

Continued to the next hearing on February 13 at 7:00 PM in the Harriet North Room.

5. **62 Treat Street.** Applications for approval of Special Permit and Site Plan Review to install wireless telecommunication antennas on an existing rooftop in an R4 Residential District, pursuant to Sections 48, 75, and 85 of the West Haven Zoning Regulations. Applicant: T-Mobile. Owner: 62 Treat Navcapman LLC. File # SP 17-083 and SR 17-084.

Commissioner Hendricks recused herself from this application. Attorney Jesse Langer, Updike, Kelly & Spellacy, stated the plans have been revised to show a boundary line change and to also provide names of property owners within 200 feet of the site. T Mobile is proposing to install 9 antennas that will be camouflaged. A radio frequency affidavit has been submitted that explains why this site was chosen. A zoning compliance statement was distributed to the commission. Mr. Heffernan submitted a copy of the emissions analysis report and explained how this report was conducted. He stated this site will be in compliance with all regulations. Matthew Bandel, Northeast Site Solutions, distributed a photo simulation of the faux chimneys that will screen the antennas and circulated a sample of the brick-like material that will be used to blend with the body of the building.

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

Commissioner Milano made a motion to close the public hearing on File #SP 17-083 and SR 17-084, seconded by Commissioner Biancur and passed.

381 Highland Street. Applications for approval of Special Permit and Site Plan Review to install wireless telecommunication antennas to an existing billboard in a Neighborhood Business (NB) District, pursuant to Sections 48, 75, and 85 of the West Haven Zoning Regulations. Applicant: T-Mobile. Owner: Barrett Highland, LLC. File # SP 17-085 and SR 17-086.

Chairman Hendricks recused herself from this application. Attorney Jesse Langer, Updike, Kelly and Spellacy, stated T Mobile is installing 9 antennas. Six of them are behind the billboard, three of them will come across the steel frame along the back and will be painted to match the background. The ancillary cabinets will be installed at the base and will meet all required setbacks. Matthew Bandel, Northeast Site Solutions, distributed a photosimulation of the billboard where the antennas will be installed. Mr. Hefferman explained why this site was chosen. These antennas are needed to keep up with capacity. All emissions testing has been done, and these antennas will be in full compliance with SCC regulations. A zoning compliance statement and abutter's names have been submitted to the record.

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

Anthony Boni, 328 Highland St. is concerned about the radio frequency of the antennas and the location of the billboards.

Commissioner Mullins made a motion to close the public hearing on File #SP 17-085 and SR 17-086, seconded by Commissioner Milano and passed.

Regular Meeting

1. Deliberation and Action on Public Hearing Items:

- a. **Proposed Amendments to the Zoning Regulations.** Application for approval of multiple text changes to the City's Zoning Regulations: Section 2.2 Definitions, Table 36.1, Section 36.2 and Table 62.1 Re: Regional Shopping Center in the WD District. Applicant: The Haven Group, LLC. File # ZR 17-076.

Commissioner Biancur made a motion to approve File #ZR 17-07 in accordance with the following attached resolution titled "Resolution Approving Application for Change to Zoning Regulations", with Attachment A "Text of Proposed Changes", seconded by Commissioner Suggs and passed unanimously.

- b. **Proposed Changes to Zoning Map for Properties Located at 30 Main Street, 32 Main Street, 38 Main Street, 40 Main Street, 48 Main Street, 32 Bayview Place, 20 Bayview Place, and the Southeast Corner of Main Street and Bayview Place.**

Requesting changes to zoning of properties in multiple zones to the WD District.
Applicant: The Haven Group, LLC. File # ZM 17-077.

Commissioner Mullins made a motion to approved File #ZM 17-077 with the following attached resolution titled “Resolution Approving Application for Change to Zoning Map”, seconded by Commissioner Milano and passed unanimously.

