

MEETING MINUTES OF PLANNING AND ZONING COMMISSION
APRIL 23, 2019

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, April 23, 2019, in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M.

PRESENT: Commissioners Hendricks, Biancur, Sullivan, Suggs, Mullins, Milano, Assistant City Planner Killeen, Councilperson Quagliani (arrived 7:13 p.m.) and Corporation Counsel Tiernan (arrived 7:10 p.m.) Absent was Commissioner Johnson.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Sullivan made a motion to approve the meeting minutes of April 9, 2019, seconded by Commissioner Suggs and passed.

Public Hearing

1. **2 (AKA 38) Ocean Avenue.** Special Permit application for approval of a Restaurant Liquor Permit, with outdoor dining, in the Neighborhood Business District, pursuant to Section 20.10, Table 39.2 and Sections 45 and 86 of the West Haven Zoning Regulations. Owner: Baykat, LLC. Applicant: Riptide. File # SP 19-015.

Commissioner Hendricks stated the applicant requested that this application be continued and be put on the agenda for the May 14, 2019 meeting at 7:00 PM in the Harriet North Room, City Hall.

2. **693 & 697 Forest Road.** Applications for Special Permit and Site Plan Review approval, including erosion and sediment controls and Resource Removal, Filling and Grading, to construct a 9,800 sq. ft. athletic facilities maintenance building with site improvements in a Public Facilities District, pursuant to Sections 38, 73, 74, 75 and 85 of the West Haven Zoning Regulations. Applicant/Owner: Yale University. File # SP 19-016 and SR 19-017.

Attorney Joseph Hammer was on hand to present this application. He submitted the certificates of mailings to the file. He explained that the application for a zone change was resubmitted due to notice issues and was approved at the last meeting. Now, the applicant is submitting these Special Permit and site plan applications for the Commission's consideration. If approved, Yale University would construct an athletic maintenance building at this location. He explained these are the same applications that were presented to the Commission in January of this year. The building, parking and driveway will be located on 697 Forest Rd. Some utilities will be located on 693 Forest Rd. Approval has been granted by the Inland Wetland Commission. The building will be a 9,800 sq. ft. single story construction. A fuel pump is being proposed to serve the vehicles on site and concrete storage bins. Landscaping has been enhanced due to comments and meetings with the neighbors. Weekend events may involve the transporting of vehicles that are needed, depending on the type of event. J.P. Hernandez, Yale Facility Manager, explained the site and the type of activities that will be conducted on the site, materials that will be used to construct the building, access roads during construction and types of landscaping that will be planted. Chuck Croce, Tighe and Bond, explained the drainage flow on the site, proposed rain garden and location of utilities. Attorney Hammer stated this application

meets all the standards of the regulations, proposes no impact and no increase in traffic. There were three conditions suggested in the staff report, however, he feels conditions 2 and 3 have already been addressed.

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 File #SP 19-016 and SR 19-017, seconded by Commissioner Suggs and passed.

Regular Meeting

1. Deliberation on Public Hearing Items

- a. **2 (AKA 38) Ocean Avenue.** Special Permit application for approval of a Restaurant Liquor Permit, with outdoor dining, in the Neighborhood Business District. Owner: Baykat, LLC. Applicant: Riptide. File # SP 19-015.

This item was continued to the public hearing on May 14, 2019 at 7:00 PM in the Harriet North Room, City Hall.

- b. **693 & 697 Forest Road.** Applications for Special Permit and Site Plan Review approval, including erosion and sediment controls and Resource Removal, Filling and Grading, to construct a 9,800 sq. ft. athletic facilities maintenance building with site improvements in a Public Facilities District. Applicant/Owner: Yale University. File # SP 19-016 and SR 19-017.

Commissioner Biancur made a motion to approve File #SP 19-016 and SR 19-017 , seconded by Commissioner Suggs for the following reasons:

1. This application is consistent with the Plan of Conservation and Development.
2. This proposal meets all the requirements for Special Permit approval and Site Plan approval.
3. The applicant has provided plans that include sufficient onsite erosion and sedimentation controls during construction,
4. The applicant has provided sufficient information to determine compliance of this project with the requirement of Section 75 for approval of a Resource, Removal, Filling and Grading Special Permit.
5. Applications meet Section 85 standards.

The approval would include the following condition:

1. Approval is subject to a performance bond in an amount that is sufficient to cover erosion and sediment controls, the preparation of an As-Built Survey upon completion of this development to the satisfaction of the Engineering Department, and as a guarantee that all proposed landscape materials will survive for a minimum of one full year.

2. **Second Reading and Action on Proposed Bylaw Revisions** – Commissioner Suggs explained the revisions that were made based on the discussions that were held at the last meeting. After reviewing the proposed changes, Commissioner Suggs made a motion to

approve the revised bylaws as of April 23, 2019, seconded by Commissioner Mullins and passed.

3. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)**

a. Village District Regulations – Commissioner Hendricks stated there is a draft but needs updating with photos. A copy will be sent out for review.

b. Next Meeting of Allingtown Steering Committee – next meeting will be on May 21, 2019

4. **Staff Reports** – Mr. Killeen stated he is still working on a draft for Airbnb regulations and for regulations to reduce conflicts between the City’s Zoning Regulations and the CT General Statutes.

5. **Other Business** - Commission Hendricks received a call from the applicant from 2 Ocean requesting a special meeting. She denied the request, since Commissioners are here on a volunteer basis, and their schedules are pretty full.

6. **Adjournment:** 7:50 p.m.

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