

MEETING MINUTES OF PLANNING AND ZONING COMMISSION
March 10, 2020

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, March 10, 2020, 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 Sullivan, and Alternates Milano, Johnson, and Vecellio, ZEO Conniff, Assistant City Planner Killeen, Commissioner of Planning and Development Messoro and Corporation Counsel Tiernan.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Mullins made a motion to approve the Meeting minutes of February 25, 2020, seconded by Commissioner Suggs and passed.

1. **Public Hearing**

Proposed Amendment to Zoning Regulations. Proposed amendment to allow Active Adult Communities by Special Permit in specific Zoning Districts, pursuant to Section 86 of the West Haven Zoning Regulations. Applicant: West Haven Planning and Zoning Commission. File # ZR 20-003. (*Continued from February 25, 2020 Meeting*).

Chairman Hendricks started the hearing by noting that Commissioner Sullivan had not been at the initial public hearing, and at the time, Alternate Vecellio sat during that hearing. She asked if Commissioner Sullivan had reviewed the record and was prepared to act on this application. Commissioner Sullivan stated that he had reviewed the background on this application and reviewed the minutes from that meeting. He indicated he was prepared to sit on this application.

Chairman Hendricks then announced that this was an open hearing and that the Commission had a one-time speaking policy. She asked if there was anyone from the public that would like to speak on this application. Brent Coscia of West Haven was present and asked to speak. Chairman Hendricks said that he had spoken at the last hearing and was unable to speak again.

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 to speak for or against this application.

Chairman Hendricks asked if there were any questions from the Commission. Commissioner Biancur asked Mr. Killeen if he could review the process the Commission went through to arrive at the recommended setbacks in the regulation. Mr. Killeen explained that the Commission had reviewed similar regulations from about eight other Connecticut communities. In the majority of cases, the other communities required larger lot areas for a development of this type and also required increased setbacks. Stratford's regulation, for example, calls for 1.5 times the traditional setback in each district. In developing the proposed regulation, the Commission reviewed each District in which this use would be allowed and set a setback that was considered reasonable given the character of the District in which it would be located. In single family residential districts, the setbacks are almost one and a half times the standard setback for a single family house, since there is a greater likelihood with this type of development that there would be multiple structures located along a neighbors' property line.

Motion was made by Commissioner Mullins to close the public hearing for this application. Motion was seconded by Commissioner Biancur and passed.

Regular Meeting

Deliberation on Public Hearing Item: PROPOSED AMENDMENT TO ZONING REGULATIONS. File # ZR 20-003.

Motion was made by Commissioner Biancur to approve this application to open discussion. Motion was seconded by Commissioner Millins and passed.

Commissioners confirmed that, during the hearing of this Regulation, it was decided that the separation of units under Section 13.10 would be ten (10) feet as opposed to twenty-five (25) feet.

Corporation Counsel Tiernan asked the Commission to consider the language at the end of Section 13.2 Objectives, which would restrict applicants from seeking variances of this section. There was discussion of whether that language would impact an applicant's ability to seek variances of standards contained in other parts of the regulation. It was determined that this statement should allow applicants to seek variances that are permitted by State Statutes.

Commissioner Mullins agreed to rescind his second of the original motion of approval. Commissioner Biancur rescinded his original motion of approval.

Commissioner Biancur made a motion to approve File # ZR 20-003 with the following modification: Section 13.2 Objectives would be modified to add the following additional language to the sentence at the end of this section: This statement of objectives shall not be subject to variance or exception by any City agency ; however, any applicant retains any rights under State Statutes, as they may be changed from time to time". Motion was seconded by Commissioner Mullins. Chairman Hendricks asked for a roll call vote:

- Commissioner Sullivan – Aye
- Commissioner Mullins – Aye
- Commissioner Biancur – Aye
- Commissioner Suggs – Aye
- Commissioner Hendricks – Aye

Motion carried.

2. **Public Hearing**

456 Derby Avenue Special Permit, Site Plan Review and Approval of Automotive Location applications to continue the operation of an existing nonconforming used car dealership in the Regional Business District, pursuant to Table 39.2 and Sections 44, 75, and 85 of the West Haven Zoning Regulations. Applicants: Issam T. Mousa and Samer Abdelsalam. Owner: Pasquale

Civitella. File # SP 20-007, SR 20-008, and CAL 20-009. (Continued from February 25, 2020 Meeting).

Commissioner Hendricks announced that the applicant submitted a request to continue the hearing until the next hearing on March 24.

Regular Meeting

Deliberation on Public Hearing Item: 456 DERBY AVENUE

File # SP 20-007, SR 20-008, and CAL 20-009

Chairman Hendricks confirmed that this application would be continued to the next Planning and Zoning Commission hearing on March 24, 2020 at 7:00 PM in the Harriet North Room, West Haven City Hall.