- c. **600 Derby Avenue, 85 Plainfield Avenue, 340 Fresh Meadow Road, 320 Fresh Meadow Road, 300 Fresh Meadow Road, and 280 Fresh Meadow Road.** Applications for approval of Special Permits and Site Plan Review to construct a 142,000 square foot Medical Regional Operations Center with site improvements in an IPD District. Applicant/Owner: Yale-New Haven Health Services Corporation. File # SP 17-080 and SR 17-081.

Commissioners stated the applicant has taken into consideration the residential area, and the application meets all zoning requirements. Other sites could be built here as of right such as a hospital or a three story corporate headquarters which would produce more traffic and have greater impact on the neighborhood. This is an industrial site and commissioners feel that YNHH would be a good neighbor.

Commissioner Biancur made a motion to approve File #SP 17-080 and SR 17-081, seconded by Commissioner Mullins.

1. Submission of updated photometric study, detailed Lighting Plan, and details of the proposed transformer to be submitted to staff prior to issuance of a Building Permit.
 2. Submission of final Landscape Plan subject to staff approval prior to issuance of Building Permit.
 3. Submission of sign details before issuance of a Sign Permit.
 4. Submission of Impervious Cover Analysis to Engineering Department prior to issuance of building permit.
 6. Submission of data requested by Building Department prior to issuance of Building Permit.
 7. Overview of truck parking (number and location) on site when trucks are not in use.
 8. Submission of Performance Bond (in tandem with the bond required for the Inland Wetlands Commission) to cover erosion and sedimentation controls, required site improvements, and preparation of an as-built survey upon completion of construction, to the satisfaction of the Engineering Department.
- d. **Proposed Amendments to the Zoning Regulations.** Application for approval of text changes to the City’s Zoning Regulations to amend Table 39.2 to add Multi-Family Dwellings as a Special Permit Use in the NB and RPD Districts. Applicant: Ken Nizolek. File # ZR 17-082.

This item was continued to the next regular hearing on Tuesday, February 13, 2018 at 7:00 PM in the Harriet North Room, City Hall.

- e. **62 Treat Street.** Applications for approval of Special Permit and Site Plan Review to install wireless telecommunication antennas on an existing rooftop in an R4 District. Applicant: T-Mobile. Owner: 62 Treat Navcapman LLC. File # SP 17-083 and SR 17-084.

Commissioner Mullins made a motion to approve File #SP 17-083 and SR 17-084, seconded by Commissioner Milano. Commissioner Suggs and Biancur are opposed to bringing new cell towers on a residential building. A roll call vote was called. Approved 3 – 1 (Biancur).

- f. **381 Highland Street.** Applications for approval of Special Permit and Site Plan Review to install wireless telecommunication antennas to an existing billboard in an NB District. Applicant: T-Mobile. Owner: Barrett Highland, LLC. File # SP 17-085 and SR 17-086.

Commissioner Mullins made a motion to approve File #SP 17-085 and SR 17-086, seconded by Commissioner Milano and passed.

- 2. **Discussion of Proposed Text Change** Re: Places of Worship - continued
- 3. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)** - continued
- 4. **Staff Reports**
 - a. **Adult Business Use Regulation** - continued
- 5. **Other Business** - continued
- 6. **ADJOURNMENT:** 12:02 P.M.
Commissioner Hendricks made a motion to adjourn, seconded by Commissioner Biancur and passed.

RESOLUTION APPROVING APPLICATION FOR CHANGE TO ZONING REGULATIONS

RESOLUTION of the West Haven Planning and Zoning Commission approving multiple text changes to the City's Zoning Regulations as follows: 1) To include public access walkways as part of the Open Space calculation within comprehensive development (or redevelopment) plans; 2) To eliminate the restriction on the use of at grade parking lots within the WD (Waterfront Design) District; 3) To modify Area and Bulk Requirements in the WD District as follows: reduce Maximum Building Coverage from 40% to 35%; increase Maximum Impervious Surface Coverage from 20% to 60%; increase Maximum Lot Coverage from 60% to 80%; and reduce Minimum Open Space from 40% to 30%; and 4) to modify the current parking requirements for Regional Shopping Centers from 1 parking space per 200 square feet of floor area to 1 parking space per 250 square feet of floor area. Proposed text changes would amend Section 2.2, Section 36.2, Table 36.1 (also incorporating modified explanatory note after consideration of comments from the City of West Haven Harbor Management Commission), and Table 62.1 of West Haven Zoning Regulations.

