

PLANNING AND ZONING MEETING MINUTES
FEBRUARY 13, 2018

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, February 13, 2018, in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M.

PRESENT: Commissioners Hendricks, Sullivan, Biancur, Hurley, Milano, and Johnson, Commissioner of Planning and Development Messore, Assistant City Planner Killeen, ZEO Conniff, Councilperson liaison Quagliani and Corporation Counsel Tiernan. Absent were Commissioners Mullins and Suggs.

PLEDGE OF ALLEGIANCE

Commissioner Hendricks welcomed new (returning) member Gene Sullivan and alternate member Debra Johnson. She announced that Commissioner Suggs has also been reappointed to another term on the Commission.

APPROVAL OF MINUTES: Commissioner Biancur made a motion to approve the meeting minutes of January 23, 2018, seconded by Commissioner Milano and passed.

Public Hearing

1. **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 from January 23, 2018 Hearing*)

Attorney Vincent Falcone, West Haven, is representing the applicant tonight. He stated that the applicant wishes to change the regulations for improvements he would like to propose at his property on 158 Bull Hill Lane, which abuts Meadowbrook Landing. Attorney Falcone distributed three exhibits showing the property zones, assessments and the report from Assistant City Planner Killeen. He pointed out that the regulations do not allow multi-family uses in the NB or in the RPD districts, which would make Meadowbrook Landings and Oronoque Condominiums legal non-conforming uses. If approved, this text change will allow this commission to deal with multi-family applications in an NB zone and any modifications in an RPD zone on a case by case basis (approval by Special Permit). Approval of a multi-family residential use would require a public hearing. He stated the staff comments by Mr. Killeen favor this change. A public hearing will be scheduled on February 27 for a special permit if this is approved to allow the first floor of the building at 158 Bull Hill Lane for 2, two bedroom apartments. Mr. Killeen stated a public hearing cannot be set yet due to the fact that he has not received the floor plans and revised site plans he had requested. Attorney Falcone will follow up tomorrow. Commissioner Biancur asked if this text change is approved, would it allow more multi-family dwellings. Mr. Killeen explained that these

zones already allow multi-family use above the first floor of a building, but this text change would allow dwellings on the first floor. The locations are mostly in the center of the city, near the highways and the TOD areas. The density would still be controlled and required setbacks would be controlled by the relevant regulations for each district. The only difference is that the regulation would give flexibility by not requiring a retail use on the first floor.

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

Commissioner Biancur made a motion to close the public hearing on File #ZR 17-082, 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 text changes 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.

Commissioner Milano made a motion to approve File #ZR 17-082 seconded by Commissioner Biancur and passed.

2. **Discussion of Proposed Text Change** Re: Places of Worship – Mr. Killeen stated there is a meeting scheduled with Attorney Tiernan for his input – this will be discussed at a future meeting.

3. Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD) – New members have received copies of the draft POCD.

Commissioner Hendricks explained that there is a subcommittee reviewing the implementation schedule that is included at the back of the Plan. The subcommittee's priority is to look at items that can be streamlined so developers do not have to go to the ZBA for variances. Each member of the subcommittee is in charge of a specific area. The next meeting will be held on March 13.

4. Staff Reports

- a. **Adult Business Use Regulation** – Waiting for Attorney Tiernan's input – The moratorium on adult uses expires April 3rd, 2018.

5. **Other Business** – Mr. Killeen put together background material regarding medical marijuana. Commissioner Hendricks would like feedback on this regulation relating to the POCD. The State has advertised for applications and the deadline is April 9th.

6. ADJOURNMENT: 7:30 P.M.

Commissioner Milano made a motion to adjourn, seconded by Commissioner Sullivan and passed.