3. **Public Hearing**

1. **845 Jones Hill Road.** Special Permit application for a Restaurant Beer and Wine Liquor Permit for an existing restaurant in the Neighborhood Business (NB) District, pursuant to Table 39.2 and Sections 45 and 86 of the West Haven Zoning Regulations. Applicant: Walter J. Stolinas III. Owner: Woodlawn Plaza, LLC. File # SP 20-010.

Walter J. Stolinas III, owner of Full Circle Pizza, presented this application. He has operated this restaurant at this location for almost twelve years. He indicated that the restaurant has been primarily a kid-centric environment since it has opened, which is no longer as profitable as it was in the early years. Now, he would like to modify the operation so that it is more of a sports-type establishment. Previously, the restaurant operated as a BYOB (Bring your Own Booze, Beer or Beverage) and, now he seeks a permit to be able to serve beer and wine to his customers.

Charman Hendricks thanked Mr. Stolinas for supporting West Haven youth clubs and sports teams over the years. She asked if the Commissioners had any questions. Aside from one question concerning soft drinks served onsite, there were no specific questions from the Commission.

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 to speak for or against this application.

Motion to close the public hearing was made by Commissioner Mullins. Motion was seconded by Commissioner Sullivan and passed.

Regular Meeting

Deliberation on Public Hearing Item: 845 JONES HILL ROAD

File # SP 20-010

Motion was made by Commissioner Mullins to approve File #SP 20-010 to permit a Restaurant Beer and Wine Permit at this location. Motion was seconded by Commissioner Sullivan and passed.

Regular Meeting

1. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)** – Chairman Hendricks reported that:

- a. The Allingtown Steering Committee had met over the last week and was submitting a set of suggested priorities for draft goals and strategies for the Allingtown Plan and would be submitting those for consideration by the Commission’s POCD Subcommittee at their next meeting on March 24th. Chairman Hendricks invited other members to attend if they’re interested.
- b. The City has received a tentative schedule for the Bicycle/Pedestrian Plan being prepared under the direction of the Southern CT Regional Council of Governments (RPA). Contracts have not yet been signed, but the project will begin soon and may be completed by as early as October 2020. It will be necessary to involve the Police Department and the Public Works Department in this process, and she asked Mr. Killeen to approach them and request that a representative be identified over the next week. She is giving them a short time frame to encourage them to become involved. She stated that Commissioner Messore may need to follow up with these departments at some point.

She indicated that there will be a Technical Advisory Committee that will begin meeting soon and that Alternate Milano will be the representative of Planning and Zoning on this Committee. Staff are welcome to attend, but Alternate Milano will be in charge. Mr. Killeen informed the Commission that there will be two public meetings as part of the process as well, and he invited Commissioners to help identify individuals and groups that should be involved. Chairman Hendricks instructed Commissioners to funnel any of this information through Alternate Milano.

Corporation Counsel commented that he noticed in the Allingtown Plan that there was discussion in one group of a recommended parking management plan for this area. He wanted the Commission to know that the City is about to fund a Citywide parking management plan, and he would want to make sure there is consistency between the two plans.

2. **Staff Reports** – Mr. Killeen offered the following report of activities since the last meeting:

- Two architects responded to the Office’s press release seeking assistance with reviews in the Village District. One architect was interested in a lead role, and the other architect was interested in providing commentary in a collaborative way during the review process. Staff met with the “lead” architect this morning to discuss the review process and answer questions.
- The Village District now shows up as a zoning boundary on the public GIS website. This work was completed by staff a couple weeks ago.
- There was a meeting with all City departments on February 28 to enable an applicant for a major Village District application to review the plans with departments in advance of formally submitting applications in mid-March for an anticipated April 29 public hearing.

- Staff received a draft security plan for a recently-approved liquor permit application at 857 Orange Avenue. Preliminary comments have been received from the Police Department.
 - Staff prepared five(5) Certificates of Decision from the last Planning and Zoning meeting.
 - Staff met with the applicant for a used car dealership at 456 Derby Avenue, in addition to neighbors of that property, to review proposed modifications to the original plan.
 - Staff received three (3) new applications for the April 14 P&Z hearing.
 - Twelve(12) certificates of zoning compliance were completed over the last couple weeks, and seventeen (17) new requests have been submitted during this period.
 - Staff is working with the Finance Department to begin the process of selecting a consultant to assist the City in developing a study to enhance public access to, use and enjoyment of public natural and recreational resources located along Beach Street. The Department has \$15,000 to begin the study and has requested additional funding in the upcoming capital budget. It is believed these improvements would help to promote redevelopment of surrounding commercial areas by attracting visitors to the City who could also frequent local establishments.
3. **Other Business** –
- a. Chairman Hendricks asked that there be an update presentation to the Planning and Zoning Commission on The Haven project and other economic development plans for the City, similar to a recent report to the City Council.
 - b. Vice-Chairman Biancur commented that one of the individuals who spoke about the Commission’s proposed Active Adult Community regulation was a member of the ZBA, and he questioned whether that could create a conflict for the individual.
4. **Adjournment: 7:52 p.m.**
Commissioner Biancur made a motion to adjourn, seconded by Commissioner Mullins and passed.