WHEREAS, the Applicant has proposed multiple text changes to the City's Zoning Regulations as follows: 1) To include public access walkways as part of the Open Space calculation within comprehensive development (or redevelopment) plans; 2) To eliminate the restriction on the use of at grade parking lots within the WD (Waterfront Design) District; 3) To modify Area and Bulk Requirements in the WD District as follows: reduce Maximum Building Coverage from 40% to 35%; increase Maximum Impervious Surface Coverage from 20% to 60%; increase Maximum Lot Coverage from 60% to 80%; and reduce Minimum Open Space from 40% to 30%; and 4) to modify the current parking requirements for Regional Shopping Centers from 1 parking space per 200 square feet of floor area to 1 parking space per 250 square feet of floor area. Proposed text changes would amend Section 2.2, Section 36.2, Table 36.1, and Table 62.1 of the West Haven Zoning Regulations as contained in Attachment A to this Resolution; and

WHEREAS, the Applicant has complied with all notice requirements in connection with the proposed changes; and

WHEREAS, the City of West Haven Planning and Zoning Commission has evaluated such proposed changes to the Zoning Regulations with consideration to the City’s Plan of Conservation and Development; and

WHEREAS, the City of West Haven Harbor Management Commission has evaluated such proposed changes to the Zoning Regulations and has recommended that with regard to the proposed amendments to “Table 36.1 Area and Bulk Requirements: Waterfront Design District,” the Planning and Zoning Commission modify the explanatory note such that it states: “In no case shall a site plan be approved in which maximum lot coverage exceeds 80%, or open space, when calculated to include walkways and other areas dedicated for general public access, is less than 30%. Since the definitions for maximum lot coverage and open space both allow walkways as part of the calculation, there will be some overlap in the allowable percentages;” and

WHEREAS, the Assistant City Planner has further recommended that the proposed explanatory note to Table 36.1 Area and Bulk Requirements be modified as follows: **“In no case shall a site plan be approved in which Maximum Lot Coverage exceeds 80% or Minimum Open Space is less than 30%. (Because the definitions for Maximum Lot Coverage and Minimum Open Space both allow landscaped courts, open hardscaped areas and walkways utilized for gathering or conservation access when part of a comprehensive development or redevelopment as part of the calculation, the sum total of Maximum Lot Coverage and Minimum Open Space may exceed 100%);”* and

WHEREAS, after considering testimony and evidence presented regarding the proposed text changes to the City’s Zoning Regulations, the West Haven Planning and Zoning Commission finds that the proposed text changes, as modified after consideration of the City of West Haven Harbor Management Commission’s recommendations, are consistent with the goals of the City’s Plan of Conservation and Development because, among other things:

1. The text changes permit more efficient and commercially viable development of property within the Waterfront District to promote economic development and to attract and retain business while leveraging existing shoreline assets to enhance open space requirements;

2. The text changes facilitate greater development within a smaller area while allowing greater access to shoreline assets which will promote recreation and employment opportunities and support quality of life improvements;
3. The text changes will contribute to the redevelopment of the area consisting of attractive retail and recreational areas;
4. The text changes will allow property within the Waterfront District to be more fully utilized and thereby, make redevelopment efforts more efficient and reduce the total land area necessary to effectuate the Haven South Municipal Development Project;
5. The text changes facilitate sufficient and appropriate parking, loading, turning and landscaping buffers necessary for a commercial development near coastal areas; and
6. The text changes will allow for moderately lower parking requirements for Regional Shopping Centers and more efficient and more sensible development throughout the City in order to achieve greater densities at potentially lower overall costs; and

WHEREAS, the City of West Haven Planning and Zoning Commission finds that the proposed changes are not detrimental to either the community at large or the surrounding neighborhood, and will instead foster the improvement and redevelopment of the City as a whole; and

WHEREAS, the West Haven Planning and Zoning Commission has considered the proposed changes to the Zoning Regulations, and has rendered the foregoing findings and determinations in connection therewith.

