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CITY OF WEST HAVEN, CT

PLANNING AND ZONING COMMISSION

MINUTES OF THE REGULAR MEETING HELD ON

Tuesday, April 25, 2023

The West Haven Planning and Zoning Commission held a Regular Meeting and Public Hearing on Tuesday, April 25, 2023, in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, Connecticut at 6:00 p.m.

Call to Order: 6:02

Roll Call:

Christopher Suggs, Chairman	Present
John Biancur, Vice-Chairman	Present
Gregory Milano, Secretary	Present
Gene F. Sullivan, Commissioner	Absent
Michael Todd Taylor, Commissioner	Present
Joseph Vecellio, Alternate	Absent
Sammy Rivera, Alternate	Present
Alternate Commissioner	Vacant
Ron Quagliani, Liason to Council	Absent
Catherine Conniff, Assistant City Planner	Present
Steven Hotchkiss, Zoning Enforcement Officer	Present
Brian Miller, Planning Consultant	Present
Thomas Cusa Associate Corp. Counsel, Sussman, Duffy & Segaloff	Present

Pledge of Allegiance

Approval of Minutes

Vice-Chairman Biancur makes a motion to accept the minutes from the March 28 meeting and Commissioner Milano seconded it.

80 Fresh Meadow Road: A special permit for parking in the front yard and Site Plan Review to construct a gravel parking area as an accessory parking area for the church employees and parishioners. In the IPD (Industrial Planned Development) District pursuant to Sections 45 and 85 of the City of West Haven Zoning Regulations.

Applicant: Richard Altschuler, Esq

Owner: Good Shepherd Ministries A/G File # SP 23-169 and SR 23-170

Attorney Altschuler spoke about Good Shepherd Ministries being good neighbors. They are a growing congregation and they need more parking. Surveyor Paul Stowell accompanied Attorney Altschuler and spoke about the biofiltration berm that they will be using. He said the new surface will be pervious. Assistant City Cathy Conniff said that our City Engineer, Abdul Quadir said that the measures the Applicant is taking are acceptable for drainage. 83 new parking spaces will be added.

Public Hearing

Steven Borelli, 5 Industry Drive Extension, said the Church and their parishioners are good neighbors and they have cleaned their property up and done good things for the area.

Vice-Chairman Biancur makes a motion to close the public hearing and Commissioner Taylor seconded it. Vice-Chairman Biancur then makes a motion to approve the Application with conditions and Commissioner Taylor seconded it.

Condition: Construction details and landscaping plan will be reviewed by the staff.

File # SP 23-169 and SR 23-170 was unanimously approved.

551 Main Street: A special permit application for approval of a Restaurant On Premise Liquor Permit for a new restaurant in the TOD (Transit Oriented Design) district, pursuant to Sections 45 and 85 of the City of West Haven Zoning Regulations.

Applicant: Edy Osorio

Owner: Peng Chen Duly File SP #23-171

Mr. and Mrs. Edy Osorio, 73 Bantage Road, Hamden are before the Commission to obtain approval to sell beer and wine at their new Restaurant.

Chairman Suggs calls three times to the public for comment. There were no speakers.

Vice-Chairman Biancur makes a motion to close the public hearing and Alternate Rivera seconds it. Vice Chairman Biancur makes a motion to approve the application and Alternate Rivera and Commissioner Taylor seconded it.

File SP #23-171 was unanimously approved.

