



# CITY OF WEST HAVEN, CONNECTICUT

## Planning and Zoning Commission

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Kathleen Hendricks, Chairman  
John Biancur, Vice-Chairman  
Christopher Suggs, Secretary  
Steven R. Mullins, Commissioner  
Gene F. Sullivan, Commissioner

Michael Todd Taylor, Alternate  
Gregory Milano, Alternate  
Joseph Vecellio, Alternate  
Christopher Soto, Director  
Catherine Conniff, Asst. City Planner

### AMENDED

### MEETING MINUTES OF PLANNING AND ZONING COMMISSION

### JANUARY 25, 2022

The West Haven Planning and Zoning Commission held a Regular Meeting and Public Meeting on Tuesday, January 25, 2022, in the Harry M. Bailey Middle School Auditorium, 106 Morgan Lane, West Haven, CT at 6:00 P.M.

**PRESENT:** PRESENT: Commissioners Hendricks, Biancur, Suggs, Mullins (6:18) Sullivan, ZEO Hotchkiss, Planning Director Soto and Corporation Counsel Kravetz. Absent were Commissioners Milano, Taylor and Vecellio.

#### PLEDGE OF ALLEGIANCE

**APPROVAL OF MINUTES:** Commissioner Suggs made a motion to approve the Regular and Public Meeting minutes of January 25, 2022 with corrections as stated, seconded by Commissioner Biancur and passed.

#### Public Hearing Continued:

- Proposed Amendment to Zoning Regulations:** The City of West Haven is proposing an amendment to Section 20 (Commercial District), Table 20.1 to reduce the minimum lot size per unit requirement to 1,300 Square Feet. The amendment also includes a change to Table 62.1 in parking space requirements to a maximum requirement of 2 parking spaces per dwelling unit in residential zones. File ZR #21-93

Town Planner Soto stated this was continued because the commission wanted more detail on how the two spaces maximum came about. The number was given by the state. Changes 8-2 state our regulations can no longer require two spaces for units with more than two bedrooms. Mr. Soto distributed the information on how the state came to this requirement. The main idea in reducing parking requirements is environmental, such as reducing stormwater and costs, such as paving parking spaces and maintaining the spaces. This bill was created to give more affordable living options. He described how parking limits create an impact on to living conditions and increases density. The application from last month has not changed.

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

57 Forest Rd., wanted further explanation on this regulation. He was concerned with Leed St. parking issue. He has contacted the city several times regarding this. Commissioner Hendricks informed him that issue is not part of this application

Commissioner Suggs made a motion to close the public hearing on ZR 21-93, seconded by Commissioner Biancur and passed.

**Deliberation on Public Hearing Item:** File ZR #21-93

Commissioner Suggs made a motion to approve ZR #21-93, seconded by Commissioner Biancur.

Commissioner Hendricks stated this is part of Chapter 8, a state of law. West Haven is currently out of compliance with this law. Whether you agree or disagree, the state has passed this law. The parking requirements from this point forward, the city cannot demand more than two spaces per dwelling unit in a residential zone. This does not apply to private homeowners as of today.

Motion passes with an effective date of 15 days after notification.

**Public Hearing:**

- 2. 221 Bull Hill Lane:** MODIFICATION OR ORIGINALLY GRANTED SPECIAL PERMIT #SP 21-70. Modification is a change from a CAFÉ Liquor to a RESTAURANT Liquor Special Permit. (Previously Granted Special permit was: To create an Entertainment venue for Musical, Dance and comedy Performances. Special Permit application for approval of a liquor Bar / Cafe in the Neighborhood Business District (NB) pursuant to Section 45 and 85 of the West Haven Zoning Regulations. Applicant: Robert Mangino,/ Owner Nickerson Properties, File # SP 21-70.