NOW THEREFORE BE IT RESOLVED by the West Haven Planning and Zoning Commission that the following multiple text changes to the City's Zoning Regulations be approved as follows: 1) To include public access walkways as part of the Open Space calculation within comprehensive development (or redevelopment) plans; 2) To eliminate the restriction on the use of at grade parking lots within the WD (Waterfront Design) District; 3) To modify Area and Bulk Requirements in the WD District as follows: reduce Maximum Building Coverage from 40% to 35%; increase Maximum Impervious Surface Coverage from 20% to 60%; increase Maximum Lot Coverage from 60% to 80%; and reduce Minimum Open Space from 40% to

30%; and 4) to modify the current parking requirements for Regional Shopping Centers from 1 parking space per 200 square feet of floor area to 1 parking space per 250 square feet of floor area. These text changes amend Section 2.2, Section 36.2, Table 36.1 (also incorporating modified explanatory note text as follows: **“In no case shall a site plan be approved in which Maximum Lot Coverage exceeds 80% or Minimum Open Space is less than 30%. (Because the definitions for Maximum Lot Coverage and Minimum Open Space both allow landscaped courts, open hardscaped areas and walkways utilized for gathering or conservation access when part of a comprehensive development or redevelopment as part of the calculation, the sum total of Maximum Lot Coverage and Minimum Open Space may exceed 100%).”*), and Table 62.1 of the West Haven Zoning Regulations as contained in Attachment A to this Resolution. The Commissioner of Planning and Development being hereby instructed to implement and promulgate such changes immediately.

ATTACHMENT A

TEXT OF PROPOSED CHANGES

SECTION 2.2 Definitions (Page 2-11)

OPEN SPACE: That part of a lot, including courts, walkways or yards, which

- (a) Is open and unobstructed from its lowest level to the sky;
- (b) Landscaped with vegetation and maintained for recreation or conservation purposes;
- (c) Does not include those portions of a lot that are utilized for off street parking, loading, driveway, or building purposes
~~but not limited to, asphalt, stone (processed or unprocessed), concrete or cement shall not be construed as open space~~ but does include landscaped courts, open hardscaped areas and walkways utilized for public gathering, open space or conservation access when part of a comprehensive development or redevelopment plan.

Amend Section 36.2, as follows:

Delete the following language after the third bullet point (remainder of this Section to remain intact:

~~As much of the area is in a flood plain, use of at grade parking with structures above, or garages accessed from a service alley is encouraged. Large expanses of surface parking and garages with individual street access are discouraged.~~

TABLE 36.1 AREA AND BULK REQUIREMENTS IN DESIGN DISTRICTS (Page 36-4)

TABLE 36.1 AREA AND BULK REQUIREMENTS: WATERFRONT DESIGN DISTRICT		
KEY	REQUIREMENT	
A.	Min. Tract Size (Acres)	15
B.	Min. Lot Size (Sq.Ft.)	20,000
C.	Min. Lot Area per Residential Unit (Sq.Ft.)	2,000
D.	Max. Number of Units per Building	8
E.	Min. Front Yard (Ft.)	12, 20
F.	Min. Side Yard (Ft.)	12
G.	Min. Rear Yard (Ft.)	25
H.	Min. Street Frontage (ft.)	50
I.	Min. Inner Yard	10' Per Story
J.	Max. Building Coverage (%)	40% <u>35%</u>
K.	Max. Impervious Surface Coverage (%)	20% <u>60%</u>
L.	Max. Lot Coverage (%)	60% <u>80%*</u>
M.	Max. Height (Stories)	
	Commercial	4
N.	Max. Height (Ft.)	