The City of West Haven proposes the following changes to the current Zoning Regulations:

- 1. Active Adult Housing** – Change in requirements for Active Adult Housing Section Table 13.3 in the SRR (Shoreline Residential Retail) district. **File #ZR-23-161**
- 2. Shoreline Residential/Retail Design District (SRR)** – Change in the number of stories in height from maximum three to six stores to comply with the POCD. **File #ZR 23-162**
- 3. Design Districts** – Change in area and bulk requirements in the SRR (Shoreline residential Retail) district in table 36.1 and 30.2.4. **File #ZR 23-163**

4. **Parking for Multi-use Development** – Change by reducing parking for mixed use. It will conform with the State MS4, adding section 61.4. **File #ZR 23-164**
5. **Outdoor Dining** – Change will streamline the approval process for outdoor dining. Amend section 20.10 and table 39.2c. **File #ZR 23-165**
6. **Digital Applications** – Change will save paper. Add section 75.2. **File #ZR 23-166**
7. **Parking for Educational Uses** – Change will avoid excessive parking. Amend table 62.1 line F. **File #ZR 23-167**

Assistant City Planner Cathy Conniff said that South Central Regional Council of Governments said the changes have no negative impact.

Public Hearing

Meli Garthwait, 22 Second Avenue

She read a letter regarding the detrimental effects a six story structure would have on 11 & 15 & 21 & 45 Beach Street. Solar systems will fail. She wants two stories and she references page 84 on our POCD and says it would be defied by this change

Georgianna Jette, 90 Anderson Avenue

Ms. Jette reads a letter from her neighbor, Michael J. Brindisi, 26 Second Avenue. He is not in favor of the Zone Change. On behalf of herself, she said she is a volunteer with neighbors and State Representative Dorinda Borer. She speaks about the the Audubon Society's interest in their neighborhood. Dorinda Borrer secured 800,000. and 133,000. More from the State. Nothing should be built on Sandy Point.

Michelle Coletti, 46 Second Avenue & 33 Third Avenue Extension

She states that Lot 260 was part of a buy out and cannot be developed. Regarding the mention of Third Avenue Extensioin becoming a Dead End or Cul de Sac, she said this will allow the developer to own the entire area including the neighborhood access. She said the Special Permit language is subjective and suggests the Zone Change be postponed. The decision is not based on our POCD and there are contradictions. If the Zone is changed it opens the doors for things to happen that cannot be fought by neighbors that don't have funding to push back. Wild Wild West zoning doesn't hear public input. Coletti can accept four stories.

Jeffrey Gordon, Codespote & Associates, 263 Boston Post Road, Orange

Spoke of legal and illegal Spot Zoning. He said Morse Park is protected. Said a six story building will not impair sunlight. He is in favor of six stories because then your building takes less land.

Beverly Garetson, 200 Second Avenue

Oceanside Luxury Condominiums were a shock and she does not want a repeat of that. Not in favor of six stories, it would ruin what she and her neighbors bought in to.

Rich Hebert, 166 Blohm Street

He is not opposed to business in this area but he does not want it to be like Miami Beach. It is a residential city. He has questions because it is all fuzzy. Will there be outdoor parking? SCR and SRR what is the difference? What is the population projection for the apartments that may go there? What will the housing cost? What would be the capacity of a restaurant that may go there? How will they contain their trash? Will there be outdoor dining? He is in favor of four stories total. He feels this change is directed for somebody. Not in favor of six stories.

Christina Koukos, 396 Savin Avenue

West Haven does not hear their residents. She grew up here and recently purchased a home here because she remembers it as a lovely community. Now she sees blight and noise pollution and it change the charm she remembered about West Haven. She is not in favor of six stories, three or four total.

Jason DeLorenzo, 29 Third Avenue Extension

He spoke of all the large and small trash items that regularly get dumped in his neighborhood. He and his neighbors clean it up together. The lack of lighting and cameras leaves way for dumping. He said the land owners of the former Captain's Galley site are bad neighbors. If there is a Cul de Sac at the end of his street he asks that they atleast leave a path for neighbors to access the beach.

Recess 8:14 – 8:26

Jennifer Horner Singleton, 260 Hemlock Hill Road, Orange

Her Mom is Valerie Horner, 19 East Avenue. Jennifer grew up here in West Haven and she is against the idea of six stories as she remembers all the distraught neighbors when Oceanside Luxury Condominiums was built. She is in favor of revitalization but not six stories.