Continued to February 8, 2022

**Deliberation on Public Hearing Item:** File # SP 21-70 (MODIFICATION

- 3. 1 Cellini Place:** Application for a Special Permit to allow a Walk-in Clinic in conjunction with permitted Medical Services in the RCPD zone pursuant to Sections 39.2H and 82. Applicant/ Owner: Park Commons, LLC. File # SP 22-102

Attorney Mark Sklarz stated this application is for a in special permit for an urgent walk-in clinic located in a residential commercial planned district. This space will be leased to Hartford Healthcare. The entire retail space will be approximately 15,566 sq. ft. The walk-in clinic will occupy about 2800 sq. ft. Phase I consisted of Atwood, residential and retail development, which was completed in 2017. The Parkview consists for four buildings of 60,000 sq. ft. which 15,566 sq. ft. of retail and the balance of 44 apartment units. The project consists of four contiguous parcels and now consolidated as one space. The floor plan was distributed to the

commission. Gary Letender described the floor space and location of types of offices. Medical parking spaces have been approved by the police department for patients only and monitored by UNH and the balance of parking has already been approved by this commission. There will be 52 parking spaces behind the building for the walk-in clinic. If this is approved, applicant will apply to DOT for a flashing signal light. Mailings have been submitted to the file. Comment from the building official was read into the record. No other comments from other departments. A fall opening is anticipated.

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

Commissioner Sullivan made a motion to close the public hearing on File #SP 22-102 , seconded by Commissioner Biancur and passed.

**Deliberation on Public Hearing Item:** File # SP 22-102

Commissioner Biancur made a motion to approve File #SP 22-102, seconded by Commissioner Mullins and passed.

- 4. Proposed Amendments to Zoning Map:** The City of West Haven is proposing to amend the Zoning Map along portions of the R-3 (Residential) and PF (Public Facilities) districts along portions of Campbell Ave., Richards St., and Hall St. to become part of the adjacent NB (Neighborhood Business) District. File ZM #21-94

Town Planner Soto stated this application is to amend the zoning map to extend the NB district that already comes along Campbell Avenue and across the street and continue the NB zone for those parcels. It is currently an R3 zone which is right in the middle of a NB zone. NB district will also extend to the Thompson school parcel which is directly behind the parcels that abut Campbell Avenue. This will allow non-conforming uses to become more conforming uses. Some bulk standards and uses will change. The purpose of this amendment is to change the number of units that will be allowed on these parcels. The NB zone allows for four units and above. This will make the current two and three family dwellings along Campbell Avenue non-conforming.

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

Commissioner Biancur made a motion to close the public hearing on ZM #21-94, seconded by Commissioner Suggs and passed.

**Deliberation on Public Hearing Item:** File ZM #21-94

Commissioner Mullins made a motion to approve File #ZM 21-94, seconded by Commissioner Sullivan and passed with an effective date of 15 days after notification.

5. **Proposed Amendments to Zoning Map:** The City of West Haven is proposing to amend the OS (Open Space) and SCR (Shoreline Commercial Retail) district boundary as it crosses the parcels at 5 and 6 Rock Street. File ZM #21-95

Town Planner Soto stated formal staff comments were not provided. This application is to correct a possible clerical error. The open space SCR zone are intersecting through the Savin Rock Center. The line has been amended where the open space zone dissects the building and small sliver of paved surfaces on the parcel where Jimmy's restaurant is. It will follow the northern edge of the existing paved walkway. The primary reason is any future development will require variances that are not justifiable under the hardship requirement. In the packet there is an amended shape upon recommendation by the open space committee. This is strictly an administrative change.

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

Commissioner Suggs made a motion to close the public hearing on File #ZR #21-95, seconded by Commissioner Biancur and passed.

**Deliberation on Public Hearing Item:** File ZM #21-95

Commissioner Biancur made a motion to approve File #ZR #21-95, seconded by Commissioner Mullins to be effective 15 days after notification.