	Commercial	45'
O.	Min. Open Space (%)	40% <u>30%*</u>
P.	Off-Street Parking	

*In no case shall a site plan be approved in which Maximum Lot Coverage exceeds 80% or Minimum Open Space is less than 30%. (Because the definitions for Maximum Lot Coverage and Minimum Open Space both allow landscaped courts, open hardscaped areas and walkways utilized for public gathering, open space or conservation access when part of a comprehensive development or redevelopment as part of the calculation, the sum total of Maximum Lot Coverage and Minimum Open Space may exceed 100%).

Table 62. 1 Summary Table of Parking and Loading Requirements (Page 62-1)

Key	Use Category	Required Parking Spaces	Required Loading Spaces
E.	COMMERCIAL		
	Neighborhood Shopping Area	1 per 200 SF	A
	Regional Shopping Center	1 per 200 250 SF	A
	Retail Store, Shop or Boutique	1 per 200 SF	A

RESOLUTION APPROVING APPLICATION FOR CHANGE TO ZONING MAP

RESOLUTION of the West Haven Planning and Zoning Commission approving changes to the Zoning Map for multiple properties currently located in the R3, R4, OS (Open Space) and WD (Waterfront Design) Districts to the WD (Waterfront Design) District under Section 36, Section 86 and Section 92 of the West Haven Zoning Regulations.

WHEREAS, the Applicant has proposed changes to the Zoning Map for multiple properties currently located in the R3, R4, OS (Open Space) and WD (Waterfront Design) Districts to the WD (Waterfront Design) District under Section 36, Section 86 and Section 92 of the West Haven Zoning Regulations, such properties being located in the City of West Haven and known as:

30 Main Street
32 Main Street
38 Main Street
40 Main Street
48 Main Street
32 Bayview Place
20 Bayview Place and
Southeast Corner of Main Street and Bayview Place;

WHEREAS, the Applicant has complied with all notice requirements in connection with the proposed changes;

WHEREAS, the City of West Haven Planning and Zoning Commission has evaluated such proposed changes to the Zoning Map with consideration to the City's Plan of Conservation and Development;

WHEREAS, after considering testimony and evidence presented regarding the proposed changes to the City's Zoning Map, the West Haven Planning and Zoning Commission finds that the proposed changes are consistent with the City's Plan of Conservation and Development by, among other things:

1. Creating an area of sufficient size to promote economic development and to attract and retain business;

2. Promoting recreation, business and employment opportunities and supporting quality of life improvements;
3. Contributing to the redevelopment of the area consisting of attractive retail and recreational areas;
4. Providing additional acreage to the Waterfront District needed to create an attractive and vibrant gateway into the City of West Haven from New Haven;
5. Providing for sufficient area which can accommodate appropriate parking, loading, turning and landscaping buffers necessary for a commercial development near coastal areas; and
6. Facilitating anticipated development patterns that will be consistent with the proposed redevelopment project along the shoreline;

WHEREAS, the proposed Zoning Map changes will modify the zoning of an area greater than two (2) contiguous acres presently zoned as residential, commercial and open space/waterfront design district;

WHEREAS, the City of West Haven Planning and Zoning Commission finds that the proposed changes are not detrimental to either the community at large or the surrounding neighborhood, and will instead foster improvement and redevelopment of the City as a whole; and

WHEREAS, the West Haven Planning and Zoning Commission has considered the proposed changes to the Zoning Map, and has rendered the foregoing findings and determinations in connection therewith.

NOW THEREFORE BE IT RESOLVED by the West Haven Planning and Zoning Commission that the Zoning Map be changed to include the following properties in the Waterfront Design District:

30 Main Street

32 Main Street

38 Main Street

40 Main Street

48 Main Street

32 Bayview Place

20 Bayview Place and

Southeast Corner of Main Street and Bayview Place

These properties which are currently shown as located in the R3, R4, OS (Open Space) and/or WD (Waterfront Design) Districts will all instead be located solely in the WD (Waterfront Design) District under Section 36, Section 86 and Section 92 of the West Haven Zoning Regulations. The Commissioner of Planning and Development being hereby instructed to implement and promulgate such changes immediately.