Kimmarie Mullin, 46 Second Avenue & 33 Third Avenue Extension

She reads a letter from David Killeen, 50 Second Avenue. He said he is pleased about the redevelopment but concerned. He asks for a postponement or a continuation on the Zone Change to enable neighbors to voice their opinion. Ms. Mullin also reads a letter from Dalila and Dan Resto, 87 Third Avenue Extension. The letter said this change was devious and not acceptable. They've been in the neighborhood for twelve years and they have had garbage dumped in their area and the city has ignored the problem. Things happen only at Election time. On behalf of herself, Ms. Mullin said that Beach Street is not a State Road and the neighbors on the corner of Third Avenue Extension and Beach Street are terrible and have never been fined for their blighted properties. She and her neighbors want development but not on the scale of six stories.

Pat Bollettieri, 215 West Walk

She is against six stories

Maggie Goodwin, 246 Peck Avenue

She is asking for time to talk and study this change. She wants to work together. Sandy Point Sanctuary is her favorite spot. Ms. Goodwin asks for transparency and cooperation.

Steven Mullins, 22 Oak Road

He asks for more time and that no decision is made on this change tonight. It is important to keep the dialogue open with the Residents.

Bonnie Possick, East Avenue

She moved here for the beach fifteen years ago from Hamden. She reads a letter from her neighbor on 28 Second Avenue. It said this will impair solar power. The neighbors on the corner of Third Avenue Extension and Beach Street are terrible and now we are bending over backwards to accommodate them. Not in favor of six stories.

Kathy Hebert, 166 Blohm Street

She is against six stories, four stories total. She also complains of the neighbors on the corner of Beach Street and Third Avenue Extension. If there must be a Cul de Sac she asks for beach access.

Ti Quan, 40 Second Avenue

We need tax dollars but not six stories.

Vice-Chairman Biancur makes a motion to end the Public Hearing and Alternate Rivera seconded it.

Deliberation on Proposed Changes:

File #ZR-23-161

Chairman Suggs is not comfortable approving this change after hearing the public input from the neighbors of the Beach Street area. The staff will consider the comments and propose something better. Vice-Chairman Biancur made a motion to deny and Secretary Milano seconded it. Denied unanimously.

File #ZR 23-162

Vice-Chairman Biancur recommends a separate zone for the Beach Street area after hearing the comments from the neighbors there. Denied unanimously.

File #ZR 23-163

Vice-Chairman Biancur made a motion to deny and Alternate Rivera seconded it. Denied unanimously

File #ZR 23-164

Vice-Chairman Biancur makes a motion to approve with discussion and Chairman Suggs seconded it. Approved unanimously.

File #ZR 23-165

Secretary Milano makes a motion to approve and Commissioner Taylor seconded it. Approved unanimously.

File #ZR 23-166

Commissioner Taylor made a motion to approve and Vice-Chairman Biancur seconded it. Approved unanimously.

File #ZR 23-167

Alternate Rivera made a motion to approve and Vice-Chairman Biancur seconded it. Approved unanimously

Proposed Amendments to Zoning Map The City of West Haven is proposing to amend the Zoning Map along portions of the R-2 (Residential) district, along Third Avenue Extension and Beach Street to become a part of the SRR (Shoreline Residential Retail) district. **File #ZM 23-172**

Deliberation on Item: File #ZM 23-172

Chairman Suggs made a motion to deny with discussion and Alternate Rivera seconded it.

Regular Meeting

Bike agenda was mentioned

Staff Reports

There are no Applications for the next meeting. A working meeting was mentioned. The Armstrong proposal was mentioned also.

Other Business

Thomas Cusa, Associate Counsel said the briefs were submitted for the former Bowl Drive-in site and the pre-trial is May 8, 2023. He said the Kaplowe/Moore hearing is also May 8, 2023.

Adjournment: 9:43

Vice-Chairman Biancur made a motion to adjourn and Alternate Rivera seconded it.