6. **Proposed Amendment to Zoning Regulations:** An amendment for the City of West Haven Zoning Regulation. The City seeks to make the following changes: 1. Cottage food operations as an as of right use within a dwelling. 2. Allow plant nurseries as of right within the TOD district. 3. Allow Breweries distilleries and farm wineries throughout various zoning districts within the City. The changes are in part a modernization of the Zoning regulations to allow for uses that are already allowed by State statute (cottage food operations) and as a way to spur economic development and new industries within the City. Specifically, as a response to development options for city owned vacant and underutilized properties File #ZR 21-100

Town Planner Soto stated this application is to create a section in the regulations for cottage food operations. Section 21A-62a-h CGS create these types of industries. This allows residents in a private dwelling to use their private kitchen to cook certain foods at retail sales. The state regulates these types of food operations. Zoning regulations cannot prohibit cottage food operations. This regulation adopted most of the state regulations and clarified it for the city in Section 49.2. Another change that is being proposed is to allow plant nurseries in the TOD district. Plant nurseries do not necessarily mean a large home center operation. This regulation will allow hydroponic gardens. The third proposal is to add a new use in Section 45 and would adopt the regulations for breweries and farm wineries and to be allowed by special permit and change the use table to allow these uses. The proposal would allow the beer manufacturing and the farm winery use in almost all commercial districts and the distillery uses in only the industrial districts. Each location will come before the commission under a special permit for review. Another additional line in Table 39.1 will be added into the table

for farm wineries indicating a special permit is required. Commissioner Hendricks would like to consider other mixed uses in Table 39.2 to allow farm wineries by special permit and to amend Section 45.3.5 to note both Tables 39.1 and 39.2 to allow farm wineries.

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

Commissioner Suggs made a motion to close the public hearing on File #ZR 21-100, seconded by Commissioner Sullivan and passed.

**Deliberation on Public Hearing Item:** File #ZR 21-100

The following public hearings that have been noticed for January 25, 2022 have been tabled to the dates indicated alongside the item.

7. **(PUBLIC HEARING HAS BEEN TABLED TO FEB. 23, 2022) Proposed Amendment to Zoning Regulations:** An application to amend the City of West Haven Zoning Regulation, Table 39.2 and 36.1. The amendment proposes changes to the allowed uses in the SRR zone, and to allow a maximum of 11 dwelling units in the SRR zone. Applicant: Kevin J. Curseaden / Owner: Delaurentis Management Corp. File #ZR 22-101

**Deliberation on Public Hearing Item:** File #ZR 22-101

Continued to February 23, 2022

8. **(PUBLIC HEARING HAS BEEN TABLED TO FEB. 8, 2022) Proposed Amendment to Zoning Regulations:** An application to amend Article 3, Section 44.4 of the West Haven Zoning Regulations to provide that the restriction on siting gasoline, diesel or other filling stations within 100 feet of a residentially zoned lot shall not apply to a gasoline, diesel or other filling station having a convenience store on the same lot. Applicant: Joseph P. Williams, Esq./ Cumberland Farms, Inc. File #ZR 22-103

**Deliberation on Public Hearing Item:** File #ZR 22-103

Continued to February 8, 2022

9. **(PUBLIC HEARING HAS BEEN TABLED TO FEB. 23, 2022) Proposed Amendments to Zoning Map:** Savin Rock Partners, LLC is proposing to amend the Zoning Map to change the SCR Zone over the parcel know as 200 Captain Thomas Blvd (MBL: 021-0185-0-0000) to a SRR Zone as depicted on a map titled “Proposed Zone Change Map 200 a/k/a 200-270 Captain Thomas Boulevard” by Codespoti & Associates P.C. File ZM #22-104

**Deliberation on Public Hearing Item:** File ZM #22-104

Continued to February 23, 2022

## **Regular Meeting**

**Staff Reports** - Town Planner Soto distributed the Land Use Guidelines by the state and what the commission is required to do with respect to training. January 2023 commissioners are required to have four hours of training with one hour at least of affordable house training. The city must adopt an affordable housing plan and the city has been working with SCROG. The city is also working on Economic Development Best Practice

## **Other Business**

Approving the 2022 Planning and Zoning Calendar - Commissioner Suggs made a motion to approve the 2022 P & Z calendar, seconded by Commissioner Sullivan and passed.

Commissioner Hendricks asked that every application has the application number and the date of the original meeting that it would be heard and indicate same in the subject line in staff comments.

Next meeting will be held at the Harriet North Room at City Hall.

Commissioner Hendricks suggested making a bylaw change for remote meetings with respect to voting.

## **Adjournment: 7:41 p.m.**

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